



SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item# 11.2

Meeting Date: June 8, 2023

Subject: Revision to Board Policies 0420, 0420.1, 0420.2, 0420.3 (Charter School Authorization, Oversight, Renewal, Revocation).

- Information Item Only
- Approval on Consent Agenda
- Conference (for discussion only)
- Conference/First Reading
- Conference/Action
- Action
- Public Hearing

Division: Deputy Superintendent's Office

Recommendation: Approve revised administrative regulation AR 0420.4 (Charter School Authorization), revised board policy BP 0420.1 (Charter School Authorization), revised board policy BP 0420.41 (Charter School Oversight), revised board policy BP 0420.42 (Charter School Renewal), and revised board policy BP 0420.43 (Charter School Revocation).

Background/Rationale: California Assembly Bill 1505 was signed into law in 2019. It significantly updated legal standards for charter oversight in the state. To date, SCUSD has not adopted revised board policies or administrative regulations consistent with this legal standard. These revised board policies are based on models from the California School Board Association (CSBA). Similar policies are in place in many surrounding districts and counties.

Financial Considerations: There are no financial impacts.

LCAP Goal(s): Goal 8: Basic Services and Districtwide Operations/Supports

Documents Attached:

1. Executive Summary
2. Administrative Regulation 0420.4 (clean)
3. Administrative Regulation 0420.4 (redline)
4. Board Policy 0420.4 – Charter Authorization (clean)
5. Board Policy 0420.4 – Charter Authorization (redline)
6. Board Policy 0420.41 – Charter Oversightersi



June 8, 2023

I. OVERVIEW / HISTORY

started with the model policies drafted by the California School Board Association. These policies were circulated and reviewed by SCUSD cabinet, SCUSD legal counsel, and other stakeholders from the charter schools' community. Upon taking office in March, the Director of Innovative Schools (Amanda Goldman) reviewed the policies and compared them with similar policies from surrounding districts and policies. The policies being updated are consistent with policies from San Juan Unified School District, Elk Grove Unified School District, Alameda County Office of Education, and Oakland Unified School District.

II. DRIVING GOVERNANCE

V. MAJOR INITIATIVES

Keeping SCUSD up to date and compliant with state law.

VI. RESULTS

Approval and implementation of AR 0420.4, BP 0420.4, BP 0420.41, BP 0420.42, and BP 0420.43.

VII. LESSONS LEARNED / NEXT STEPS

Once our SCUSD's board policies are up to date with legal requirements, the Director of Innovative Schools will update the policies. Innovative schools will u

