

STAFF ANALYSIS, RECOMMENDATIONS, AND PROPOSED FINDINGS OF FACT REGARDING REVIEW OF SUMMIT PUBLIC SCHOOL: TAHOMA CHARTER SCHOOL RENEWAL PETITION

November 4, 2026, posted October 20, 2026

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Summit Public School: Tahoma seeks approval of the renewal of its Santa Clara County independent, direct funded, district appeal charter school serving students in grades 9-12. Tahoma was initially approved on an appeal of a denial from East Siden Union High School District (ESUHSD) in December 2010, for a five-year term to serve grades 9-12 and opened in August of 2011. Tahoma was renewed in 2016 and 2021. Summit Tahoma's current term expires June 30, 2027, as its term was extended by operation of law by an additional year in 2023. Tahoma has requested renewal for a term of five years from July 2027 through June 2032, due to its designation by the California Department of Education (CDE) as a school in the middle performing category. Tahoma, located within the ESUHSD boundaries, currently serves approximately 360 students.

PROCEDURAL STATUS

The Charter Schools Department of the Santa Clara County Office of Education (County Office of Education or SCCOE) received a renewal charter petition (Renewal Petition or Charter) from Summit Tahoma on August 31, 2026. Summit Tahoma is operated and governed by Summit Public Schools (SPS).¹ *Education Code (EC)* Sections 47607 and 47607.2 determine the length of charter renewal based on a charter school's placement in the high, middle, or low-performance categories established by AB 1505. Pursuant to criterion in *EC* Sections 47607(c) and 47607.2, Tahoma is in the middle performing category, so any renewal would be for a five-year renewal term (see further analysis below). If the charter is renewed by the Santa Clara County Board of Education (SCCBOE or County Board of Education²), the new term of the Charter would begin on July 1, 2027, and run through and include June 30, 2032. Renewals of district appeal charters are governed by the standards and criteria set forth in *EC* Sections 47605, 47607 and 47607.2.

On September 16, 2026, the SCCBOE held a public hearing on the Tahoma Renewal Petition in accordance with the requirement to do so within 60 days of receipt of submission of the Renewal Petition. On September 18, 2026, SCCOE Staff conducted a renewal site visit and held renewal interviews with Tahoma parents, students, staff, board members, and representatives of SPS leadership as the charter management organization or network.

Pursuant to *EC* Sections 47607, 47607.2 and 47605, the County Board of Education has 90 days from receipt of the renewal application to act, which may be extended by an additional 30 days by mutual agreement. SCCBOE will hold the decision hearing November 4, 2026, to act on the Summit Tahoma request for renewal.

In accordance with Board Policy 0420.4, SCCOE, Tahoma, and SPS, developed a Memorandum of Understanding in 2021 (2021 MOU) that was also amended in 2021 to address the conditions set for renewal. By their terms, this

¹ Throughout this document, Summit Public Schools may be referred to for purposes of convenience as "SPS" "CMO," or "Network," but the Summit Public School: Tahoma charter school and Summit Public Schools may be referred to collectively, separately, or interchangeably as "Tahoma" or "Summit" or "Summit Tahoma" or "Charter School" or "school."

² Throughout this document, references to "SCCBOE" or the "County Board of Education" are specifically to the Santa Clara County Board of Education. However, for purposes of convenience, the Santa Clara County Board of Education, the Santa Clara County Superintendent of Schools, and the Santa Clara County Office of Education may be collectively or separately referred to herein as "SCCOE."

2021 MOU and any addenda thereto “shall continue in full force and effect during the period of any renewal granted by the SCCBOE or during the pendency of an appeal of a denial of a renewal request unless and until such time as the Parties enter into a replacement MOU or specifically agree in writing that the MOU is terminated.” The 2021 MOU and any addenda thereto govern the respective fiscal, operational, administrative responsibilities, legal relationships, and other matters not otherwise fully addressed or resolved by the terms of the current charter or the Renewal Petition, pending any further direction or recommendations by the SCCBOE, including SCCBOE’s adoption of the SCCOE’s recommendations and recommended findings and entry into a replacement or supplementing MOU and/or addendum. By their terms, the 2021 MOU and any addenda thereto are incorporated into the Renewal Petition by reference, therefore, their terms supplement the Renewal Petition submitted by Tahoma and were considered as part of SCCOE’s analysis of the Renewal Petition and informed this analysis, including the assessment of whether the Renewal Petition includes reasonably comprehensive descriptions of each of the required Charter elements, whether or not any specific provision of the 2021 MOU and any addenda thereto are referenced in this analysis, and they continue to bind the Parties unless and until revised or replaced by mutual agreement of the Parties. If the parties enter into a new MOU and/or addendum, as recommended herein, provisions from the 2021 MOU and any addenda thereto may need to be incorporated therein or the 2021 MOU and any addenda thereto remain in effect.

SCCOE has provided Tahoma with an updated memorandum of understanding (2026 MOU) that is consistent with changes to law since entering into the 2021 MOU, and any addenda thereto, and reflects SCCOE’s current best practices. Tahoma has expressed its intent to enter into an updated memorandum of understanding and indicated its desire to discuss the terms of the 2026 MOU. SCCOE anticipates Tahoma signing the updated 2026 MOU prior to SCCBOE action on the Renewal Petition, but if the 2026 MOU is not signed by Tahoma prior to SCCBOE action, SCCOE will continue to work with Tahoma on finalizing the updated 2026 MOU and/or an addendum to the current 2021 MOU as necessary to reflect current law and best practices and recommends that this be a condition of any renewal of Tahoma’s Charter.

The complete Renewal Petition on which the SCCBOE is acting is attached to the agenda item in Board Docs and is also available for review at the following location: https://sccoe.to/Tahoma_Renewal

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 “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 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 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 Summit Tahoma as a “middle” performing charter school for purposes of this renewal request.

As defined in EC Section 47607.2, any charter school not deemed “high” or “low” performing is a “middle” performing charter school and is 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:

- (1) The schoolwide and subgroup performance on the state and local indicators on the Dashboard, giving greater weight to measurements of academic performance.*
- (2) The chartering authority shall provide greater weight to performance on measurements of academic performance in determining whether to grant a charter renewal.*
- (3) In addition to the state and local indicators, the chartering authority shall consider clear and convincing evidence demonstrated by verified data showing either of the following:*
 - a. The school achieved measurable increases in academic achievement, as defined by at least one year’s progress for each year in school.*
 - b. Strong postsecondary 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, 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 does not serve all pupils who wish to attend.*

In such cases, the chartering authority must provide the charter school with 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 County Board of Education 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 to render a corrective action plan unviable*

As discussed in detail below, on April 27, 2026, SCCOE issued Tahoma a notice ("Notice" attached as Exhibit 1) pursuant to EC 47607(e) as notice of SCCOE's determination that Tahoma is not serving all pupils who wish to attend. The Notice provided Tahoma with a reasonable opportunity to cure the violations. The Notice and all the information and evidence contained therein are incorporated herein by this reference as if set forth in full herein.

DETERMINATION CRITERIA FOR RENEWAL OF SUMMIT TAHOMA

As stated above, CDE has designated Summit Tahoma as a school in the middle performance category for purposes of this renewal. In its Renewal Petition, Summit Tahoma 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, Summit Tahoma submitted its data from the California Assessment of Student Performance and Progress ("CAASPP") which is verified data, as defined by the State Board of Education, as well as comparison data for the local district and local district schools Summit Tahoma students would otherwise have attended. Summit Tahoma states the data submitted on pages 13 through 26 of the Renewal Petition establishes Summit Tahoma as a school in the middle performing category, meeting the criteria for charter renewal. Staff has not reproduced all the information provided by Summit Tahoma in this Staff Analysis and Proposed Findings of Fact but incorporates it and the CAASPP data herein by this reference.

The SCCBOE requested from Tahoma additional data and information in response to questions asked during the public hearing for the Tahoma Charter renewal on September 16, 2026. On September 29, 2026, Tahoma provided the information.

The data below represents key data provided by Summit Tahoma and/or available for consideration of Summit Tahoma's academic performance.

School Academics

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 the lowest and Blue being the 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."

Object 1: California Dashboard Performance Color Chart

The following data (Object 2, below) is based on 2024 and 2025 Dashboard data which shows the performance level colors, or the Status from 2024-25, and the Change, or the difference (growth or decline), from 2023-24. Additional data has been added for the 2026 dashboard (Object 2a, below), which was newly released on October 15, 2026, but not originally included in the data presented by Summit Tahoma's Renewal Petition.

