California Department of Education  
Charter Schools Division  
Revised 09/2024  
lacb-csd-jan25item01  
Attachment 1

# Charter School Petition Review Form: High Tech High Statewide Benefit Charter

CALIFORNIA DEPARTMENT OF EDUCATION

## Glossary of Acronyms and Initialisms

The following acronyms and initialisms are frequently used throughout this document:

* **5 *CCR*:** *California Code of Regulations*, Title 5
* **CDE:** California Department of Education
* **Dashboard:** California School Dashboard
* ***EC*:** California *Education Code*
* **FY:** Fiscal Year
* **LCAP:** Local Control and Accountability Plan
* **LEA:** Local Educational Agency
* **MOU:** Memorandum of Understanding
* **SBE:** California State Board of Education
* **SED:** Socioeconomically Disadvantaged

## Key Information

### Charter Renewal

High Tech High Statewide Benefit Charter (Charter School) currently operates nine individual schools on three sites in San Diego County.

Pursuant to California *Education Code* (*EC*) Section 47605.9(c), the Charter School submitted its petition for renewal to the California State Board of Education (SBE) on July 17, 2024.

### Brief History

On January 12, 2006, the SBE granted the petition to establish the Charter School, and timely approvals of renewals followed. Most recently, on January 12, 2017, the SBE granted the Charter School a renewal for a five-year term beginning July 1, 2017, and ending June 30, 2022. Subsequently, pursuant to *EC* Section 47607.4, the term ending date was extended to June 30, 2025.

The SBE approved the Charter School under *EC* Section 47605.8 on January 12, 2017, as a statewide benefit charter. *EC* Section 47605.8 was subsequently repealed, and *EC* Section 47605.9 was enacted, wherein subdivision (c) states the following:

A charter school operating under a charter approved by the state board pursuant to Section 47605.8, as that section read on January 1, 2019, may continue to operate under the authority of that chartering authority only until the date on which the charter is up for renewal. The charter school shall submit a petition for renewal to the state board.

The Charter School is the only remaining charter school approved by the SBE as a statewide benefit charter and seeks the SBE’s approval of its renewal petition.

### Enrollment

The Charter School enrolls students from transitional kindergarten to twelfth grade.

The Charter School’s actual enrollment for 2023–24 and projected enrollment for the next three years 2025–26, 2026–27, and 2027–28 are described in the below table.

Table. Actual Enrollment and Projected Enrollment

| **School** | **Actual Enrollment for 2023–24** | **Projected Enrollment for 2025–26 to 2027–28** |
| --- | --- | --- |
| High Tech Elementary North County | 445 | 444 |
| High Tech Middle North County | 332 | 336 |
| High Tech High North County | 401 | 400 |
| High Tech Elementary Mesa | 444 | 448 |
| High Tech Middle Mesa | 338 | 336 |
| High Tech High Mesa | 431 | 430 |
| High Tech Elementary Chula Vista | 446 | 444 |
| High Tech Middle Chula Vista | 335 | 336 |
| High Tech High Chula Vista | 642 | 658 |
| **Total** | **3,814** | **3,832** |

### Lead Petitioner

Diana Cornejo-Sanchez, Ed.D, Interim Chief Executive Officer, is the Lead Petitioner for the Charter School.

## Summary of Required Charter Elements Pursuant to California *Education Code* Section 47605

| **Description of Charter Requirement** | **Subsection and Paragraph(s)** | **Meets Requirements** |
| --- | --- | --- |
| Sound Educational Practice | (c)(1) | Yes |
| Ability to Successfully Implement the Program | (c)(2) | Yes |
| Affirmation of Specified Conditions | (c)(4) | Yes |
| Description of Educational Program | (c)(5)(A)(i) | Yes |
| Goals to Address the Eight State Priorities | (c)(5)(A)(ii) | Yes |
| Transferability of High School Courses | (c)(5)(A)(iii) | Yes |
| Measurable Pupil Outcomes | (c)(5)(B) | Yes |
| Method for Measuring Pupil Progress | (c)(5)(C) | Yes |
| Governance Structure | (c)(5)(D) | Yes |
| Employee Qualifications | (c)(5)(E) | Yes |
| Health and Safety Procedures | (c)(5)(F) | Yes |
| Racial and Ethnic Balance | (c)(5)(G) | Yes |
| Admission Requirements | (c)(5)(H) | Yes |
| Annual Independent Financial Audits | (c)(5)(I) | Yes |
| Suspension and Expulsion Procedures | (c)(5)(J) | Yes |
| Retirement System and Social Security Coverage | (c)(5)(K) | Yes |
| Public School Attendance Alternatives | (c)(5)(L) | Yes |
| Post-employment Rights of Employees | (c)(5)(M) | Yes |
| Dispute Resolution Procedures | (c)(5)(N) | Yes |
| Closure Procedures | (c)(5)(O) | Yes |
| Exclusive Public-School Employer | (c)(6) | Yes |
| Standards, Assessments, and Parent Consultation | (d)(1) and (2) | Yes |
| Effect on Authorizer and Financial Projections | (h) | Yes |
| Teacher Credentialing | (l) | Yes |
| Transmission of Audit Report | (m) | Yes |

