

California Department of Education

Charter Schools Division

Revised 5/2018

lacb-csd-mar25item01

# California State Board of Education March 2025 Agenda Item #09

## Subject

Petition for the Renewal of a Charter School Authorized by the California State Board of Education: Consideration of Altus Schools South Bay.

## Type of Action

Action, Information, Public Hearing

## Summary of the Issue

The Altus Schools South Bay[[1]](#footnote-1) (Charter School) is a California State Board of Education (SBE)-authorized charter school that submitted a petition for renewal of its charter. Pursuant to California *Education Code* (*EC*) sections 47605.9(b) and 47607, if the SBE grants renewal, the SBE shall designate, in consultation with the Charter School, either the governing board of the school district or the county board of education in which the charter school is located as the chartering authority.

## California Department of Education Recommendation

The California Department of Education (CDE) recommends the SBE grant the Charter School’s petition for renewal for a term of five years, beginning July 1, 2025, and ending June 30, 2030, with the two technical amendments described below, and designate the San Diego County Board of Education (County) as the chartering authority.

The CDE recommends the following two technical amendments as a condition of approving the Charter School’s petition for renewal:

1. The Charter School will revise its student discipline policy to remove willful defiance from the list of offenses a student may be suspended from school.
2. The Charter School will revise its enrollment process such that the Home Language Survey will be administered to a student enrolling in the Charter School if it is the student’s initial enrollment in a California public school.

The CDE’s recommendation is based on the following determinations:

1. The Charter School’s petition is consistent with sound educational practice and with the interests of the community in which the Charter School is located pursuant to *EC* Section 47605(c).
2. The Charter School’s petition includes a comprehensive description of the 15 required elements specified in *EC* Section 47605(c)(5)(A)–(O).
3. The Charter School’s performance on state and local indicators and the alternative metrics applicable to the Charter School based on the pupil population served pursuant to the *EC* Section 47607(c)(7). The CDE analyzed the Charter School’s performance using alternative metrics because the Charter School is an alternative school participating in the Dashboard Alternative School Status (DASS) program.[[2]](#footnote-2)

## Advisory Commission on Charter Schools Recommendation

At its February 4, 2025, meeting, the Advisory Commission on Charter Schools (ACCS) moved that the SBE approve the Charter School’s petition for renewal with the two technical amendments. The motion passed by a vote of seven to one.

The notice for the February 4, 2025, ACCS meeting is located on the February 2025 ACCS Meeting Agenda web page at <https://www.cde.ca.gov/be/cc/cs/accsnotice020425.asp>https://www.cde.ca.gov/be/cc/cs/accsnotice121024.asphttps://www.cde.ca.gov/be/cc/cs/accsnotice121024.asp. The item and attachments presented to the ACCS are available at the above link.

## Background

On or about December 12, 2016, the Sweetwater Union High School District (District) denied the petition to establish the Charter School, which proposed to operate a nonclassroom-based program in the boundaries of the District, serving students from grade seven to grade twelve. The Charter School submitted an appeal to the County.

On or about February 8, 2017, the County denied the petition, and the Charter School submitted an appeal to the SBE.

On or about July 13, 2017, the SBE granted the Charter School’s petition for a five-year term effective July 1, 2017, through June 30, 2022. Pursuant to *EC* Section 47607.4, the Charter School was granted a total of three years of extensions to its charter term, resulting in a revised term ending date of June 30, 2025.

The Charter School currently operates the following four sites, which are all located within the boundaries of the District.

Table. Charter School’s Resource Centers

| **Resource Center** | **Address** |
| --- | --- |
| Plaza Bonita | 3030 Plaza Bonita Road, Suite 1000 National City, CA 91950 |
| Bonita | 3252 Bonita Road, Chula Vista, CA 91910 |
| Chula Vista | 1655 Broadway, Chula Vista, CA 91911 |
| Otay Ranch | 1392 East Palomar Street, Chula Vista, CA 91913 |

During the 2024–25 school year, as required by *EC* Section 47605.9(b), the Charter School submitted its petition for renewal to the District. On or about November 12, 2024, the District denied the Charter School’s renewal.

On or about November 18, 2024, the Charter School submitted this petition for renewal directly to the SBE pursuant to *EC* Section 47605.9(b).

## Standard of Review

For all charter schools, *EC* Section 47605(c) provides that the chartering authority shall determine if a charter school’s petition “is consistent with sound educational practice and with the interests of the community in which the school is proposing to locate,” which includes review by the CDE of the 15 required elements specified under *EC* Section 47605(c)(5)(A)–(O) and as summarized in Attachment 1 on page 3.