Object 2: Summit Tahoma Performance on 2025 California School Dashboard

2025 CALIFORNIA SCHOOL DASHBOARD												
	ELA		Math		ELPI		Grad Rate		College / Career		Suspension	
	DFS	Level	DFS	Level	Rate	Level	Rate	Level	Rate	Level	Rate	Level
All Students	63.4 DFS	GREEN	12.4 DFS	BLUE	42.1%	NPC	97.0%	BLUE	97.0%	BLUE	2.5%	ORANGE
Hispanic/Latino	-30.6 DFS	ORANGE	-73.7 DFS	ORANGE			97.6%	BLUE	97.6%	GREEN	4.5%	ORANGE
English Learners (EL)	-89.3 DFS	NPC	-106.0 DFS	NPC	42.1%	NPC	100%	NPC	100%	NPC	6.9%	NPC
Long-Term EL (LTEL)	NPC	NPC	NPC	NPC	50.0%	NPC	NPC	NPC	NPC	NPC	4.8%	NPC
Students with Disabilities (SWD)	-86.8 DFS	NPC	-118.4 DFS	NPC			100%	NPC	100%	NPC	8.0%	ORANGE
Socioeconomically Disadvantaged (SED)	-11.6 DFS	NPC	-61.6 DFS	NPC			97.6%	BLUE	97.6%	BLUE	4.9%	ORANGE

*No performance color (NPC) given for groups of less than 30 students. Status rates are not given for groups of less than 11 students.

Data retrieved from: <https://www.caschooldashboard.org>

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Object 2a: Summit Tahoma Performance on 2026 California School Dashboard

2026 CALIFORNIA SCHOOL DASHBOARD												
	ELA		Math		ELPI		Grad Rate		College / Career		Suspension	
	DFS	Level	DFS	Level	Rate	Level	Rate	Level	Rate	Level	Rate	Level
All Students	81.1 DFS	BLUE	26.2 DFS	BLUE	16.0%	NPC	94.4%	YELLOW	94.4%	GREEN	1.8%	GREEN
Hispanic/Latino	40.8 DFS	BLUE	-23.3 DFS	GREEN			97.0%	BLUE	97.0%	BLUE	1.9%	GREEN
English Learners (EL)	20.3 DFS	NPC	-96.3 DFS	NPC	16.0%	NPC	NPC	NPC	NPC	NPC	3.3%	NPC
Long-Term EL (LTEL)	NPC	NPC	NPC	NPC	20.0%	NPC	NPC	NPC	NPC	NPC	3.7%	NPC
Students with Disabilities (SWD)	-32.6 DFS	NPC	-65.8 DFS	NPC			90.5%	NPC	90.5%	NPC	3.8%	GREEN
Socioeconomically Disadvantaged (SED)	77.1 DFS	NPC	-16.6 DFS	NPC			96.4%	NPC	96.4%	NPC	2.0%	GREEN

*No performance color (NPC) given for groups of less than 30 students. Status rates are not given for groups of less than 11 students.

Data retrieved from: <https://www.caschooldashboard.org>

The data in Object 2a, above, was released by the CDE on October 15, 2026. Because the State outperformed Tahoma on the 2025 Dashboard in at least one student group, namely the Hispanic/Latino student group in Math, Tahoma's renewal performance category remains unchanged given the data on the new 2026 Dashboard data.

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Object 3: 2024 and 2025 California School Dashboard Student Group Report for Summit Tahoma

	English Language Arts		Mathematics		English Learner Progress		Graduation Rate		College / Career		Suspension Rate	
	2024	2025	2024	2025	2024	2025	2024	2025	2024	2025	2024	2025
All	GREEN 64.6 DFS	GREEN 63.4 DFS	GREEN -7.7 DFS	BLUE 12.4 DFS	NPC 46.7%	NPC 42.1%	BLUE 97.4%	BLUE 97.0%	GREEN 59.1%	BLUE 97.0%	YELLOW 2.0%	ORANGE 2.5%
EL	NPC -38.7 DFS	NPC -89.3 DFS	NPC -114.8 DFS	NPC -106 DFS	NPC 46.7%	NPC 42.1%	NPC 100%	NPC 100%	NPC 33.3%	NPC 100%	ORANGE 5.9%	NPC 6.9%
LTEs	NPC	NPC	NPC	NPC	NPC 45.8%	NPC 50.0%	NPC 100%	NPC	NPC 26.3%	NPC	NPC 7.1%	NPC 4.8%
SED	NPC 4.8 DFS	NPC -11.6 DFS	NPC -83.8 DFS	NPC -61.6 DFS			BLUE 97.9%	BLUE 97.6%	YELLOW 48.9%	BLUE 97.6%	YELLOW 2.3%	ORANGE 4.9%
SWD	NPC -12.4 DFS	NPC -86.8 DFS	NPC -48.1 DFS	NPC -118.4 DFS			NPC 96.7%	NPC 100%	NPC 33.3%	NPC 100%	GREEN 3.9%	ORANGE 8.0%
Asian	NPC 95.1 DFS	NPC -91.4 DFS	NPC 63.8 DFS	NPC 85.1 DFS			NPC 100%	NPC 100%	NPC 78.3%	NPC 100%	YELLOW 1.3%	BLUE 0.0%
Hispanic/ Latino	BLUE 32.3 DFS	ORANGE -30.6 DFS	YELLOW -70.6 DFS	ORANGE -73.7 DFS			BLUE 100%	BLUE 97.6%	YELLOW 51.2%	GREEN 97.6%	YELLOW 3.5%	ORANGE 4.5%
White	NPC 80.7 DFS	NPC 99.3 DFS	NPC 27.5 DFS	NPC 64.8 DFS			NPC 91.7%	NPC 89.5%	NPC 60.9%	NPC 89.5%	ORANGE 2.0%	GREEN 1.1%
African American	NPC	NPC	NPC	NPC			NPC	NPC	NPC	NPC	NPC 0.0%	NPC 0%
Filipino	NPC	NPC	NPC	NPC			NPC	NPC	NPC	NPC	NPC 0.0%	NPC 0%

*No performance color (NPC) given for groups of less than 30 students. Status rates are not given for groups of less than 11 students.

Data retrieved from: <https://caschooldashboard.org>

Many areas of the Tahoma Dashboard have no performance color (“NPC”) due to the small size of the student group. Object 3, above, shows Tahoma’s status for both the 2024 and 2025 Dashboard indicators for all students and all numerically significant student groups.

Object 4, below, shows the Status and Change information from the 2024 and 2025 Dashboard indicators. For most of the Dashboard measures, the desired outcome is a high number or percent in the current year as well as an increase from the prior year. A distinguishing feature of the suspension measures is the desired outcome for low suspension rates, which means a low percent in the current year and a decline from the prior year rate. At Tahoma, suspensions rates maintained or decreased for all students and for most numerically significant student groups, except for a 3.9% increase chronic absenteeism for Long Term English Learners (LTEs). Also since Tahoma is a high school, Graduation Rates and College and Career Readiness indicators are also included for Tahoma on the Dashboard.

Object 4: 2024 and 2025 California School Dashboard Student Status and Change Report for Tahoma

	English Language Arts		Math		English Learner Progress (percentage)		Graduation Rate (percentage)		College and Career (percentage)		Suspension Rate (percentage)	
	2024	2025	2024	2025	2024	2025	2024	2025	2024	2025	2024	2025
All	Increased 13.4 points	Maintained -1.2 points	Increased 14.2 points	Increased 20.1 points	Increased 17.0%	Declined 4.6%	Increased 3.2%	Maintained -0.4%	Maintained -1.3%	Maintained -0.4%	Maintained 0.0%	Increased 0.5%
EL	Increased 41.7 points	Declined 50.6 points	Increased 27.6 points	Increased 8.8 points			Maintained 0.0%	Maintained 0.0%	Maintained 0.0%	Maintained 0.0%	Increased 2.7%	Increased 1.0%
SED	Increased 34.0 points	Declined 16.4 points	Increased 24.0 points	Increased 22.3 points			Increased 3.6%	Maintained -0.3%	Maintained 0.4%	Maintained -0.3%	Maintained 0.2%	Increased 2.6%
SWD	Increased 49.7 points	Declined 74.5 points	Increased 59.8 points	Declined 70.4 points			Increased 2.5%	Increased 3.3%	Increased 3.9%	Increased 3.3%	Declined 0.9%	Increased 4.1%
Hispanic	Increased 24.1 points	Declined 62.9 points	Increased 24.9 points	Declined 3 points			Increased 5.6%	Declined 2.4%	Maintained -0.3%	Declined 2.4%	Maintained -0.1%	Increased 1.0%

*No performance color (NPC) given for groups of less than 30 students. Status rates are not given for groups of less than 11 students.

