

**GUIDE TO AB 1505
CALIFORNIA CHARTER SCHOOL
RENEWAL CRITERIA**



Table of Contents

Overview of New Renewal Criteria in AB 1505	3
Renewal Criteria Overview Table.....	4
High Track	5
GUARDRAILS FOR HIGH TRACK:	6
SCHOOL EXAMPLES:	7
Low Track	10
HOW MIGHT AN AUTHORIZER RENEW A SCHOOL IN THE LOW TRACK?	11
SECOND LOOK PROCESS FOR LOW TRACK SCHOOLS:.....	11
GUARDRAILS FOR LOW TRACK:.....	12
SCHOOL EXAMPLES:	12
Middle Track	15
HOW MIGHT AN AUTHORIZER RENEW A SCHOOL IN THE MIDDLE TRACK?	15
SECOND LOOK PROCESS FOR MIDDLE TRACK SCHOOLS:.....	15
GUARDRAILS FOR MIDDLE TRACK.....	16
SCHOOL EXAMPLES:	16
DASS Charter School Renewal Criteria	17
Fiscal, Governance, and Student Admissions as Basis for Non-Renewal	18
APPENDIX 1: DEFINITIONS	20
APPENDIX 2: EDUCATION CODE TABLE	23
APPENDIX 3: SECOND LOOK PROCESS	26
HOW LONG WILL THE SECOND LOOK PROCESS BE INCLUDED IN RENEWAL DETERMINATIONS?	26
IS SECOND LOOK MANDATORY OR OPTIONAL?.....	26
WHY MAY SCHOOLS NEED A SECOND LOOK PROCESS?	27
CRITERIA FOR THE SECOND LOOK PROCESS	27
WHY THE SECOND LOOK IS CRUCIAL FOR SCHOOLS LACKING DASHBOARD DATA.....	28
WHAT KINDS OF DATA AND BENCHMARKS SHOULD SCHOOLS USE FOR THE SECOND LOOK?	28
APPENDIX 4: MIDDLE TRACK GUIDANCE	30

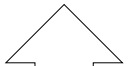
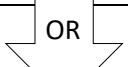


Overview of New Renewal Criteria in AB 1505

The criteria for charter school renewal changed substantially under AB 1505. Previously, the renewal criteria in Education Code section 47607 (“Education Code” hereinafter referred to as “Educ. C.”) was based on the Academic Performance Index “API,” where schools’ renewal depended on demonstrating sufficient performance on API-based state or similar schools ranks, growth targets or performance equal to schools that students would otherwise attend. AB 1505 amended Educ. C. section 47607 and added new Educ. C. section 47607.2 which will apply to renewals after July 1, 2020. Charter school renewals in California will now be guided by a 3-track renewal system. Key highlights include:

- **California School Dashboard focus.** Renewal criteria are now aligned with the California School Dashboard and consider a broader range of school performance indicators than previous renewal criteria, schoolwide and for subgroups.
- **More holistic review of academic performance.** In addition to state tests in ELA and Math, criteria now include college/career preparedness and English learner progress.
- **Rewards achievement gap-closing schools.** Schools meeting the state average status for academic performance schoolwide and beating the subgroup average with their historically disadvantaged subgroups qualify for High Track renewal (see below).
- **A new “second look” construct.** The construct allows schools and authorizers to consider alternative, robust measures of achievement growth and postsecondary success as evidence to support charter renewal (sunsets 2026).
- **3 Track Renewal:**
 1. **High Track: a streamlined and longer (5-7 year) renewal term** for charter schools demonstrating strong performance across all Dashboard indicators and for schools closing the achievement gap for historically disadvantaged subgroups.
 2. **Middle Track: places greater weight on academic performance,** allows for 2nd look (sunsets 2026) if school performance on California Dashboard state and local indicators does not demonstrate clear case for renewal. These schools may be renewed for a 5-year term.
 3. **Low Track: presumptive non-renewal** for underperforming schools, allows for 2nd look (sunsets 2026). If approved these schools are renewed only for a 2-year term.
- **Additional guardrails to ensure fair and robust renewal determinations.** The high track and low track use parallel criteria and contain guardrails to ensure schools are fairly reviewed when considering expedited renewal or presumptive non-renewal.
- **Substantial fiscal, governance, and student admissions** issues are allowable as a basis for non-renewal, but only if the authorizer has provided appropriate notice and opportunity to cure the violation, including a corrective action plan proposed by the charter school.
- **DASS Schools** will be evaluated on CA Dashboard indicators as well as “alternative metrics” mutually determined by the charter and authorizer.

Each of the sections below review the criteria, the nuances of the structure, guardrails, definitions and example schools. Following that is a table of Education Code ([Appendix 2](#)).

Renewal Criteria Overview Table

DATA EVALUATION PERIOD: 2 YEARS OF DASHBOARD DATA PRECEDING RENEWAL			
	HIGH TRACK	MIDDLE TRACK	LOW TRACK
ALL STUDENTS SCHOOLWIDE   OR   ACHIVEMENT GAP SCHOOLWIDE & UNDERPERFORMING SUBGROUPS	QUALIFYING CRITERIA: HAS 2+ STATE INDICATORS SCHOOLWIDE ACROSS 2 YEARS EVALUATION CRITERIA: SCHOOLWIDE MUST BE BLUES/GREENS ON ALL STATE INDICATORS	PERFORMANCE ON ALL STATE AND LOCAL INDICATORS, FOR ALL SUBGROUPS AND SCHOOLWIDE SHALL BE CONSIDIERED WITH HEAVIER WEIGHT ON ACADEMIC INDICATORS	QUALIFYING CRITERIA: HAS 2+ STATE INDICATORS SCHOOLWIDE ACROSS 2 YEARS EVALUATION CRITERIA: SCHOOLWIDE MUST BE ORANGE/RED ON ALL STATE INDICATORS
	QUALIFYING CRITERIA: HAS 2+ ACADEMIC INDICATORS ACROSS 2 YEARS FOR AT LEAST 2 SUBGROUPS EVALUATION CRITERIA: SCHOOLWIDE STATUS MUST BE SAME OR HIGHER THAN STATE AVERAGE STATUS ON ACADEMIC INDICATORS & ACROSS A MAJORITY OF ACADEMIC INDIATORS, UNDERPERFORMING SUBGROUPS HAVE A HIGHER STATUS THAN THE STATE AVERAGE STATUS FOR THAT SUBGROUP ON THAT INDICATOR		QUALIFYING CRITERIA: HAS 2+ ACADEMIC INDICATORSACROSS 2 YEARS FOR AT LEAST 2 SUBGROUPS EVALUATION CRITERIA: SCHOOLWIDE STATUS MUST BE SAME OR LOWER THAN STATE AVERAGE STATUS ON ACADEMIC INDICATORS & ACROSS A MAJORITY OF ACADEMIC INDIATORS UNDERPERFORMING SUBGROUPS HAVE A LOWER STATUS ON THAN THE STATE AVERAGE STATUS FOR THAT SUBGROUP ON THAT INDICATOR
OTHER FACTORS	CANNOT BE IN DIFFERENTIATED ASSISTANCE	SECOND LOOK ELIGIBLE: SCHOOLS MUST PROVIDE VERIFIED DATA TO SHOW SUCCESS ON ACADEMIC ACHIEVEMENT OR POSTSECONDARY OUTCOMES IF EVIDENCE IS NOT PROVIDED VIA ACADEMIC INDICATORS FOR SCHOOLWIDE & SUBGROUPS	

**This table does not include the impact of fiscal, governance or student admission policies on renewal

SCHOOLWIDE = ALL STUDENTS GROUP
UNDERPERFORMING SUBGROUPS = SUBGROUPS PERFORMING
 BELOW THE STATE AVERAGE EACH YEAR

ALL STATE INDICATORS = ACADEMIC INDICATORS, SUSPENSIONS,
 CHRONIC ABSENTEEISM, GRAD RATE
ACADEMIC INDICATORS = ELA, MATH, ELPI, CCI

Renewal determinations for non-DASS charter schools will be dependent in part on charter schools' placement into the High, Middle, and Low Track based on schools' performance. Under the three renewal tracks, we anticipate that the vast majority of charter schools will fall into the Middle Track. However, each school will need to first assess whether they fall into either the High or Low track to know for certain under which track they will be evaluated. Therefore, this guide first describes the criteria for High and Low Track renewal determinations and then the Middle Track. The criteria for the High and Low Track are largely parallel and rely on key definitions that are referenced in [Appendix 1](#).