## Sound Educational Practice

### Evaluation Criteria

***EC* Sections 47605(c) and (c)(1); 5 *CCR* Section 11967.5.1(a) and (b)**

For purposes of *EC* Section 47605(c), a charter petition shall be “consistent with sound educational practice” if, in the SBE’s judgment, it is likely to be of educational benefit to pupils who attend. A charter school need not be designed or intended to meet the educational needs of every student who might possibly seek to enroll in order for the charter to be granted by the SBE.

For purposes of *EC* Section 47605(c)(1), a charter petition shall be “an unsound educational program” if it is either of the following:

1. A program that involves activities that the SBE determines would present the likelihood of physical, educational, or psychological harm to the affected pupils.
2. A program that the SBE determines not likely to be of educational benefit to the pupils who attend.

### California Department of Education Review

**The charter petition meets the requirements for renewal under *EC* Section 47605(c)(1) and 5 *CCR* Section 11967.5.1(a) and (b).**

#### Performance on California School Dashboard State Indicators (*EC* 47607.2[b][1])

The following table displays the Charter School’s renewal categories based on each school’s performance on the Dashboard.

Table. Renewal Categories for Schools

| **Name of School** | **Renewal Category** |
| --- | --- |
| High Tech Elementary North County | Middle Performing |
| High Tech Middle North County | Middle Performing |
| High Tech High North County | Middle Performing |
| High Tech Elementary Mesa | Middle Performing |
| High Tech Middle Mesa | High Performing |
| High Tech High Mesa | Middle Performing |
| High Tech Elementary Chula Vista | Middle Performing |
| High Tech Middle Chula Vista | Middle Performing |
| High Tech High Chula Vista | Middle Performing |

The majority of the schools, eight out of nine, were identified by CDE to be in the middle performing category. Accordingly, the CDE recommends a five-year renewal term for the Charter School.

#### Evidence of Increases in Academic Achievement (*EC* 47607.2[b][3][A])

The Charter School reported administering the Measures of Academic Progress (MAP) assessment developed by the Northwest Evaluation Association (NWEA), an SBE-approved source of verified data, to over 95 percent of its students since Fall 2021. NWEA recommends its conditional growth index (CGI) as a measure for determining whether students made one year’s progress, where a CGI of -0.2 to 0.2 represents one year’s progress. Over the course of the 2023–24 school year, the Charter School’s average CGI result was -0.1, falling within the one year’s progress range recommended by NWEA.

#### Evidence of Strong Postsecondary Outcomes (*EC* 47607.2[b][3][B])

The Charter School’s petition includes College-Going Rate data gathered from CDE DataQuest, which is an SBE-approved source of verified data. The Charter School’s College-Going Rate exceeds countywide and statewide outcomes both schoolwide and for socioeconomically disadvantaged (SED) students. The Charter School’s student groups’ College-Going Rates are above statewide levels.

## Ability to Successfully Implement the Intended Program

### Evaluation Criteria

***EC* Section 47605(c)(2); 5 *CCR* Section 11967.5.1(c)**

For purposes of *EC* Section 47605(c)(2), the SBE shall take the following factors into consideration in determining whether charter petitioners are "demonstrably unlikely to successfully implement the program":

1. If the petitioners have a past history of involvement in charter schools or other education agencies (public or private), the history is one that the SBE regards as unsuccessful, e.g., the petitioners have been associated with a charter school of which the charter has been revoked or a private school that has ceased operation for reasons within the petitioners’ control.
2. The petitioners are unfamiliar, in the SBE’s judgment, with the content of the petition or the requirements of law that would apply to the proposed charter school.
3. The petitioners have presented an unrealistic financial and operational plan for the proposed charter school (as specified).
4. The petitioners personally lack the necessary background in the following areas critical to the charter school’s success, and the petitioners do not have a plan to secure the services of individuals who have the necessary background in curriculum, instruction, assessment, and finance and business management.

### California Department of Education Review

**The charter petition meets the requirements for renewal under *EC* Section 47605(c)(2) and 5 *CCR* Section 11967.5.1(c).**

Since its establishment in 2006, the Charter School has operated under the authorization of the SBE, with oversight responsibilities delegated to the CDE Charter Schools Division, and has been in good standing with its chartering authority.