Sacramento City USD

Administrative Regulation

Charter School Authorization

Philosophy, Goals, Objectives and Comprehensive Plans

Sacramento City USD

Administrative Regulation

Charter School Authorization

Philosophy, Goals, Objectives and Comprehensive Plans

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Sacramento City USD

Board Policy

Charter School Authorization

Philosophy, Goals, Objectives and Comprehensive Plans

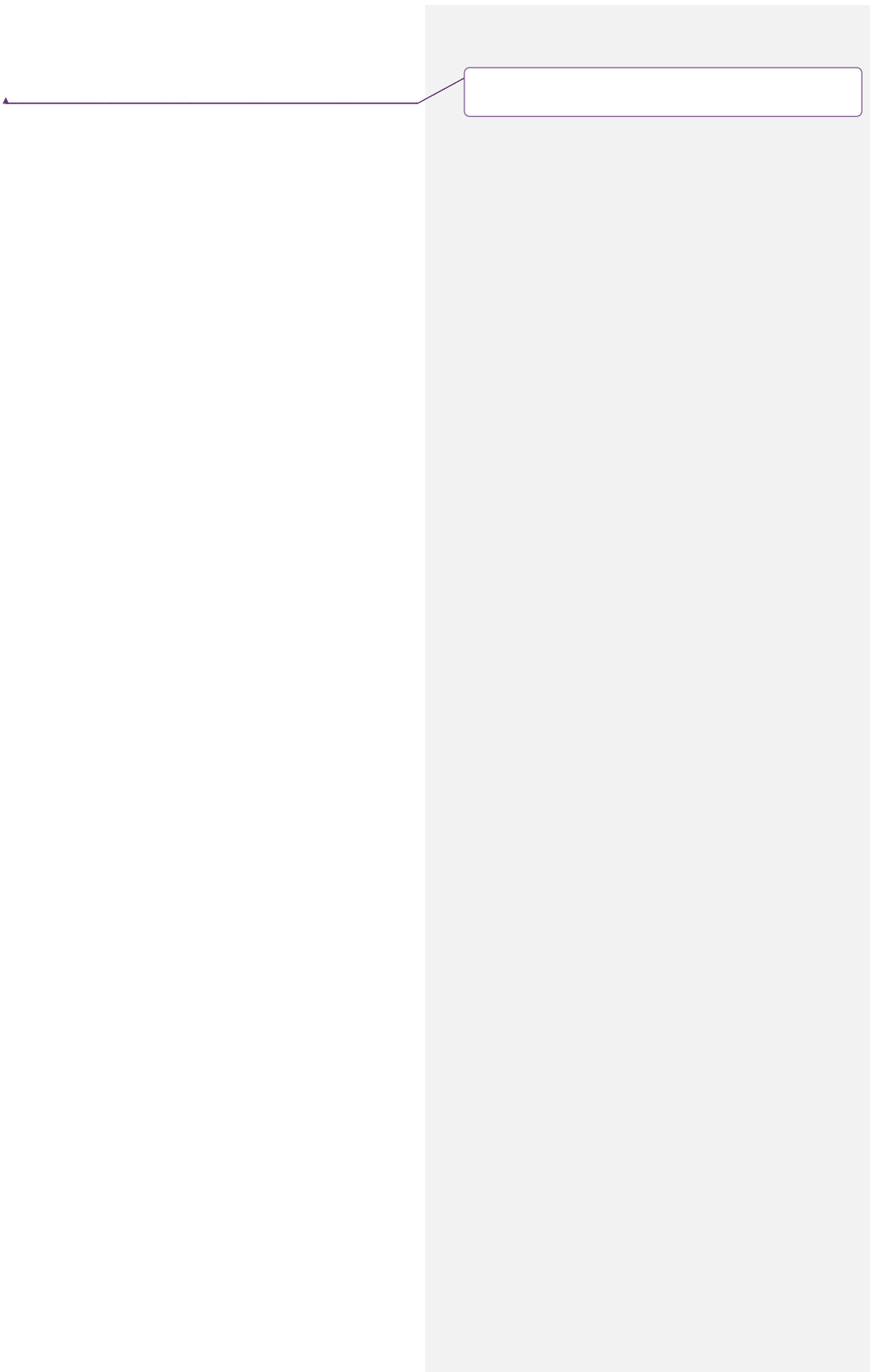
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Sacramento City USD