Regardless of charters' placement into these tracks, under *Educ. C. section 47607(d) and (e)*, an authorizer may deny a charter school's renewal if it makes a finding that the school is demonstrably unlikely to successfully implement the program set forth in the petition due to substantial fiscal or governance factors, or is not serving all pupils who wish to attend (see the below section on finance, governance and admissions for more detail). The authorizer may only deny renewal using this standard if it has provided at least 30 days' notice to the school of the alleged violation and provided the school with a reasonable opportunity to cure the violation, including a corrective action plan proposed by the charter school. The chartering authority may deny renewal only by making either of the following findings: (1) The corrective action proposed by the charter school has been unsuccessful, or (2) The violations are sufficiently severe and pervasive as to render a corrective action plan unviable.

High Track

Educ. Code section 47607(c)(2)(A)

Schools that fall within the High Track are eligible for expedited renewal and a longer charter term based on their academic performance at the all-students level or with a majority of their underperforming subgroups. Schools can qualify for this track by meeting either of two paths:

- **All Students/All State Indicators Path:** Any school that receives a green or blue on all of their state indicators in the 2 most recent consecutive years schoolwide (for the "all students" group on the Dashboard). (See [Appendix 1](#) for indicators) *Educ. C. section 47607(c)(2)(A)(i)*.

OR

- **Achievement Gap/Academic Indicators Path:** The school must meet both a schoolwide metric as well as a minimum level of subgroup performance on measurements of academic performance. *Educ. C. section 47607(c)(2)(A)(ii)*.
 1. Schoolwide: Schools must be the same status or higher than the statewide average status for the academic indicators.
AND
 2. Subgroup: For subgroups underperforming the statewide average status for all students (on each academic indicator), across each academic indicator a majority of underperforming subgroups must have a higher status than the statewide average status for that subgroup.

Renewal term: A charter that qualifies for this track may be renewed for 5-7 years. *Educ. C. 47607(c)(2)(C)*.

CCSA ADVICE: While the law leaves authorizer’s discretion to determine whether that renewal should be 5, 6, or 7 years, CCSA’s perspective is that a charter school in the High Track is deserving of both a streamlined and longer-term renewal. Thus, CCSA recommends authorizers grant High Track charters a 7-year term.

Expedited/streamlined renewal: A charter that qualifies for this track is only required to update the petition to include new charter school requirements enacted into law after the charter was granted/last renewed, and as necessary to reflect the current program offered by the charter. *Educ. C. 47607(c)(2)(C)*

GUARDRAILS FOR HIGH TRACK:

Charter schools can vary in program, size, and time needed to “grow out grades” which makes the use of CA Dashboard data for accountability purposes sometimes unreliable or inappropriate. Schools may have very little Dashboard data or even no academic data reported on the Dashboard with which to determine their performance. As such, schools without sufficient data will not be eligible for either the high or low track. Thus, these guardrails were written into law to ensure that the CA Dashboard data are used in appropriate and reliable ways:

- **At least 2 schoolwide academic indicators for 2 years:** For the All Students/All State Indicators Path, a school must have Dashboard colors (“performance levels”) for the “all students” group on at least 2 measurements of academic performance per year in each of the 2 consecutive years immediately preceding the renewal decision. *Educ. C. 47607(c)(5)*
- **At least 2 subgroup academic indicators for 2 years:** For the Achievement Gap/Academic Indicators Path, a school must have Dashboard colors (“performance levels”) on at least 2 measurements of academic performance for at least 2 subgroups. *Educ. C. 47607(c)(5)*
- **Use of most recent data underlying the Dashboard indicators:** Charter schools may be submitting their renewal petitions for consideration by their authorizer in advance of the most recent year’s Dashboard being publicly released, but the school may use the underlying data that makes up those Dashboard indicators if available and verifiable but not yet published on the Dashboard (such as CAASPP scores) as part of its renewal. *Educ. C. 47607(c)(6)*
- **Schools in Differentiated Assistance do not qualify for the High Track.** *Educ. C. 47607(c)(2)(A)(iii)*
- **There is no second look construct in the High Track.** Both the Low Track and Middle Track described below contain a “second look process” that allows a school to submit to their authorizer alternative data for consideration. Because the criteria for the High Track are clear cut and the default is a presumptive renewal, there is no second look consideration in the High Track.

SCHOOL EXAMPLES:

The nuances of the three renewal tracks are complex – so it is best to look at some examples. Let’s take a few different schools and see how they qualify:

Measures of academic performance

2017-2018 CA Dashboard	Zeus School 9-12	Athena School K-5	Demeter School K-12	Apollo School 6-12	Poseidon School 6-8	Hera School K-8	State
Math	Green	Orange	n/a	Orange	Red	Orange	Orange
ELA	Green	Yellow	n/a	Green	Orange	Orange	Orange
CCI	Blue	n/a	n/a	Red	n/a	Orange	Yellow
ELPI	<i>n/a, as explained in the definitions section</i>						
Suspension	Blue	Yellow	Green	Green	Blue	Red	Yellow
Chronic Absenteeism	n/a	Blue	Blue	Blue	Blue	Red	Yellow
Graduation Rate	Blue	n/a	n/a	Orange	n/a	n/a	Yellow

2018-2019 CA Dashboard	Zeus School 9-12	Athena School K-5	Demeter School K-12	Apollo School 6-12	Poseidon School 6-8	Hera School K-8	State
Math	Green	Yellow	n/a	Orange	Red	Orange	Orange
ELA	Green	Green	n/a	Green	Orange	Orange	Green
CCI	Blue	n/a	n/a	Red	n/a	Orange	Yellow
ELPI	Blue	Yellow	n/a	Orange	Orange	Red	Yellow
Suspension	Blue	Orange	Green	Blue	Green	Red	Yellow
Chronic Absenteeism	n/a	Green	Blue	Blue	Green	Red	Yellow
Graduation Rate	Green	n/a	Green	Red	n/a	n/a	Yellow

Which of the above schools would be eligible for the High Track via the All Students/All State Indicators Path?

Let’s break down the options one by one:

- ✓ **Zeus School: Eligible.** School has blues and greens across all of the measurements of academic performance in each of the two years evaluated and it has at least two measures of academic performance schoolwide in each year. (Does not need to consider the Achievement Gap Path).
- ∅ **Athena School:** Not eligible for the All Students Path because it does not have blues/greens in all indicators, but possibly via the Achievement Gap Path (see below), because it also does not have all reds/oranges.
- ∅ **Apollo School:** Not eligible for the All Students Path. While this school did receive a range of blues and greens across the two years it is not consistent across all indicators. Also, not eligible via the Achievement Gap Closing track because it does not meet the schoolwide test to meet or beat the statewide average status on the academic indicators (see written explanation later).
- ∅ **Demeter School:** Not eligible for either path. While it has all greens and blues on the indicators available in 2017-18, per the guardrails it needs to have at least two academic performance indicators to qualify in each year.

- ∅ Poseidon School: Not eligible. It only has two blues/greens across both years in chronic absenteeism and graduation the rest are not blue or green.
- ∅ Hera School: Not eligible. Does not have any blues or greens across both years and all indicators.

Which of the above schools would be eligible for the High Track via the Achievement Gap/Academic Indicators Path:

In the example above, we showed that Zeus School met the High Track criteria based on the “All Students/All State Indicators” path. However, schools may also qualify for consideration under the High Track based on closing the achievement gap with subgroups. Let’s look deeper at the data for Athena School, which was not eligible via the first path but might be eligible via the “Achievement Gap/Academic Indicators” path.

- ✓ Athena School: **Eligible**. Athena is the only school that qualifies for the High Track through the Achievement Gap pathway. To determine this, we have to look at each of requirements bulleted below:
 1. Schoolwide: Does the school have the same or higher status than the statewide average status for all the measures of academic performance in the last 2 years?
 2. Subgroup: Across each academic indicator, do a majority of underperforming subgroups have a higher status the statewide average status for that subgroup in the last 2 years?
 3. Guardrail: Does the school have Dashboard colors on at least 2 academic measures of performance for at least 2 subgroups?

