Staff Report, Findings of Fact & Recommendation Concerning Sherman Thomas Charter High School Petition Renewal

MADERA UNIFIED SCHOOL DISTRICT STAFF REPORT, PROPOSED FINDINGS OF FACT & RECOMMENDATION CONCERNING SHERMAN THOMAS CHARTER SCHOOL.

Date Posted: November 2, 2026

The following provides a summary of the Madera Unified School District's ("District") staff report, proposed findings of fact, and recommendation concerning the Sherman Thomas Charter High School ("Sherman Thomas") renewal Charter Petition.

INTRODUCTION AND PROCEDURAL BACKGROUND

Sherman Thomas Charter High School (or "Sherman Thomas" or "Petitioner") was initially approved for a five-year term. Thereafter, Sherman Thomas was renewed, and its current term expires on June 30, 2027, as it was extended by two years in 2021 and by an additional year in 2023 by operation of law. Sherman Thomas is in the "middle" performing category and has requested renewal for a term of five years from July 2027 through June 2032. Sherman Thomas is located within the District boundaries and currently serves approximately 80 students.

Education Code (EC) Sections 47607 and 47607.2 determine the length of charter renewal based on high, middle, or low performing categories for charter schools established by AB 1505. The California Department of Education (CDE) has designated, pursuant to criteria in EC Section 47607(c), that Sherman Thomas is in the middle performance category for purposes of this renewal. As a middle performing charter school, the District Board may renew the Charter for a term of five years. If the District Board renews the Charter, the new Charter term begins on July 1, 2026. Renewals and material revisions of district appeal charters are governed by the standards and criteria set forth in EC Sections 47605, 47607, and 47607.2.

On or about August 24, 2026, Sherman Thomas submitted the renewal Petition to the District, along with a signed certification from Tera Napier, Executive Director, Lead Petitioner ("Lead Petitioner"), deeming the Petition to be complete.

Lead Petitioner seeks the renewal of the Petition by the District's Board of Trustees ("Board") for a five-year charter term that would begin on July 1, 2027, and end on June 30, 2032. The school will continue to offer an independent and blended learning program for students in ninth through twelfth grade.

On September 22nd, 2026, the District's Board held a public hearing to determine the level of support for the Petition by teachers, other District employees, and parents/guardians. On November 17, 2026, the District's Board will hold a public hearing during which it will consider the admissions preferences in the Petition and will take action to either approve or deny the renewal of the Petition.

CRITERIA FOR RENEWAL OF A CHARTER PETITION

Effective July 1, 2020, the legal standards for determining whether a charter petition should be renewed were updated. *EC* Section 47607(b) specifies that charter renewals and material revisions "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."

Pursuant to *EC* Section 47605, a renewal charter petition and/or a request for material revisions may be denied on the basis of written factual findings that support 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 required by statute.

4. The petition does not contain a reasonably comprehensive description of all the required elements.

5. The petition does not contain a declaration of whether the charter school shall be deemed the exclusive public employer of the employees of the charter school for purposes of the Educational Employment Relations Act (EERA).

There are additional bases on which a material revision may be denied, which are not pertinent to the current Charter.

As an "additional criterion" for determining whether a charter should be renewed, the chartering authority is required to consider the charter school's performance on the state and local indicators included in the California School Dashboard. For this purpose, charter schools are now divided into high, middle, and low-performance categories, plus Dashboard Alternative Status Schools ("DASS"), based on their performance during the two consecutive years immediately preceding the renewal decision. The pertinent renewal standards and the available length of the renewal term are dependent on this categorization. (*EC* Section 47607 and 47607.2.)

The CDE annually creates a list of all charter schools and ranks their academic performance indicators from the California School Dashboard, specifying whether each school is in the high, middle, or low performing category, or is a DASS program school. This list was intended to relieve the burden on chartering authorities and provide a starting place for the renewal process. The CDE has designated Sherman Thomas as a "middle" performing charter school for purposes of this renewal request.

As defined in *EC* Section 47607.2, "middle" performing charter schools are any charter school not deemed as "high" or "low" performing and are eligible to be considered for a five-year renewal term.

In determining whether to renew a middle performing charter, the chartering authority is to consider the following:

i. *The schoolwide and subgroup performance on the state and local indicators on the Dashboard, giving greater weight to measurements of academic performance.*

ii. *Clear and convincing evidence based on verified data showing either:*

   a) *The school achieved measurable increases in academic achievement, defined by at least one year of growth for each year of school, OR*

   b) *Strong post-secondary outcomes, as defined by college enrollment, persistence, and completion rates equal to similar peers.*

The chartering authority may deny a "middle" performing school on these bases only by making written factual findings, setting forth specific facts to support the findings, that the school:

i. *Failed to meet or make sufficient progress toward meeting standards that provide a benefit to the pupils of the school;*

ii. *Closure of the school is in the best interest of pupils; AND*

iii. *If applicable, that the decision provided greater weight to performance on measurements of academic performance.*

Also, a chartering authority may deny renewal of a charter school in any of the performance categories if it finds the school is demonstrably unlikely to successfully implement the program due to any of the following:

a. *Substantial fiscal factors;*

b. *Substantial governance factors; or*

c. *The charter school is not serving all pupils who wish to attend.*

In such cases, the chartering authority must provide the charter school at least 30 days' notice of the alleged violation(s) and provide the charter school with a reasonable opportunity to cure the violation(s), including a corrective action plan proposed by the charter school. Pursuant to *EC* Section 47607(e), the District may then deny renewal on these bases only if it makes either of the following findings:

a. *The corrective action proposed by the charter school has been unsuccessful.*

b. *The violations are sufficiently severe and pervasive as to render a corrective action plan unviable.*

DETERMINATION CRITERIA FOR RENEWAL OF SHERMAN THOMAS

As stated above, CDE has designated Sherman Thomas as a school in the middle performance category for purposes of this renewal. In its Renewal Petition, Sherman Thomas states it meets the minimum required academic performance standards, and its academic performance supports Charter renewal. To assess its academic performance against the criteria for middle-performing

charter schools, Sherman Thomas submitted its data from the California Assessment of Student Performance and Progress ("CAASPP"), as well as comparison data for the local district and the local district schools that Sherman Thomas students would otherwise have attended. Sherman Thomas states the data submitted in the Renewal Petition establishes Sherman Thomas as a school in the middle performing category, meeting the criteria for charter renewal. Staff has not reproduced all the information provided by Sherman Thomas in this Staff Analysis and Proposed Findings of Fact but incorporates it herein by this reference.

A. California School Dashboard Data

In 2017, the State of California instituted the California School Dashboard (https://www.caschooldashboard.org) to help parents and educators identify strengths and areas for improvement. The Dashboard reports how districts, schools (including charter and DASS schools), and student groups are performing across state and local measures. For state measures, performance is based on two factors: (1) current year results, or Status; and (2) whether results improved or declined from the prior year, or Change. Performance on state measures, using comparable statewide data, is represented by one of five colors, with Red being lowest and Blue being highest (see Object 1 below). A performance level, or color, is not provided on the Dashboard when a student group has fewer than 30 students. However, the Status and Change data will be displayed. Further, when a student group has fewer than 11 students, the group does not receive a performance level (color), and the group's Status and Change are not displayed to protect the anonymity of the students. This information is represented by using a grey color gauge with the words "No Performance Color."

B. Dashboard Schoolwide Performance

In the 2025-2026 school year, Sherman Thomas served approximately 80 students in grades 9-12.

STHS' placement in the middle track is based on performance on both the 2025 and 2026 Dashboards, so data for both Dashboards is shown below.

Schoolwide Performance

The following tables display the Charter School's schoolwide 2025 and 2026 Dashboard performance indicators.

STCHS' 2026 Dashboard Status and Change, Schoolwide

Dashboard Indicator	2026 Status	Change from 2025 to 2026
ELA	**20**	**Declined 19.7 DFP points**
Math	**-82.2**	**Increased 23.2 DFP points**
Science	**55.8**	**Maintained -0.2 science points**
College/Career Indicator	**33.3%**	**Declined 5.1%**

Graduation Rate	**94.4%**	**Declined 5.6%**
Suspension Rate	**1.0%**	**Maintained -0.2%**

Looking schoolwide, all indicators showed improvement from 2024 to 2025.

STCHS' 2026 Dashboard Colors and Status, Student Groups

Student Group	ELA CAASPP	Math CAASPP	Science	Susp. Rate
Schoolwide	**20**	**-82.2**	**55.8**	**1.0%**
Hispanic	**N/A**	**N/A**	**N/A**	**0.0%**
Socioeconomically Disadvantaged	**N/A**	**N/A**	**N/A**	**1.6%**

Cells with a white background mean the student group did not have 30 students or more students two years in a row, so the status is reported on the Dashboard, but it is not provided a performance level (color). For both Hispanic and SED there were fewer that 11 kids assessed, so no scores are displayed for privacy.

C. 2025 and 2026 Dashboard Local Indicators

Local Indicator	2022	2023	2024	2025
Basics: Teachers, Instructional Materials, Facilities	**Standard Met**	**Standard Met**	**Standard Met**	**Standard Met**
Implementation of Academic Standards	**Standard Met**	**Standard Met**	**Standard Met**	**Standard Met**
Parent and Family Engagement	**Standard Met**	**Standard Met**	**Standard Met**	**Standard Met**
Local Climate Survey	**Standard Met**	**Standard Met**	**Standard Met**	**Standard Met**
Access to a Broad Course of Study	**Standard Met**	**Standard Met**	**Standard Met**	**Standard Met**

Local Indicator	2024	2025	2026
Basics: Teachers, Instructional Materials, Facilities	Standard Met	Standard Met	Standard Met
Implementation of Academic Standards	Standard Met	Standard Met	Standard Met
Parent and Family Engagement	Standard Met	Standard Met	Standard Met

Local Climate Survey	Standard Met	Standard Met	Standard Met
Access to a Broad Course of Study	Standard Met	Standard Met	Standard Met

EXECUTIVE SUMMARY

During the review process, the District staff noted some issues and concerns and determined that certain changes and revisions to the Charter were necessary in order to support renewal of the Charter. The District staff is working with Sherman Thomas to revise the Charter prior to the November 17, 2026, District Board meeting.

The District's administrative team has taken on the review process with a high degree of diligence, accuracy, and professionalism and is prepared to make a staff report to the District Board. The renewal Charter has been assessed against the standards and requirements as set forth in the California Education Code, including those standards and considerations specified herein, to develop final recommendations. Working as a collaborative professional team, District administration submits that the recommendation to the District Board is well-documented and based upon solid criteria. The District administration has determined that renewal of the Sherman Thomas Charter is consistent with sound educational practice and recommends that it be approved.

District staff, in consultation with legal counsel, has conducted an extensive analysis of the Petition and its accompanying exhibits. The District's review team carefully evaluated the legal grounds articulated in the Education Code for purposes of determining whether the Petition meets the minimum standards for renewal. The District also held discussions with the Lead Petitioner and other representatives to learn more about the program and to ask a series of questions concerning the structure and operations of the Charter School.

Based on the District's comprehensive review of the Petition and supporting documents, as well as the information received during the discussions, District staff recommends that the Board approve the renewal of the Petition.

LEGAL REQUIREMENTS FOR THE RENEWAL OF A CHARTER SCHOOL

The consideration of a petition to renew a charter school requires the District to determine whether the petition meets the standards and criteria set forth in Education Code section 47605. Specifically, under Education Code section 47605(c), in reviewing petitions for the renewal of charter schools, the governing board of a school district shall renew a charter for the operation of a charter school if it is satisfied that approving the charter is consistent with sound educational practice and with the interests of the community in which the school is proposing to locate. The governing board shall also consider the academic needs of the students that the charter school proposes to serve. The governing board of the school district shall not deny a renewal petition unless it makes written factual findings specific to the particular petition, setting forth specific facts to support one or more of the following denial findings:

1. The charter school presents an unsound educational program for the students 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 required conditions.

4. The petition does not contain reasonably comprehensive descriptions of all required elements.

5. The petition does not contain a declaration of whether or not the charter school shall be deemed the exclusive public school employer of the employees of the charter school for purposes of the Educational Employment Relations Act.

An analysis of this information is provided below and includes District staff's corresponding findings of fact.

FINDINGS OF FACT

The District's review team performed a comprehensive evaluation of the Petition, which included an analysis of the Charter School's educational program, measurable student outcomes, methods for measuring student progress, fiscal and governance structures, employee qualifications, student admissions, facilities, and legal issues. Below, District staff presents its findings of fact addressing the general categories of review for the Petition, which correspond with the criteria set out in Education Code section 47605.

A. The Petition Presents a Sound Educational Program for the Students Enrolled in the Charter School

Overall, the Petition's program is consistent with sound educational practice.

STHS is a hybrid of a non-classroom-based, independent study program coupled with direct instruction in the core academic areas. The mission of STCHS is to provide a 9-12 grade hybrid learning environment that enables lifelong learners through a student-centered, situated/real-life, and authentic educational program design. The Charter School's vision is continuous community recognition of graduates as positive, participative, and productive citizens.

The District review team finds Sherman Thomas provides a nurturing environment and delivers a curriculum that prepares its graduates to be competent learners.

The District staff believes that this element of the Charter is reasonably comprehensive.

B. The Petitioners Are Demonstrably Likely to Successfully Implement the Program Set Forth in the Petition

The Petitioners are demonstrably likely to successfully implement the program set forth in the Charter.

C. The Petition Contains an Affirmation of Each of the Conditions Described in Education Code Section 47605(e)

The Petition includes all required affirmations and assurances of the required conditions.

D. The Petition Contains Reasonably Comprehensive Descriptions of all the Required Elements

This section of the Staff Analysis includes highlights regarding the various required charter elements. In order for the description of each element to be considered "reasonably comprehensive," it is not enough that the petition includes a description, but rather, the description should set forth plans or proposals that are acceptable to the District and be consistent with and not contrary to the District's standards and expectations for charter schools under its oversight. Based on an analysis of the Petition by the District's review team, the Petition provided reasonably comprehensive descriptions of the required elements set forth in Education Code section 47605, subject to the Charter School complying with the conditions set forth below.

1. Element One: Description of the Educational Program/Plan for Student Academic Achievement

Sherman Thomas is an independent local educational agency ("LEA") member of a special education local plan area ("SELPA") and thus is not a school of the District for purposes of compliance with the Individuals with Disabilities Education Improvement Act ("IDEIA"). The Charter petitioners have described the means of providing services to students with disabilities as described in the Charter. Overall, it appears that Sherman Thomas appropriately serves students with disabilities. The Charter School is solely responsible for compliance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act, and it would be necessary for Sherman Thomas to indemnify, defend, and hold the District harmless from claims related to its compliance with these laws.

The District staff believes that this element of the Charter is reasonably comprehensive.

2. Element Two: Measurable Student Outcomes

The Charter includes a description of Sherman Thomas' measurable student outcomes.

The District staff believes that this element of the Charter is reasonably comprehensive.

3. Element Three: Method by Which Pupil Progress in Meeting Outcomes Will Be Measured

The Charter describes assessments and methods for measuring student progress, as well as how the assessments align to Sherman Thomas' curriculum.

The District staff believes that this element of the Charter is reasonably comprehensive.

4. Element Four: Governance Structure

The Charter is operated by a California nonprofit public benefit corporation governed by a Board of Trustees. The same corporation also governs two other charter schools authorized by the District. The Charter does acknowledge the District's right to appoint a representative to the corporation's Board. The Charter must acknowledge that should the District appoint a representative, no limitations or requirements for service or terms apply to that representative, and Sherman Thomas will have no involvement in appointing or removing such a representative. The provisions of the corporate bylaws would require refinement to be consistent with this commitment. The Charter includes the names and relevant qualifications of the current members of the Board of Directors. The petitioners also provided copies of the Articles of Incorporation and the Corporate Bylaws. Inexplicably, the Bylaws state that they were adopted on July 25, 2023, yet were dated on May 26, 2026. The Petitioner will need to explain why the Bylaws were not adopted for three years and if the Bylaws submitted are, in fact, the current Bylaws of the Corporation.

The Petitioner also removed the previously agreed upon language that changes to the Bylaws cannot be made without a material revision approved by the District Governing Board. The deleted provision must be added back to this element of the Charter Petition.