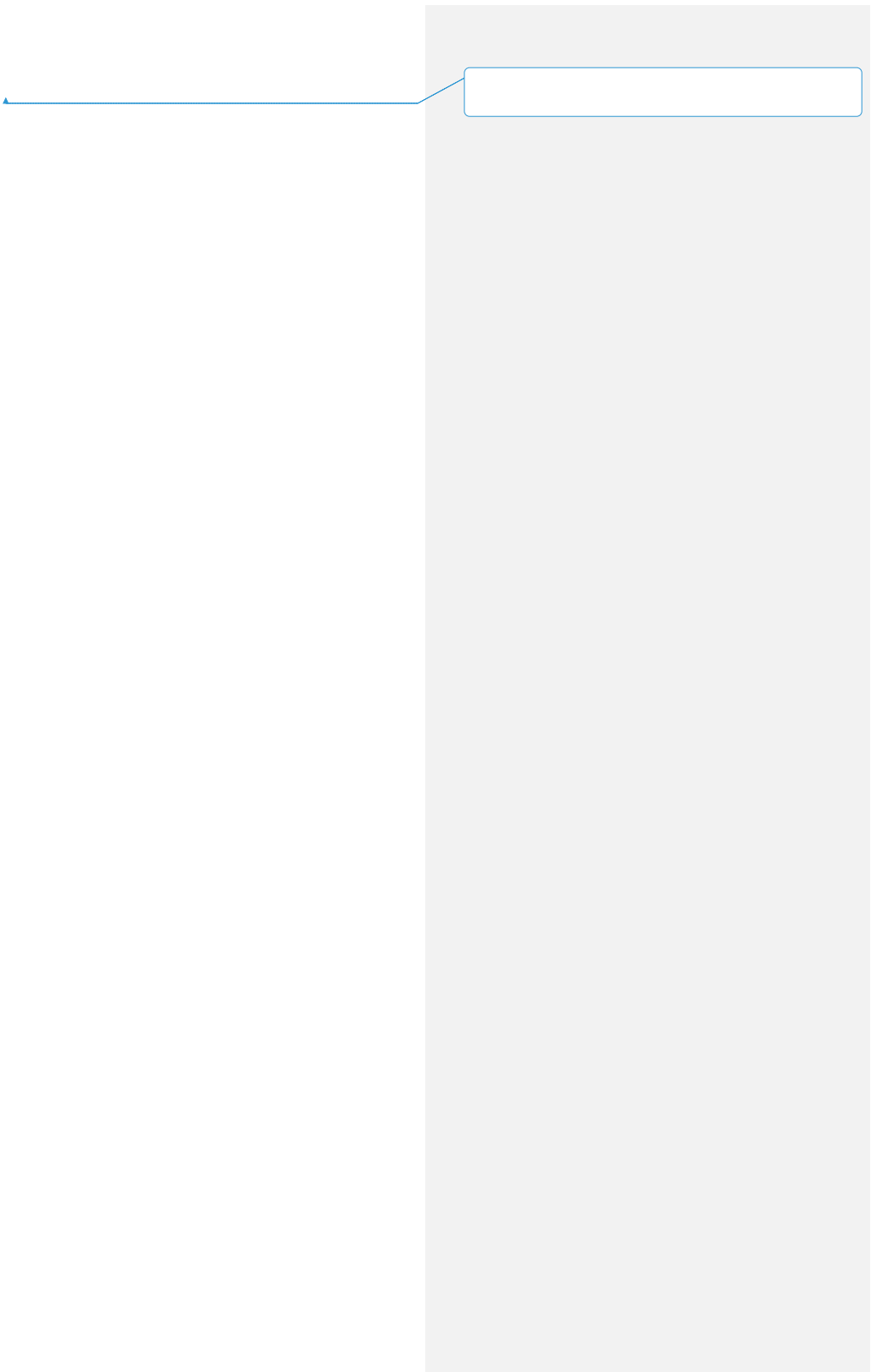
Board Policy

Charter School Authorization

BP 0420.4

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Any petition for a charterAt the request of the charter school and district



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The Board may approve one or more memoranda of understanding to clarify the financial and operational agreements between the district and the charter school. Any such memorandum of understanding shall be annually reviewed by the Board and charter school governing body and amended as necessary.

The Board may initially grant a charter for a specified term not to exceed five years. (Education Code 47607)

(cf. 0420.42 - Charter School Renewal)
(cf. 0420.43 - Charter School Revocation)

When a petition is approved by the Board, it shall be the responsibility of the petitioners to provide written notice of the Board's approval and a copy of the charter to the County Superintendent of Schools, the CDE, and the State Board of Education (SBE). (Education Code 47605)

Denial of Petition

The Board shall ~~summarily~~ deny any charter petition that proposes to:

1. Operate a charter school as or by a ~~profit~~ corporation, a ~~for~~profit educational management organization, or a ~~for~~profit charter management organization (Education Code 47604)
2. Convert a private school to a charter school (Education Code 47602)
3. Serve students in a grade level that is not served by the district, unless the petition proposes to serve students in all the grade levels served by the ~~district~~ (Education Code 47605)
4. ~~Offer nonclassroom based instruction (Education Code 47612.7)~~

Regarding all other charter petitions, the Board shall deny a petition only if the Board makes written factual findings specific to the petition that one or more of the following conditions exist: (Education Code 47605; 5 CCR 11967.5.1)

1. The charter school presents an unsound educational program ~~that has a likelihood of physical, educational, or psychological harm to, or which is not likely to provide an educational benefit for, for~~ the students to be enrolled in the charter school.
2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
3. The petition does not contain the number of signatures required.
4. The petition does not contain a clear, unequivocal statement described in Education Code 47605(e), including that the charter school will be nonsectarian and that the school shall not

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days after the petitioner makes the request. (Education Code 47605)

Within 30 days of receipt of an appeal submitted to SBE, the Board may submit a written opposition to **SE** detailing, with specific citations to the documentary record, how the Board did not abuse its discretion in denying the petition. (Education Code 47605)

If either the County Board or SBE remands the petition to the Board because the petition on appeal contains new or different material terms, the Board shall reconsider the petition and grant ~~shall or~~ deny the petition within 30 days. (Education Code 47605)

Legal Reference:

EDUCATION CODE

200 Equal rights and opportunities in state educational institutions

220 Nondiscrimination

1240 Duties of County Superintendent

17078.52-17078.66 Charter schools facility funding; state bond proceeds

1728047317 Field Act

17365-17374 Field Act, fitness for occupancy

32280-32289.52 Comprehensive safety plan

33126 School Accountability Report Card

41365 Charter school revolving loan fund

42131 Interim certification

42238.51-42238.52 Funding for charter districts

44237 Criminal record summary

44830.1

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11960-11969.148-5.5 Charter schools
UNITED STATES CODE, TITLE 20
7221-7224;23-7225 Charter schools
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Policy 0420.41: Charter School Oversight

Status:ADOPTED

Original Adopted Date10/01/2013| Last Revised Date06/01/2022| Last Reviewed Date06/01/2022

The Governing Board recognizes its ongoing responsibility to oversee that any charter school authorized by the Board is successfully fulfilling the terms of its charter and is providing a ~~highly~~ educational program for students enrolled in the charter school.

The Superintendent or designee shall identify at least one staff member to serve as a contact person for each charter school authorized by the Board (Education Code 47604.32)

The Superintendent or designee shall visit each charter school at least annually and may inspect ~~any~~ part of a charter school at any time (Education Code 47604.32, 47607)

The Superintendent or designated charter school shall periodically meet and communicate with a representative of the charter school.