Let’s take each of the parts of that test in turn:

1. Schoolwide: Does the school have a status that is the same or higher (schoolwide) as the statewide average status for all the measures of academic performance in the last 2 years? **Yes, as shown below, Athena has the same status or higher than the statewide average for all applicable measurements of academic performance in each of the last two years.** (Note, a description of how the “state average” is determined is described in [Appendix 1](#)).

2017-2018 CA Dashboard	CA State Average Status	Athena School K-5 (schoolwide)	Same or higher status than statewide average?
Math	-36	-35	YES
ELA	-6	-2	YES
CCI	42%	n/a	n/a
ELPI	n/a	n/a	n/a

2018-2019 CA Dashboard	CA State Average Status	Athena School K-5 (schoolwide)	Same or higher status than statewide average?
Math	-34	-32	YES
ELA	-3	2	YES
CCI	44%	n/a	n/a
ELPI	48%	56%	YES

2. *Subgroup: Across each academic indicator do a majority of underperforming subgroups have a status that is higher the statewide average status for that subgroup in the last 2 years?*

For the 2017-18 and 2018-19 school years, the following groups meet the statewide definition of underperforming subgroups: Pacific Islander, Hispanic, Socioeconomically Disadvantaged, English learners, American Indian, Homeless, African American, Foster Youth, and Students with Disabilities (see [Appendix 1](#) for more explanation on how underperforming subgroups are identified).

We now have to determine if a majority of these identified subgroups at Athena received a higher Dashboard status than the state average status for that subgroup and indicator. Athena only serves K-5 so it will not have a College/Career Indicator. ELPI has been removed as well since there are no subgroups that perform below the state average under that indicator. A similar notation of n/a appears for subgroups where the school does not have a numerically significant number for that subgroup.

	Statewide – Status for Underperforming Subgroups					
	2017-18			2018-19		
	ELA	Math	CCI	ELA	Math	CCI
Pacific Islander	-21	-52	32%	-20	-50	34%
Hispanic	-31	-66	34%	-27	-62	36%
Socioeconomically Disadvantaged	-35	-67	34%	-31	-64	36%
English learners	-47	-70	15%	-46	-69	17%
American Indian	-37	-73	2%	-35	-70	26%
Homeless	-51	-81	2%	-47	-78	26%
African American	-52	-92	21%	-48	-88	24%
Foster Youth	-79	-114	10%	-72	-107	13%
Students with Disabilities	-96	-125	9%	-88	-119	10%

	Indicator	Athena – Status for Underperforming Subgroups					
		2017-18			2018-19		
		ELA	Math	CCI	ELA	Math	CCI
Athena School	Pacific Islander	n/a	n/a	n/a	n/a	n/a	n/a
	Hispanic	-49	-69		-30	-64	
	Socioeconomically Disadvantaged	-33	-65		-29	-61	
	English learners	-48	-71		-47	-70	
	American Indian	n/a	n/a		n/a	n/a	
	Homeless	-50	-82		n/a	n/a	
	African American	-49	-90		-47	-85	
	Foster Youth	n/a	n/a		-70	-90	
	Students with Disabilities	-80	-90		-80	-90	
Are a majority of subgroups performing above the statewide average on this indicator?		YES 4 of 6 with data	YES 4 of 6 with data		YES 5 of 6 with data	YES 4 of 6 with data	

Does Athena meet the Achievement Gap Closing path for the High Track?

✓ **Yes. The table above confirms that across each academic indicator in each year, a majority of Athena’s subgroups have a status that is higher than the statewide average for that subgroup.**

- In each year there are 6 subgroups with data in both ELA and Math. In 2017-18 in ELA and Math, 4 of 6 subgroups (a majority) performed above the statewide average status for that subgroup. In 2018-19 in ELA 5 of 6 subgroups (a majority) performed above the statewide average status for that subgroup, and in Math 4 of 6 subgroups (a majority) performed above the statewide average status for that subgroup.
- There aren’t enough students identifying as Pacific Islander or American Indian so neither of those subgroups’ data are applied here. Subgroups only count towards the criteria for this path if they are reported on the Dashboard as a numerically significant subgroup.
- In 2017-18, Foster Youth at Athena did not receive a color on the Dashboard so no data is reported here.
- In 2018-19, Homeless Youth at Athena did not receive a color on the Dashboard so no data is reported.

3. *Guardrail: Does the school have Dashboard colors on at least 2 academic measures for at least 2 subgroups?*

Yes, as described above, Athena has Dashboard colors on ELA and Math for 2+ subgroups.

Ultimately, which school(s) are in the High Track?

For the High Track, we’ve concluded the following two schools to be eligible: **Zeus** and **Athena**. To establish whether these schools are officially in the High Track – **we would need to also ensure that these schools are NOT in Differentiated Assistance** which is provided via a list published by the state each Winter. These schools are presumed to be renewed for 5 to 7 years.

Low Track

Educ. C. section 47607.2(a)

There are two versions of Educ. C. section 47607.2 that govern Middle Track and Low Track renewal criteria. The first version includes a second look process that begins July 1, 2020 and sunsets January 1, 2026. Thereafter, a second version of Educ. C. section 47607.2, without a second look will apply. The description below focuses on how the Low Track will function until 2026, under the first version of Educ. C. section 47607.2.

Schools that fall into the Low Track are considered for “presumptive non-renewal” based on their academic performance at the all-students level or with a majority of their underperforming subgroups. It is presumed that charters in the Low Track will not be renewed unless there is compelling evidence that the school is on an upward trajectory as explained further below. Schools renewed under this track can only be renewed for 2 years.

Schools are identified for the Low Track via two paths, which might be thought of as symmetrical to the High Track:

- **All Students/All State Indicators Path:** Any school that receives an orange or red on all of its state indicators in the 2 most recent consecutive years schoolwide (for the “all students” group on the Dashboard), (See [Appendix 1](#) for indicators) *Educ. C. section 47607.2(a)(1)(A)*.

OR

- **Achievement Gap/Academic Indicators Path:** The school must meet both a schoolwide metric as well as a minimum level of subgroup performance on measurements of academic performance, *Educ. C. section 47607.2(a)(1)(B)*.
 1. **All students/Schoolwide:** Schools must have the same status or lower than the statewide average status for the academic indicators.
AND
 2. **Subgroup:** For subgroups underperforming the statewide average status for all students (on each academic indicator, across each academic indicator a majority of underperforming subgroups must have a lower status than the statewide average status for that subgroup).

Renewal term: If a charter is renewed in this track, it may only be renewed for 2 years, *Educ. C. section 47607.2(a)(4)*

HOW MIGHT AN AUTHORIZER RENEW A SCHOOL IN THE LOW TRACK?

- Given that the Low Track implies a presumptive non-renewal, to renew a school under the Low Track, the authorizer must make written factual findings citing evidence that the school is both:
 1. **Taking “meaningful steps to address the underlying cause or causes of low performance.”** Those steps must be reflected or will be reflected in a written plan adopted by the governing body of the charter school, *Educ. C. section 47607.2(a)(3)(A)*,
AND
 2. **There is clear and convincing data that the school achieved measurable increases in academic achievement,** as defined by at least one year’s progress for each year in school, **or strong postsecondary outcomes,** as defined by college enrollment, persistence, and completion rates equal to similar peers, *Educ. C. section 47607.2(a)(3)(B)*, and that clear and convincing data is substantiated by verified data, as defined in *Educ. C. section 47607.2(c)*, and
 - This verified data can only be considered by the authorizer for schools that were operating on or before June 30, 2020, and only for the charter school’s next two subsequent renewals, *Educ. C. section 47607.2(a)(4)*.

SECOND LOOK PROCESS FOR LOW TRACK SCHOOLS:

The criteria governing the second look process are described in *Educ. C. section 47607.2(a)(3)(B)* and *Educ. C. section 47607.2(c)*. The purpose of the second look process is to allow charter schools to present clear and convincing evidence that the school is helping increase student learning and postsecondary success, particularly when that evidence is not readily apparent on the California School Dashboard. Schools in the Low Track can use this second look process for their next two renewals, beginning July 1, 2020. The second look process sunsets for the Low Track on June 30, 2025. (*Educ. C. Section 47607.2(a)(4)*). For more information consult [Appendix 3](#).