#### Fiscal Analysis

The CDE reviewed the Charter School’s three-year budget and finds that the Charter School’s financial plan appears to be reasonably sufficient.

The Charter School’s fiscal year (FY) 2024–25 preliminary budget report shows all nine schools are projecting positive ending fund balances and reserve percentages above the recommended 5 percent outlined in the Memorandum of Understanding (MOU) with the SBE.

Table. Ending Fund Balance and Reserve Percentage

| **School** | **Ending Fund Balance FY 2024–25** | **Reserve**  **Percentage** |
| --- | --- | --- |
| High Tech Elementary North County | $2,287,370 | 36.86% |
| High Tech Middle North County | $3,324,483 | 75.39% |
| High Tech High North County | $3,457,187 | 59.67% |
| High Tech Elementary Mesa | $1,091,112 | 18.34% |
| High Tech Middle Mesa | $1,267,028 | 30.25% |
| High Tech High Mesa | $1,921,676 | 31.60% |
| High Tech Elementary Chula Vista | $2,554,019 | 40.52% |
| High Tech Middle Chula Vista | $2,239,913 | 52.52% |
| High Tech High Chula Vista | $4,684,676 | 50.41% |

The Charter School maintains its reserve amounts to ensure cashflow for non-district facility leasing expenses, to buffer against increasing costs for health care and pension expenses, and in anticipation of the potential for state funding deferrals and emergencies.

Additionally, the CDE reviewed audited financial data from the Charter School’s 2022–23 independent financial audit report, which reflected an unqualified status with positive ending fund balances for each school and reserves designated for economic uncertainty above the recommended 5 percent.

The Charter School’s projected financial plan appears fiscally sustainable. The CDE concludes that the Charter School’s multi-year budget provides for projected operating surpluses, increasing positive fund balances, and adequate reserves.

## Affirmation of Specified Conditions

### Evaluation Criteria

***EC* sections 47605(c)(4) and (d); 5 *CCR* Section 11967.5.1(e)**

For purposes of *EC* Section 47605(c)(4), a charter petition that "does not contain an affirmation of each of the conditions described in (*EC* Section 47605[d])" …, shall be a petition that fails to include a clear, unequivocal affirmation of each such condition. Neither the charter nor any of the supporting documents shall include any evidence that the charter will fail to comply with the conditions described in *EC* Section 47605(d).

| Criteria | Criteria Met |
| --- | --- |
| 1. [A] charter school shall be nonsectarian in its programs, admission policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against a pupil on the basis of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the California *Penal Code*. Except as provided in paragraph (2), admission to a charter school shall not be determined according to the place of residence of the pupil, or of his or her parent or guardian, within this state, except that any existing public school converting partially or entirely to a charter school under this part shall adopt and maintain a policy giving admission preference to pupils who reside within the former attendance area of that public school. | Yes |
| 1. (A) A charter school shall admit all pupils who wish to attend the school. 2. If the number of pupils who wish to attend the charter school exceeds the charter school’s capacity, attendance, except for existing pupils of the charter school, shall be determined by a public random drawing. Preference shall be extended to pupils currently attending the charter school and pupils who reside in the school district except as provided for in Section 47614.5. Preferences, including, but not limited to, siblings of pupils admitted or attending the charter school and children of the charter school’s teachers, staff, and founders identified in the initial charter, may also be permitted by the chartering authority on an individual charter school basis. 3. In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the charter school and, in no event, shall take any action to impede the charter school from expanding enrollment to meet pupil demand. | Yes |
| 1. If a pupil is expelled or leaves the charter school without graduating or completing the school year for any reason, the charter school shall notify the superintendent of the school district of the pupil’s last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card, and health information. This paragraph applies only to pupils subject to compulsory full-time education pursuant to *EC* Section 48200. | Yes |

### California Department of Education Review

**The charter petition meets the requirements for renewal under *EC* Section 47605(c)(4), *EC* Section 47605(d), and 5 *CCR* Section 11967.5.1(e).**

The petition contains the required affirmations.

## Description of Educational Program

### Evaluation Criteria

***EC* Section 47605(c)(5)(A); 5 *CCR* Section 11967.5.1(f)(1)**

The description of the educational program as required by *EC* Section 47605(c)(5)(A), at a minimum:

| **Criteria** | **Criteria Met** |
| --- | --- |
| 1. Indicates the proposed charter school’s target student population, including, at a minimum, grade levels, approximate numbers of pupils, and specific educational interests, backgrounds, or challenges. | Yes |
| 1. Specifies a clear, concise school mission statement with which all elements and programs of the school are in alignment and which conveys the petitioners' definition of an "educated person” in the twenty-first century, belief of how learning best occurs, and goals consistent with enabling pupils to become or remain self-motivated, competent, and lifelong learners. | Yes |
| 1. Includes a framework for instructional design that is aligned with the needs of the pupils that the charter school has identified as its target student population. | Yes |
| 1. Indicates the basic learning environment or environments (e.g., site-based matriculation, independent study, community-based education, technology-based education). | Yes |
| 1. Indicates the instructional approach or approaches the charter school will utilize, including, but not limited to, the curriculum and teaching methods (or a process for developing the curriculum and teaching methods) that will enable the school’s pupils to master the content standards for the four core curriculum areas adopted by the SBE pursuant to *EC* Section 60605 and to achieve the objectives specified in the charter. | Yes |
| 1. Indicates how the charter school will identify and respond to the needs of pupils who are not achieving at or above expected levels. | Yes |
| 1. Indicates how the charter school will meet the needs of students with disabilities, English learners, students achieving substantially above or below grade level expectations, and other special student populations. | Yes |
| 1. Specifies the charter school’s special education plan, including, but not limited to, the means by which the charter school will comply with the provisions of *EC* Section 47641, the process to be used to identify students who qualify for special education programs and services, how the school will provide or access special education programs and services, the school’s understanding of its responsibilities under law for special education pupils, and how the school intends to meet those responsibilities. | Yes |

### California Department of Education Review

**The petition meets the requirements of *EC* Section 47605(c)(5)(A) and 5 *CCR* Section 11967.5.1(f)(1).**

#### Educational Program

The Charter School employs project-based learning (PBL) that seeks to integrate the student, school, and community into the learning environment, guided by its four design principles: equity, personalization, authentic work, and collaborative design. The Charter School’s educational program is aligned with Common Core State Standards (CCSS) and Next Generation Science Standards (NGSS). The Charter School provides extensive professional development and structured collaboration for teachers and staff.

#### Plan for Low-Achieving Pupils

The Charter School applies a multi-tiered approach to support students not achieving at expected levels, consisting of small class sizes, teaching teams that analyze student work, targeted interventions, social emotional supports, and expanded learning opportunities.

#### Plan for High-Achieving Pupils

The Charter School serves students achieving above grade level by providing meaningful PBL experiences, alternative assignments, and academic enrichment opportunities.

#### Plan for English Learners

For English Learners (ELs), the Charter School applies a variety of evidence-based approaches to support student learning and complies with all applicable legal requirements, including but not limited to administration of the English Language Proficiency Assessments for California (ELPAC) and monitoring of Reclassified Fluent English Proficient (RFEP) students.

In the plan for ELs, the Charter School’s renewal petition states that Home Language Surveys will be administered upon a student’s enrollment to the Charter School. Home Language Surveys are required to be given upon a student’s first enrollment in any California public school. The CDE recommends a technical amendment for the Charter School’s renewal petition to state that a Home Language Survey will be administered to a student enrolling in the Charter School if it is the student initial enrollment in a California public school.

#### Plan for Special Education

The Charter School is a member of the El Dorado Charter Special Education Local Plan Area (SELPA) and complies with legal requirements applicable to serving students with disabilities.

## Goals to Address the Eight State Priorities

### Evaluation Criteria

***EC* Section 47605(c)(5)(A)(ii)**

A charter school shall provide a description of annual goals for all pupils and for each subgroup of pupils identified pursuant to *EC* Section 52052, to be achieved in the state priorities, as described in subdivision (d) of *EC* Section 52060, that apply for the grade levels served, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals.

### California Department of Education Review

**The petition meets the requirements of *EC* Section 47605(c)(5)(A)(ii).**

The petition includes the Charter School’s 2024–25 Local Control and Accountability Plan (LCAP) as Appendix A, which articulates its plan to address the eight state priorities.

## Transferability of High School Courses

### Evaluation Criteria

***EC* Section 47605(c)(5)(A)(iii)**

If the proposed school will serve high school pupils, a description of the manner in which the charter school will inform parents about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered transferable and courses approved by the University of California or the California State University as creditable under the “A” to “G” admissions criteria may be considered to meet college entrance requirements.

### California Department of Education Review

**The petition meets the requirements of *EC* Section 47605(c)(5)(A)(iii).**

The petition addresses transferability of high school courses and related communication to parents and guardians on pages 32–33.