Waivers

If the charter school wishes to request a general waiver of any state law or regulation applicable to it, it shall request that the district submit a general waiver request to the State Board of Education (SBE) on its behalf.

- (3) On or before March 15, a second interim financial report. This report shall reflect changes through January 31.
- (4) On or before September 15, a final unaudited report for the preceding fiscal year.
- (5) On or before December 15, an annual independent, financial audit report for the preceding fiscal year.
- (6) In order to monitor the fiscal condition of each charter school, the district may at any time require that a charter school provide back data or information with regard to any of the reports. The district may also, on a case by case basis, require

of such a complaint or service of legal process. Upon notification to the district of any such complaint, the charter

school, may be solicited to act as a partner to the charter school in need of technical assistance.

3. Obtaining from the charter school timely documentation demonstrating that it has completed the activities described in Items #1 and 2 or substantially similar activities, or has selected another service provider to work with the charter school to complete the activities described in Item #1 and 2 or substantially similar activities, and ongoing communication with the Board to assess the charter school's progress in improving student outcomes.

In addition, if, in three out of four consecutive school years, a charter school fails to improve outcomes for three or more numerically significant student subgroups, or for all of the student subgroups if the school has fewer than

State	Description
5 CCR 117001705	Independent study
5 CCR 119601969.10	Charter schools
5 CCR 4600670	Uniform complaint procedures
Bus. Code 7583.45	Training for security officers
CA Constitution Article 16, Section 8.5	Public finance; school accountability report card
CA Constitution Article 9, Section 5	Common school system
Corp. Code 5110	

Ed. Code 380808086

School meals

Ed. Code 39831.3

Transportation safety plan

Ed. Code 39843

Disciplinary action against bus driver; report to Department of Motor Vehicles 51.9 (.569 22.441e W n BT 11.04 -0 488 n BT 11.04 ..65.21

Ed. Code 41024

Report of expenditure of state facility funds

Ed. Code 42100

Annual statement of receipt 0.9 (m)-3.3 (en)5.3t6 201.119 4 -C

Ed.Code 49014	Public School Fair Debt Collection Act
Ed. Code 49061	Definitions, directory information
Ed. Code 49062.5	Student records, name or gender change
Ed. Code 49070	Challenging student records
Ed. Code 49073.2	Privacy of student and parent/guardian personal information; minutes of board meeting
Ed. Code 49076.7	Student records; data privacy; social security numbers
Ed. Code 49110	Authority to issue work permits
Ed. Code 49381	Human trafficking prevention
Ed. Code 49414	Epinephrine auto-injectors
Ed. Code 49414.3	Administration of opioid antagonist
Ed. Code 49428	Notification of mental health services
Ed. Code 49430	

Ed. Code 520662077	Local control and accountability plan
Ed. Code 52075	Uniform complaint procedures
Ed. Code 56026	Special education
Ed. Code 56040.3	Availability of assistive technology device
Ed. Code 561456146	Special education services in charter schools
Ed. Code 563656366.12	Nonpublic, nonsectarian schools
Ed. Code 606060648.5	Assessment of academic achievement
Ed. Code 64000	Categorical programs included in consolidated application
Ed. Code 64001	School plan for student achievement; consolidated application programs
Ed. Code 650065001	School site councils
Ed. Code 69432.99432.92	Cal Grant program; notification of grade point average and high school graduation
Gov. Code 10900099	Prohibitions applicable to specified officers
Gov. Code 3540549.3	Educational Employment Relations Act
Gov. Code 3553559	Public employee communication, information and orientation
Gov. Code 549564963	The Ralph M. Brown Act
Gov. Code 7920.0007930.170	California Public Records Act
Gov. Code 810001014	Political Reform Act of 1974
H&S Code 104420	Tobacco Use Prevention Education grant program
H&S Code 104559	Tobacco-free schools
Lab. Code 1198.5	Personnel records related to performance and grievance
Lab. Code 3074.2	College and career fairs; notice to apprenticeship programs
Pen. Code 1192.7	Definition of serious felony
Pen. Code 667.5	Definition of violent felony
Veh. Code 28160	Child safety alert system
Federal	

Attorney General Opinion	104 Ops.Cal.Atty.Gen. 66 (2021)
Attorney General Opinion	101 Ops.Cal.Atty.Gen. 92 (2018)
Attorney General Opinion	78 Ops.Cal.Atty.Gen. 297 (1995)
Attorney General Opinion	89 Ops.Cal.Atty.Gen. 166 (2006)
Attorney General Opinion	80 Ops.Cal.Atty.Gen. 52 (1997)

Website	California Student Aid Commission
Website	National Association of Charter School Authorizers
Website	California Charter Schools Association
Website	California Department of Education, Charter Schools
Website	California Interscholastic Federation
Website	California Office of the Attorney General
Website	CSBA
Website	U.S. Department of Education