GUARDRAILS FOR LOW TRACK:

- **At least 2 schoolwide academic indicators for 2 years:** For the All Students/All State Indicators Path, a school must have Dashboard colors (“performance levels”) for the “all students” group on at least 2 measurements of academic performance per year in each of the 2 consecutive years immediately preceding the renewal decision. *Educ. C. section 47607(c)(5)*
- **At least 2 subgroup academic indicators for 2 years:** For the Achievement Gap/ Academic Indicators Path, a school must have Dashboard colors (“performance levels”) on at least 2 measurements of academic performance for at least 2 subgroups. *Educ. C. section 47607(c)(5)*
- **Use of most recent data underlying the Dashboard indicators:** Charter schools may be submitting their renewal petitions for consideration by their authorizer in advance of the most recent year’s Dashboard being publicly released, but the school may use the underlying data that makes up those Dashboard indicators if available and verifiable but not yet published on the Dashboard (such as CAASPP scores) as part of its renewal. *Educ. C. section 47607(c)(6)*
- The **second look process** is a key guardrail to allow charter schools to demonstrate their success with students along a broad range of robust academic performance indicators. (*Educ. C. sections 47607.2(a)(3)(B) and 47607.2(c).*) Schools have the option of providing “verified data.” What constitutes verified data will be established by the State Board of Education by January 2021. Until that point, schools may present data to their authorizers that meets the following definition as stated in law: “data derived from nationally recognized, valid, peer-reviewed, and reliable sources that are externally produced. Verified data shall include measures of postsecondary outcomes.” For more information consult [Appendix 3](#).

SCHOOL EXAMPLES:

Taking the same example schools from the High Track, let’s examine which could qualify for the Low Track (Athena and Zeus in lighter font since they qualified for High track):

Measures of academic progress	2017-2018 CA Dashboard	Zeus School 9-12	Athena School K-5	Demeter School K-12	Apollo School 6-12	Poseidon School 6-8	Hera School K-8	State
	Math	Green	Orange	n/a	Orange	Red	Orange	Orange
	ELA	Green	Yellow	n/a	Green	Orange	Orange	Orange
	CCI	Blue	n/a	n/a	Red	n/a	Orange	Yellow
	ELPI	<i>n/a, as explained in the definitions section</i>						
	Suspension	Blue	Yellow	Green	Green	Blue	Red	Yellow
	Chronic Absenteeism	n/a	Blue	Blue	Blue	Blue	Red	Yellow
	Graduation Rate	Blue	n/a	n/a	Orange	n/a	n/a	Yellow

2018-2019 CA Dashboard	Zeus School 9-12	Athena School K-5	Demeter School K-12	Apollo School 6-12	Poseidon School 6-8	Hera School K-8	State
Math	Green	Yellow	n/a	Orange	Red	Orange	Orange
ELA	Green	Orange	n/a	Green	Orange	Orange	Green
CCI	Blue	n/a	n/a	Red	n/a	Orange	Yellow
ELPI	Blue	Yellow	n/a	Orange	Orange	Red	Yellow

Suspension	Blue	Orange	Green	Blue	Green	Red	Yellow
Chronic Absenteeism	n/a	Green	Blue	Blue	Green	Red	Yellow
Graduation Rate	Green	n/a	Green	Red	n/a	n/a	Yellow

Which schools would be identified for the Low Track via the All Students/All State Indicators Path?

Let’s break down the options one by one:

- ∅ Zeus School: Not applicable. School has blues and greens across all indicators in each of the two years evaluated.
- ∅ Athena School: Not applicable. While the school does not have blues/greens in all indicators it is not performing same or worse as compared to the statewide average status in each of the academic performance indicators in each of the 2 years.
- ∅ Demeter School: Not applicable. A school needs to have at least 2 academic performance indicators to qualify in each year.
- ∅ Apollo School: Not applicable. This school has a range of performance levels, not all red/orange for all indicators and not performing same or worse across all academic performance indicators in each of the prior 2 years.
- ∅ Poseidon School: Could possibly fall into the Low Track via the Achievement Gap Closing pathway; while the school does not receive reds/oranges across all of the indicators, it is performing the same or lower than the statewide average status on academic performance indicators.
- ✓ Hera School: Falls into Low Track. This school received all reds or oranges across all of the indicators in both of the prior 2 years.

Which of the above schools would be eligible for the Low Track via the Achievement Gap/Academic Indicators Path:

Poseidon is the only school that may fall into the Low Track via the Achievement Gap/Academic Indicators Path. To evaluate this method and whether the school will be identified, we have to first look at the statewide average for each of the academic performance indicators for the all students group as well as each of the subgroups to determine which subgroups would be eligible to meet the threshold.

Does the school have a status that is the same or lower than the statewide average status for all the measures of academic performance in the last 2 years? Yes, as shown below, Poseidon has the same status or lower than the statewide average for all applicable measurements of academic performance in each of the last two years.

2017-2018 CA Dashboard	CA State Average Status	Poseidon School 6-8 (schoolwide)	Same or lower status than statewide average?
Math	-36.4	-40	YES
ELA	-6	-10	YES
CCI	42.2%	n/a	n/a
ELPI	n/a	n/a	n/a

2018-2019 CA Dashboard	CA State Average Status	Poseidon School 6-8 (schoolwide)	Same or lower status than statewide average?
Math	-33.5	-45	YES
ELA	-3	-8	YES
CCI	44.1%	n/a	n/a
ELPI	48.3%	40%	YES

We now have to determine if a majority of these identified subgroups received a status that was higher or lower than average status of that subgroup at the state level. ELPI has been removed as well since there are no subgroups that perform below the state average under that indicator.

Poseidon only serves 6-8 so not-applicable (n/a) has been noted for the entire CCI column. A similar notation of n/a appears for non-significant (fewer than 30) subgroups at the school.

	Statewide – Status for Underperforming Subgroups			
	2017-18		2018-19	
	ELA	Math	ELA	Math
Pacific Islander	-21	-52	-20	-50
Hispanic	-31	-66	-27	-62
Socioeconomically Disadvantaged	-35	-67	-31	-64
English learners	-47	-70	-46	-69
American Indian	-37	-73	-35	-70
Homeless	-51	-81	-47	-78
African American	-52	-92	-48	-88
Foster Youth	-79	-114	-72	-107
Students with Disabilities	-96	-125	-88	-119

	Indicator	Poseidon – Status for Underperforming Subgroups					
		2017-18			2018-19		
		ELA	Math	CCI	ELA	Math	CCI
Poseidon School	Pacific Islander	-30	-60	n/a	-29	-59	n/a
	Hispanic	-35	-67		-34	-66	
	Socioeconomically Disadvantaged	-46	-70		-47	-75	
	English learners	-45	-50		-43	-49	
	American Indian	n/a	n/a		n/a	n/a	
	Homeless	-62	-90		-63	-91	
	African American	-45	-75		-44	-74	
	Foster Youth	n/a	n/a		n/a	n/a	
	Students with Disabilities	-90	-100		-80	-100	
Are a majority of subgroups performing below the statewide average on this indicator?		YES 4 of 7 with data	YES 4 of 7 with data		YES 4 of 7 with data	YES 4 of 7 with data	

Does Poseidon meet the Achievement Gap Closing path for the Low Track?

- ✓ Yes. The school is underperforming the statewide subgroup average status with 4 student groups in both ELA and Math in both years: Socioeconomically Disadvantaged, Hispanic, Pacific Islander, and Homeless.

- In each indicator, in each year, 4 of 7 subgroups (a majority) perform below the statewide average status for that subgroup.
- There aren't enough students identifying American Indian or Foster Youth so neither of those subgroups data are applied here. Subgroups only count towards the criteria for this path if they are reported on the Dashboard as a numerically significant subgroup.

Ultimately, which school(s) are in the Low Track?

We've concluded the following two schools will be identified in the Low Track: **Hera** and **Poseidon**.

Middle Track

Educ. C. section 47607.2(b)

There are two versions of Educ. C. section 47607.2 that govern Middle Track and Low Track renewal criteria. The first version is effective through January 1, 2026, and it includes a second look process that sunsets in 2026. Thereafter, Educ. C. section 47607.2 will not include the second look process. The description below focuses on how the Middle Track will function under Educ. C. section 47607.2 until 2026.

Charter schools will fall into the Middle Track if they do not qualify for either the High or Low Track. Unlike the High and Low Tracks, the Middle Track does not have a clear line of evaluation criteria for renewal.