Data from Dashboard (<https://www.caschooldashboard.org/>)

Objects 5 and 6, below, show data comparing the Dashboard indicators for all students and by student group for Tahoma and the State on the 2024 (2023-24) and 2025 (2024-25) Dashboards. On the 2024 (2023-24) Dashboard, Tahoma outperforms the State in ELA and Math for All students and Hispanic/Latino; and College and Career for all areas (as indicated by the content data in Bold). Many of the indicators are grey or have no performance color due to the size of the student group. On the 2025 (2024-25) Dashboard, Tahoma outperforms the State in ELA for All students and the Hispanic/Latino; in Math for All students; and College and Career for all areas (as indicated by the content data in Bold).

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Summit Public School: Tahoma

Object 5: 2024 California School Dashboard Student Group Data for Summit Tahoma and the State

	Suspension Rate		College / Career		English Language Arts		Mathematics		English Learner Progress	
	Tahoma	State	Tahoma	State	Tahoma	State	Tahoma	State	Tahoma	State
All	YELLOW 2.0%	GREEN 3.2%	GREEN 59.1%	YELLOW 45.3%	GREEN 64.6 DFS	ORANGE -13.2 DFS	GREEN -7.7 DFS	ORANGE -47.6 DFS	NPC 46.7%	ORANGE 45.7%
EL	ORANGE 5.9%	GREEN 3.4%	NPC 33.3%	ORANGE 17.2%	NPC -38.7 DFS	ORANGE -67.6 DFS	NPC -114.8 DFS	ORANGE -79.2 DFS		
LTEs	NPC 7.1%	ORANGE 8.1%	NPC 26.3%	YELLOW 16.5%	NPC	RED -109.6 DFS	NPC	RED -163.5 DFS	NPC 45.8%	ORANGE 45.8%
SED	YELLOW 2.3%	GREEN 4.0%	YELLOW 48.9%	YELLOW 37.4%	NPC 4.8 DFS	ORANGE -40.9 DFS	NPC -83.8 DFS	ORANGE -78.2 DFS		
SWD	GREEN 3.9%	YELLOW 5.4%	NPC 33.3%	ORANGE 13.5%	NPC -12.4 DFS	RED -95.6 DFS	NPC -48.1 DFS	RED -124.3 DFS		
Hispanic/Latino	YELLOW 3.5%	GREEN 3.4%	YELLOW 51.2%	YELLOW 37.4%	BLUE 32.3 DFS	ORANGE -39.3 DFS	YELLOW -70.6 DFS	ORANGE -79.2 DFS		

*No performance color (NPC) given for groups of less than 30 students. Status rates are not given for groups of less than 11 students.

Data retrieved from: <https://caschooldashboard.org>

Object 6: 2025 California School Dashboard Student Group Data for Summit Tahoma and the State

	Suspension Rate		College / Career		English Language Arts		Mathematics		English Learner Progress	
	Tahoma	State	Tahoma	State	Tahoma	State	Tahoma	State	Tahoma	State
All	ORANGE 2.5%	GREEN 2.9%	BLUE 97%	GREEN 51.7%	GREEN 63.4 DFS	YELLOW -8.1 DFS	BLUE 12.4 DFS	YELLOW -42.4 DFS	NPC 42.1%	YELLOW 46.4%
EL	NPC 6.9%	YELLOW 3.2%	NPC 100%	YELLOW 24.3%	NPC -89.3 DFS	YELLOW -59.9 DFS	NPC -106 DFS	YELLOW -86.1 DFS		
LTEs	NPC 4.8%	YELLOW 7%	NPC	YELLOW 24.9%	NPC	ORANGE -104.5 DFS	NPC	ORANGE -158.9 DFS	NPC 50%	GREEN 49.1%
SED	ORANGE 4.9%	GREEN 3.6%	BLUE 97.6%	GREEN 44.8%	NPC -11.6 DFS	YELLOW -35.3 DFS	NPC -61.6 DFS	YELLOW -72.9 DFS		
SWD	ORANGE 8%	YELLOW 5%	NPC 100%	YELLOW 18.7%	NPC -86.8 DFS	ORANGE -89.4 DFS	NPC -118.4 DFS	ORANGE -120.7 DFS		
Hispanic/Latino	ORANGE 4.5%	GREEN 3%	GREEN 97.6%	GREEN 45.1%	ORANGE -30.6 DFS	YELLOW -33.7 DFS	ORANGE -73.7 DFS	YELLOW -73.6 DFS		

*No performance color (NPC) given for groups of less than 30 students. Status rates are not given for groups of less than 11 students.

Data retrieved from: <https://caschooldashboard.org>

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Object 6a: 2026 California School Dashboard Student Group Data for Summit Tahoma and the State

	Suspension Rate		College / Career		English Language Arts		Mathematics		English Learner Progress	
	Tahoma	State	Tahoma	State	Tahoma	State	Tahoma	State	Tahoma	State
All	GREEN 1.8%	YELLOW 2.7%	GREEN 94.4%	GREEN 55.6%	BLUE 81.1 DFS	ORANGE -7.5 DFS	BLUE 26.2 DFS	YELLOW -38.9 DFS	NPC 16.0%	YELLOW 47.4%
EL	NPC 3.3%	YELLOW 3.1%	NPC	YELLOW 29.3%	NPC 20.3 DFS	ORANGE -60.3 DFS	NPC -96.3 DFS	YELLOW -83.0 DFS		
LTELs	NPC 3.7%	YELLOW 6.1%	NPC	YELLOW 30.3%	NPC	RED -105.6 DFS	NPC	RED -159.6 DFS	NPC 20.0%	YELLOW 54.1%
SED	GREEN 2.0%	YELLOW 3.4%	NPC 96.4%	GREEN 49.5%	NPC 77.1 DFS	ORANGE -34.1 DFS	NPC -16.6 DFS	YELLOW -69.2 DFS		
SWD	GREEN 3.8%	ORANGE 4.8%	NPC 90.5%	YELLOW 24.0%	NPC -32.6 DFS	RED -89.3 DFS	NPC -65.8 DFS	RED -120.0 DFS		
Hispanic/ Latino	GREEN 1.9%	GREEN 2.7%	BLUE 97.0%	GREEN 50.0%	BLUE 40.8 DFS	ORANGE -32.2 DFS	GREEN -23.3 DFS	YELLOW -69.9 DFS		

*No performance color (NPC) given for groups of less than 30 students. Status rates are not given for groups of less than 11 students.

Data retrieved from: <https://caschooldashboard.org>

Object 7, below, shows the graduation rates for Summit Tahoma across the charter term on the California School Dashboard for all students and numerically significant student groups. Object 8, below, shows the four-year graduation rate for Summit Tahoma in comparison to ESUHSD, the State, and the comparison schools Tahoma students otherwise would have attended.

Object 7: 4-Year Graduation Rate Indicator from the California Dashboard for Summit Tahoma

	2021-22	2022-23	2023-24	2024-25	2025-26
All Students	95.2%	94.3%	97.4%	97%	94.4%
English Learners	N/A	N/A	100%	100%	N/A
SED	94.5%	94.3%	97.9%	97.6%	96.4%
SWD	96.3%	94.1%	96.7%	100%	90.5%
Hispanic	95.7%	94.4%	100%	97.6%	97.0%

Data from Dashboard (<https://www.caschooldashboard.org/>) N/A = Data not available

Object 8: 4-Year Graduation Rate Indicator from the California Dashboard for Summit Tahoma and Comparison Schools

	2021-22	2022-23	2023-24	2024-25	2025-26
Summit Tahoma	95.2%	94.3%	97.4%	97%	94.4%
ESUHSD	89.7%	86.9%	87.6%	89.1%	98.7%
Santa Teresa	81.5%	82.8%	84.2%	84.1%	94.2%
Pioneer	98.2%	96.8%	96.8%	95.1%	97.1%
Oak Grove High	N/A	87.1%	89.1%	88.5%	84.8%
State	87.4%	86.4%	86.7%	87.8%	88.1%

Data from Dashboard (<https://www.caschooldashboard.org/>) N/A = Data not available

Object 9, below, shows the local indicators from the California Schools Dashboard. The local indicators are self-reported by each Local Education Area (LEA).