Cross References

Code	Description
0420.4	Charter School Authorization
0420.4	Charter School Authorization
0420.42	Charter School Renewal
0420.43	Charter School Revocation
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
0500	Accountability
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3E(1)	Uniform Complaint Procedures
1312.3E(2)	Uniform Complaint Procedures
1431	Waivers
6162.51	State Academic Achievement Tests
6162.51	State Academic Achievement Tests
7160	Charter School Facilities
7160	Charter School Facilities

Policy 0420.41: Charter School Oversight

Status:ADOPTED

On: 10/01/2013 | Last Revised Date: 06/01/2022 | Last Reviewed Date: 06/01/2022

If an approved charter school proposes to expand operations to one or more additional sites or grade levels, whether concurrently with or unrelated to a renewal, the charter school shall request a material revision to its charter and shall notify the Board of those additional locations or grade levels. The Board shall consider approval of the additional locations or grade levels at an open meeting (Education Code 47605, 47607)

~~The Board shall have the authority to determine whether a proposed change in charter school operations constitutes a material revision of the approved charter.~~

~~A proposed change in charter school operations shall be considered a material revision of the approved charter and require approval from the Board when the proposed change represents a substantial difference (c)-1.9 (h)2.yroMC 54.208 595.8(r)B11.2 (rt)18.8 (en~~

~~budgets shall reflect appropriate financial reserves. Charter schools with a projected ADA of 300 or less shall maintain a monetary reserve in a restricted account equal to 5% of the charter school's total expenditures and other financing uses or \$55,000, whichever is greater.~~

~~(2) On or before December 15, an interim financial report. The report shall reflect changes through October 31. With this report, the governing board of the charter school shall comply with Education Code 42131 and certify, in writing, whether the charter school is able to meet its financial obligations for the remainder of the fiscal year and, based on current forecasts, for the subsequent fiscal year.~~

~~(3) On or before March 15, a second interim financial report. This report shall reflect changes through January 31. With this report, the governing board of the charter school shall comply with Education Code 42131 and certify, in writing, whether the charter school is able to meet its financial obligations for the remainder of the fiscal year and, based on current forecasts, for the subsequent fiscal year.~~

~~(4) On or before September 15, a final unaudited report for the preceding fiscal year.~~

~~(5) On or before December 15, an annual independent, financial audit report for the preceding fiscal year.~~

~~(6) In order to monitor the fiscal condition of each charter school, the district may at any time require that a charter school provide back data or information with regard to any of above reports. The district may also on a case by case basis, require that a charter school make financial reports more frequently (such as further interim reports or monthly reports).~~

~~(7) By June 30 each year the district will prepare and mail to each charter school its annual certification form. Each charter school shall complete the district's annual certification by August 1 each year or, if the certification is mailed after June 30, within thirty calendar days of the district's mailing of the annual certification form. Such annual certification form is attached as Appendix A.~~

Credentialing certificate, permit or other document equivalent to that which a teacher in other public schools would be required to hold. These documents are subject to periodic inspection by the district and may be inspected without prior notice during any visit to the charter school by the district. (See Education Code 47605 (l), 47604.3, and 47604.32.)

F. Each charter school must timely (as defined below) notify the district in writing, directed to the attention of the Superintendent, of any complaints received from parents, students or staff under the uniform complaint procedure (UCP), any complaints filed with the Department of Fair Employment and Housing (DFEH), complaints filed with the Equal Employment Opportunity Commission (EEOC), or other complaints received by the charter school or filed with the charter school or another public agency pursuant to state or federal law, including any legal action filed against the charter school, its officers, or employees in their official capacity at the charter school. Timely notification shall occur no later than thirty (30) calendar days following the charter school's receipt of such a complaint or service of legal process. Upon notification to the district of any such complaint, the charter school shall respond to all reasonable inquiries by the district (see Education Code 47604).

G. Each charter school must timely notify the district of any changes in the leadership of the charter school and, if applicable, the nonprofit corporation that operates the charter school. Significant changes in leadership include the election or appointment of a new governing board member or members and the employment of a

charter school's capacity to develop and implement actions and services responsive to student and community needs, including, but not limited to, any of the following (Education Code 47607.3)

1. Assisting the charter school to identify its strengths and weaknesses in regard to the state priorities applicable to the charter school pursuant to Education Code 47605. This shall include working collaboratively with the charter school to review performance data on the state and local indicators

The Superintendent or designee shall provide notification to the California Department of Education, within 10