HOW MIGHT AN AUTHORIZER RENEW A SCHOOL IN THE MIDDLE TRACK?

In making renewal determinations, authorizers are to consider the following:

- **California Dashboard Indicators:** The authorizer shall consider all state and local indicators, schoolwide and for all subgroups. (*Educ. C. section 47607.2(b)(1)*)
- **Greater weight on academic performance:** In considering renewal, the authorizer shall place greater weight on the measurements of academic performance. (*Educ. C. section 47607.2(b)(2)*) Those academic measures are defined as ELA, Math, College/Career, and English Learner Progress. (*Educ. C. section 47607(c)(3)*)
- **Authorizer may only deny renewal if:** it finds the charter failed to meet or make sufficient progress, that closure is in the best interest of the pupils, and that its decision provided greater weight to performance on measurements of academic performance. (*Educ. C. section 47607.2(b)(6)*) For a suggested decision-making tree, please see [Appendix 4](#)
- **Renewal term:** A charter that qualifies for this track shall be renewed for 5 years. (*Educ. Code section 47607.2(b)(7)*)

SECOND LOOK PROCESS FOR MIDDLE TRACK SCHOOLS:

Particularly important for schools whose academic performance measures on the California School Dashboard are mixed, the Middle Track renewal criteria allows schools to present, and requires authorizers to consider if presented, alternative data that provides clear and convincing evidence that students are growing in their academic achievement and/or are achieving strong

postsecondary outcomes compared to similar peers. The criteria governing the second look process along with suggested standards for review are described in more detail in [Appendix 3](#). (*Educ. C. sections 47607.2(b)(3)-(5) and 47607.2(c)*)

GUARDRAILS FOR MIDDLE TRACK

- Requiring greater weight for the measurements of academic performance. (*Educ. C. sections 47607.2(b)(2) and 47607.2(b)(6)*)
- The second look process allows charter schools to demonstrate their success with students along a broad range of robust academic performance indicators. (*Educ. C. sections 47607.2(b)(3)-(5) and 47607.2(c)*)
- Only allows authorizers to deny renewal if they make written factual findings that the charter failed to meet or make sufficient progress toward meeting standards that provide a benefit to the pupils of the school and that closure of the charter school is in the best interest of the pupils. (*Educ. C. section 47607.2(b)(6)*) For a suggested decision-making tree, please see [Appendix 4](#).

SCHOOL EXAMPLES:

Taking the same example schools from the High Track, let’s examine which could qualify for the Middle Track (Athena and Zeus (High track) and Hera and Poseidon (Low track) in lighter font since they have already been selected for tracks:

Measures of academic progress

2017-2018 CA Dashboard	Zeus School 9-12	Athena School K-5	Demeter School K-12	Apollo School 6-12	Poseidon School 6-8	Hera School K-8	State
Math	Green	Orange	n/a	Orange	Red	Orange	Orange
ELA	Green	Yellow	n/a	Green	Orange	Orange	Orange
CCI	Blue	n/a	n/a	Red	n/a	Orange	Yellow
ELPI	<i>n/a, as explained in the definitions section</i>						
Suspension	Blue	Yellow	Green	Green	Blue	Red	Yellow
Chronic Absenteeism	n/a	Blue	Blue	Blue	Blue	Red	Yellow
Graduation Rate	Blue	n/a	n/a	Orange	n/a	n/a	Yellow

2018-2019 CA Dashboard	Zeus School 9-12	Athena School K-5	Demeter School K-12	Apollo School 6-12	Poseidon School 6-8	Hera School K-8	State
Math	Green	Yellow	n/a	Orange	Red	Orange	Orange
ELA	Green	Orange	n/a	Green	Orange	Orange	Green
CCI	Blue	n/a	n/a	Red	n/a	Orange	Yellow
ELPI	Blue	Yellow	n/a	Orange	Orange	Red	Yellow
Suspension	Blue	Orange	Green	Blue	Green	Red	Yellow
Chronic Absenteeism	n/a	Green	Blue	Blue	Green	Red	Yellow
Graduation Rate	Green	n/a	Green	Red	n/a	n/a	Yellow

Which schools would be eligible for the Middle Track?

There are two schools that would qualify for the Middle Track: Demeter and Apollo but both for different reasons. As established in the High and Low Track sections above, Zeus and Athena

qualify for the High Track, and Poseidon and Hera qualify for Low Track. This leaves us with Demeter and Apollo.

School	Track
Zeus	High Track: All Students Path
Athena	High Track: Achievement Gap Path
Demeter	Middle Track: Insufficient Data
Apollo	Middle Track: Assorted Performance
Poseidon	Low Track: Achievement Gap Closing Path
Hera	Low Track: All Students Path

What to do with schools that have insufficient CA Dashboard data?

For schools like Demeter, which have some CA Dashboard data but none on the academic performance indicators, internal verified data from the school should be considered in order to establish answers and build sufficient evidence to address either of the evaluation questions posed above. This data should be considered for All Students as well as for any significant subgroup of students (greater than 30) present at the school. For more information consult [Appendix 3](#).

What are the evaluation criteria for schools that do have sufficient CA Dashboard data?

For renewal, authorizers are required to evaluate the school’s performance with all students and subgroups of students on all state and local indicators. That being said, greater weight should be given in determining the renewal decision, ultimately answering one or both of the following questions:

- Is there evidence of increases in academic achievement (at least 1-year’s progress for each year the student was in school?)
- Are there strong postsecondary outcomes (college enrollment, persistence, and completion rates) as compared to similar peers?

A suggested decision-making tree is provided in [Appendix 4](#).

DASS Charter School Renewal Criteria

For Dashboard Alternative School Status “DASS” schools, authorizers will consider the school’s performance on the CA Dashboard (all performance indicators and local indicators), as well as “alternative metrics.” These alternative metrics will be mutually determined by the charter and authorizer during the charter’s first year of the school’s term. The authorizer will notify the charter school of the alternative metrics to be used within 30 days of the meeting where metrics were discussed and agreed to. Denial of a DASS must include a written finding of facts supporting the supposition that the closure of the charter school is in the best interest of the pupils. (*Educ. C. section 47607(c)(7)*) More information about which schools qualify as DASS is available here: <https://www.cde.ca.gov/ta/ac/dass.asp>.

Fiscal, Governance, and Student Admissions as Basis for Non-Renewal

Educ. C. section 47607(d) and (e)

Regardless of the renewal track, Educ. C. sections 47607(d) and (e) also allow nonrenewal for specific substantial operational violations.

- **Failure to Serve All Students:** Section 47607(e) establishes a process for an authorizer to request specific enrollment data from the California Department of Education or to consider complaints or other data to evaluate whether a charter is discriminating in enrollment or dismissal of students, and permits nonrenewal if the authorizer specifically finds, supported by evidence, that the charter is not serving all pupils who wish to attend the school.

At the conclusion of the year immediately preceding the final year of the charter school's term, the authorizer may request, and the department shall provide, the following aggregate data reflecting pupil enrollment patterns at the charter school:

- (A) The cumulative enrollment for each school year of the charter school's term (defined as the total number of pupils, disaggregated by race, ethnicity, and pupil subgroups, who enrolled in school at any time during the school year).
- (B) For each school year of the charter school's term, the percentage of pupils enrolled at any point between the beginning of the school year and census day who were not enrolled at the conclusion of that year, and the average results on the statewide assessments, for any such pupils who were enrolled in the charter school the prior school year.
- (C) For each school year of the charter school's term, the percentage of pupils enrolled the prior school year who were not enrolled as of census day for the school year, except for pupils who completed the grade that is the highest grade served by the charter school, and the average results on the statewide assessments, for any such pupils.

CCSA Advice:

It will be critical for charter schools to maintain records documenting their outreach efforts and nondiscriminatory enrollment practices in order to respond to any renewal findings alleging that the school is not serving "all pupils who wish to enroll." Schools should track the reasons that any students disenroll, both midyear and between school years. Schools should also maintain records of any complaints made against the school regarding its enrollment practices, pursuant to Educ. C. section 47605(e)(4)(E), which established a process for submitting complaints regarding charter school enrollment practices to the charter authorizer. Because these complaints are submitted directly to the authorizer, charter schools may need to request copies of any such complaints at the conclusion of each school year and/or prior to submitting a renewal petition. Schools should be prepared to respond to any specific complaints, as well as to demonstrate how the school maintains nondiscriminatory enrollment practices.