## Measurable Pupil Outcomes

### Evaluation Criteria

***EC* Section 47605(c)(5)(B); 5 *CCR* Section 11967.5.1(f)(2)**

Measurable pupil outcomes, as required by *EC* Section 47605(b)(5)(B), at a minimum:

| Criteria | Criteria Met |
| --- | --- |
| 1. Specify skills, knowledge, and attitudes that reflect the school’s educational objectives and can be assessed, at a minimum, by objective means that are frequent and sufficiently detailed enough to determine whether pupils are making satisfactory progress. It is intended that the frequency of objective means of measuring pupil outcomes vary according to such factors as grade level, subject matter, the outcome of previous objective measurements, and information that may be collected from anecdotal sources. To be sufficiently detailed, objective means of measuring pupil outcomes must be capable of being used readily to evaluate the effectiveness of and to modify instruction for individual students and for groups of students. | Yes |
| 1. Include the school’s API growth target, if applicable. | NA |

### California Department of Education Review

**The petition meets the requirements of *EC* Section 47605(c)(5)(B) and 5 *CCR* Section 11967.5.1(f)(2).**

The petition articulates the Charter School’s measurable pupil outcomes, which are in alignment with the Charter School’s LCAP and California’s eight state priorities on pages 33–35.

## Method for Measuring Pupil Progress

### Evaluation Criteria

***EC* Section 47605(c)(5)(C); 5 *CCR* Section 11967.5.1(f)(3)**

The method for measuring pupil progress, as required by *EC* Section 47605(c)(5)(C), at a minimum:

| **Criteria** | **Criteria Met** |
| --- | --- |
| 1. Utilizes a variety of assessment tools that are appropriate to the skills, knowledge, or attitudes being assessed, including, at minimum, tools that employ objective means of assessment consistent with the measurable pupil outcomes. | Yes |
| 1. Includes the annual assessment results from the Standardized Testing and Reporting (STAR) program. | NA |
| 1. Outlines a plan for collecting, analyzing, and reporting data on pupil achievement to school staff and to pupils’ parents and guardians, and for utilizing the data continuously to monitor and improve the charter school’s educational program. | Yes |

### California Department of Education Review

**The petition meets the requirements of *EC* Section 47605(c)(5)(C) and 5 *CCR* Section 11967.5.1(f)(3).**

The petition lays out a wide variety of objective, open-ended, and performance assessments in alignment with the Charter School’s instructional program. Assessments are used for progress monitoring, communication of progress to students and families, opportunities for student reflection and agency, school program evaluation, and planning for schoolwide curriculum and instructional practices.

## Governance Structure

### Evaluation Criteria

***EC* Section 47605(c)(5)(D); 5 *CCR* Section 11967.5.1(f)(4)**

The governance structure of the charter school, including, but not limited to, the process to ensure parental involvement as required by *EC* Section 47605(c)(5)(D), at a minimum:

| Criteria | Criteria Met |
| --- | --- |
| 1. Includes evidence of the charter school’s incorporation as a non-profit public benefit corporation, if applicable. | Yes |
| 1. Includes evidence that the organizational and technical designs of the governance structure reflect a seriousness of purpose necessary to ensure that:    1. The charter school will become and remain a viable enterprise.    2. There will be active and effective representation of interested parties, including, but not limited to parents (guardians).    3. The educational program will be successful. | Yes |

### California Department of Education Review

**The petition meets the requirements of *EC* Section 47605(c)(5)(D) and 5 *CCR* Section 11967.5.1(f)(4).**

The Charter School is operated by the nonprofit public benefit corporation called High Tech High (HTH) and its Board of Directors. The petition affirms compliance with charter school governance requirements set forth in *EC* Section 47604.1.

In addition to the HTH Board of Director’s oversight, the Charter School employs a variety of methods to foster parental involvement throughout its programs, with particular focus on Title I spending and the Charter School’s LCAP.

## Employee Qualifications

### Evaluation Criteria

***EC* Section 47605(c)(5)(E); 5 *CCR* Section 11967.5.1(f)(5)**

The qualifications (of the school’s employees), as required by *EC* Section 47605(c)(5)(E), at a minimum:

| Criteria | Criteria Met |
| --- | --- |
| 1. Identify general qualifications for the various categories of employees the school anticipates (e.g., administrative, instructional, instructional support, non-instructional support). The qualifications shall be sufficient to ensure the health and safety of the school’s faculty, staff, and pupils. | Yes |
| 1. Identify those positions that the charter school regards as key in each category and specify the additional qualifications expected of individuals assigned to those positions. | Yes |
| 1. Specify that all requirements for employment set forth in applicable provisions of law will be met, including, but not limited to, credentials as necessary. | Yes |

### California Department of Education Review

**The petition meets the requirements of *EC* Section 47605(c)(5)(E) and 5 *CCR* Section 11967.5.1(f)(5).**

The petition provides general descriptions of subjective qualifications of the Charter School’s directors and teachers, stating that teachers must comply with applicable certification requirements.

