Byron Union School District
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M E M O R A N D U M

TO: Board of Trustees
Byron Union School District

FROM: Crystal Castaneda, Superintendent
Byron Union School District

DATE: November 4, 2026

RE: Staff Recommendations and Recommended Findings for the Vista Oaks Charter School Charter Renewal Petition

I.
INTRODUCTION

Vista Oaks Charter School ("Vista Oaks") has been operating since fall of 2014 serving students throughout Contra Costa County and San Joaquin County in transitional kindergarten ("TK") through grade 12. Since going into operation, Vista Oaks has successfully created a supportive learning environment – allowing students to reach their full potential through an individualized, standards-based educational program structured for our student's success.

Byron Union School District ("District") first granted Vista Oaks' Charter in 2014. The District last renewed Vista Oaks' Charter on February 7, 2019. Vista Oaks' current charter term ends June 30, 2027. Its current term was extended by operation of law.

As will be discussed in detail below, the California Department of Education ("CDE"), for purposes of charter renewals under Education Code § 47607, places charter schools in performance categories of high, middle, or low based on the school's performance under the California Dashboard ("Dashboard"). CDE has designated Vista Oaks as a middle performing charter school.

The following is the staff recommendations and recommended findings, as required pursuant to Education Code § 47605(b), for Vista Oaks' Charter Renewal Petition ("Renewal Petition"), which was submitted to the Byron Union School District Board of Trustees ("Board") on September 21, 2026. On October 22, 2026, the Board held an initial public hearing pursuant to Education Code § 47605(b), to determine the level of support by teachers, other employees, and parents for the Renewal Petition.

This hearing, scheduled for November 19, 2026, is required to be held not later than sixty (60) days after receiving the petition. (Ed. Code § 47605(b).) The Board is required to grant or deny the charter within ninety (90) days of receiving the petition, unless extended by thirty (30) days upon agreement

of both parties. (Ed. Code § 47605(b).) The Renewal Petition has been posted along with these staff recommendations and recommended findings.

II.
LEGAL STANDARD FOR CHARTER RENEWAL

Pursuant to Education Code § 47607(b), charter renewals and material revisions are governed by the standards and criteria set forth in Education Code § 47605 and "shall include, . . . a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed." (Ed. Code § 47607(b)). A charter renewal petition can be denied upon written factual findings of any one or more of the following:

1. The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.
2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
3. The petition does not contain an affirmation of each of the conditions described in the statute.
4. The petition does not contain reasonably comprehensive descriptions of the elements required to be in a charter petition under the statute.
5. The petition does not contain a declaration of whether the charter school will be deemed the exclusive public employer of the employees of the charter school.

(Ed. Code § 47605(c).) A charter school renewal petition cannot be denied based on the fiscal impact of the charter on the district or a finding that the charter school is demonstrably unlikely to serve the interests of the entire community. (Ed. Code § 47607(a)(4); Board Policy 0420.42).

In addition to those criteria the chartering authority must also consider the performance of the charter school on the state and local indicators, which are provided through CDE's Dashboard. (Ed. Code § 47607(c); Ed. Code § 47607.2.) This criterion created a three-tiered performance rating for charter schools. (*Id.*) CDE places charter schools into one of three categories: high, middle, or low performance.

- High performing charter schools are eligible for five-, six-, or seven-year renewal terms;
- Middle performing charter schools are eligible for five-year renewal terms; and
- Low performing charter schools are eligible for two-year renewal terms if they meet certain conditions.

(Ed. Code § 47607(c)(2)(E); Ed. Code § 47607.2(a)(5), (b)(7).)

For high performing schools the chartering authority cannot deny a charter renewal petition if either of the following applies for the two consecutive years preceding the renewal decision:

1. The charter school received the two highest performance levels schoolwide on all state indicators on Dashboard.
2. For all measurements of academic performance, the charter school received performance levels school wide that are the same or higher than the state average and for a majority of subgroups performing

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statewide below the state average in each respective year, received performance levels that higher than the state average.

(Ed. Code § 47607(c)(2)(A).) If the charter satisfies the above criteria, the charter is only required "to update the petition to include a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed and as necessary to reflect the current program offered by the charter." (Ed. Code § 47607(c)(2)(F); Board Policy 0420.42.)

For middle performing schools, the charting authority must consider the schoolwide performance and performance of all subgroups of pupils served by the charter on the state and local indicators on CDE's Dashboard, providing greater weight on measurements of academic performance in determining whether to grant the renewal. (Ed. Code § 47607.2(b)(1)-(2).) In addition, the chartering authority must also consider clear and convincing evidence of either:

1. The school achieved measurable increases in academic achievement, as defined by at least one year's progress for each year in school; or
2. Strong postsecondary outcomes, as defined by college enrollment, persistence, and completion rates equal to similar peers.

(Ed. Code § 47607.2(b)(3).) This must be demonstrated by "verified data" which "means data derived from nationally recognized, valid, peer-reviewed, and reliable sources that are externally produced," and includes "measures of postsecondary outcomes." (Ed. Code § 47607.2(b)(4), (c)(1).) The California State Board of Education ("SBE") has established the required list of academic progress indicators that are to be used as verified data. (https://www.cde.ca.gov/sp/ch/verifdataacadprogress.asp; See Ed. Code § 47607.2(c)(2)-(3).)

The chartering authority may deny the renewal of a middle performing school only if it makes "written findings, setting forth specific facts to support the findings, that the charter school has failed to meet or make sufficient progress toward meeting standards that provide a benefit to the pupils of the school, that closure of the charter school is in the best interest of pupils, and . . . that its decision provided greater weight to performance on measurements of academic performance." (Ed. Code § 47607.2(b)(6).)

For low performing schools, the chartering authority cannot renew the charter if either of the following apply for the two consecutive years preceding the renewal decision:

1. The charter school received the two lowest performance levels schoolwide on all the state indicators on CDE's Dashboard.
2. For all measurements of academic performance, the charter school received performance levels school wide that are the same or lower than the state average and, for a majority of subgroups performing statewide below the state average in each respective year, received performance levels that are lower than the state average.

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(Ed. Code § 47607.2(a).) The chartering authority may renew a low performing school's charter that meets the above criteria only if it makes "both of the following written factual findings, specific to the particular petition, setting forth specific facts to support the findings:"

1. The charter school is taking meaningful steps to address the underlying cause or causes of low performance, and those steps are reflected, or will be reflected, in a written plan adopted by the governing body of the charter school; and
2. There is clear and convincing evidence showing either (a) the school achieved measurable increases in academic achievement, as defined by at least one year's progress for each year in school; or (b) strong postsecondary outcomes, as defined by college enrollment, persistence, and completion rates equal to similar peers.

(Ed. Code § 47607.2(a)(3).) Such clear and convincing evidence must be demonstrated by verified data, as discussed above. (Ed. Code § 47607.2(a)(3)(C), (a)(4).)

Title 5 of the California Code of Regulations, section 11966.4 also requires the Board to "consider the past performance of the school's academics, finances, and operation in evaluating the likelihood of future success, along with future plans for improvement, if any," when considering renewal of a charter petition. (5 C.C.R. § 11966.4(b)(1).)

Lastly, pursuant to Education Code § 47607(e) a chartering authority may deny a renewal petition if it makes a finding that the charter school is demonstrably unlikely to successfully implement the program set forth in the petition due to:

1. Substantial fiscal or governance factors; or
2. The charter school not serving all pupils who wish to attend.

(Ed. Code § 47607(e).) However, the chartering authority "may deny renewal of a charter school under this subdivision only after it has provided at least 30 days' notice to the charter school of the alleged violation and provided the charter school with a reasonable opportunity to cure the violation, including a corrective action plan proposed by the charter school." (Ed. Code § 47607(e).) The Board may deny the Renewal Petition on these bases only by making either of the following findings:

1. The corrective action proposed by the charter school has been unsuccessful.
2. The violations are sufficiently severe and pervasive, as to render a corrective action plan unviable.

(Ed. Code § 47607(e).)

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III.
FINGINGS

Below are District Staff's findings with regards to the Renewal Petition, all of which support the renewal of Vista Oaks' Charter Petition for five (5) additional years from July 1, 2027, to June 30, 2032.

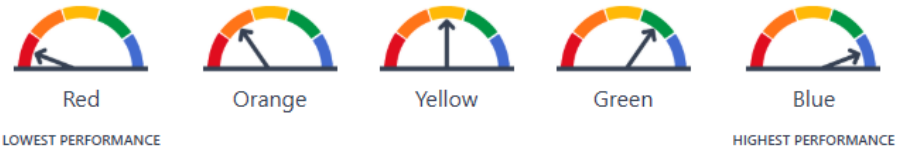
A. Determination Criteria for Renewal of Vista Oaks' Charter Petition

1. High Performing, Middle Performing, or Low Performing per the California Department of Education

California Schools Dashboard helps "parents and educators identify strengths and areas for improvement," by reporting "how districts, schools (including alternative schools), and student groups are performing across state and local measures." (https://www.caschooldashboard.org/about/accountability.)

State measures are chronic absenteeism, graduation rate, suspension rate, English Learner Progress ("ELPI"), science, and academic performance which includes English Language Arts ("ELA") and mathematics. (*Id.*) Local measures which are reported by districts, county offices of education, and charter schools include "clean and safe buildings, school climate, parent and family engagement, and access to a broad course of student." (*Id.*)

For state measures Dashboard bases performance on (1) the current year results, and (2) whether the results improved from the prior year. (*Id.*) The Dashboard assigns colors for "[p]erformance on state measure, using comparable statewide data," as follows:



Source: https://www.caschooldashboard.org/about/accountability

"The performance level (color) is not included when there are fewer than 30 students in any year. This is represented using a greyed out color dial with the words 'No Performance Color.'" (*Id.*)

CDE looks to two criteria in determining whether the charter is a high, middle, or low performing school:

1. Based on the performance colors received for **all** of the state indicators on the Dashboard for the two previous Dashboard years.
2. Based on the 'Status" (also known as current year data) for all academic indicators with a performance floor for the two previous Dashboard years.

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(https://www.cde.ca.gov/sp/ch/documents/categoryflyer.pdf (emphasis in original).)[1] "Schools that meet neither the High nor Low performing levels under Criterion 1 or 2 above are automatically placed in the Middle performance category. CDE determined that Vista Oaks is a middle performing charter school.

As stated above, for middle performing schools, the charting authority must consider the schoolwide performance and performance of all subgroups of pupils served by the charter on the state and local indicators on Dashboard, providing greater weight to performance on measurements of academic performance in determining whether to grant the renewal. (Ed. Code § 47607.2(b)(1)-(2).)

In addition, the chartering authority must also consider clear and convincing evidence of either:

1. The school achieved measurable increases in academic achievement, as defined by at least one year's progress for each year in school; or
2. Strong postsecondary outcomes, as defined by college enrollment, persistence, and completion rates equal to similar peers.

(Ed. Code § 47607.2(b)(3).) This must be demonstrated by "verified data" which "means data derived from nationally recognized, valid, peer-reviewed, and reliable sources that are externally produced," and includes "measures of postsecondary outcomes." (Ed. Code § 47607.2(b)(4), (c)(1).) The SBE has established the required list of academic progress indicators that are to be used as verified data. (https://www.cde.ca.gov/sp/ch/verifdataacadprogress.asp; See Ed. Code § 47607.2(c)(2)-(3).)

[1] For more information on how CDE determines whether a school is high, middle, or low performing, please see the following: https://www.cde.ca.gov/sp/ch/documents/categoryflyer.pdf

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a. California Schools Dashboard Data

For the Statewide Dashboard performance levels Vista Oaks showed maintenance or improvement from 2024 to 2025 in all categories except English Language ("EL") progress and College and Career Indicator ("CCI").

- ELA: From 2024 to 2025 Vista Oaks moved from an orange performance level with 16.7 points below standard to a green performance level with 6.5 points above standard; an increase in 23.1 points. In 2025 Vista Oaks achieved a higher performance level than the state with the state at 8.1 points below standard and a yellow performance level.
- Math: In 2024 and 2025 Vista Oaks achieved a yellow performance level but moved from 57.7 points below standard in 2024 to 35.2 points below standard; an increase in 22.5 points. Whereas the state obtained an orange performance level in 2024 and was 42.4 points below standard in 2025.
- Science: While Vista Oaks did not obtain a color performance level and was 11.8 points below standard in science for 2024, in 2025 Vista Oaks achieved a blue performance indicator with 57.7 points above average, whereas the state obtained only a yellow performance indicator with 52.6 points above average in 2025.
- EL Progress: In 2024 and 2025 Vista Oaks did not receive a color performance level, however, Vista Oaks saw a decline in students making progress in this area with 52.4% making progress in 2024 and 42.1% making progress in 2025. However, 42.1% is still comparable to the state with 46.4% making progress in 2025.
- CCI: In 2024 and 2025 Vista Oaks achieved an orange performance level with a decrease from 44.3% prepared to 33.3% prepared.
- Suspension Rate: In both 2024 and 2025 Vista Oaks achieved a blue performance level with 0% suspended at least one day. Whears the state earned a green performance indicator with 3.2% and 2.9% suspended at least one day, respectively.
- Chronic Absenteeism: In 2024 and 2025 Vista Oaks obtained a blue performance indicator with 1.5% and 1.7% chronically absent, respectively. Though there was a slight increase, Dashboard indicates Vista Oaks has maintained its status. In 2024 and 2025 the state obtained yellow performance indicators with 18.6% and 17.1% chronically absence, respectively.
- Graduation Rate: In 2024 and 2025 Vista Oaks achieved a green performance level with 91.5% and 9.8% graduated, respectively; an increase in 2.2%. Comparatively, the state achieved only 86.7% and 87.8% graduated in 2024 and 2025 respectively.

For ELA and Math Vista Oaks has achieved an increase in each vulnerable subgroup and in 2025 is outperforming the state in each with the exception of one:

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- ELA
  - English Learner: From 2024 to 2025 Vista Oaks went from 71.7 points below standard to 27.9 points below standard, an increase in 43.8 points. The state in 2025 is 59.9 points below standard.
  - Students with Disabilities: From 2024 to 2025 Vista Oaks went from 73.5 points below standard to 38.3 points below standard, an increase in 35.2 points and moved from a red performance level to a yellow performance level. The state in 2025 is 89.4 points below standard and an orange performance level.
  - Socioeconomically Disadvantaged: From 2024 to 2025 Vista Oaks went from 31.6 points below standard to 12.4 points below standard, an increase in 19.2 points and moved from an orange performance level to a yellow performance level. The state in 2025 is 35.3 points below standard and a yellow performance level.
  - Hispanic/Latino: From 2024 to 2025 Vista Oaks went from 29.4 points below standard to 9 points below standard, an increase in 20.4 points and moved from an orange performance level to a yellow performance level. The state in 2025 is 33.7 points below standard and a yellow performance level.
- Math
  - English Learner: From 2024 to 2025 Vista Oaks went from 103.6 points below standard to 94.2 points below standard, an increase in 94.2 points. However, the state in 2025 is 86.1 points below standard.
  - Students with Disabilities: From 2024 to 2025 Vista Oaks went from 124.1 points below standard to 84.2 points below standard, an increase in 39.9 points and moved from an orange performance level to a yellow performance level. The state in 2025 is 120.7 points below standard and an orange performance level.
  - Socioeconomically Disadvantaged: From 2024 to 2025 Vista Oaks went from 80.1 points below standard to 57.5 points below standard, an increase in 22.6 points and moved from an orange performance level to a yellow performance level. The state in 2025 is 72.9 points below standard and a yellow performance level.
  - Hispanic/Latino: From 2024 to 2025 Vista Oaks went from 71.5 points below standard to 49.8 points below standard, an increase in 21.6 points and moved from an orange performance level to a yellow performance level. The state in 2025 is 73.6 points below standard and a yellow performance level.

The District reviewed the Dashboard data for other subgroups as well and found a similar trend in increasing points except for the subgroup of two or more races.

- ELA
  - Two or More Races: From 2024 to 2025, declined 17.9 points and did not outperform the state.
  - White: From 2024 to 2025, increased 38.8 points but did not outperform the state.

- Asian: From 2024 to 2025, increased 46 points and outperformed the state.

- Math
  - Two or More Races: From 2024 to 2025, declined 8.4 points and did not outperform the state.
  - White: From 2024 to 2025, increased 30.8 points but did not outperform the state.
  - Asian: From 2024 to 2025, increased 43.5 points but did outperform the state.

For 2025, Vista Oaks has achieved "Standard Met" on all local indicators.

Recommended Finding: Vista Oaks has been determined to be a middle performing charter school.

b. Verified Data

Overall, the Renewal Petition provides that Vista Oaks achieved substantial growth on the 2025 California Assessment of Student Performance and Progress ("CAASPP")[2] assessments, "achieving a 20+ point increase in both ELA (+6.5 points from proficiency) and Mathematics (-35 points from proficiency) compared to the previous year. Vista Oaks outperformed the State in both ELA and math in 2025. In 2026, the school maintained its progress in Mathematics while experiencing a slight decline in ELA." In evaluating the subgroups for ELA from 2023 to 2025 using CAASPP data, it shows there was a trend of a decrease in percentage of proficiency for most subgroups in ELA from 2023 to 2024 but an increase in proficiency from 2024 to 2025 for most subgroups. In evaluating the subgroups for Math from 2023 to 2025 using CAASPP data, it shows a majority of the subgroups have increased in proficiency from 2023 to 2025.

- ELA
  - Hispanic/Latino: Decreased from 36.19% in 2023 to 35.51% in 2024. Increased 8.24% from 2024 to 2025 to 43.75%.
  - White: Decreased from 50.68% in 2023 to 50.28% in 2024. Increased 0.32% from 2024 to 2025 to 50.60%
  - Black/African America: Decreased from 45.45% in 2023 to 33.34% in 2025. There were fewer than 11 students in 2024 so the data for that year has been suppressed.
  - English Learners: Decreased from 11.76% in 2023 to 6.67% in 2024. There were fewer than 11 students in 2025 so the data for that year has been suppressed.

[2] CAASPP is an academic progress indicator that is on the approved verified data list. (https://www.cde.ca.gov/sp/ch/verifdataacadprogress.asp.)

- Socioeconomically Disadvantaged: Decreased from 41.93% in 2023 to 38.22% in 2024. Increased 2.24% from 2024 to 2025 to 40.46%
- Students with Disabilities: Decreased from 27.06% in 2023 to 22.27% in 2024. Increased 4.38% from 2024 to 2025 to 27.10%.

- Math
  - Hispanic/Latino: Decreased from 23.69% in 2023 to 23.07% in 2024. Increased 4.01% from 2024 to 2025 to 27.08%.
  - White: Increased from 25.23% in 2023 to 31.84% in 2024. Increased 2.22% from 2024 to 2025 to 34.06%
  - Black/African America: Increased from 9.09% in 2023 to 33.33% in 2025. There were fewer than 11 students in 2024 so the data for that year has been suppressed.
  - English Learners: Decreased from 11.76% in 2023 to 0% in 2024. There were fewer than 11 students in 2025 so the data for that year has been suppressed.
  - Socioeconomically Disadvantaged: Increased from 20.64% in 2023 to 21.65% in 2024. Increased 5.67% from 2024 to 2025 to 27.32%
  - Students with Disabilities: Increased from 7.06% in 2023 to 10.23% in 2024. Increased 8.46% from 2024 to 2025 to 18.69%.

Recommended Finding: The Renewal Petition supports Vista Oaks achieved measurable increases in academic achievement, as defined by at least one year's progress for each year in school.

c. Whether there is a Basis to Deny the Charter

The chartering authority may deny the renewal of a middle performing school only if it makes "written findings, setting forth specific facts to support the findings, that the charter school has failed to meet or make sufficient progress toward meeting standards that provide a benefit to the pupils of the school, that closure of the charter school is in the best interest of pupils, and . . . that its decision provided greater weight to performance on measurements of academic performance." (Ed. Code § 47607.2(b)(6).)

Providing greater weight to performance on measurements of academic performance, while performance of Vista Oaks in meeting the standards have sometimes varied as evidenced above, overall, the data submitted in the Renewal Petition does not rise to the level of Vista Oaks failing to meet or make sufficient progress toward meeting standards that provide a benefit to the students. As such, there is no evidence that the closure of Vista Oaks is in the best interest of the students.

Recommended Finding: Vista Oaks has not failed to meet or make sufficient progress toward meeting standards that provide a benefit to its students and closure of Vista Oaks is not in the best interest of the students. This finding

provided greater weight to performance on measurements of academic performance.

B. Review of the Charter Petition

1. Whether Vista Oaks Presents an Unsound Educational Program

The Renewal Petition provides a comprehensive description of its instructional program and the manner in which it implements it. Based on all the elements discussed herein, the Renewal Petition presents a sound educational program.

Recommended Finding: Vista Oaks presents a sound educational program.

2. Whether Vista Oaks is Demonstrably Unlikely to Successfully Implement the Program Set Forth in the Petition

Education Code § 47605 requires that the charter be demonstrably likely to successfully implement the program set forth in the petition. (Ed. Code § 47605(c)(2).) Pursuant to Education Code § 47607(e) a chartering authority may deny a renewal petition if it makes a finding that the charter school is demonstrably unlikely to successfully implement the program set forth in the petition due to:

1. Substantial fiscal or governance factors; or
2. The charter school not serving all pupils who wish to attend.

(Ed. Code § 47607(e).) However, the District can only deny the Renewal Petition for this if it has provided at least 30 days' notice to Vista Oaks of the alleged violation, provided a reasonable opportunity to cure the violation, and made a finding that either the correct action proposed has been unsuccessful or the violations are sufficiently severe and pervasive to render a corrective action plan unviable. (Ed. Code § 47607(e).) The California Code of Regulations requires the Board to consider Vista Oaks' past performance in academics, finances, and operation when evaluating the likelihood of future success and any future plan for improvement, if any, when considering the Renewal Petition. (5 C.C.R. § 11966.4(b)(1).)

Education Code § 47605(h) requires the charter to provide background regarding the operation and effect of the charter school including the facilities to be used, the manner in which administrative services of the charter are to be provided, and any potential civil liability effects upon the charter and the district. (Ed. Code § 47605(h).) The charter is also required to provide financial statements including a proposed first-year operational budget, startup costs, and cashflow and financial projections for the first three years of operation. (Ed. Code § 47605(h).) Education Code § 47605(m) requires charter schools to provide for an annual and independent financial and compliance audit in accordance with section 41020. (Ed. Code § 47605(m).)

The Renewal Petition provides:

- The facilities to be used by Vista Oaks including the Byron Learning Center which Vista Oaks rents from the District and the agreement for use of the space is outlined in a Memorandum of Understanding ("MOU").
- Vista Oaks manages its administrative services through a contract with Vertex, which is a well-respected organization that provides business services to charter schools across California, and it provides Vista Oaks will not request to purchase support services from the District.
- Staff will consult with attorneys to ensure compliance with contractual agreements as needed.
- The District will be held harmless to all debts accrued by Vista Oaks and Vista Oaks will hold its own liability insurance. The budget also considers the cost of various insurances and rent.

The Renewal Petition also provides that it has a variety of funding sources including per-pupil payments from local and state sources and federal school funding programs, and Vista Oaks pursues other grants and donations. It provides Vista Oaks prepares and submits an annual budget to the Board of Directors. Regarding managing cashflow, it provides that it follows its Fiscal Policies and Procedures. The Renewal Petition includes a budget narrative, a projected budget, and financial projections and cash flow for three years of operation. The projected budget includes maintaining a positive operating income for all five years to grow its fund balance to 52% of its yearly expenses by the end of the fifth year. In the assurances the Renewal Petition provides that it will comply with the financial audit requirements of Education Code § 41020.

Based on all of the factors analyzed in these recommendations and findings there is no evidence that Vista Oaks is not likely to successfully implement the program set forth in its Renewal Petition. Vista Oaks has been in operation for twelve (12) years and serves over 1,000 students. It has been designated by CDE as a middle performing charter school since 2023.

Recommended Finding: Vista Oaks is likely to successfully implement the program set forth in the Renewal Petition.

3. *Whether the Renewal Petition Contains the Affirmation of Each of the Conditions*

Education Code § 47605 requires that the petition "contain an affirmation of each of the conditions described in subdivision (e)." (Ed. Code § 47605(c)(4.) Those conditions are explicitly affirmed in the Affirmations and Declarations portion of the Renewal Petition.

Recommending Finding: The Renewal Petition includes all affirmations required by Education Code § 47605.

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4. *Whether the Renewal Petition Contains Reasonably Comprehensive Descriptions of the Elements Required and has Been Updated to Include a Reasonably Comprehensive Description of any New Requirement Enacted into Law After the Charter was Last Renewed*

Education Code § 47607(b) provides that charter renewals are "governed by the standards and criteria described in Section 47605, and shall include, but not be limited to, a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed." (Ed. Code § 47607(b).) Education Code § 47605 requires a renewal petition to include a reasonably comprehensive description of the elements which are analyzed below. (Ed. Code § 47607(b); Ed. Code § 47605.)

Recommended Finding: The Renewal Petition includes a reasonably comprehensive description of the elements required by Education Code § 47605 and has been updated to include a reasonably comprehensive description of any new requirement of charter schools enacted into law after its charter was last renewed and as necessary to reflect the current program offered by Vista Oaks.

a. Description of the Educational Program/Plan for Student Academic Achievement

Education Code § 47605 requires that Renewal Petition's description of its educational program include "identify[ing] whom the charter is attempting to educate, what it means to be an 'educated person' in the 21st century, and how learning best occurs." (Ed. Code § 47605(c)(5)(A)(i).) The Renewal Petition is also required to include the goals of the program which must include the "objective of enabling pupils to become self-motivated, competent, and lifelong learners." (Ed. Code § 47605(c)(5)(A)(i).) It also must include the "annual goals . . . for all pupils and each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as descried in subdivision (d) of Section 52060, that apply for the grade levels served and specific annual actions to achieve those goals." (Ed. Code § 47605(c)(5)(A)(ii).) Because Vista Oaks serves high school students, it must also include "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." (Ed. Code § 47605(c)(5)(A)(iii).)

The Renewal Petition provides that it offers a high-quality, rigorous alternative education for students in transitional kindergarten through 12th grade. The Renewal Petition estimates that it educates 1080 students across all grade levels. It specifies that Vista Oaks is designed for students who:

- Choose homeschooling
- Seek individualized learning
- Are overwhelmed or struggle in traditional school settings
- Are credit deficient and at risk of dropping out
- Need intensive interventions
- Are fifth year seniors
- Desire a well-rounded education that meets their personalized needs and interests

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Vista Oaks targets students living in Contra Costa County, San Joaquin County, and surrounding areas whose families are seeking an alternative, hybrid independent study program. The Renewal Petition provides the current student demographic breakdown. The Renewal Petition identifies its clear, concise school mission statement and vision. Vista Oaks' mission is as follows:

> *At Vista Oaks, we will create a respectful learning environment where each student can reach his or her fullest potential through an individualized, standards-based educational program structured for student's success.*

It clearly identifies the means to achieve Vista Oaks' mission and vision.

The Renewal Petition defines what it means to be an educated person in the 21st century. It provides that to be an educated person in the 21st century students must:

- Have the ability to think analytically and critically
- Have an internal motivation to continue learning and improving
- Have the understanding of how to set and achieve goals and the dedication to reach them
- Have the desire to be a responsible and productive member of the community and make the community better
- Have the ability to use technology and other resources to research, learn, and reach their greatest potential
- Have an ability to communicate ideas effectively
- Have an ability to ground their reading, writing, and speaking in evidence
- Have an appreciation of their personal strengths and interests

The Renewal Petition provides that learning best occurs when a variety of instructional strategies are used. Vista Oaks implements a personalized learning plan for each student based on their needs, life situation, and assessment results with a focus on students mastering the State Standards. Vista Oaks uses an independent study model to provide:

- Quality instruction beginning with assessment
- A small, welcoming learning community where students feel safe, respected and valued
- Individualized and small group instruction
- Access to technology
- Hands on project-based learning
- A challenging and rigorous educational program

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This is the framework for Vista Oaks' instructional design aligned to the needs of its targeted student population. The Renewal Petition includes a description of the learning environment and program overview. It details a homeschool program for students in TK-12 and an independent study program for students in grades 7-12. It details what learning and instruction looks like for grades TK-6, 7-8, and 9-12 in English/Language Arts, Math, Social Studies, and Science. It also includes Ethnic Studies, Personal Finance, and College and Career readiness for students in grades 9-12. It details the curriculum and teaching methods.

For English learners the Renewal Petition provides that Vista Oaks implements policies and procedures to identify English learner students, provide a high quality program to support acquisition of English, implement assessments to monitor students' growth, and reclassify students as appropriate. The Renewal Petition details each of these policies and procedures. The Renewal Petition also provides detailed support for high achieving students and struggling students. Struggling students are identified through review of a variety of assessments and input from parents and teachers. Vista Oaks has implemented Multi-Tiered System of supports ("MTSS") and Response to Intervention ("RTI") programs to assist struggling students. The Renewal Petition also indicates that it provides special education instruction and related services in accordance with applicable law and the Special Education Local Plan Area ("SELPA"). It indicates that Vista Oaks operates as an independent local educational agency for purposes of special education and is a member of the El Dorado County Charter SELPA. It goes on to detail Vista Oaks' staffing for special education, Child Find, enrollment, referral, individualized education programs and service delivery, interim and initial placements of new students, and Section 504 needs.

While the educational program goals do not explicitly state they include the objective of enabling students to become self-motivated, competent, and lifelong learners, the program and its goals implicitly seek to achieve that objective.

The Renewal Petition attaches Vista Oaks' Local Control and Accountability Plan ("LCAP") to identify the annual goals for all students and each subgroup identified pursuant to Education Code § 52052 to be achieved in the state priorities as described in Education Code § 52060(d) and its specific annual actions.

The Renewal Petition also provides that Vista Oaks notifies parents/guardians regarding the transferability of courses to other public high schools as well as the eligibility of courses to meet college entrance requirements through the student-parent handbook, the high school course catalog, the student's written agreement, and during one-on-one advisor meetings.

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Recommended Finding: The Renewal Petition contains a reasonably comprehensive description of the educational program and plan for academic achievement.

b. Measurable Pupil Outcomes

Education Code § 47605 requires that Renewal Petition include measurable pupil outcomes. (Ed. Code § 47605(c)(5)(B).) The Education Code defines "pupil outcomes" to mean "the extent to which all pupils of the charter school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the charter school's educational program." (Ed. Code § 47605(c)(5)(B).) The pupil outcomes must include increase in academic achievement schoolwide and for all pupil subgroups served and must align with state priorities. (Ed. Code § 47605(c)(5)(B).)

The Renewal Petition attaches Vista Oaks' LCAP to identify measurable pupil outcomes.

Recommended Finding: The Renewal Petition contains a reasonably comprehensive description of measurable pupil outcomes.

c. Method by Which Pupil Progress in Meeting Outcomes Will be Measured

Education Code § 47605 requires the Renewal Petition to include the method by which pupil progress is to be measured. (Ed. Code § 47605(c)(5)(C).) Pupil outcomes for state priorities should be consistent with the way the information is reported on the school accountability report card ("SARC"). (Ed. Code § 47605(c)(5)(C).)

The Renewal Petition provides that Vista Oaks uses a comprehensive set of assessments, including state-mandated, diagnostic, interim, and local assessments. The LCAP provides how Vista Oaks measures student progress and outcomes. Vista Oaks uses several assessment systems to monitor student progress including NWEA's MAP, CAASPP, ELPAC, and local assessments. The Renewal Petition identifies and describes each of these. Vista Oaks informs stakeholders of student progress through reports such as the LCAP and the SARC. The Renewal Petition affirms that the methods it uses for measuring student outcomes for the Eight State Priorities are consistent with the information report in the SARC.

Recommended Finding: The Renewal Petition contains a reasonably comprehensive description of the method by which pupil progress in meeting outcomes will be measured.

d. Governance Structure

Education Code § 47605 requires the Renewal Petition to include the governance structure, including ensuring parental involvement. (Ed. Code § 47605(c)(5)(D).) Because Vista Oaks is a nonprofit public benefit corporation it must provide the names and relevant qualifications of all persons whom it nominates to serve on the governing board of the charter school. (Ed. Code § 47605(h).)

The Renewal Petition provides that the Vista Oaks Charter Board of Directors ("Board of Directors") will govern Vista Oaks. The District may appoint a representative to the Board of Directors. Vista Oaks is a nonprofit benefit corporation, and the Renewal Petition includes the articles of incorporation, bylaws, conflict of interest code, and IRS confirmation of tax-exempt status. The Renewal Petition provides that Vista Oaks will operate autonomously from the District, except as to the required supervisor oversite and other contracted services that may be negotiated. It further provides that the District will not be liable for the debts and obligations of Vista Oaks or for claims arising from the acts, errors, or omissions of Vista Oaks as long as the District has complied with its required oversight responsibilities.

The Renewal Petition provides the responsibilities of the Board of Directors and that the Executive Director and staff will carry out the day-to-day operations of Vista Oaks. The Renewal Petition also provides for a Schoolsite Council which includes stakeholders who represent students, parents/guardians, and staff. It also provides for Parent Advisory Committees ("PAC").

The Renewal Petition provides the Board of Directors' names and relevant qualifications.

Recommended Finding: The Renewal Petition contains a reasonably comprehensive description of the governance structure.

e. Employee Qualifications

Education Code § 47605 requires the Renewal Petition to include employee qualifications. (Ed. Code § 47605(c)(5)(E).) Charter school teachers are required to "hold the Commission on Teacher Credentialing certificate, permit, or other document required for the teacher's certificated assignment." (Ed. Code § 47605(l)(1).)

The Renewal Petition details the employees' qualifications including the specific requirements for the Executive Director, Associate Director, Director of Special Education, Director of Educational Services, Site Director, Special Education Program Coordinator, Lead Teachers, Testing and assessment Coordinator, Academic Councilors, Certificated Teachers, Registrar and Data Specialist, and other Support Staff. Vista Oaks requires their teachers to hold a CTC certificate, permit, or other document required for their assignment as well as possess Cross-cultural Language Acquisition Development Certificate or EL Authorization.

Recommended Finding: The Renewal Petition contains a reasonably comprehensive description of employee qualifications.

f. Health and Safety

Education Code § 47605 requires the Renewal Petition to include procedures to ensure the health and safety of pupils and staff including requiring employees submit

to a criminal record check and the development of a school safety plan with an annual review and update. (Ed. Code § 47605(c)(5)(F).)

The Renewal Petition attaches the School Safety Plan and provides that it is to be reviewed and updated by March 1 of every year and includes the elements required by Education Code § 32282. The Renewal Petition requires that all enrolling students and employees provide the required documentation of immunization and provides that Vista Oaks follows the requirement of Education Code § 49406 in requiring tuberculosis risk assessment of all employees and regular volunteers. The Renewal Petition also states that each employee and contractor must submit to a criminal background check and furnish a criminal record summary as required by Education Code §§ 44237 and 45125.1. Among other things ensuring the health and safety of students and staff, the Renewal Petition also provides that students will be screened for vision, hearing, and scoliosis.