- **Fiscal or Governance Issues:** Section 47607(e) allows a district to also consider substantial fiscal or governance issues at the charter school and permits nonrenewal if the authorizer finds

the school is unlikely to successfully implement the program set forth in the petition due to these issues.

For both the enrollment and fiscal/governance issues listed above, the authorizer may only reject renewal after it has provided the charter at least 30-day's notice of the alleged violation and the school an opportunity to cure any violation noted. Also, the authorizer can only deny renewal on these charges if the proposed remedy was unsuccessful or the violation is so severe that a cure is not viable. (Educ. C. section 47607 (e).)

Also, it is important to note that, an existing school's fiscal impact on the district as well as their impact on the district's programs, services and academic offerings cannot be considered during renewal. These considerations are only allowable when considering new charters or a proposed expansion for additional locations or grade levels. (Educ. C. section 47607(a)(4).)

APPENDIX 1: DEFINITIONS

This appendix defines key concepts in the renewal criteria: “State Indicators,” “Measurements of Academic Performance,” “Underperforming Subgroups,” and “State Average.”

- **State Indicators:** The following are all the California School Dashboard state indicators as of 2018-19: English Language Arts (ELA), Mathematics, College/Career Indicator (CCI), English Learner Progress Indicator (ELPI), Chronic Absenteeism, Suspension and Graduation Rate.
- **Measurements of Academic Performance:** The following California School Dashboard state indicators are the academic indicators: English Language Arts (ELA), Mathematics, College/Career Indicator (CCI) and English Learner Progress Indicator (ELPI). (*Educ. C. section 47607(c)(3)*)
- **Underperforming Subgroups**—for 2017-18 and 2018-19, the following groups meet the “underperforming subgroups” definition: **Pacific Islander, Hispanic, Socioeconomically Disadvantaged, English learners, American Indian, Homeless, African American, Foster Youth, and Students with Disabilities** (reasons described below).

The Achievement Gap/Academic Indicators Path in the High and Low Tracks relies on a test of whether in each of the academic indicators, a majority of a school’s historically underperforming student subgroups are beating/outperforming the state average for that subgroup in the last two years (as well as whether the school is at least meeting the state average on measurements of academic performance schoolwide). Which subgroups constitute these historically underperforming subgroups can vary by measure of academic performance and by year, depending on whether each subgroup performed above or below the state average for that academic measure in that year.

Educ. C. section 47607(c)(2)(A)(ii) (High Track) and *Educ. C. section 47607.2(a)(1)(B)* (Low Track) defines these historically underperforming subgroups as any subgroup “performing below the state average in each respective year,” and *Educ. C. section 47607(c)(4)* clarifies that these subgroups include any numerically significant pupil subgroup as defined in *Educ. C. section 52052(a)(1)*. That section enumerates ethnic subgroups, socioeconomically disadvantaged pupils, English learners, pupils with disabilities, foster youth and homeless youth. To be numerically significant, a subgroup requires at least 30 pupils (except for foster and homeless youth, which require at least 15 pupils).

1. **State Average:** To determine which subgroups constitute these historically underperforming subgroups, we have to first look at the statewide average for each of the academic performance indicators for the “all students” group as well as each of the subgroups to determine which subgroups would meet the threshold. Highlighted in pink below are all the subgroups that underperform the state average on that specific measurement of academic performance in 2017-18 and 2018-19. Subgroups highlighted in green meet or exceed the state average and thus would not be considered to be underperforming subgroups for this

purpose. Only those highlighted in pink are eligible for comparison under the test in the Achievement Gap/Academic Indicators Path for the High and Low Tracks.

Indicator	Statewide Average by Student Group							
	2018-19				2017-18			
Indicator	ELA	Math	CCI	ELPI+	ELA	Math	CCI	ELPI+
Status Metric	DFS*	DFS*	% Prepared	% Progress	DFS*	DFS*	% Prepared	n/a
State Avg. (All Students)	-3	-33.5	44.1%	48.3%	-6	-36.4	42.2%	
Asian	+64.1	+59.8	74%		+62.4	+56.7	74.1%	
Filipino	+46.1	+18	64.5%		+44	+13.1	62.7%	
Two or More Races	+29.7	+2.5	49.7%		+28.6	+1.9	48.6%	
White	+30.1	+1.4	53.8%		+27.7	-1	52.2%	
Pacific Islander	-20	-49.8	33.5%		-21.3	-52	31.7%	
Hispanic	-27.1	-62.2	36.1%		-31.3	-65.8	33.8%	
Socioeconomically Disadvantaged	-30.5	-63.7	35.8%		-34.7	-67.4	33.7%	
English learners	-45.6	-68.6	16.8%	48.3%	-47.1	-69.9	14.5%	
American Indian	-34.6	-69.6	25.9%		-36.8	-73	25.2%	
Homeless	-47.2	-77.7	25.9%		-51	-81	24.3%	
African American	-48	-87.9	23.7%		-51.8	-91.5	21.1%	
Foster Youth	-72.2	-107.2	13.3%		-79.2	-114	10.4%	
Students with Disabilities	-88.3	-119.4	10.8%		-95.5	-125.3	9.2%	

*DFS= Distance from Standard on CAASPP

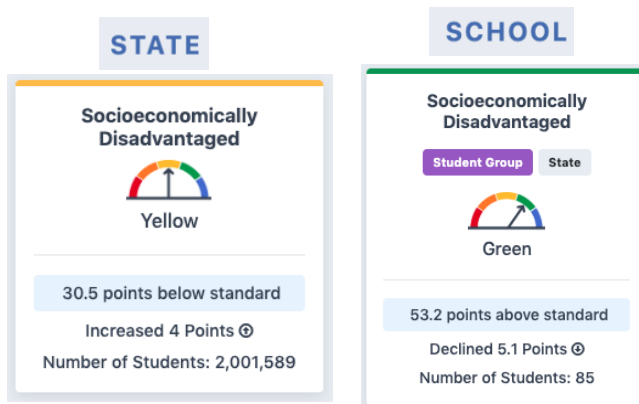
+ELPI was not included in the 2017-18 California School Dashboard but is included in 2018-19 Dashboard.

The table above establishes that, for the 2017-18 and 2018-19 school years, the following groups meet the definition of underperforming subgroups: Pacific Islander, Hispanic, Socioeconomically Disadvantaged, English learners, American Indian, Homeless, African American, Foster Youth, and Students with Disabilities. This also establishes that for the subgroup test, only the ELA, Math and CCI indicators are valid as ELPI only has one subgroup.

For the Achievement Gap/Academic Indicators Path for the High or Low Track, if a school serves enough of these students to constitute a numerically significant subgroup, the school would then compare its school subgroup’s Dashboard status to the statewide average status for that subgroup.

English Language Arts

For example, in 2018-19 the state average status for socioeconomically disadvantaged students in ELA was -30.5. This school’s socioeconomically disadvantaged subgroup’s status was +53.2, outperforming the state average for that subgroup. So, the school is closing the achievement gap with this subgroup.



To determine whether a school meets the test for the Achievement Gap/Academic Indicators Path for the High or Low Track, for any of the underperforming subgroups for which it receives a color, a school will look at each underperforming subgroup’s status and compare it to the state average status in ELA, Math, and CCI for that subgroup. If, for each academic indicator, a majority of its subgroup’s statuses are higher than the state average status for that indicator and subgroup, then it meets that qualification in the High Track Achievement Gap-Closing test. (ELPI doesn’t qualify for this test because the only subgroup that would qualify are English learners and their statewide performance is the same as the state average).

The state average statuses for 2017-18 and 2018-19 underperforming subgroups are shown in the table above. These can also be found in the state performance overview on the California School Dashboard, as shown below. While ELPI in the 2018-19 Dashboard state overview does not have a color, the ELPI has a status of ‘medium’ which will be treated as equivalent to “yellow” by the CDE, as is practice in other school accountability processes for the 2019-2020 school year.