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Ed. Code 33479.3	The Eric Parades Sudden Cardiac Arrest Prevention Act
Ed. Code 35179.3	Interscholastic athletic programs, safety; swimming pool safety that is not part of interscholastic athletic program
Ed. Code 35183.1	Graduation ceremonies; tribal regalia or recognized object of religious/cultural significance
Ed. Code 35292.6	Stocking of menstrual products
Ed. Code 35330	Field trips and excursions; student fees
Ed. Code 38001.5	Training for security officers
Ed. Code 38080.8	School meals
Ed. Code 39831.3	Transportation safety plan
Ed. Code 39843	Disciplinary action against bus driver; report to Department of Motor Vehicles
Ed. Code 41024	Report of expenditure of state facility funds
Ed. Code 42100	Annual statement of receipts and expenditures
Ed. Code 44030.5	Reporting change in employment status due to alleged misconduct
Ed. Code 44237	Criminal record summary
Ed. Code 44258.9	Monitoring of teacher assignments
Ed. Code 44691	Information on detection of child abuse; annual training
Ed. Code 44830.1	Certificated employees; conviction of a violent or serious felony
Ed. Code 45122.1	Classified employees; conviction of a violent or serious felony
Ed. Code 45125.1	Criminal records summary; employees of contracting entity
Ed. Code 46015	Accommodations for pregnant and parenting students; parental leave Ed. Code 46015

Ed. Code 48907	Exercise of free expression; time, place and manner rules and regulations
Ed. Code 48913.5	Suspended students; homework assignments
Ed. Code 48950	Speech and other communication

Ed. Code 51225.51225.8	Completion and submission of the Free Application for Federal Student Aid and California Dream Act Application
Ed. Code 51413	Diploma of graduation without passage of high school exit examination
Ed. Code 517481749.6	Independent study
Ed. Code 519251929	Mandatory mental health education
Ed. Code 519361939	California Healthy Youth Act
Ed. Code 52052	Accountability; numerically significant student subgroups
Ed. Code 520662077	Local control and accountability plan
Ed. Code 52075	Uniform complaint procedures
Ed. Code 56026	Special education
Ed. Code 56040.3	Availability of assistive technology device
Ed. Code 561456146	Special education services in charter schools
Ed. Code 563656366.12	Nonpublic, nonsectarian schools
Ed. Code 606060648.5	Assessment of academic achievement
Ed. Code 64000	Categorical programs included in consolidated application
Ed. Code 64001	School plan for student achievement; consolidated application programs
Ed. Code 650065001	School site councils
Ed. Code 69432.69432.92	Cal Grant program; notification of grade point average and high school graduation
Gov. Code 1090099	Prohibitions applicable to specified officers
Gov. Code 3540549.3	Educational Employment Relations Act
Gov. Code 3555559	Public employee communication, information and orientation
Gov. Code 549564963	The Ralph M. Brown Act
Gov. Code 7920.007930.170	California Public Records Act
Gov. Code 810091014	Political Reform Act of 1974
H&S Code 104420	Tobacco Use Prevention Education grant program
H&S Code 104559	Tobacco-free schools
Lab. Code 1198.5	Personnel records related to performance and grievance
Lab. Code 3074.2	College and career fairs; notice to apprenticeship programs
Pen. Code 1192.7	Definition of serious felony
Pen. Code 667.5	Definition of violent felony
Veh. Code 28160	Child safety alert system

{SR774270}

Federal	Description
20 USC 1681688	Title IX of the Education Amendments of 1972; discrimination based on sex
20 USC 6311	State plan
20 USC 7227221j	Charter schools
34 CFR 200.1200.78	Accountability
42 USC 114311435	McKinneyVento Homeless Assistance Act
Management R.3 (e)-1 0 8.3536ment88.3	

Website	<u>California Department of General Services, Office of Administrative Hearings</u>
Website	<u>California Commission on Teacher Credentialing</u>
Website	<u>California Commission on Peace Officer Standards and Train</u>
Website	<u>California Bureau of Security and Investigative Services</u>
Website	<u>California State Controller</u>
Website	<u>California Department of Pesticide Regulation</u>
Website	<u>California Student Aid Commission</u>
Website	<u>National Association of Charter School Authorizers</u>
Website	<u>California Charter Schools Association</u>
Website	<u>California Department of Education, Charter Schools</u>

{SR774270}

Policy 0420.42: Charter School Renewal

Status:ADOPTED

Original Adopted Date03/01/2012| Last Revised Date12/01/2021| Last Reviewed Date05/04/2023

Whenever a charter school submits a petition for renewal of its charter, the Board shall review the petition thoroughly and in a timely manner, consistent with the timelines set out in the Education Code. The Board shall consider renewal petitions only of charters originally authorized by the Board itself or the State Board of Education (SBE) on appeal after initial denial by the Board.

The Board shall deny the renewal petition of any charter school operated as or by a nonprofit corporation, a for-profit educational management organization, or a for-profit charter management organization (Education Code 47604)

When a charter school, concurrently with its renewal petition, proposes to expand operations to one or more additional sites or grade levels, the charter school shall request a material revision to its charter. The material revision may be made only with the approval of the Board and in accordance with the standards and criteria in Education Code 47605 for material revision (Education Code 47607)

The Board recommends that a charter school submit its petition for renewal to the Board sufficiently early before the expiration of the term of the charter to allow the Board's deliberations and decision on the renewal petition to be completed with minimal disruption to the charter school's educational program in the renewal year.

The petition for renewal shall include a reasonably comprehensive description of how the charter school has met all new charter school requirements enacted into law after the charter was originally granted or last renewed. (Education Code 47607; 5 CCR 11966.4)

Criteria for Granting or Denying Renewal

Renewals shall be governed by the same standards and criteria that apply to new charter petitions as set forth in Education Code 47605. However, a charter renewal shall not be denied based on the fiscal impact of the charter school on the district or a finding that the charter school is demonstrably unlikely to serve the interests of the entire community in which the school is located, as described in Education Code 471 (11)-0.7 (6)-0.8 0.004 Tc 7.006

1. Renewal of Five to Seven Years

- a. A charter school that is not eligible for technical assistance pursuant to Education Code 47607.3 shall be granted renewal for a period of five to seven years when, for two consecutive years immediately preceding the renewal, or for two of the most recent years for which state data is available preceding the renewal if the two consecutive years immediately preceding the renewal decision include the 2019~~20~~ or 2020~~21~~ school year, the charter school achieved either of the following: (Education Code 47607)
 1. Received the two highest performance levels schoolwide on all the state indicators included in the Dashboard for which the charter school receives performance levels, provided the charter school has schoolwide performance levels on at least two measurements of academic performance per year in each of the two years
 2. For all measurements of academic performance, received performance levels schoolwide that are the same or higher than the state average and, for a majority of numerically significant student subgroups performing statewide below the state average in each respective year, received performance levels that are higher than the state average, provided that the charter school has performance levels on at least two measurements of academic performance for at least two subgroups
- b. If the charter school satisfies the above criteria, it shall only be required to update the renewal petition to include a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed and, as necessary, to reflect the current program offered by the charter school (Education Code 47607)

2. Renewal of Five Years

- a. A renewal shall be granted for five years if clear and convincing evidence, demonstrated by state indicators included in the Dashboard, and optionally supported by verified data, shows either of the following: (Education Code 47607.2)
 1. Measurable increases in academic achievement, as defined by at least one year's progress for each year in school
 2. Strong postsecondary outcomes, as defined by college enrollment, persistence, and completion rates equal to similar peers
 3. For renewal purposes, data is considered verified if it is included on the list of verified data sources adopted by the California State Board of Education
- b. For any such charter school, the Board may deny the renewal petition only upon making written factual findings that the charter school failed to meet or make sufficient progress toward meeting standards that provide a benefit to students at the school, that the closure of the charter school is in the best interest of students, and that the Board's decision provided greater weight to performance on measurements of academic performance (Education Code 47607.2)

3. Denial/TwoYear Renewal

- a. The Board shall generally not renew a charter if, for two consecutive years immediately preceding the renewal decision, or for two of the most recent years for which state data is available immediately preceding the renewal if the two consecutive years immediately preceding the renewal decision include the 2019~~20~~ or 2020~~21~~ school year, either of the following

certification that the petitioner deems the petition to be complete. (Education Code 47605)

The Board shall either grant or deny the charter renewal within 90 days of receiving the petition. The date may be extended by an additional 30 days if both the petitioner and the Board agree to the extension. (Education Code 47605)

At least 15 days before the public hearing at which the Board will grant or deny the charter petition, the Board shall publish all staff recommendations and recommended findings regarding the petition. During the public hearing, petitioners shall have equal time and opportunity to present evidence and testimony to respond to the staff recommendations and findings. (Education Code 47605)

If the Board fails to make a written factual finding when required for denial of the petition pursuant to this section

CSBA Publication	Charter Schools: A Guide for Governance Teams, rev. June
Website	CSBA District and County Office of Education Services
Website	California Charter Authorizing Professionals
Website	California Charter Schools Association
Website	California Department of Education, Charter Schools
Website	National Association of Charter School Authorizers
Website	U.S. Department of Education
Website	CSBA

Cross References

Code	Description
0420.4	Charter School Authorization
0420.4	Charter School Authorization
0420.41	Charter School Oversight
0420.41E(1)	Charter School Oversight
0420.43	Charter School Revocation
0500	Accountability
6162.51	State Academic Achievement Tests
6162.51	State Academic Achievement Tests

Policy 0420.42: Charter School Renewal

Status:ADOPTED

Original Adopted Date03/01/2012| Last Revised Date12/01/2021| Last Reviewed Date:
~~12/01/2021~~05/04/2023

~~The Governing Board believes that the ongoing operation of a charter school should be dependent on the school's effectiveness in achieving its mission and goals for student learning and other student outcomes.~~
Whenever a charter school submits a petition for renewal of its charter, the Board shall review the petition thoroughly and in a timely manner, consistent with the timelines set out in the Education Code. The Board shall

Following the Board's review, a renewal of the charter petition may be granted in accordance with a tiered system based on school performance, as follows:

1. Renewal of Five to Seven Years

- a. A charter school that is not eligible for technical assistance pursuant to Education Code 47607.3 shall be granted renewal

- a. The Board shall generally not renew a charter if, for two consecutive years immediately preceding the renewal decision, or for two of the most recent years for which state data is available immediately preceding the renewal if the two consecutive years immediately preceding the renewal decision include the 20~~20~~ or 202021 school year, either of the following applies: (Education Code 47607.2)

- 1.

Within 60 days of receiving the renewal petition, the Board shall hold a public hearing to review documentation submitted by the charter school, determine the level of support for the petition, and obtain public input. A petition is deemed received on the day the petitioner submits a petition to the district office, along with a signed certification that the petitioner deems the petition to be complete. (Education Code 47605)

The Board shall either grant or deny the charter renewal within 90 days of receiving the petition. The date may be extended by an additional 30 days if both the petitioner and the Board agree to the extension. (Education Code 47605)

At least 15 days before the public hearing at which the Board will grant or deny the charter petition, the Board shall publish all staff recommendations and recommended findings regarding the petition. During the public hearing, petitioners shall have equal time and opportunity to present evidence and testimony to respond to the staff recommendations and findings. (Education Code 47605)

If the Board fails to make a written factual finding when required for denial of the petition pursuant to the "Criteria for Granting or Denying Renewal" above within the required time period, the absence of a written

Federal 20 USC 7227221j	Description Expanding opportunity through quality charter schools
Management Resources CSBA Publication	Description Charter Schools: A Guide for Governance Teams, rev. June .
Website	CSBA District and County Office of Education Legal Services
Website	California Charter Authorizing Professionals
Website	California Charter Schools Association
Website	California Department of Education, Charter Schools
Website	National Association of Charter School Authorizers
Website	U.S. Department of Education
Website	CSBA

Cross References

Code	Description
0420.4	Charter School Authorization
0420.4	Charter School Authorization
0420.41	Charter School Oversight
0420.41E(1)	Charter School Oversight
0420.43	Charter School Revocation
0500	Accountability
616251	State Academic Achievement Tests
6162.51	State Academic Achievement Tests

Policy 0420.43: Charter School Revocation

Status:ADOPTED

Original Adopted Date03/01/2012| Last Revised Date03/01/2020| Last Reviewed Date12/01/2013

The Governing Board expects any charter school it authorizes to provide a sound educational program that promotes student learning and to carry out its operations in a manner that complies with law and the terms of its charter. The Board may revoke a charter in accordance with law.

When the Board determines, in writing, that any violation under Education Code 47607 constitutes a severe and imminent threat to the health or safety of students, the Board may immediately revoke the school's charter. When such a determination is made, the Board shall ~~appear~~ deliver to the charter school's governing body, the County Board of Education, and the California Department of Education (CDE) a Notice of Revocation by Determination of a Severe and Imminent Threat to Pupil Health or Safety (Education Code 47607;CCR 11968.5.3)

In all other circumstances, the Board may revoke a charter after providing due process and using the procedures described below. The Board may revoke a charter if it makes a written factual finding specific to that charter school and supported by substantit(u)10()-11.3b(r)-2.8 (i)-3.oTd-4.3 (u)10.1c3a s re (t)-2.9 (h)2.2 (7.9 dib)-0.e(t)-2.9

procedures set forth in the charter

charter

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2. All evidence relied upon by the Board in determining that the charter school committed the alleged violation(s), including the date and duration of the alleged violation(s) Notice shall show that each alleged violation is both material and uncured and that it occurred within a reasonable period of time before the Notice of Violation is issued.
3. The period of time that the Board has concluded is a reasonable period of time for the charter school to remedy or refute the identified violation(s) In identifying this time period, the Board shall consider the amount of time reasonably necessary to remedy each identified violation, which may include the charter school's estimation as to the anticipated remediation time.

At least 72 hours prior to ~~any meeting~~ any meeting at which the Board will consider issuing a Notice of Violation, the Board shall provide the charter school with notice and all relevant documents related to the proposed action. (5 CCR 11968.5.2)

By the end of the remedy period identified in the Notice of Violation, the charter school's governing body may submit to the Board a detailed written response and supporting evidence addressing each identified violation, including, as applicable, a refutation, remedial action taken, or proposed remedial action. (5 CCR 11968.5.2)

At the conclusion of the remedy period specified in the Notice of Violation, the Board shall evaluate any response and supporting evidence provided by the charter school. (5 CCR 11968.5.2)