Recommended Finding: The Renewal Petition contains a reasonably comprehensive description of the procedures Vista Oaks will follow to ensure the health and safety of pupils and staff.

g. Racial, Ethnic, Special Education, and English Learner Balance

Education Code § 47605 requires the Renewal Petition to include the "means by which . . . [it] will achieve a balance of racial and ethnic pupils, special education pupils, and English learner pupils, including redesignated fluent English proficient pupils . . . that is reflective of the general population residing within the territorial jurisdiction of the school district." (Ed. Code § 47605(c)(5)(G).)

The Renewal Petition provides that Vista Oaks has implemented a student outreach strategy to achieve a balance of racial and ethnic students, special education students, and English learner students, including redesignated fluent English proficient students that is reflective of the District, as follows:

- An enrollment process that incorporates a timeline that allows for a broad-based outreach and application process.
- The development of informational material that appeals to all of the various racial and ethnic groups, including special education and English learners, represented in the District.
- The development of informational materials in languages other than English to appeal to limited English proficient population.
- Sharing of information to a broad variety of community groups and agencies that serve the various racial, ethnic, ability and linguistic groups represented in the District.
- Recruitment efforts include appropriate foreign language-speaking staff as available.
- Encourage referrals from Vista Oaks students and families.

The Renewal Petition provides data that indicates the student balance strongly mirrors the District's with minor variances in the African-American and English Learner

populations. The renewal Petition provides specific targeted equity outreach policies to correct these variances.

Recommended Finding: The Renewal Petition contains a reasonably comprehensive description of the means by which Vista Oaks will achieve a racial and ethnic, special education, and English learner balance.

h. Admissions Policies and Procedures

Education Code § 47605 requires the Renewal Petition to include admission policies and procedures that are consistent with subdivision (e) including, but not limited to, that the charter be nonsectarian, not discriminate against pupils, and if the number of pupils wishing to attend exceed the capacity enrollment must be determined by a random drawing within specified guidelines. (Ed. Code § 47605(c)(5)(H); 47605(e).)

The Renewal Petition provides that admission to Vista Oaks will be open to all students as outlined in Education Code § 47605(e)(2)(A) and all students who wish to attend Vista Oaks will be admitted up to capacity. It provides that Vista Oaks will be nonsectarian in its programs, admission policies, and all other operations, will not charge tuition, and will not discriminate against any student based on the characteristics in Education Code § 220. It provides for an admission lottery if necessary. It provides that admission will not be determined by place of residence except in the case of public random drawing unless required by Education Code § 51747.3. It provides that admission preference will not require mandatory parental volunteer hours, and Vista Oaks will not request or require student records before enrollment. The Renewal Petition details the process for the public random drawing in accordance with Education Code § 47605(e)(2)(B). It provides the admission preference and exemptions.

The Renewal Petition provides that Vista Oaks will not discourage a student from enrolling or seeking to enroll for any reason and Vista Oaks will not encourage a student currently attending to disenroll or transfer to another school for any reason.

The Renewal Petition provides that it will post CDE's notice outlining the requirements of Education Code § 47605(e)(4) on its website and make it available to parents pursuant to Education Code § 47605(e)(4)(D). It provides Vista Oaks will adhere to the McKinney-Vento Homeless Assistance Act.

Recommended Finding: The Renewal Petition contains a reasonably comprehensive description of the admission policies and procedures.

i. Student Suspension/Expulsion Procedures

Education Code § 47605 requires the Renewal Petition to include pupil suspension and expulsion procedures. (Ed. Code § 47605(c)(5)(I).) Such procedures must include an explanation of how Vista Oaks will comply with due process requirements including:

- For suspension of less than ten (10) days, providing oral or written notice of the changes and an explanation of the evidence supporting the charges if the pupil denies them and an opportunity for the pupil to present their side.
- For suspensions of ten (10) days or more or expulsions, written notice of the charges and an explanation of the pupil's rights and provide a hearing before a neutral officer within a reasonable number of days.
- A statement that no pupil will be involuntarily removed for any reason unless the parent/guardian is given written notice of the intent to remove the pupil no less than five (5) school days before the effective date.

(Ed. Code § 47605(c)(5)(I).)

The Renewal Petition includes Vista Oaks' policy on student discipline. It provides for the use of alternative means of corrections, lists the offenses for suspension and expulsion, and details the process for suspensions and expulsions. It provides that suspensions will be preceded by a conference with the student and the student's parent/guardian if practicable, unless an emergency situation exists. At the conference the student will be informed of the reason for the disciplinary action and the evidence against the student. The student will be given the opportunity to tell their version of the incident and provide any evidence in their defense.

It provides that at the time of the suspension reasonable effort will be made to contact the parent/guardian. It also provides that the parent/guardian will be notified in writing of the suspension. The notice will include: the specific offenses committed by the student, the duration and dates of the suspension, the date the student may return to school, and an explanation of the evidence supporting the charges. It provides that suspensions that do not include a recommendation for expulsion shall not exceed five (5) consecutive school days per suspension.

The Renewal Petition provides that upon recommendation of expulsion the student and the student's parent/guardian will be invited to a conference to determine if the suspension should be extended pending an expulsion hearing.

The Renewal Petition provides that Vista Oaks may expel a student following a hearing adjudicated by a neutral Hearing Officer or Expulsion Panel. It provides that students recommended for expulsion are entitled to a hearing and written notice of the hearing will be forwarded to the student and the student's parent/guardian. The notice will include:

- a statement of the facts, charges, and offense;
- a copy of the disciplinary rules relating to the alleged violation;
- notification of the student's or parent/guardian's obligation to provide information about the student's status at Vista Oaks to any other school to which the student seeks enrollment;
- an explanation of the opportunity for the student or parent/guardian to appear in person or be represented by could or other advocate;
- an explanation of the right to inspect and obtain copies of all documents to be used at the hearing;

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- an explanation of the opportunity to present testimony, evidence, witness, and confront and question witnesses, an explanation of the opportunity to question all evidence presented and present oral and documentary evidence, and
- that a recording of the hearing will be made and maintained.

It also provides that no student will be involuntarily removed, which does not include removals for misconduct which may be grounds for suspension or expulsion, for any reason unless the parent/guardian has been provided written notice of intent to remove the student no less than five (5) school days before the effective date of the action. Such notice will include the basis for which the student is being involuntarily removed and the right to request a hearing.

The Renewal Petition also specifies the disciplinary policy and procedures for special education students. It also provides that Vista Oaks' disciplinary policy is subject to annual review and may be updated

The Renewal Petition includes that a homeless child or youth's educational rights holder, foster child or youth's educational rights holder, attorney, and county social worker, and Indian child's tribal social worker and county social worker have the same rights a parent/guardian to receive the required notices.

Recommended Finding: The Renewal Petition contains a reasonably comprehensive description of student suspension and expulsion proceedings.

j. Employee Retirement System

Education Code § 47605 requires the Renewal Petition to include the manner in which employees will be covered by the State Teachers' Retirement system ("STRS"), the Public Employees' Retirement system ("PERS"), or federal social security. (Ed. Code § 47605(c)(5)(J).)

The Renewal Petition provides that all eligible certificated employees will participate in California state Teacher Retirement System ("STRS"). It provides that the Associate Director is responsible for ensuring that arrangements for coverage are made under direction from the Board of Directors.

It specifies that Vista Oaks does not participate in the Public Employees' Retirements System but contributes to a 403(b) Plan for each non-certificated employee. It provides that Social Security payments will be contributed for all employees not eligible for STRS in accordance with the law.

Recommended Finding: The Renewal Petition contains a reasonably comprehensive description of the employee retirement system.

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k. Public School Attendance Alternatives

Education Code § 47605 requires the Renewal Petition to include the public-school attendance alternatives. (Ed. Code § 47605(c)(5)(K).)

The Renewal Petition provides that parents/guardians of enrolled students will be informed on admission forms that students have no right to admission in a particular school as a consequence of enrollment in Vista Oaks except to the extent that such a right is extended by the local educational agency. It provides that parents/guardians of enrolled students will be informed on admission forms of their right to admission. It provides that students who opt not to attend Vista Oaks may attend other schools within the District according to District policy or another school district through the District's intra-and inter-district transfer policies. It also provides that no student will be required by Vista Oaks or any other local education agency to attend Vista Oaks.

Recommended Finding: The Renewal Petition contains a reasonably comprehensive description of the public-school attendance alternatives.

l. Description of the Rights of an Employee of the School District Upon Leaving the Employment of the School District to Work in a Charter School and of any Rights of Return

Education Code § 47605 requires the Renewal Petition to include the rights of an employee of the District leaving District employment to work at Vista Oaks and any rights of return to the District after employment at Vista Oaks. (Ed. Code § 47605(c)(5)(L).)

The Renewal Petition provides that leave and return rights for union-represented employees who accept employment with Vista Oaks will be administered in accordance with any applicable collective bargaining agreement between the union and the District and in accordance with applicable judicial rulings. It provides that service credit and accumulated sick leave earned at the District or other school district will be accepted and transferred to Vista Oaks. Further, it provides that employment by Vista Oaks provides no rights of employment at any other entity. It provides that the governing board of any school district shall not require any employee to work at Vista Oaks.

Recommended Finding: The Renewal Petition contains a reasonably comprehensive description of the rights of employees leaving District employment to work at Vista Oaks and rights of return to the District.

m. Dispute Resolution

Education Code § 47605 requires the Renewal Petition to include the dispute resolution procedures to resolve disputes relating to the provisions of the charter. (Ed. Code § 47605(c)(5)(M).)

The Renewal Petition provides that for disputes arising from within Vista Oaks will be resolved pursuant to policies and processes developed by Vista Oaks. It provides

that the District will not intervene in such disputes without the consent of the Board or unless the dispute has given the District reasonable cause to believe that a violation of the charter, related law, or agreements has occurred.

The Renewal Petition includes a dispute resolution process for disputes arising between Vista Oaks and District. That process includes framing the issue in writing and an informal meet and confer between the Executive Director and Superintendent or designees. If that informal conference fails to resolve the dispute both parties will each have two board members from their respective boards at their next meet and confer meeting. Should that fail then a neutral, third-party mediator will be jointly identified. It provides that the mediator's fees and administrative fees of the mediation will be shared equally among the parties and each party will bear its own attorney's fees, costs, and expenses. It provides that dispute concerns, facts, or circumstances that may be cause for revocation of the charter are not obligated by the terms of the dispute resolution process as a precondition to revocation.

Recommended Finding: The Renewal Petition contains a reasonably comprehensive description of the dispute resolution process.

n. Closure Protocol

Education Code § 47605 requires the Renewal Petition to include the procedure for if Vista Oaks closes. (Ed. Code § 47605(c)(5)(N).) Those procedures must include a final audit of Vista Oaks "to determine the disposition of all assets and liabilities . . . including plans for disposing of any net assets and for the maintenance and transfer of pupil records." (Ed. Code § 47605(c)(5)(N).)

The Renewal Petition provides procedures in the event of Vista Oaks' closure. The Renewal Petition provides that in the event of Vista Oaks ceasing operation the Charter's Board will designate an entity or individual known as the "Authorized Closer," to conduct closure proceedings. The closure proceedings include, among other things, notice, student records to be maintained and transferred to the custody of the Authorized Closer except for records required to be transferred to a different entity, an independent final audit within six months of closure to include an accounting of all as assets and liabilities and an assessment of the disposition of any restricted funds to conduct closure related activities. The Renewal Petition also provides that upon closure; Vista Oaks will remain solely responsible for all liabilities arising operation.

Recommended Finding: The Renewal Petition contains a reasonably comprehensive description of the closure protocol.

5. *Whether the Renewal Petition Contains a Declaration of Whether the Charter Will be Deemed the Exclusive Public Employer*

Recommended Finding: The Renewal Petition includes a statement that it will be deemed the exclusive public employer for purposes of the Educational Employment Relations Act ("EERA").

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IV.
CONCLUSION

Based on the foregoing, the District recommends that the Board renew Vista Oaks' Charter Renewal Petition for five years From July 1, 2027, through June 30, 2032.