APPENDIX 2: EDUCATION CODE TABLE

RENEWALS	
47607 and 47607.2 (New)	Establishes three-tiered renewal criteria based on the state’s accountability dashboard.
47607(c)(2)	High Track: charters shall be approved with streamlined renewal for 5 to 7 years, if for two years preceding the renewal: <ul style="list-style-type: none"> • It meets the All Students/All State Indicators Path; or • It meets the Achievement Gap/Academic Indicators Path; and • Is not in differentiated assistance and doesn’t also qualify for the Low Track
47607(c)(2)(A)(i)	High Track All Students/All State Indicators Path: Any school that receives a green or blue on all of their California School Dashboard state indicators in the 2 most recent consecutive years schoolwide (for the “all students” group on the Dashboard).
47607(c)(2)(A)(ii)	High Track Achievement Gap/Academic Indicators Path: The school must meet both a schoolwide metric as well as a minimum level of subgroup performance on measurements of academic performance
47607(c)(5)	Minimum number of indicators to qualify for High and Low Track: <ul style="list-style-type: none"> • At least 2 schoolwide academic indicators for 2 years: For the All Students/All State Indicators Path in the High and Low Track, a school must have Dashboard colors (“performance levels”) for the “all students” group on at least 2 measurements of academic performance per year in each of the 2 consecutive years immediately preceding the renewal decision. • At least 2 subgroup academic indicators for 2 years: For the Achievement Gap/Academic Indicators Path, a school must have Dashboard colors (“performance levels”) on at least 2 measurements of academic performance for at least 2 subgroups. Educ. C. section 47607(c)(5)
47607(c)(6)	Use of most recent data underlying the Dashboard indicators: Charter schools may be submitting their renewal petitions for consideration by their authorizer in advance of the most recent year’s Dashboard being publicly released, but the school may use the underlying data that makes up those Dashboard indicators if available and verifiable but not yet published on the Dashboard (such as CAASPP scores) as part of its renewal.
47607(c)(2)(A)(iii)	Schools in Differentiated Assistance do not qualify for the High Track
47607(c)(2)(A)(iv)	A school can’t be in both High and Low Tracks at the same time.
47607(c)(3)	Measurements of Academic Performance: are the following California School Dashboard state indicators: English Language Arts (ELA), Mathematics, College/Career Indicator (CCI) and English Learner Progress Indicator (ELPI).
47607(c)(4) & 47607(c)(2)(A)(ii) for the High Track & 47607.2(a)(1)(B) for the Low Track	Defines historically disadvantaged subgroups (“underperforming subgroups”) as any subgroup “performing below the state average in each respective year,” and Educ. C. section 47607(c)(4) clarifies that these subgroups include any numerically significant pupil subgroup as defined in Educ. C. section 52052(a)(1).
47607.2(a)	Low Track: Low performing schools shall not be approved if for two years preceding the renewal: <ul style="list-style-type: none"> • Has received the two lowest levels schoolwide for all state indicators it has, or

	<ul style="list-style-type: none"> • Is at or below the statewide average for all academic state indicators school wide, and is below the average for a majority of underperforming subgroups, unless, • In order to approve, a “second look” is allowed for two renewal terms only through June 30, 2025: <ul style="list-style-type: none"> ○ The authorizer finds the charter is addressing the factors of low performance, and ○ The school provides verifiable data from an externally validated nationally recognized source that the school has made sufficient gains or has strong postsecondary outcomes. <p>If approved, only for two-year term.</p>
47607.2(a)(1)(A)	Low Track All Students/All State Indicators Path: Any school that receives an orange or red on all of their California School Dashboard state indicators in the 2 most recent consecutive years schoolwide (for the “all students” group on the Dashboard).
47607.2(a)(1)(B)	Low Track Achievement Gap/Academic Indicators Path: The school must meet both a schoolwide metric as well as a minimum level of subgroup performance on measurements of academic performance
47607.2(a)(3)(A)	To renew a school under the Low Track, the authorizer must make written factual findings citing evidence based in one of the evaluation questions that the school is both <ul style="list-style-type: none"> • Taking “meaningful steps to address the underlying cause or causes of low performance.” Those steps must be reflected or will be reflected in a written plan adopted by the governing body of the charter school,,) and
47607.2(a)(3)(B)	<ul style="list-style-type: none"> • There is clear and convincing data that the school achieved measurable increases in academic achievement, as defined by at least on year’s progress for each year in school, or strong postsecondary outcomes, as defined by college enrollment, persistence, and completion rates equal to similar peers, and that clear and convincing data is substantiated by verified data, as defined in Educ. C. section 47607.2(c)
47607.2(a)(4)	Verified data shall only be considered by the authorizer in the Low Track for schools that were operating on or before June 30, 2020, and only for the charter school’s next two subsequent renewals
47607.2(b)	<p>Middle Track: For all others, the vast majority of charter schools, the authorizer must consider the school’s performance on state and local indicators school-wide and by subgroups, providing greater weight to academic indicators.</p> <p>Until Jan 1, 2026 only, (but not to exceed two renewals) the authorizer shall also consider verifiable data from an externally validated nationally recognized source that the school has made sufficient gains or has strong postsecondary outcomes.</p> <p>Authorizer may only deny if it finds the charter failed to meet or make sufficient progress and that closure is in the best interest of the pupils.</p> <p>Renewal shall be for 5 years.</p>
47607.2(b)(2)	In considering renewal in the Middle Track, the authorizer shall place greater weight on the measurements of academic performance (as defined in in <i>Educ. C. section 47607(c)(3)</i>).
47607.2(b)(3), (4), & (5)	For the next two renewals until January 1, 2026 only, a second look process to allow for alternative data: Particularly important for schools whose academic performance measures on the California School Dashboard are mixed, the Middle Track renewal criteria allow schools to present, and requires authorizers to consider, alternative data that provides clear and convincing evidence that students are growing in their academic achievement and/or are achieving strong postsecondary outcomes compared to similar

	peers. The criteria governing the second look process are described in more detail in Educ. C. section 47607.2(c).
46707.2(b)(6)	Authorizer may only deny renewal if it finds the charter failed to meet or make sufficient progress, that closure is in the best interest of the pupils, and that its decision provided greater weight to performance on measurements of academic performance.
47607.2(b)(7)	Middle Track Renewal term: A charter that qualifies for this track shall be renewed for 5 years.
47607.2(c)	Verified data to be used in the second look process include: <ul style="list-style-type: none"> • Data from nationally recognized, valid, peer-reviewed, and reliable sources that are externally produced, including measures of postsecondary outcomes. • By January 1, 2021 the State Board of Education shall establish criteria to define “verified data” and identify an approved list of valid and reliable assessments. Thereafter, only these approved data sources can be used for this second look process. • Until the State Board establishes criteria and an approved list, renewing charter schools may present to their authorizer data consistent with the parameters of this code section for “verified data.”
47607(c)(7)	Provides exemption and local process for alternative (DASS) schools.
47607(d)	Establishes specific process to evaluate whether a charter is discriminating in enrollment or dismissal and allows nonrenewal if the charter has violated those requirements or has substantial fiscal or governance issues. Requires opportunity to cure but can deny if cure was unsuccessful or violation so severe a cure is unviable.
47607(e)	Authorizer may deny renewal upon finding that the school is demonstrably unlikely to successfully implement the program set forth in the petition due to a substantial fiscal or governance factors or is not serving all pupils who wish to attend, as document in 47607(d). Authorizer may deny renewal only after it has provided at least 30 days’ notice and a reasonable opportunity to cure the violation. Authorizer may only deny renewal after making finding that either the corrective action has been unsuccessful, or the violations are sufficiently severe and pervasive as to render a corrective action plan unviable.
47607.5	Retains appeal of nonrenewal under revised appeal process noted above.

APPENDIX 3: SECOND LOOK PROCESS

The criteria governing the second look process are described in *Educ. C. section 47607.2(a)(3)(B)* and *Educ. C. section 47607.2(c)*. The second look process is a key guardrail to allow charter schools to demonstrate their success with students along a broad range of robust academic performance indicators. The purpose of the second look process is to allow charter schools to present clear and convincing evidence that the school is helping increase student learning and postsecondary success, particularly when that evidence is not readily apparent on the California School Dashboard. Schools have the option of providing “verified data.”

HOW LONG WILL THE SECOND LOOK PROCESS BE INCLUDED IN RENEWAL DETERMINATIONS?