A District approved charter would require compliance with additional best practices and the District's oversight standards related to charter school governance, including appropriate updates to governance documents. Renewal of the Charter would require compliance with all of the following:

a. The Charter School provided evidence that it has been granted tax exempt status and would need to commit to maintaining that status throughout the term of its Charter.

b. The Charter specifies that the Board of Directors will include with its posted agendas links to the backup materials for each agenda item for which there are electronic versions of backup materials that are not excluded from public disclosure.

c. Prior to any proposed revisions to the corporate articles of incorporation and/or bylaws, the Charter School shall provide at least three weeks' prior notice to the Superintendent or designee of the proposed revision(s). Should the Superintendent or designee indicate that the District considers the proposed revision(s) a material revision to the Charter, the Charter School may not adopt such revision(s) unless and until it first obtains renewal of a material revision. The discussion of revisions in the Bylaws must be updated to be consistent with these requirements.

d. The Charter School must agree to require that all Board members and senior administrators undergo training on the Brown Act, the Political Reform Act, and Government Code Section 1090, at least annually and within 90 days of taking the position with the Charter School. This

training shall be conducted by an individual or entity with professional knowledge and expertise in the law, regulations, and rules governing these provisions and not by the Charter School's own Board members or administrators.

e. Sherman Thomas must continue to adopt the Fair Political Practices Commission's (FPPC) Model Conflict of Interest Code and the related designation of employees and the formulation of disclosure categories as the Charter School's conflict of interest code. It should always be required to maintain its conflict code in compliance with the FPPC's model.

The District staff believes that this element of the Charter is reasonably comprehensive.

5. Element Five: Employee Qualifications

The Charter specifies that all teachers are required to hold credentials required by law for their certificated assignment. The District has requested that the Charter be revised to specify the qualifications for the Executive Director and Principal and that the manner of selecting and disciplining all other employees of the school be clarified. The job descriptions of various personnel are included in the appendices. Amongst those included is for Superintendent, but such a role has not been held by anyone recently, if ever, at STHS. Additionally, clarification was provided related to the cost sharing of the administrator positions at the schools, but the cost sharing/split of duties should also be described in the Charter or in the job descriptions. Although not required by the Charter Schools Act, at least one Sherman Thomas administrator should hold an underlying teaching credential and an Administrative Services Credential.

The Charter currently does not list the qualifications/experience required for Executive Director. The Charter should be revised to include such information. Similarly, the Charter does not list the qualifications for a variety of other employment positions, and it is recommended that the Charter be revised to specify such qualifications. The Charter currently doesn't specify the process for hiring/evaluating staff, so this element of the Charter should be revised to clarify the process/procedures used for hiring/evaluating.

District Staff believes this element of the Charter is reasonably comprehensive if revised as recommended by District Staff.

6. Element Six: Health and Safety Procedures

The Charter states that Sherman Thomas has adopted and implemented a comprehensive set of health, safety, and risk management policies in consultation with its insurance carriers and risk management experts. It commits to reviewing and updating these policies as necessary on an ongoing basis, and more formally on an annual basis. The Charter also specifies that all staff will be trained annually on health, safety, and risk management policies and procedures. The Charter School also commits to adopting and annually updating by March 1 a school safety plan that includes all of the required topics. The Charter provides a summary and/or general reference to some of its planned health and safety procedures, though it does not refer to every health and safety policy or procedure with which the Charter School would be required to comply.

The District staff believes that this element includes a reasonably comprehensive description.

7. Element Seven: Racial, Ethnic, English Learner, and Special Education Balance

The Petition does adequately address the means by which the Charter School will achieve a balance of students from different subgroups that is reflective of the general population residing within the territorial jurisdiction of the District.

Education Code Section 47605(c)(5)(G) requires that the Charter include a reasonably comprehensive description of:

> The means by which the charter school will achieve a balance of racial and ethnic pupils, special education pupils, and English learner pupils, including redesignated fluent English proficient pupils, as defined by the evaluation rubrics in [Education Code] Section 52064.5, that is **reflective** of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted.
>
> (Emphasis added.)

The Charter Schools Act thus requires Sherman Thomas to describe the means by which it will achieve the specified student breakdown that is "reflective" of the general population residing within the District, not that is "identical" to that population. There is no case law or other interpretation defining this terminology and what is required of a charter school. In this case, Sherman Thomas' enrollment projections stem from its design that endeavors to implement an innovative educational approach comporting with some of the statutory purposes for charter schools, such as encouraging the use of different and innovative teaching methods and providing expanded choices of educational opportunities.

The Petition includes references to targeting non-English speakers and "diverse" groups of learners and families. One of the overarching legislative purposes for the establishment of a charter school is to offer increased learning opportunities for students, with particular emphasis on expanded learning experiences for students who have been identified as academically low-achieving. In addition, when considering whether to approve or deny a petition, a district governing board is charged with the responsibility of considering the academic needs of the students that the charter school proposes to serve. Consequently, the District staff finds that the clear, focused assessment and understanding of the Charter School's target population, the program would effectively address the educational and social-emotional needs of students in a manner that aligns with the District's student demographics.

Sherman Thomas has outlined a recruitment strategy that it deems crucial to its recruitment of a diverse student population inclusive of students with disabilities and English learners. This plan includes the use of strategies that have been designed and used by other schools that Sherman Thomas has vetted and determined to be effective in recruiting diverse families within the community. The Charter also includes an anticipated recruitment calendar with recruitment events aimed at achieving diverse enrollment.

The Charter explicitly acknowledges and affirms the need to use an enrollment lottery should there be more interested students than spaces, which may affect the ultimate enrollment demographics. Sherman Thomas also explicitly affirms that it will comply with the requirement that its admissions preferences will not result in limiting enrollment access for "pupils with disabilities, academically low-achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, or pupils who are economically disadvantaged, as determined by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation." Sherman Thomas does not propose to give enrollment preference to students from districts other than the District, which may also result in the Charter School's demographics more closely reflecting District residents.

It will be necessary for Sherman Thomas to monitor its recruitment strategies and enrollment closely to ensure that its approach complies with all requirements of the Charter Schools Act, including maintaining an appropriate student balance reflecting the District's population, serving all students who wish to attend, and not taking any actions that limit enrollment access in violation of the law.

8. Element Eight: Admission Policy and Procedures

In the event there are more applicants than spaces at a particular grade level, the Charter specifies that Sherman Thomas will determine admission using a public random drawing. Pursuant to law, current students of the Charter School are entitled to remain enrolled and are exempt from the drawing process. Students already enrolled in Sherman Thomas will be exempted from the lottery. In the event a public random drawing is required, Sherman Thomas specifies its intent to implement the following preferences in the following order:

1. Siblings of students admitted to or attending the Charter School, Sherman Thomas Charter School, or Sherman Thomas STEM Academy;

2. Children of the Organization's faculty, staff, and Board (not to exceed 10% of total enrollment);

3. Residents of MUSD; and

4. All other applicants, provided they reside in Madera County or in a county adjacent to Madera County (Fresno, Mariposa, Merced, Mono, or Tuolumne counties).

The Charter provides that STCHS will monitor lottery results annually to determine if the above preferences are in any way preventing the Charter School from achieving the racial, ethnic, special education, and English Learner, including reclassified ELs, pupil balance the Charter School strives to reflect in alignment with the population residing within the District.

Other than the preferences for residents of the District, whether to permit the proposed preferences is within the discretion of the District. The supporting documents that are incorporated by reference into the Charter must be revised to comply with this element of the Charter. Additionally, STHS cannot alter or change the preferences without approval of a

material revision authorized by the District Governing Board. STHS should consider adding a preference for socio-economically disadvantaged students to better reflect the demographics of the District.

The Charter provides details or specificity regarding the public random drawing procedures generally and implementation of the preferences specifically. Sherman Thomas uses an automated, computer-based process. To ensure that students are not improperly discouraged from attending or that families are not requested to provide protected information, and to be consistent with the prohibition against requesting pupil records before enrollment, the Charter should specify that the application is limited only to the specified information if the Charter is approved.

District Staff believes that this element of the Charter is reasonably comprehensive.

9. Element Nine: Student Suspension/Expulsion Procedures

The Charter sets forth suspension and expulsion policies, which have been largely modeled on the procedures applicable to non-charter California public schools. The Charter contains references to a hearing panel and an administrative officer, creating confusion about the process. Thus, the Charter should be revised to reflect the actual procedures and processes used by STHS. Also, the Charter did not include all of the violations set forth in Education Code 48915 as grounds for the mandatory suspension and recommendation for expulsion.

The Charter and the supporting materials provide that STHS will follow the expulsion procedures if a student is involuntarily removed from the School. Such a process is long and complex and is not reflective of the manner in which the school operates. Accordingly, the Charter and supporting materials should be revised to describe a process that conforms with legal requirements and also reflects how it is implemented by STHS.

The District staff believes this element of the Charter is reasonably comprehensive if revised as recommended by District Staff.

10. Element Ten*:* Employee Retirement Systems

The Charter specifies that eligible certificated employees participate in the State Teachers' Retirement System (STRS). At this time, Sherman Thomas will not participate in the California Public Employees' Retirement System (CalPERS), and non-STRS eligible employees will participate in a 403(b) plan and Social Security. The School Director, with support from the office manager and back-office services provider, will be responsible for ensuring compliance.

The District staff believes this element of the Charter is reasonably comprehensive.

11. Element Eleven: Public School Attendance Alternatives

The Charter specifies, "Any student who resides in the District who chooses not to attend Sherman Thomas may attend school within the District in accordance with District policy and/or apply for an inter-district transfer in accordance with local school district policies."

The District staff believes this element of the Charter is reasonably comprehensive.

12. Element Twelve: Description of the Rights of an Employee of the District, Upon Leaving the Employment of the District to Be Employed by the Charter School

The Charter specifies that employees of the District who leave their employment positions at the District to work at Sherman Thomas have no automatic rights to return unless specifically granted by the District.

The District staff believes this element of the Charter is reasonably comprehensive.

13. Element Thirteen: Dispute Resolution

The Charter sets forth a dispute resolution procedure for disputes between Sherman Thomas and the District that is consistent with the District's best practices and oversight requirements and how the District operates. This element needs to be updated to reflect changes brought about by AB126 that was enacted shortly before the renewal charter was submitted.

The District staff believes this element of the Charter includes a reasonably comprehensive description and comports with the District's best practices if revised as noted above.

14. Element Fourteen: Closure Protocol

While the Charter describes closure procedures, additional specificity regarding closure procedures and the handling and transfer of records is needed and will be included in the revised Charter.

The Sherman Thomas staff believes this element of the Charter is reasonably comprehensive if the issues described above are revised as recommended by District Staff.

15. Additional Required Information

The petitioner(s) are required to provide information regarding the proposed operation and potential effects of the school including, but not limited to, the manner in which administrative services of Sherman Thomas are to be operated.

Sherman Thomas will provide or procure its own administrative services, including, but not limited to, financial management, accounts payable/receivable, payroll, human resources, and instructional program development, through its own staff or appropriate qualified third-party providers. Sherman Thomas plans to continue using a charter school "back office services" provider to provide these services.

16. Potential Civil Liability Effects, if any, Upon Sherman Thomas and Upon the District

The Charter includes appropriate language whereby it will indemnify the District "for the actions of Sherman Thomas under this charter." It also specifies that Sherman Thomas will obtain

insurance as recommended by the District's and the Charter School's insurance company for schools of similar size, location, and student population and "shall comply with all District requirements for insurance" and name the District as additional insureds on its general liability insurance. As a condition of any renewal of the Charter, it would be essential that Sherman Thomas be required to carry out those intentions and commitments to abide by the District's required insurance and indemnification, defense, and hold harmless requirements.

17. Facilities Description/Compliance with Location Requirements

Sherman Thomas Charter High School is located at 101 West Adell Street, Madera, California. STCHS' facility consists of classrooms, office space, and additional facilities necessary to operate a small, non-classroom-based high school. Facilities are located at the Valley West Christian Center, a 25-acre campus. A copy of the lease was included in the materials submitted with the Renewal Petition.

CONCLUSION/RECOMMENDATION

The District Staff reviewed the Charter for Sherman Thomas utilizing the criteria for consideration and action on the Charter, as set forth in Education Code Section 47605 and 47607. It is the District staff's recommendation that the Sherman Thomas Charter be renewed subject to revisions to the Charter to address all the District's concerns, including those specified herein.

The District's review team has concluded that the Petition does meet the minimum legal standards under the Education Code to qualify for renewal for the requested five-year term, beginning on July 1, 2027, through June 30, 2032, if Sherman Thomas meets all conditions specified herein. For these reasons, District Staff recommends that the Board of Trustees take action to approve the Petition and that the District Board of Education adopt a Board Resolution approving the Charter for the Sherman Thomas Charter School.

PROPOSED MOTION

Motion to approve the renewal of the Sherman Thomas Charter High School Charter and adopt a Resolution Approving the renewal of the Sherman Thomas Charter High School Charter.