## Health and Safety Procedures

### Evaluation Criteria

***EC* Section 47605(c)(5)(F); 5 *CCR* Section 11967.5.1(f)(6)**

The procedures to ensure the health and safety of pupils and staff, as required by *EC* Section 47605(c)(5)(F), at a minimum:

| Criteria | Criteria Met |
| --- | --- |
| 1. Require that each employee of the school furnish the school with a criminal record summary as described in *EC* Section 44237 and comply with *EC* Section 44830.1. | Yes |
| 1. Include the examination of faculty and staff for tuberculosis as described in *EC* Section 49406. | Yes |
| 1. Require immunization of pupils as a condition of school attendance to the same extent as would apply if the pupils attended a non-charter public school. | Yes |
| 1. Provide for the screening of pupils’ vision and hearing and the screening of pupils for scoliosis to the same extent as would be required if the pupils attended a non-charter public school. | Yes |
| 1. Develop a school safety plan that complies with *EC* Section 32282 and is reviewed and updated by March 1 of every year. | Yes |

### California Department of Education Review

**The petition meets the requirements of *EC* Section 47605(c)(5)(F) and 5 *CCR* Section 11967.5.1(f)(6).**

The petition contains reasonable comprehensive descriptions of how the Charter School will ensure the health and safety of pupils and staff as related to staff background checks, tuberculosis, pupil immunizations, and health screenings. The petition affirms that the Charter School has a school safety plan that includes the topics in *EC* Section 32282(a)(2)(A)-(J), which is reviewed and updated by March 1 every year.

## Balance of Pupil Subgroups

### Evaluation Criteria

***EC* Section 47605(c)(5)(G); 5 *CCR* Section 11967.5.1(f)(7)**

Recognizing the limitations on admissions to charter schools imposed by *EC* Section 47605(e), the means by which the school(s) will achieve a balance of racial and ethnic groups, special education pupils, and English learners that is reflective of the general population residing within the territorial jurisdiction of the school district, as required by *EC* Section 47605(c)(5)(G), shall be presumed to have been met, absent specific information to the contrary.

### California Department of Education Review

**The petition meets the requirements of *EC* Section 47605(c)(5)(G) and 5 *CCR* Section 11967.5.1(f)(7).**

The Charter School works with local organizations to maximize recruitment across pupil subgroups. The Charter School’s admissions lottery provides a statistical advantage to SED pupils, ensuring that 40 percent of admitted pupils are eligible for free or reduced lunch under the National School Lunch Program.

## Admission Requirements

### Evaluation Criteria

***EC* Section 47605(c)(5)(H); 5 *CCR* Section 11967.5.1(f)(8)**

To the extent admission requirements are included in keeping with *EC* Section 47605(c)(5)(H), the requirements shall be in compliance with the requirements of *EC* Section 47605(e)(2)(B) and any other applicable provision of law.

### California Department of Education Review

**The petition meets the requirements of *EC* Section 47605(c)(5)(H) and 5 *CCR* Section 11967.5.1(f)(8).**

The Charter School requires applicants to submit an application form, signed by a parent or guardian, before the open enrollment deadline. In the event applications exceed a school’s enrollment capacity, the Charter School holds an admissions lottery using the following admissions priorities:

1. Returning or existing students in good standing are exempt from the lottery
2. Children of employees or board members, capped at 10 percent of total enrollment
3. Pupils promoted or transferring from another HTH school
4. Siblings of pupils currently attending a HTH school
5. Pupils who reside within San Diego County
6. For the North County campus only: Pupils residing in the attendance area of or currently attending La Mirada Academy
7. All other students permitted by law

## Annual Independent Financial Audits

### Evaluation Criteria

***EC* Section 47605(c)(5)(I); 5 *CCR* Section 11967.5.1(f)(9)**

The manner in which annual, independent financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the SBE’s satisfaction, as required by *EC* Section 47605(c)(5)(I), at a minimum:

| Criteria | Criteria Met |
| --- | --- |
| 1. Specify who is responsible for contracting and overseeing the independent audit. | Yes |
| 1. Specify that the auditor will have experience in education finance. | Yes |
| 1. Outline the process of providing audit reports to the SBE, CDE, or other agency as the SBE may direct, and specifying the timeline in which audit exceptions will typically be addressed. | Yes |
| 1. Indicate the process that the charter school(s) will follow to address any audit findings and/or resolve any audit exceptions. | Yes |

### California Department of Education Review

**The petition meets the requirements of *EC* Section 47605(c)(5)(I) and 5 *CCR* Section 11967.5.1(f)(9).**

The petition specifies the Charter School’s selected auditor will have experience in education finance, outlines the process for providing audit reports to relevant agencies, and indicates the process the Charter School will follow to address audit findings and/or resolve audit exceptions.

## Suspension and Expulsion Procedures

### Evaluation Criteria

***EC* Section 47605(c)(5)(J); 5 *CCR* Section 11967.5.1(f)(10)**

The procedures by which pupils can be suspended or expelled that at a minimum shall include an explanation of how the charter school will comply with federal and state constitutional procedural and substantive due process requirements that are consistent with *EC* Section 47605(c)(J)(i)-(iv):

| Criteria | Criteria Met |
| --- | --- |
| 1. Identify a preliminary list, subject to later revision pursuant to subparagraph (E), of the offenses for which students in the charter school must (where non-discretionary) and may (where discretionary) be suspended and, separately, the offenses for which students in the charter school must (where non-discretionary) or may (where discretionary) be expelled, providing evidence that the petitioners’ reviewed the offenses for which students must or may be suspended or expelled in non-charter public schools. | Yes |
| 1. Identify the procedures by which pupils can be suspended or expelled. | Yes |
| 1. Identify the procedures by which parents, guardians, and pupils will be informed about reasons for suspension or expulsion and of their due process rights in regard to suspension or expulsion. | Yes |
| 1. Provide evidence that in preparing the lists of offenses specified in subparagraph (A) and the procedures specified in subparagraphs (B) and (C), the petitioners reviewed the lists of offenses and procedures that apply to students attending non-charter public schools, and provide evidence that the charter petitioners believe their proposed lists of offenses and procedures provide adequate safety for students, staff, and visitors to the school and serve the best interests of the school’s pupils and their parents (guardians). | Yes |
| 1. If not otherwise covered under subparagraphs (A), (B), (C), and (D): 2. Provide for due process for all pupils and demonstrate an understanding of the rights of pupils with disabilities in regard to suspension and expulsion. 3. Outline how detailed policies and procedures regarding suspension and expulsion will be developed and periodically reviewed, including, but not limited to, periodic review and (as necessary) modification of the lists of offenses for which students are subject to suspension or expulsion. | Yes |

### California Department of Education Review

**The petition meets the requirements of *EC* Section 47605(c)(5)(J) and 5 *CCR* Section 11967.5.1(f)(10).**

The petition lays out a philosophy that regards suspension and expulsions as last resorts in pupil discipline. The Charter School uses other means of problem resolution. The petition outlines the offenses for which mandatory or discretionary suspension or recommendation for expulsion may occur. The petition includes a detailed description of the process the Charter School will follow for both suspensions and expulsions, including parent/guardian notification, conferences, hearings, and appeals, which meet the requirements of *EC* Section 47605(c)(5)(J)(i)-(iv).

## Retirement System and Social Security Coverage

### Evaluation Criteria

***EC* Section 47605(c)(5)(K); 5 *CCR* Section 11967.5.1(f)(11)**

The manner by which staff members of the charter schools will be covered by California State Teachers’ Retirement System (CalSTRS), California Public Employees’ Retirement System (CalPERS), or federal social security, as required by *EC* Section 47605(c)(5)(K), at a minimum, specifies the positions to be covered under each system and the staff who will be responsible for ensuring that appropriate arrangements for that coverage have been made.

### California Department of Education Review

**The petition meets the requirements of *EC* Section 47605(c)(5)(K) and 5 *CCR* Section 11967.5.1(f)(11).**

All eligible employees of the Charter School will participate in the CalSTRS or CalPERS. Teachers, school psychologists, and others will participate in CalSTRS, while site managers, information technology directors, and others will be part of CalPERS and federal social security. Employees will retain all vested rights in these systems. The Charter School’s finance and business staff will ensure proper arrangements and contributions for retirement coverage.

## Public School Attendance Alternatives

### Evaluation Criteria

***EC* Section 47605(c)(5)(L); 5 *CCR* Section 11967.5.1(f)(12)**

The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools, as required by *EC* Section 47605(c)(5)(L), at a minimum, specify that the parent or guardian of each pupil enrolled in the charter school shall be informed that the pupil has no right to admission in a particular school of any local educational agency (LEA) (or program of any LEA) as a consequence of enrollment in the charter school, except to the extent that such a right is extended by the LEA.

### California Department of Education Review

**The petition meets the requirements of *EC* Section 47605(c)(5)(L) and 5 *CCR* Section 11967.5.1(f)(12).**

The petition contains the required information related to public school attendance alternatives.

## Post-Employment Rights of Employees

### Evaluation Criteria

***EC* Section 47605(c)(5)(M); 5 *CCR* Section 11967.5.1(f)(13)**

The description of the rights of any employees of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school, as required by *EC* Section 47605(c)(5)(M), at a minimum, specifies that an employee of the charter school shall have the following rights:

| Criteria | Criteria Met |
| --- | --- |
| 1. Any rights upon leaving the employment of an LEA to work in the charter school that the LEA may specify. | Yes |
| 1. Any rights of return to employment in an LEA after employment in the charter school as the LEA may specify. | Yes |
| 1. Any other rights upon leaving employment to work in the charter school and any rights to return to a previous employer after working in the charter school that the SBE determines to be reasonable and not in conflict with any provisions of law that apply to the charter school or to the employer from which the employee comes to the charter school or to which the employee returns from the charter school. | Yes |

### California Department of Education Review

**The petition meets the requirements of *EC* Section 47605(c)(5)(M) and 5 *CCR* Section 11967.5.1(f)(13).**

The petition indicates that employees at the Charter School have no right of return to employment at the SBE’s designated chartering authority.