- **Low Track:** schools operating on or before June 30, 2020 can use the second look process for their next two subsequent renewals, beginning July 1, 2020. The second look process sunsets for the Low Track on June 30, 2025, *Educ. C. section 47607.2(a)(4)*. Thereafter, a second version of *Educ. C. section 47607.2*, without a second look will apply.
- **Middle Track:** schools can use the second look process for their next two subsequent renewals, beginning July 1, 2020. The second look process sunsets for the Middle Track on January 1, 2026, *Educ. C. section 47607.2(b)(5)*. Thereafter, a second version of *Educ. C. section 47607.2*, without a second look will apply.

IS SECOND LOOK MANDATORY OR OPTIONAL?

The second look process is intended to allow the charter school to present robust alternative data demonstrating growth in student learning and postsecondary success that would not otherwise be available to the authorizer via the Dashboard state and local indicators. If a charter school submits this alternative data that meets the criteria for “verified data” outlined *Educ. C. section 47607.2(c)*, an authorizer is required to consider it as part of its renewal determination. **In the Low Track, the second look is mandatory, in that the charter is presumed to be non-renewed (based on its Dashboard performance and Low Track placement) unless the second look yields compelling evidence. In the Middle Track, the second look is optional for the charter to submit data but requires the authorizer to consider the data if the charter submits it.** Until the second look process sunsets, *Educ. C. section 47607.2* requires an authorizer to do the following:

- **Low Track:** an authorizer deciding to renew a charter in the Low Track must cite this second look evidence. Specifically, the authorizer must make written factual findings that there is clear and convincing evidence that the charter has made measurable increases in academic achievement or achieved strong postsecondary outcomes, demonstrated by verified data. (This is in addition to the other written factual finding that the charter is taking meaningful steps to address the causes of low performance, reflected in a written plan adopted by the charter school’s governing body.)
- **Middle Track:** the second look process in the middle track is intended to serve as a secondary “fail safe” review for schools whose Dashboard data is insufficient to make a compelling case for renewal. In its petition for renewal, a charter school may rely on its Dashboard state and local indicators alone to demonstrate its performance. However, if a charter school chooses to submit verified data for this second look consideration, an authorizer is required to consider it.

This is further evidenced by the language in *Educ. C. section 47607.2(c)(4)*, which allows but does not require a charter school to present this second look data in advance of January 2021 when the State Board will establish criteria to define verified data and an approved list of assessments for this review.

What constitutes verified data will be established by the State Board of Education in January 2021. Until that point, schools may present data to their authorizers that meets the following definition as stated in *Educ. C. section 47607.2(c)*: “data derived from nationally recognized, valid, peer-reviewed, and reliable sources that are externally produced. Verified data shall include measures of postsecondary outcomes.” Further evidencing the “*optional for charter to submit/mandatory for authorizer to review*” intention of the second look in Education Code, is the fact that once the State Board determines a list of valid and reliable assessments for the second look, authorizers will be required to only review second look data from that list. If the second look were mandatory, it would put the charter school in an untenable situation where, at renewal beginning in January 2021, they were suddenly required to produce data on one of a specified list of assessments when they hadn’t previously been gathering data for that assessment for the last five years.

WHY MAY SCHOOLS NEED A SECOND LOOK PROCESS?

There are many reasons why schools may benefit from this ability to present alternative data, particularly because California is one of the few states lacking an individual student growth measure that measures student learning, accounting for their prior level of performance. For example, a school may seek to serve a high proportion of students that enter the school below grade level and as a result have low standardized test scores. This same school may use internal norm referenced Common Core aligned assessment data to show students come in to the school significantly below grade level yet, the students make more than one year of grade level growth for one year in the school. Another school could be focused on preparing students for post-secondary success and have implemented structures to track college enrollment, persistence and completion rates. Other examples include:

- High schools, which only test students on CAASPP in 11th grade, may also particularly benefit from the ability to present alternative evidence documenting student growth in achievement.
- Schools with high levels of student mobility will also benefit from the ability to present short cycle interim benchmark assessment data, documenting student progress while enrolled in the school.
- Schools growing grade level at a time or schools with small enrollment might not have enough tested students to earn colors on the Dashboard but may still have valuable and robust data documenting their growth in student learning.

For all these reasons, the second look process will allow schools alternative ways to demonstrate their success at time of renewal. Below are the specific criteria for this process.

CRITERIA FOR THE SECOND LOOK PROCESS

- **Schools should present clear and convincing evidence** that either
 1. The school achieved **measurable increases in student achievement**, defined as at least one year’s progress for each year in school. *Educ. C. section 47607.2(b)(3)(A)*. **OR**

2. Students had **strong postsecondary outcomes**, as defined by college enrollment, persistence, and completion rates equal to similar peers. *Educ. C. section 47607.2(b)(3)(B)*.
 3. The two bullets above need to be demonstrated by “**verified data**,” defined in *Educ. C. section 47607.2(c)*.
 4. Schools can use this second look process for their next two renewals, beginning July 1, 2020 through Jan. 1, 2026 when the second look process will sunset for the Middle Track, *Educ. C. section 47607.2(b)(5)*.
- **Verified data** to be used in the second look process include the following (defined in *Educ. C. section 47607.2(c)*):
 1. Data from **nationally recognized, valid, peer-reviewed, and reliable sources** that are **externally produced, including measures of postsecondary outcomes**.
 2. **By January 1, 2021 the State Board of Education shall establish criteria** to define “verified data” **and identify an approved list of valid and reliable assessments**. Thereafter, only these approved data sources can be used for this second look process.
 3. Until the State Board establishes criteria and an approved list, renewing charter schools can present data to their authorizers that is consistent with the parameters of this code section for “verified data.”

WHY THE SECOND LOOK IS CRUCIAL FOR SCHOOLS LACKING DASHBOARD DATA

Some renewing charter schools will either be too small to have Dashboard data or few or none of the academic indicators (for example an elementary school growing out grades). Since renewal determinations require greater weight to be placed on measurements of academic performance, internal verified data from the school should be considered in order to establish answers and build sufficient evidence that the school is achieving the criteria established in the second look process (i.e., measurable increases in academic achievement, and/or strong postsecondary outcomes). This data should be considered schoolwide as well as for any significant subgroup of students (greater than 30) present at the school.

WHAT KINDS OF DATA AND BENCHMARKS SHOULD SCHOOLS USE FOR THE SECOND LOOK?

CCSA Advice: we recommend adopting internal assessments or building a data collection process early in a charter renewal period to ensure that you have sufficient data by time of renewal. These data should be:

- *Longitudinal.* Representing at least two consecutive academic years (preferably more if possible)
- *Standardized.* Any assessment results should be from a standardized assessment measure so that data are comparable to other schools and correlated to Common Core standards.
- *Representative.* The data should represent the vast majority of all students that were continuously enrolled. Data relating to post-secondary success should be representative of the vast majority of the school's graduates and should include comparison data as well as information on graduation and drop-out rates.

Robust assessments that many charter schools have used, both in California and nationally, include but are not limited to: NWEA MAP, Renaissance STAR 360, the PSAT- and SAT, the ACT,

and ACCUPLACER. When CCSA reviews charter schools' data on these assessments, we focus in particular on student growth percentiles or other robust growth measures that contextualize how a school's students are growing given their starting test score and compared to a national norm sample.

In CCSA's experience of conducting second look reviews, considering the academic performance outcomes of schools serving very different demographics of students with widely varying missions and goals, we wanted to ensure we were consistently and fairly measuring their performance, while taking into account the unique circumstances of each school. We learned that using benchmarks made our decisions more principled, stronger, and fairer. For example:

- NWEA MAP publishes virtual control group reports that compare tested students' growth to those of similar peers (with same starting test score, socioeconomic status and urbanicity). [Example here](#).
- To assess the strength of college-going and college-persistence rates of two high schools (one with affluent, non-minority students in the suburbs; the other with high minority, high poverty student groups in an urban center), we relied on the National Student Clearinghouse's "[High School Benchmarks](#)" to provide appropriate
- To assess how impactful it was that a middle school serving a very high percentage of foster youth had succeeded in getting those students into quality high schools and none had dropped out, we compared the rate of foster youth dropout statistics nationally ([citation 1](#), [citation 2](#))
- To look at the performance of Waldorf programs and dual immersion programs, we considered research that documents these models tend to have lower performance in the younger elementary grades but then accelerate gains much more rapidly in the older elementary and middle school grades ([citation 1](#), [citation 2](#)).

APPENDIX 4: MIDDLE TRACK GUIDANCE

Below is a suggested renewal decision tree for authorizers to consider in the Middle Track:

