

AUSD Process for Reviewing Charter School Renewal Petitions

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First Things First: What is a Charter School?

- Public school that operates:
 - independently of the chartering entity and local school district
 - exempt from most of the Education Code
 - exempt from laws applicable solely to school districts
 - under chartering entity “oversight”
- Purposes (per Charter Law):
 - improve school learning
 - increase learning opportunities for all pupils, with emphasis on academically low achieving
 - encourage innovative teaching methods
 - create new professional opportunities
 - provide parents with expanded choice public school system
- Five overseen by AUSD (Nea, ACLC, AoA Middle, AoA Elementary, Alternatives in Action)

Renewal Petition Timeline

- 2019/20 is the final year of the existing charter terms for AoA Middle School and ACLC
- Both schools filed renewal petitions with AUSD on September 24, 2019; if approved it would cover a period of 5 years starting in 2020 (EC § 47607(a)(1))
- Statutory timeline for review and action:
 - Ordinarily, AUSD has 60 days from petition date to approve or deny (EC §§ 47607(a)(2); 47605)
 - EC 47605 permits parties to extend timeline by 30 days; AUSD has agreed on extensions with AoAMS and ACLC
 - Board has until its first meeting in December to act

Renewal Petitions: Process

- Renewal process:
 - Per Ed Code, primary criterion is academic performance
 - LCAP
 - SBAC
 - Review all areas of schools (academics, finance, compliance, charter language)
 - Involves comprehensive site visits and document review involving all AUSD offices (Teaching & Learning, Special Ed, Finance, Legal)

AUSD Renewal Petition Timeline

- October
 - Review petitions and supporting documents
 - Site visits (10/2-10/3 ACLC; 10/8-10/10 AoA)
 - Interviews with management and board members
 - Public hearing on petitions (tonight)
 - Public presentation to board by each charter school
- November
 - Presentation of draft staff findings
- December
 - Board action on petitions

Renewal Standard

- Renewal petitions are governed by the same basic standard as initial petitions, but with different emphasis and additional threshold question
- Emphasis is on student academic performance:
 - “The authority that granted the charter shall consider increases in pupil academic achievement for all groups of pupils served by the charter school as the most important factor in determining whether to grant a charter renewal” (EC 47607(a)(3)(A))
- Essentially, if a school has satisfactory pupil achievement, there is a presumption that the petition must be approved
- Presumption can be overcome, but requires specific evidentiary showings by District

Renewal Standard

- Threshold question (EC 47607(b))
- Charter school must make one of four showings:
 - Attained its Academic Performance Index (API) growth target in the prior year or in two of the last three years both schoolwide and for all groups of pupils served by the charter school.
 - Ranked in deciles 4 to 10, inclusive, on the API in the prior year or in two of the last three years.
 - Ranked in deciles 4 to 10, inclusive, on the API for a demographically comparable school in the prior year or in two of the last three years.
 - **Demonstrated academic performance “at least equal” to comparable district schools**
 - **Comparable schools are the District schools charter students would otherwise have attended and those with similar student populations to the population served by the charter school**

Renewal Standard

- If threshold met, move on to evaluation of all areas of the petition and school program
- Petition must be approved unless Board makes specific, written factual findings supporting conclusion that:
 - The charter school presents an unsound educational program for the pupils to be enrolled in the charter school, or
 - The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition, or
 - The petition does not contain reasonably comprehensive descriptions of its academic, financial, and compliance programs
- Academic performance remains most important factor
- AUSD review matrix attached

Timeline for Possible Further Action

- If AUSD rejects a petition, petitioner has the right to appeal to County Board of Education
- Could then appeal to State Board of Education as well
- December 2019 - Spring 2020: Appeal proceedings before County, State (if needed)

Changes in Law AB 1505

by Assembly members O'Donnell and Bonta

- Approval of Initial Charter School Petitions
 - AB 1505 allows charter authorizers to consider how the charter school would financially impact the community and the neighborhood schools. Also, the bill allows a charter authorizer to deny a charter school when the district is in fiscal distress, as determined by the county superintendent of schools
- Teacher Credentialing
 - AB 1505 clarifies that charter school teachers must have a state-level background check and the required credential for their assignment, with a transition period.

Changes in Law AB 1505 cont.

- Charter School Renewal

- requires charter authorizers to use the state accountability system as the basis for charter school renewal, receiving differentiated assistance and intervention for academic concerns on the same terms as school districts.
- allows charter authorizers to close a charter school for fiscal and governance concerns or if the charter school is not serving all student populations.

- Charter School Appeals

- AB 1505 establishes a limited appeal process to the State Board

Changes in Law AB 1507

by Assembly member Smith

- AB 1507 eliminates the ability to authorize a charter school located outside the boundaries of the authorizing school district or county
 - If a district has authorize a charter school that established one site outside the boundaries of the chartering school district, but within the county, before January 1, 2020, the charter will continue to operate the site until the charter school submits a request for the renewal of its charter petition, and requires approval in writing from the school district where the site is operating prior to submitting the renewal

Public Hearing

- AUSD required to hold public hearing on petitions within 30 days of filing
- Formal opportunity for public to provide feedback
- Public will have further opportunities to comment at other points in the process
- Similarly, board will have opportunity to ask questions of staff and petitioners later in process

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Questions?