## Dispute Resolution Procedures

### Evaluation Criteria

***EC* Section 47605(c)(5)(N)**

The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to the provisions of the charter, as required by *EC* Section 47605(c)(5)(N), at a minimum:

| Criteria | Criteria Met |
| --- | --- |
| 1. Describe how the costs of the dispute resolution process, if needed, would be funded. | Yes |
| 1. Recognize that if the substance of a dispute is a matter that could result in the taking of appropriate action, including, but not limited to, revocation of the charter in accordance with *EC* Section 47607, the matter will be addressed in accordance with that provision of law and any regulations pertaining thereto. | Yes |

### California Department of Education Review

**The petition meets the requirements of *EC* Section 47605(c)(5)(N).**

The petition contains a reasonably comprehensive description of dispute resolution procedures.

## Closure Procedures

### Evaluation Criteria

***EC* Section 47605(c)(5)(O)**

A description of the procedures to be used if the charter school closes. The procedures shall ensure a final audit of the charter school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records.

### California Department of Education Review

**The petition meets the requirements of *EC* Section 47605(c)(5)(O).**

The petition contains a reasonably comprehensive description of the procedures the Charter School would follow in the event of closure.

## Exclusive Public School Employer

### Evaluation Criteria

***EC* Section 47605(c)(6)**

The declaration of whether or not the district shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act.

### California Department of Education Review

**The petition meets the requirements of *EC* Section 47605(c)(6).**

The petition contains the necessary declaration.

## Standards, Assessments, and Parent Consultation

### Evaluation Criteria

***EC* sections 47605(d)(1) and (2)**

Evidence is provided that:

| Criteria | Criteria Met |
| --- | --- |
| 1. The school shall meet all statewide standards and conduct the pupil assessments required pursuant to *EC* sections 60605, 60851, and any other statewide standards authorized in statute or pupil assessments applicable to pupils in non-charter public schools. | Yes |
| 1. The school shall, on a regular basis, consult with their parents and teachers regarding the school’s educational programs. | Yes |

### California Department of Education Review

**The petition meets the requirements of *EC* sections 47605(d)(1) and (2).**

The petition contains descriptions of how CCSS, NGSS, and state assessments are built into the core curriculum. The petition also details how parents, guardians, and other educational partners will be consulted regarding the Charter School’s educational program.

## Effect on Authorizer and Financial Projections

### Evaluation Criteria

***EC* Section 47605(h); 5 *CCR* Section 11967.5.1(c)(3)(A–C)**

…[T]he petitioners [shall] provide information regarding the proposed operation and potential effects of the school, including, but not limited to:

| Criteria | Criteria Met |
| --- | --- |
| The facilities to be utilized by the school. The description of the facilities to be used by the charter school shall specify where the school intends to locate. | Yes |
| The manner in which administrative services of the school are to be provided. | Yes |
| Potential civil liability effects, if any, upon the school and the SBE. | NA |
| The petitioners have provided financial statements that include a proposed first-year operational budget, including startup costs, and cash flow and financial projections for the first three years of operation. | Yes |

### California Department of Education Review

**The petition meets the requirements of *EC* Section 47605(h) and 5 *CCR* Section 11967.5.1(c)(3)(A–C).**

The petitioner has provided the required information in the petition or in its recent financial reports.

## Teacher Credentialing

### Evaluation Criteria

***EC* Section 47605(l)**

Teachers in charter schools shall hold the Commission on Teacher Credentialing certificate, permit, or other document required for the teacher’s certificated assignment.

### California Department of Education Review

**The petition meets the requirements of *EC* Section 47605(l).**

The petition contains a description of credential requirements for certificated staff employed by the Charter School, including affirmations that the Charter School shall satisfy all relevant requirements under the law.

## Transmission of Audit Report

### Evaluation Criteria

***EC* Section 47605(m); 5 *CCR* Section 11967.5.1(f)(9)**

A charter school shall transmit a copy of its annual independent financial audit report for the preceding fiscal year to the chartering entity, the Controller, the county superintendent of schools of the county in which the charter is sited and the CDE by December 15 of each year.

### California Department of Education Review

**The petition meets the requirements of *EC* Section 47605(m) and 5 *CCR* Section 11967.5.1(f)(9).**

The petition contains the required declaration.