For charter schools participating in the DASS program, *EC* Section 47607(c)(7) provides that in determining whether to grant or deny a renewal, the chartering authority shall consider, in addition to the charter school’s performance on the state and local indicators, the charter school’s performance on alternative metrics applicable to the charter school based on the pupil population served. A chartering authority may deny a renewal of a DASS charter school only upon making written findings, setting forth specific facts to support the findings, that the closure of the charter school is in the best interest of pupils.

## Renewal Analysis

### Alternative Metrics

The CDE, conducting oversight on behalf of the SBE, discussed with the Charter School the alternative metrics that would be considered for renewal pursuant to EC Section 47607(c)(7). Based on these discussions, the CDE notified the Charter School of alternative metrics to be used. The CDE used the 2023 and 2024 California School Dashboards (Dashboards) as well as information provided by the Charter School to analyze the Charter School’s performance on the alterative metrics, which are summarized in the below table.

*Table. Alternative Metrics for Renewal of the Charter School*

| **Metric** | **Description of Metric** | **Metric Met** |
| --- | --- | --- |
| 1 | Charter School will exceed the county or state DASS school average distance from standard on the California Assessment of Student Performance and Progress (CAASPP) in English Language Arts/Literacy (ELA) | Yes |
| 2 | Charter School will exceed the county or state DASS school average distance from standard on the CAASPP in Mathematics (Math) | Yes |
| 3 | Charter School will exceed the county or state DASS school average proficiency results on the CAASPP in ELA | Yes |
| 4 | Charter School will exceed the county or state DASS school average proficiency results on the CAASPP in Math | Yes |
| 5 | Charter School will exceed the county or state DASS school average proficiency results for all significant subgroups who received a performance level on the Dashboard | Yes |
| 6 | Charter School will receive “met” performance level on all Dashboard local indicators | Yes |
| 7 | Charter School will provide verified assessment results in ELA and Math that show 60 percent of students in grades seven through eleven have met their growth targets in Reading, Language Usage, and Math | Substantially Met[[3]](#footnote-3) |
| 8 | Charter School will exceed the county or state DASS school graduation rate | Yes |
| 9 | Charter School will maintain a one-year dropout rate of 5 percent or less | Yes |
| 10 | Charter School will show 84 percent participation rate (student engagement) schoolwide and by subgroup | Yes |
| 11 | Charter School’s suspension rate will be 1.5 percent or less | Yes |
| 12 | Charter School’s expulsion rate will be 1 percent or less | Yes |
| 13 | Charter School will exceed the county or state DASS school average English Learner Progress Indicator (ELPI) | Yes |
| 14 | Charter School will exceed the county or state DASS school average chronic absenteeism indicator | Yes |
| 15 | Charter School will achieve 90 percent or higher on its student safety survey as part of the annual Local Control and Accountability Plan (LCAP) engagement survey | Yes |
| 16 | Charter School will achieve 90 percent or higher on its confidence survey of new students | Yes |
| 17 | Charter School will achieve 90 percent or higher on its parent safety survey as part of the annual LCAP engagement survey | Yes |
| 18 | Charter School will exceed the county or state DASS school average for college persistence rate and college completion rate, if available at the time of renewal | Unavailable |

A comprehensive review of the Charter School’s performance on the alternative metrics can be found in Attachment 1.

### State and Local Indicators

The Dashboard includes a concise set of state indicators and local indicators that are founded on the Local Control Funding Formula (LCFF) priorities and aligned to the measures required under Every Student Succeeds Act (ESSA). Those LCFF priorities for which there is no state level data collected are referred to as local indicators.

The academic indicators consist of two content areas: ELA and math. These indicators represent two of several state indicators that the CDE reports on the Dashboard and reflect how well students are meeting grade-level standards by reporting the average distance from standard. The following tables display the Charter School’s and statewide average distance from standard on ELA and Math.

Table. 2023 and 2024 Dashboards for ELA Distance from Standard

| **ELA** | **Charter School** | **Statewide** |
| --- | --- | --- |
| 2023 Dashboard | -9.5 | -13.6 |
| 2024 Dashboard | -1.8 | -13.2 |

Table. 2023 and 2024 Dashboards for Math Distance from Standard

| **Math** | **Charter School** | **Statewide** |
| --- | --- | --- |
| 2023 Dashboard | -115.7 | -49.1 |
| 2024 Dashboard | -120 | -47.6 |

The following tables display the Charter School’s and statewide outcomes for the ELPI and the College/Career Indicator (CCI) as reported on the 2023 and 2024 Dashboards. The ELPI reports the percentage of English Learner (EL) students making progress on the English Language Proficiency Assessments for California (ELPAC). The CCI reports the percentage of high school graduates considered prepared for college or a career.