Object 9: Local Indicators from the California Dashboard for Summit Tahoma for 2024, 2025 and 2026

Indicator	2024 Status	2025 Status	2026 Status
Implementation of Academic Standards	Met	Met	Met
Access to a Broad Course of Study	Met	Met	Met
Basics: Teacher Credentials, Instructional Materials, Facilities	Met	Met	Met
Parent and Family Engagement	Met	Met	Met
Local Climate Survey	Met	Met	Met

Data from Dashboard (<https://www.caschooldashboard.org/>) N/A = Data not available

Under the Local Indicator data for priority area 1, Basics: Teacher Credentials, Instructional Materials, Facilities, the Dashboard provides a report on the status of teacher credentials at a school with a comparison to the State Average. The 2024 Dashboard displays data from 2023, and the 2025 Dashboard shows 2024. In all years, Tahoma was below the State average for teacher credentialing.

Object 10: Local Indicator: Teacher Credentialing from the California Dashboard for Summit Tahoma for 2024 and 2025

Dashboard Year	FTE	% of Teaching FTE in the Clear Credential Category	Out-of-Field	Ineffective	Incomplete	Statewide % of Teaching FTE in Clear Credential Category
2024	19.0	74.4%	11.9%	12.4%	1.3%	83.2%
2025	19.0	63.9%	19.0%	5.3%	6.6%	82.5%

Data from Dashboard (<https://www.caschooldashboard.org/>) N/A = Data not available

CAASPP Data

The tables below reflect the CAASPP data (<https://caaspp-elpac.cde.ca.gov/>) verified by SCCOE staff while determining Summit Tahoma's schoolwide student performance and progress relative to the district and schools with the largest student populations enrolled at Summit Tahoma. The tables below constitute the most recent academic data available for review.

Object 11: Percentage of ALL STUDENTS At or Above Standard on CAASPP in ELA and Math at Summit Tahoma, ESUHSD, and Statewide for 2025-26

2025-26 CAASPP (ELA)						
Grade	Tahoma	ESUHSD	Santa Teresa	Pioneer	Oak Grove	State
11	75.25%	60.55%	66.80%	64.44%	54.27%	57.41%
All	75.25%	60.55%	66.80%	64.44%	54.27%	49.26%
2025-26 CAASPP (MATH)						
Grade	Tahoma	ESUHSD	Santa Teresa	Pioneer	Oak Grove	State
11	53.61%	37.26%	45.78%	42.14%	26.83%	31.92%
All	53.61%	37.26%	45.78%	42.14%	26.83%	38.35%

Data retrieved from: <https://caaspp-elpac.ets.org/caaspp/Default>

Object 11a: Percentage of ALL STUDENTS At or Above Standard on CAASPP in ELA and Math at Summit Tahoma, ESUHSD, and Statewide for 2024-25

2024-25 CAASPP (ELA)						
Grade	Tahoma	ESUHSD	Santa Teresa	Pioneer	Oak Grove	State
11	65.85%	59.93%	74.36%	72.37%	49.37%	56.96%
All	65.85%	59.93%	74.36%	72.37%	49.37%	56.96%
2024-25 CAASPP (MATH)						
Grade	Tahoma	ESUHSD	Santa Teresa	Pioneer	Oak Grove	State
11	55.42%	35.69%	49.51%	49.51%	22.86%	30.49%
All	55.42%	35.69%	49.51%	49.51%	22.86%	37.30%

Data retrieved from: <https://caaspp-elpac.ets.org/caaspp/Default>

Object 11b: Percentage of ALL STUDENTS At or Above Standard on CAASPP in ELA and Math at Summit Tahoma, ESUHSD, and Statewide for 2023-24

2023-24 CAASPP (ELA)						
Grade	Tahoma	ESUHSD	Santa Teresa	Pioneer	Oak Grove	State
11	74.49%	60.27%	67.84%	72.20%	55.27%	55.73%
All	74.49%	60.27%	67.84%	72.20%	55.27%	47.04%
2023-24 CAASPP (MATH)						
Grade	Tahoma	ESUHSD	Santa Teresa	Pioneer	Oak Grove	State
11	48.98%	36.05%	43.25%	41.59%	23.51%	27.90%
All	48.98%	36.05%	43.25%	41.59%	23.51%	35.54%

Data retrieved from: <https://caaspp-elpac.ets.org/caaspp/Default>

Objects 11 and 11a, above, reflect the 2023-24 and 2024-25 CAASPP results in English Language Arts (ELA) and Math for Tahoma, ESUHSD, the other schools Tahoma students would have attended, and the State. In both ELA and Math, Tahoma outperforms ESUHSD and the State for both years, and most of the comparison schools.

Object 12: Charter Term Trend of Grade 11 Summit Tahoma Students Scoring at or Above Standard on CAASPP

ELA							
	19-20	20-21	21-22	22-23	23-24	24-25	25-26
Summit Tahoma	COVID	*	69.14%	65.34%	74.49%	65.85%	75.25%
ESUHSD	COVID	70.24%	63.06%	61.84%	60.27%	59.93%	60.55%
Santa Teresa	COVID	78.11%	74.04%	74.06%	67.84%	74.36%	66.80%
Pioneer	COVID	77.69%	63.94%	51.71%	72.20%	72.37%	64.44%
Oak Grove	COVID	65.04%	62.03%	61.82%	55.27%	49.37%	54.27%
State	COVID	49.01%	47.06%	46.66%	47.04%	48.82%	57.41%

Object 12a: Charter Term Trend of Grade 11 Summit Tahoma Students Scoring at or Above Standard on CAASPP

Math							
	19-20	20-21	21-22	22-23	23-24	24-25	25-26
Summit Tahoma	COVID	*	41.46%	45.95%	48.98%	55.42%	53.61%
ESUHSD	COVID	53.07%	38.08%	34.62%	36.05%	35.69%	37.26%
Santa Teresa	COVID	63.67%	51.69%	45.38%	43.25%	49.51%	45.78%
Pioneer	COVID	53.29%	43.71%	34.83%	41.59%	49.51%	42.14%
Oak Grove	COVID	39.70%	25.63%	23.40%	23.51%	22.86%	26.83%
State	COVID	33.76%	33.38%	34.62%	35.54%	37.30%	31.92%

Data retrieved from: <https://caaspp-elpac.ets.org/caaspp/Default> * Data suppressed because fewer than 11 students tested.

Objects 12 and 12a, above, reflect schoolwide student achievement in ELA and Math across the last six years of CAASPP for Summit Tahoma, ESUHSD, the State, Santa Teresa, Pioneer, and Oak Grove. The results reflect the rate of progress for Summit Tahoma students comparable to the rate of progress for their peers at Santa Teresa, Pioneer, and Oak Grove. 2019 – 2020 data is not available as CAASPP testing was not conducted in 2019 and there were fewer than 11 students tested in 2020-21. Summit Tahoma outperforms or is comparable to the various entities as evidenced by the green or red coloration. Green indicates that Tahoma outperforms the entity, Red indicates that the entity outperformed Summit Tahoma. No comparison was made for 2020-21, as fewer than 11 students were tested at Summit Tahoma, and the data is suppressed for privacy purposes.

Object 13: Comparison of the Percentage of Students at or Above Standard on 2026 CAASPP ELA Results for Summit Tahoma, ESUHSD, State, and Schools Near Summit Tahoma

2025-26 CAASPP (ELA)						
Group	Tahoma	ESUHSD	Santa Teresa	Pioneer	Oak Grove	State
ALL	75.25%	60.55%	66.80%	64.44%	54.27%	49.26%
SED	78.57%	53.47%	57.32%	52.04%	52.49%	38.87%
Hispanic/Latino	66.66%	41.42%	45.46%	45.08%	45.56%	39.60%
EL	NA	10.20%	9.09%	18.75%	13.24%	10.44%
SWD	45.45%	12.46%	15.00%	6.67%	18.18%	16.90%

* Data retrieved from: <https://caaspp-elpac.ets.org/caaspp/Default>

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Object 13a: Comparison of the Percentage of Students at or Above Standard on 2025 CAASPP ELA Results for Summit Tahoma, ESUHSD, State, and Schools Near Summit Tahoma

2024-25 CAASPP (ELA)						
Group	Tahoma	ESUHSD	Santa Teresa	Pioneer	Oak Grove	State
ALL	65.85%	59.93%	74.36%	72.37%	49.37%	48.82%
SED	55.56%	51.01%	65.44%	53.33%	41.90%	38.23%
Hispanic/ Latino	55.17%	37.50%	53.46%	57.94%	32.94%	38.84%
EL	NA	10.90%	17.86%	5.88%	11.11%	10.41%
SWD	33.33%	14.00%	18.92%	22.22%	9.52%	16.95%

* Data retrieved from: <https://caaspp-elpac.ets.org/caaspp/Default>

Object 13b: Comparison of the Percentage of Students at or Above Standard on 2024 CAASPP ELA Results for Summit Tahoma, ESUHSD, State, and Schools Near Summit Tahoma

2023-24 CAASPP (ELA)						
Group	Tahoma	ESUHSD	Santa Teresa	Pioneer	Oak Grove	State
ALL	74.49%	60.27%	67.84%	72.20%	55.27%	47.04%
SED	54.29%	49.87%	58.72%	60.18%	49.18%	36.81%
Hispanic/ Latino	65.91%	39.07%	50.00%	60.29%	41.97%	36.78%
EL	NA	9.57%	9.09%	0.00%	10.26%	10.29%
SWD	73.33%	4.07%	9.38%	5.00%	8.33%	15.83%

* Data retrieved from: <https://caaspp-elpac.ets.org/caaspp/Default>

Object 14: Comparison of the Percentage of Students at or Above Standard on 2026 CAASPP Math Results for Summit Tahoma, ESUHSD, State, and Schools Near Summit Tahoma

2025-26 CAASPP (Math)						
Group	Tahoma	ESUHSD	Santa Teresa	Pioneer	Oak Grove	State
ALL	53.61%	37.26%	45.78%	42.14%	26.83%	38.35%
SED	39.29%	28.94%	36.88%	20.20%	25.89%	27.40%
Hispanic/ Latino	36.36%	13.52%	23.67%	15.45%	15.30%	26.95%
EL	NA	8.05%	4.76%	0.00%	10.15%	11.69%
SWD	27.27%	4.50%	7.32%	0.00%	12.12%	13.24%

* Data retrieved from: <https://caaspp-elpac.ets.org/caaspp/Default>

Object 14a: Comparison of the Percentage of Students at or Above Standard on 2025 CAASPP Math Results for Summit Tahoma, ESUHSD, State, and Schools Near Summit Tahoma

2024-25 CAASPP (Math)						
Group	Tahoma	ESUHSD	Santa Teresa	Pioneer	Oak Grove	State
ALL	55.42%	35.69%	49.51%	49.51%	22.86%	37.30%
SED	33.33%	24.79%	38.95%	22.01%	18.09%	26.19%
Hispanic/Latino	33.33%	10.22%	20.51%	25.45%	8.87%	25.74%
EL	NA	4.77%	3.57%	0.00%	5.56%	11.01%
SWD	26.67%	5.00%	10.82%	10.71%	2.38%	13.10%

* Data retrieved from: <https://caaspp-elpac.ets.org/caaspp/Default>

Object 14b: Comparison of the Percentage of Students at or Above Standard on 2024 CAASPP Math Results for Summit Tahoma, ESUHSD, State, and ESUHSD Schools Near Summit Tahoma

2023-24 CAASPP (Math)						
Group	Tahoma	ESUHSD	Santa Teresa	Pioneer	Oak Grove	State
ALL	48.98%	36.05%	43.25%	41.59%	23.51%	35.54%
SED	28.57	23.46%	44.64%	25.00%	17.20%	24.98%
Hispanic/Latino	29.55%	10.90%	18.61%	23.19%	11.56%	23.73%
EL	NA	4.20%	17.39%	3.70%	0.00%	10.25%
SWD	40.00%	14.11%	0.00%	0.00%	0.00%	12.54%

* Data retrieved from: <https://caaspp-elpac.ets.org/caaspp/Default>

Objects 13, 13a, 13b, 14, 14a, and 14b, above, reflect the 2025-26, 2024-25, and 2023-24 CAASPP data as compared to the State, ESUHSD and the ESUHSD schools Summit Tahoma students would otherwise have attended as well as schools in proximity to Tahoma: Santa Teresa, Pioneer and Oak Grove. Overall, Tahoma's ELA and Math scores outperform the comparison schools in both 2023-24, 2024-25, and 2025-26 for all students and the numerically significant student groups (see the green highlights for schools and student groups which are outperformed by Summit Tahoma), yet there are a few instances in which Summit Tahoma is outperformed (see the light red highlights).

ELPI/ELPAC Data

Object 15 below (from <https://caaspp-elpac.cde.ca.gov/>), reflects the 2024-25 English Learner Proficiency Indicator (ELPI) data as evidenced on English Language Proficiency Assessment of California (ELPAC) data. This is compared across Summit Tahoma, the State, ESUHSD, and the schools that Summit Tahoma students otherwise would have attended: Santa Teresa, Pioneer, and Oak Grove. Summit Tahoma outperformed most comparison entities in all categories, except the percentage of students who maintained level 4 (see the green highlights for entities outperformed by Summit Tahoma and the light red highlights for entities that outperform Summit Tahoma). It should also be noted that the State scores also include scores for grades not served at Tahoma.

Object 15: 2025 Comparison of EL Progress Measured by ELPAC

	Tahoma	ESUHSD	Santa Teresa	Pioneer	Oak Grove	State
Increased one or more ELPI levels	42.1%	32.4%	25.0%	35.4%	28.7%	45.2%
Maintained level 4	0.0%	2.0%	2.8%	4.0%	1.9%	1.3%
Total % making progress	42.1%	32.6%	30.6%	39.4%	29.6%	46.4%
Performance Level	NPC	ORANGE	RED	YELLOW	RED	YELLOW
Number of Students	19	3,134	124	99	277	777,537

Data retrieved from: <https://caschooldashboard.org>**Object 15a: 2026 Comparison of EL Progress Measured by ELPAC**

	Tahoma	ESUHSD	Santa Teresa	Pioneer	Oak Grove	State
Increased one or more ELPI levels	16.0%	30.7%	40.0%	29.9%	35.5%	46.8%
Maintained level 4	0.0%	2.4%	4.2%	4.1%	3.7%	0.9%
Total % making progress	16.0%	31.3%	37.7%	33.7%	39.1%	47.4%
Performance Level	NPC	RED	YELLOW	RED	YELLOW	YELLOW
Number of Students	25	3,272	154	98	297	748,916

Data retrieved from: <https://caschooldashboard.org>**Post-Secondary Outcome Data**

Post-secondary outcomes are determined by the number of graduates who enrolled, attended, and graduated from college. This information is collected by the National Student Clearinghouse (NSC) and the most recent available data on the CDE website (<https://dq.cde.ca.gov/dataquest/>) is from 2022-23 (see Table 22 below). This data does not include college persistence or completion for graduates, but does include comparisons to ESUHSD, Santa Teresa, Pioneer, and Oak Grove High Schools.

Object 16: Summit Tahoma 2022-23 College-Going Rate for California High School Students

Name	High School Completers	High School Completers Enrolled in College	College-Going Rate	Enrolled in College (In-State)	Enrolled in College (Out-of-State)	No Record of College Enrollment
Summit Tahoma	82	67	81.7%	75.6%	6.1%	18.3%
ESUHSD	4,742	3,751	79.1%	75.5%	3.6%	20.9%
Santa Teresa	521	422	81.0%	75.2%	5.8%	19.0%
Pioneer	360	319	88.6%	75.6%	13.1%	11.4%
Oak Grove	307	237	77.2%	75.2%	2.0%	22.8%

Data retrieved from: <https://dq.cde.ca.gov/dataquest/>**Renewal Site Visit**

On September 18, CSD staff conducted a Renewal Site Visit to the Summit Tahoma campus. CSD staff visited classrooms, met with site and network leadership, and conducted focus group interviews with educational

partners such as current students, parents, SPS board members, and teachers. During the visit, CSD staff observed instructional practices and most routines consistent with the academic model outlined in the petition.

Finances

Summit Tahoma is operated by Summit Public Schools (SPS), a nonprofit California public benefit corporation that currently manages five (5) California charter schools: Summit Tahoma, Summit Preparatory Charter High, Summit Public School: Shasta, Summit Public School: K2, and Summit Public School: Tamalpais. SPS's consolidated audited financial statements also include Summit Washington (WA) and Community High School Foundation (CHSF), related entities organized as separate 501(c)(3) nonprofit corporations. Summit WA operates two (2) charter schools in Washington State. CHSF supports facilities leasing to SPS and supports teacher pipeline through the Marshall Teacher Residency (MTR) program. Although SPS's audited financial statements include these related entities, Object 17A presents Summit Tahoma-specific financial activity and Object 17B summarizes the audit results reported in SPS's consolidated audited financial statements.