Table. 2023 and 2024 Dashboards for ELPI

| **ELPI** | **Charter School** | **Statewide** |
| --- | --- | --- |
| 2023 Dashboard | 47.8% | 48.7% |
| 2024 Dashboard | 49.3% | 45.7% |

Table. 2023 and 2024 Dashboards for CCI

| **CCI** | **Charter School** | **Statewide** |
| --- | --- | --- |
| 2023 Dashboard | 14.2% | 43.9% |
| 2024 Dashboard | 16.4% | 45.3% |

The following tables display the Charter School’s and statewide outcomes for academic engagement as reported on the 2023 and 2024 Dashboards. The chronic absenteeism figure represents the percentage of students in kindergarten through grade eight who were absent for 10 percent or more instructional days they were enrolled. The graduation rate represents the percentage of students who graduate high school within five years.

Table. 2023 and 2024 Dashboards for Chronic Absenteeism

| **Chronic Absenteeism** | **Charter School** | **Statewide** |
| --- | --- | --- |
| 2023 Dashboard | 5.6% | 24.3% |
| 2024 Dashboard | 0% | 18.6% |

Table. 2023 and 2024 Dashboards for Four/Five-Year Graduation Rate

| **Graduation Rate** | **Charter School** | **Statewide** |
| --- | --- | --- |
| 2023 Dashboard | 65.1% | 86.4% |
| 2024 Dashboard | 64.3% | 86.7% |

The following table displays the Charter School’s and statewide suspension rates, which represent the percentage of students who were suspended for a total of one full day or more during the school year as reported on the 2023 and 2024 Dashboards.

Table. 2023 and 2024 Dashboards for Suspension

| **Suspension Rate** | **Charter School** | **Statewide** |
| --- | --- | --- |
| 2023 Dashboard | 0% | 3.5% |
| 2024 Dashboard | 0% | 3.2% |

As summarized above, the Charter School outperformed statewide averages on four of the seven state indicators on the 2024 Dashboard.

With regard to the applicable local indicators, the Charter School met the standard based on the 2023 and 2024 Dashboards.

Table. 2023 and 2024 Dashboards for Local Indicators

| **Indicator** | **2023 Dashboard** | **2024 Dashboard** |
| --- | --- | --- |
| Basics: Teachers, Instructional Materials, Facilities | Standard Met | Standard Met |
| Implementation of Academic Standards | Standard Met | Standard Met |
| Parent and Family Engagement | Standard Met | Standard Met |
| Local Climate Survey | Standard Met | Standard Met |
| Access to a Broad Course of Study | Standard Met | Standard Met |

## Fiscal Analysis

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

The Charter School’s actual enrollment for 2024–25 and projected enrollment for 2025–26 through 2029–30 show stability and are reasonable projections.

Table. Actual Enrollment and Projected Enrollment

| **Grades** | **2024–25\*** | **2025–26** | **2026–27** | **2027–28** | **2028–29** | **2029–30** |
| --- | --- | --- | --- | --- | --- | --- |
| **7–8** | 49 | 53 | 54 | 54 | 55 | 56 |
| **9–12** | 373 | 396 | 399 | 404 | 408 | 412 |
| **Total** | 422 | 449 | 453 | 458 | 463 | 468 |

\* Enrollment as of January 15, 2025

The Charter School has had a good financial record under SBE authorization. The Charter School’s fiscal year 2024–25 first interim report indicates that the Charter School is projecting a positive ending fund balance of $6,914,014 and reserves of 99.99 percent, which is above the recommended 5 percent in reserves outlined in the Memorandum of Understanding (MOU) between the Charter School and the SBE. The CDE reviewed financial data from the 2023–24 audit report, which reflected an unqualified status with an ending fund balance of $6,550,085 and a reserve designated for economic uncertainty of 106.32 percent. The Charter School stated that it maintains a high reserve for its contractual lease obligations for its multiple resource centers, economic uncertainty, and retirement contingency due to rising costs of retirement contributions.

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

## Charter Elements

The CDE finds the Charter School’s renewal petition provides a reasonably comprehensive description of the elements required by *EC* Section 47605(c). A review of each element is provided in Attachment 1.

## Technical Amendments

In the list of discretionary suspension offenses in the renewal petition, the Charter School lists willful defiance as reason a student may be suspended (Attachment 2, p. 145 of Agenda Item 01 of the February 2025 ACCS Meeting Agenda web page at <https://www.cde.ca.gov/be/cc/cs/documents/accs-feb25item01a2.pdf>). The CDE recommends the following technical amendment to the renewal petition:

Table. Current Renewal Petition and Proposed Renewal Petition

| **Current Renewal Petition Language** | **Proposed Amendment** |
| --- | --- |
| Section k:  Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties. This section shall only apply to students in any of grades 9-12, inclusive. | Remove Section k. |

In the plan for EL students, the Charter School’s renewal petition states that Home Language Surveys will be administered upon a student’s enrollment to the Charter School (Attachment 2, p. 79 of Agenda Item 01 of the February 2025 ACCS Meeting Agenda web page at <https://www.cde.ca.gov/be/cc/cs/documents/accs-feb25item01a2.pdf>). 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’s initial enrollment in a California public school.

*Table. Current Renewal Petition and Proposed Renewal Petition*

| **Current Renewal Petition Language** | **Proposed Amendment** |
| --- | --- |
| The Home Language Survey (“HLS”) is administered upon a student’s initial enrollment into the Charter School (on enrollment forms). The HLS is used to identify whether the primary or native language of the student is a language other than English. The Charter School uses the HLS to verify data in CALPADS and to capture survey information for students enrolling for the first time in California or the United States. | The Charter School’s enrollment process will include a determination of whether or not the student has previously attended a California public school where a Home Language Survey (HLS) was administered. If a student's enrollment at the Charter School is the student's first enrollment in a California public school, then the Charter School will administer the HLS pursuant to *EC* Section 52164.1. If a language other than English was indicated on the HLS, then the Charter School will initiate its process for determining the student's English language proficiency. |

## Past History Under California State Board of Education Authorization

Since its establishment, 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.

On September 18, 2017, the CDE issued the Charter School a letter of concern regarding the operation of additional facilities without prior SBE authorization. The concern was addressed and resolved by the Charter School. The CDE has no outstanding concerns regarding the Charter School.

Over the course of its current term, the CDE has found the Charter School to be in compliance with its charter and the MOU between the SBE and the Charter School.

## Conclusion

The CDE recommends the SBE grant the Charter School’s petition for renewal for a term of five years, beginning July 1, 2025, and ending June 30, 2030, with the two technical amendments described below, and designate the County as the chartering authority.

The CDE recommends the following two technical amendments as a condition of approving the Charter School’s petition for renewal:

1. The Charter School will revise its student discipline policy to remove willful defiance from the list of offenses a student may be suspended from school.
2. The Charter School will revise its enrollment process such that the Home Language Survey will be administered to a student enrolling in the Charter School if it is the student’s initial enrollment in a California public school.

## Documents Reviewed by the California Department of Education

* Charter School Petition for Renewal, which is available as Item 01 Attachment 2 on the February 2025 ACCS Meeting web page at <https://www.cde.ca.gov/be/cc/cs/documents/accs-feb25item01a2.pdf>.
* Charter School Budget and Financial Projections, which is available as Item 01 Attachment 3 on the February 2025 ACCS Meeting web page at <https://www.cde.ca.gov/be/cc/cs/documents/accs-feb25item01a3.pdf>
* Charter School Articles of Incorporation, Bylaws, and Conflict of Interest Policy, which is available as Item 01 Attachment 4 on the February 2025 ACCS Meeting web page at <https://www.cde.ca.gov/be/cc/cs/documents/accs-feb25item01a4.pdf>.
* Charter School Appendices and Supporting Documents, which is available as Item 01 Attachment 5 on the February 2025 ACCS Meeting web page at [https://www.cde.ca.gov/be/cc/cs/documents/accs-feb25item01a5.pdf](https://www.cde.ca.gov/be/cc/cs/documents/accs-feb25item01a5.pdf" \o "Item 01 Attachment 5 on the February 2025 ACCS Meeting web page).
* DASS Charter School Renewal Criteria, which is available as Item 01 Attachment 6 on the February 2025 ACCS Meeting web page at <https://www.cde.ca.gov/be/cc/cs/documents/accs-feb25item01a6.pdf>.

## Attachment

* **Attachment 1:** California Department of Education Charter School Petition Review Form: Altus Schools South Bay (46 Pages)

1. Altus Schools South Bay changed its name from Sweetwater Secondary School in April of 2023. [↑](#footnote-ref-1)
2. DASS charter schools are eligible for five-year charter terms pursuant to *EC* Section 47607. DASS charter schools are not assigned low, middle, or high performing categories to be eligible for two-year, five-year, or five- to seven-year charter terms, respectively, in the manner non-DASS charter schools are. [↑](#footnote-ref-2)
3. During the charter term, the Charter School exceeded the 60 percent growth target rate schoolwide. In Reading and Language Usage, 93 percent of student groups exceeded the growth target rate. In Math, 90 percent of student groups exceeded the growth target rate. [↑](#footnote-ref-3)