Object 17A, below, presents an eight-year historical financial summary for Summit Tahoma from Fiscal Year (FY) 2018–19 through FY 2025–26. Financial information through FY 2024–25 is based on audited financial reports, while FY 2025–26 reflects unaudited actuals and remains subject to audit adjustments.

Over the period reviewed, Summit Tahoma's revenues increased approximately 39 percent, from \$4.18 million in FY 2018–19 to \$5.82 million in FY 2025–26. Expenditures increased approximately 64 percent, from \$3.86 million to \$6.32 million. Revenues and expenditures fluctuated during this period, reaching their highest levels in FY 2023–24 at approximately \$6.76 million and \$7.03 million, respectively. Although expenditures declined in the two subsequent years, they continued to exceed reported revenues.

Before accounting for intercompany, closure-related transfer separately reported in Object 17A, Summit Tahoma recorded deficit spending in six of the eight years reviewed, including five consecutive years from FY 2021–22 through FY 2025–26. The largest deficit occurred in FY 2024–25 at approximately \$1.13 million. FY 2025–26 unaudited actuals show a smaller deficit of approximately \$502,000, reflecting an improvement from the prior year but continued expenditure levels above revenues.

Closure-related transfers supported Tahoma's ending net assets in certain years. Object 17A reports \$739,178 in FY 2020–21 and \$1,281,009 in FY 2023–24, which Summit explained were allocations of remaining fund balances following the closure of Summit Rainier and Summit Denali and related student transfers. Object 17A also reports a \$26,114 transfer in FY 2022–23. These transfers increased reported net assets but do not represent recurring operating revenue.

The FY 2024–25 deficit included \$609,221 in noncash depreciation expense associated with capitalized facility improvements. Summit indicated that the depreciation schedule aligned with the facilities use agreement term of July 1, 2020, through June 30, 2025. This expense accounted for approximately 54 percent of the reported deficit. Excluding this identified depreciation expense, expenditures still exceeded revenues by approximately \$519,000. While depreciation does not require a current-year cash payment, the remaining deficit indicates a structural imbalance between revenues and expenditures.

Tahoma's ending net assets declined from approximately \$2.54 million in FY 2023–24 to \$1.42 million in FY 2024–25 and \$914,459 in FY 2025–26, a decline of approximately \$1.63 million, or 64 percent, over two years. As a percentage of annual expenditures, the reported ending balance decreased from 36 percent to 20 percent and then to approximately 14 percent. Although the reported fund balance percentage remained above the SCCOE

Summit Public School: Tahoma

Memorandum of Understanding's four (4) percent reserve benchmark, the decline reflects a reduced financial cushion to absorb enrollment shortfalls, unexpected costs, or additional operating deficits.

The SPS Home Office provided Tahoma with a \$1.2 million loan at the close of FY 2024-25 to address financial needs and support maintaining at least 60 days of cash on hand. Summit confirmed that the loan remained fully outstanding as of September 30, 2026. This is an interest-free loan and had no set repayment date. The loan supported Tahoma's liquidity but did not constitute operating revenue or resolve recurring deficit spending. The inclusion of the loan and scheduled repayments in the renewal projections is discussed later in the cash flow section.

In response to continued deficit spending, SCCOE Charter Schools Department staff requested a comprehensive fiscal stabilization plan with the July 1, 2026, budget. Summit subsequently outlined measures in the renewal petition to align staffing and other expenditures with projected enrollment. Proposed adjustments include reducing staffing in both the Science and Mathematics departments from 4.0 to 3.0 full-time equivalent positions beginning in FY 2028, followed by reductions in the DLT special education and Special Projects positions by FY 2029. Additional measures include reducing instructional materials and technology expenditures in proportion to enrollment declines, using SPS Home Office staff for special education services in place of contracted services, and lower SPS Home Office support and district oversight fees associated with declining LCFF revenue. Summit states that these measures are incorporated into its projections and are sufficient to offset the anticipated revenue reductions while maintaining the quality of the academic program.

Based on the historical financial information reviewed, Summit Tahoma maintained positive ending net assets and reported balances above the SCCOE Memorandum of Understanding's four (4) percent reserve benchmark throughout the period. The reduced deficit in FY 2025–26 and Summit's planned cost efficiencies indicate progress toward aligning expenditures with revenues. However, recurring historical deficits, declining net assets, and reliance on an outstanding Home Office loan remain areas of fiscal concern. Although positive net assets provide a financial cushion, sustained balanced operations have yet to be demonstrated. The reported circumstances surrounding Summit Denali's closure during its charter term, following repeated Home Office support for deficit spending, further underscore the importance of defining the duration and conditions of SPS's financial support for Tahoma. Tahoma's fiscal stabilization plan depends on enrollment and revenue assumptions and anticipated expenditure savings that may not fully materialize.

Accordingly, staff recommends, as a condition of renewal approval, that SPS provide a written support commitment to financially support Tahoma in meeting its financial obligations if fiscal distress occurs during the renewal term. The existing Home Office loan does not, by itself, establish a commitment to provide additional support. Without such a commitment, uncertainty remains regarding Tahoma's ability to meet its obligations if the stabilization measures fall short. Continued fiscal monitoring is warranted to assess implementation of those measures, maintenance of adequate reserves and liquidity, and whether actual results support the projected balanced budgets.

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Summit Public School: Tahoma

Object 17A: Tahoma Historical Financial Summary

		2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26
[A]	Total Revenues	4,176,917	3,829,696	5,392,801	5,759,543	5,484,403	6,761,848	5,864,748	5,819,130
[B]	Total Expenses	3,859,072	4,139,276	5,313,795	5,801,125	5,748,463	7,030,733	6,992,932	6,321,339
[C] = [A - B]	Net Income (Loss)	317,845	(309,580)	79,006	(41,582)	(264,060)	(268,885)	(1,128,184)	(502,209)
[D]	Transfer			739,178		26,114	1,281,009		
[E]	Beginning Fund Balance	985,807	1,303,652	994,072	1,812,256	1,770,674	1,532,728	2,544,852	1,416,668
[F]	Adjustment to Beg. Fund Balance		-	-	-	-	-	-	
[G] = [(E+F)+(C+D)]	Total Net Assets, End of Year	\$ 1,303,652	\$ 994,072	\$ 1,812,256	\$ 1,770,674	\$ 1,532,728	\$ 2,544,852	\$ 1,416,668	914,459
[H] = [G/B]	Fund Balance %	34%	24%	34%	31%	27%	36%	20%	14%

1. Source of Data: Audited Financial Reports for FY 2018-19 - 2024-25. FY 2025-26 data is based on Unaudited Actuals
Row[C] is a change in net assets without donor restrictions

Object 17B: Summit Public Schools (SPS) Summary of Annual Audit Reports

Summit Public Schools: Summary of Annual Audit Reports				
Fiscal Year	Auditing Firm	Opinion	Findings	Description
FY2022-23	Clifton Larson Allen LLP	Unmodified	No	None
FY2023-24	Clifton Larson Allen LLP	Unmodified	No	None
FY 2024-25	Clifton Larson Allen LLP	Unmodified	No	None
FY 2025-26	Pending Report due by January 31, 2027			

As reflected in Object 17B, the auditor issued an unmodified opinion for each of the three completed years, indicating fair presentation of SPS's consolidated financial statements, in all material respects, in accordance with generally accepted accounting principles. No audit findings were reported for these years. These audit results provide assurance regarding the presentation of SPS's consolidated financial statements. However, they do not independently establish Tahoma's financial sustainability.

Demographic Data

In accordance with Education Code Section 47607(d)(1)(B) and (C), SCCOE requested, received from CDE, and reviewed aggregate data reflecting pupil enrollment patterns and test score patterns at Summit Tahoma, as well as other demographic data from CDE through the CDE website.

In Objects 18 and 19, a comparison of the average Distance from Standard (DFS) academic assessment scores is made between students who left Summit Tahoma and the students remaining at Summit Tahoma. Object 18 reviews the average DFS for students who left after Census Day, and Object 19 reviews the data for the students who left Summit Tahoma at the end of the year and did not return but could have for the following school year. This does not include students who would age out of the school. Based on the aggregate data from CDE, students who leave Summit Tahoma are not students who appear to have been counseled out based on lower academic performance, as the average DFS in academic assessments for students leaving Summit Tahoma or not returning to Summit Tahoma are higher than or comparable to the students remaining at Summit Tahoma. While most of the scores over the years are less than the scores of the students remaining at Summit Tahoma, there is no indication that any of the students left Summit Tahoma due to counseling out. No complaints were filed with the

CSD on this issue during the charter term. Further, the student enrollment numbers for the students who left Summit Tahoma are for all grades, whereas the number of students tested only includes grades 11, as that is the grade level tested at Summit Tahoma. Further, there was no Dashboard data in 2020-21 or 2021-22 due to the cancelation of statewide testing because of COVID-19.

Object 18: Comparison of Average DFS for Students Who Left Summit Tahoma After Census Day and Summit Tahoma DFS

Academic Year	Subject	Enrolled Beginning of Year but Not Enrolled Conclusion	Cumulative Enrollment	Percent Enrolled Beginning Not Enrolled Conclusion	Number of Students Tested who left Summit Tahoma	DFS Average for Students who left Summit Tahoma	DFS Average for Students Remaining at Summit Tahoma
2019-20	ELA	22	366	6.01	3	4.67	43.0
2019-20	Math	22	366	6.01	3	-110.0	-36.6
2022-23	ELA	22	336	6.55	1	14.0	43.9
2022-23	Math	22	336	6.55	1	-163.0	-43.5
2023-24	ELA	42	441	9.52	1	132.0	51.2
2023-24	Math	42	441	9.52	1	73.0	-21.9
2024-25	ELA	26	396	6.57	1	23.0	64.6
2024-25	Math	26	396	6.57	1	-65.0	-7.7

Object 19: Comparison of Average DFS for Students Attended Summit Tahoma for at Least 90 days and Did Not Return the Following Year and Summit Tahoma DFS

Academic Year	Subject	Enrolled for 90 days in Prior Year but Not on Census Day of Current Year	Prior Year Cumulative Enrollment	Percent Enrolled for 90 days Prior Year but Not on Census Day	Number of Students Tested who left Summit Tahoma	DFS Average for Students who left Summit Tahoma	DFS Average for Students Remaining at Summit Tahoma
2019-20	ELA	43	401	10.72	7	-5.14	43.0
2019-20	Math	43	401	10.72	7	-61.71	-36.6
2022-23	ELA	44	403	10.92	4	-9.75	43.9
2022-23	Math	44	403	10.92	4	-89.25	-43.5
2023-24	ELA	25	336	7.44	3	80.67	51.2
2023-24	Math	25	336	7.44	3	-21.0	-21.9
2024-25	ELA	42	441	9.52	5	83.8	64.6
2024-25	Math	42	441	9.52	5	-21.2	-7.7

REVIEW OF THE CHARTER PETITION

SCCOE CSD Staff reviewed the Renewal Petition using the criteria established in California Education Code Sections 47605, 47607, and 47607.2, consistent with County Board Policy 0420.4 (c) and found the following:

1. Sound Education Program

The Tahoma Renewal Petition presents a research based educational program that meets the required elements of a sound educational program. As one of the seven schools in the Summit Public Schools portfolio, Tahoma benefits from a network-wide educational program. Tahoma's educational philosophy is preparing a heterogeneous student population for success in college and to be thoughtful, contributing members of society. The learning community encourages social and professional relationships between students, staff, and community to guide and enhance college and career planning. Tahoma employs a range of research based pedagogical strategies such as Project-Based Instruction, Socratic Seminars, and core curriculum alignment to California State Standards and Common Core Standards. All core courses meet the University of California a-g requirements and advanced placement courses are College Board approved.

All students are assigned to mentor groups led by one faculty member who serves as the mentor for the group. Each group of students stays with their mentor group and mentor throughout their high school career. The mentor meets daily with the mentees and leads activities and conversations focused on supporting a healthy, balanced, and productive school experience and ensures a successful transition to college in the later years. The mentor works with mentees and families to ensure students are on the right trajectory to meet their short- and long-term goals.

The Expeditions program at Tahoma develops cognitive and non-cognitive skills through context and content in areas such as the Arts, Technology, Media Studies, Health and Wellness, Leadership and Social Change, and Future Planning. Expedition courses consist of electives, enrichment opportunities, and experiences to prepare students for success in college, career, and life. These courses require students to apply knowledge from core academic classes, experience real-world contexts, solve problems that require a multi-disciplinary mindset, and explore interests in arts, performances, and hands-on activities.

Tahoma measures student progress towards career and college readiness using students' development through individual personalized learning plans ("PLP"). The system is managed by a learning management system, now Canvas, as a tool to support the implementation of the model and approach. Tahoma reports a student's score on the Cognitive Skills Rubric contribute more to a student's grade than any other outcome. The seven categories of cognitive skills include: textual analysis, using sources, inquiry, analysis and synthesis, composing/writing, speaking and listening, and products and presentations.

In addition to cognitive skills, students also develop habits of success. Habits of success are a set of skills, mindsets, dispositions, and behaviors grounded in the social nature of learning. Based on the Building Blocks for Learning framework, students develop skills in categories such as self-awareness, stress-management, agency, social awareness/relationship skills, and self-direction for a balance of skills and content knowledge.

Students Performing Below Grade Level:

The Renewal Petition describes Summit Tahoma's Response to Intervention Program, which uses individualized learning that allows students to move at their own pace. Students have "play books" that include subject matter lessons and assessments to determine mastery. Instructors use the platform to review student progress and provide additional scaffolding to those who need support. During Personalized Learning Plan (PLP) meetings among the student, his/her parent or guardian, and his/her mentor, families are informed of the support available to the student. These supports can consist of daily tutoring by peers or adults, weekly office hours held by each teacher, subject specific workshops to re-

teach previously learned concepts or material, and one-on-one and small group sessions with the teacher during the Expedition periods. Each student's progress is regularly monitored by his/her mentor.

Special Education:

Summit Tahoma has 20.4% of its students identified as eligible for special education services. All these students are eligible under the mild-moderate range, as follows:

Object 20: 2025-26 Types of Disabilities Served by Summit Tahoma

Type of Disability	Percentage (primary or secondary disability)
Specific Learning Disability (SLD)	39.02%
Speech or Language Impairment (SLI) only	7.32%
Autism	26.83%
Hard of Hearing (H/H)	2.40%
Other Health Impairment (OHI)	55.00%
SLI as a secondary disability	19.51%

Data provided by Summit Tahoma

The students are fully integrated into the general education environment and are supported by three full-time credentialed special education teachers, with IEP goals for students with special or exceptional needs are woven into each student's PLP, allowing for compliant delivery of service. During the site visit, SCCOE staff reviewed the special education files. Several anomalies were present and Summit Tahoma was provided with additional time to correct and rectify the concerns. During the follow-up visit, CSD staff found improvement, but there were still issues. Across the charter term, SCCOE staff have been concerned with Tahoma's special education file management and provided direction and support, however, the issues continue to persist.

Summit Tahoma is part of the El Dorado Special Education Local Planning Area (SELPA), and special education staff are provided professional development and support from the SELPA, and Tahoma's Charter Management Organization (CMO) administration. CSD Staff reached out to El Dorado SELPA, which stated that Tahoma is in good standing with SELPA, however, several fiscal reports were either late or never submitted over the last year, including enrollment reports, expenditure reports, and the year-end maintenance of effort report (which was submitted late).

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**Object 21: 2025-26 Special Education Enrollment by Program Setting for Summit Tahoma
and Comparison Schools and District and State**

	Tahoma	ESUHSD	Santa Teresa	Pioneer	Oak Grove	State
Special Education Enrollment	76	2,486	261	110	191	883,862
Regular Class 80% or More of the Day	98.7%	35.0%	33.7%	51.8%	29.8%	60.9%
Regular Class 40-79% of the Day	0.0%	46.5%	46.4%	30.0%	55.5%	14.0%
Regular Class 39% or Less of the Day	1.3%	13.5%	16.1%	18.2%	14.1%	16.5%
Separate School & Other Settings	0.0%	5.0%	3.8%	0.0%	0.5%	2.5%
Preschool Setting	0.0%	0.0%	0.0%	0.0%	0.0%	6.1%
Missing/Unknown	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%

Data gathered from Dataquest: <https://data1.cde.ca.gov>

As a condition of the renewal, SCCOE recommends that SPS and Tahoma be required to develop a plan to address the special education file management concerns and the late submission of SELPA finance reports. This plan must include how SPS will support Tahoma's documentation process and Tahoma must implement the plan. CSD Staff will work with Tahoma and El Dorado SELPA to monitor progress through reviews of the plan and periodic spot checks.

English Learners (EL):

The student population at Tahoma includes 7.3% identified as English Learners. SPS: Tahoma has instituted a process to identify English learners and to ensure each student's educational and language development progress is measured annually to help determine individual growth and schoolwide performance. The English Language Development (ELD) Standards are broken down into three parts that allow for (1) interaction with English language, (2) application of English language, and (3) foundational skills for beginning EL students. Members of the SPS Team have been working to improve the quality of instruction for English Learners. Designated ELD is provided to students during Block 5 and students receive instruction at least three times a week, but CSD has recommended that Tahoma revisit this process to ensure that ELD is provided daily, particularly to the lowest level ELs. Integrated ELD occurs throughout all the Blocks through additional vocabulary review/preview, guided practice, and language supports. Tahoma explained that language support is provided for all students, if necessary, in the form of sentence frames, word banks, and scaffolded texts for students. Scaffolded texts are available to all students and can also be assigned by the teacher to specific students.

Educational Leadership

The Executive Director is the educational and instructional leader at Tahoma. He is supported by the Dean of Culture and Instruction, the Dean of Expeditions, and the Dean of Students. The leadership team, in addition to being responsible for teacher supervision and evaluation, provides input and approval of each faculty and staff member's Personalized Learning Plan for Professionals. While the current Executive Director and Dean of Expeditions at Tahoma both hold teaching credentials and administrative credentials, and the Dean of Culture and Instruction holds a teaching credential, the employee

qualifications identified in the body of the Renewal Petition for these positions do not explicitly require a teaching credential, though the Renewal Petition specifies that these administrators “should” have at least a master’s degree in education, at least three years of successful teaching experience, demonstrated proficiency on the California Interstate School Leader Licensure Consortium’s six Professional Standards, and administrative credential holders are given preference. The sample job description for the Executive Director attached to the Renewal Petition does specify that the position requires a teaching credential from California or another U.S. State, so it appears that it is Tahoma’s intent to require at least some teaching credential, despite its omission from the list of administrator qualifications in the body of the Renewal Petition. The sample job description also includes that an administrative credential in California or another state is also required, despite its omission from the list of qualifications in the Renewal Petition. Teaching credentials are also required in the sample job descriptions for the Dean of Culture and Instruction and for the Dean of Expeditions.

The Renewal Petition is required to set for the minimum employment qualifications for the various positions, and the job descriptions attached at Appendix M to the Renewal Petition help detail and supplement the qualifications listed in the body of the Renewal Petition. As discussed more fully below, given the job duties of the Executive Director, Dean of Culture and Instruction, and Dean of Expeditions, including relative to teacher supervision and evaluation educational program development and implementation and the importance of these duties and appropriate teaching knowledge and authorization to their successful implementation, and consistent with the incorporated sample job descriptions, it should be clarified through the MOU that these positions require, at minimum, a California teaching credential or one that is transferrable from another jurisdiction.

The Charter Schools Department Staff concluded the SPS: Tahoma Renewal Petition provides sufficient information to substantiate the required elements for a sound educational program provided the special education file management issues and late SELPA finance reports are resolved and provisions for their maintenance, as well as clarification regarding the administrator teacher credential requirements are included in an addendum to the 2026 MOU.

2. Ability to successfully implement the program set forth in the Petition

Staff found facts demonstrating that the Petitioners are likely to successfully implement the program only if Summit Tahoma resolves the other identified concerns and conditions through the 2026 MOU and/or an addendum thereto, as described more fully throughout this Staff Analysis and Findings of Fact.

3. Affirmation of each of the conditions required by statute

SCCOE Staff found the Petition contains the required affirmations.

4. Reasonably comprehensive description of the required elements

For the description of each element to be considered “reasonably comprehensive,” it is not enough for the Renewal Petition to include a description, but, rather, the description should be acceptable to SCCOE and be consistent with and not contrary to SCCOE’s standards and expectations for charter schools under its oversight. SCCOE’s indication that the description of an element is “reasonably comprehensive” should not be interpreted to mean SCCOE does not believe additional or different terms relating to an element would need to be agreed to by the Petitioner through the 2026 MOU and/or an addendum thereto. Further, while SCCOE may make recommendations for remediation in an area or specify issues or terms that have been or will need to be clarified or resolved through the 2026 MOU and/or an

addendum thereto, this does not mean other areas may not need additional correction to be included in that 2026 MOU and/or in an addendum thereto. Further, the staff's determination of an element as reasonably comprehensive may be premised on noted issues being remediated through that 2026 MOU and addendum process.

Effective July 1, 2026, Financial Audit was removed as a required charter element, and, instead, the requirements regarding how charter schools will conduct are now enumerated in law through AB 126 or the trailer bill language and AB 2647 and codified in Education Code Section 41020. As part of the charter assurances, Tahoma has committed to complying with the new financial audit requirements, which are also addressed through provisions of the 2026 MOU and/or an addendum thereto.

The Charter Schools Department Staff found, as detailed below, that additional specificity and requirements governing Tahoma's educational program, governance, and operations, including its compliance with the required charter elements, will need to be addressed through the 2026 MOU and/or an addendum thereto. It is necessary to CSD Staff's determination that the description of an element is reasonably comprehensive that the parties enter the 2026 MOU and/or an addendum thereto to address current requirements and best practices (including those updated/addressed by the 2026 MOU that has been provided to Tahoma). That expectation informs and should be interpreted as applicable to the analysis of whether the Renewal Petition includes a reasonably comprehensive description of each element and the analysis and recommendations regarding the 2026 MOU and/or an addendum thereto informing, supplementing, and or being required in order for the description of each element to be reasonably comprehensive.

In preparing the Renewal Petition, Tahoma appears to have overlooked some updates. This Staff Analysis will not detail each of these omissions and concerns, but SCCOE Staff recommend that the SCCBOE, as a condition of renewal, require Tahoma to address these corrections, oversights, and omissions.

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

The above discussion of whether the educational program is sound, including but not limited to the concerns regarding the special education file management issues and late SELPA finance reports, is incorporated herein by this reference.

Summit Tahoma's educational philosophy is preparing a heterogeneous student population for success in college and to be thoughtful, contributing to members of society. The learning community encourages social and professional relationships between students/staff and community to guide and enhance college and career planning. Summit Tahoma employs a range of research based pedagogical strategies such as Project-Based Instruction, Socratic Seminars, and core curriculum aligned to Common Core State Standards. All core courses meet the University of California a-g requirements and advanced placement courses are College Board approved. Individual and enrichment support include mentoring, one-to-one tutoring, and the Expeditions Program, which allows for the building of student character and promoting a deep engagement into learning. SCCOE Staff concluded that Tahoma provided sufficient information in the Renewal Petition to substantiate all the required elements for a sound educational program so long as the concerns noted above, including creation and execution of a plan to ensure the special education files are administered and maintained correctly and SELPA reports are timely filed, are addressed and included in the 2026 MOU or an addendum thereto as conditions on the renewal.

The Charter Schools Department Staff believe that this section of the Petition includes a reasonably comprehensive description, subject to the notes and recommended requirements above regarding the soundness of the educational program.

B. Element Two: Measurable Student Outcomes

Summit Tahoma's student outcomes are tied to both state and school-specific priorities, with a focus on academic achievement, student safety, attendance, and campus climate. Key outcomes include meeting or exceeding CAASPP standards in English Language Arts, mathematics, and science, as well as goals for student growth in reading and English Language proficiency. These outcomes align with the Eight State Priorities required by California's Local Control and Accountability Plan (LCAP), ensuring that the school addresses core areas like academic achievement, student engagement, and school climate as well as alignment with the Western Association of Schools and Colleges (WASC) accreditation. Some outcomes, such as CAASPP performance and growth metrics in reading, are associated with specific years and must be updated annually to reflect new targets.

Summit Tahoma's Renewal Petition affirms that these outcomes cover a broad range of student skills, from academic performance to social-emotional well-being. In the Renewal Petition, Summit Tahoma commits to continually updating its goals and performance expectations to reflect the evolving needs of students and state requirements.

The Charter Schools Department Staff believe this section includes a reasonably comprehensive description.

C. Element Three: Method by Which Pupil Progress in Meeting Outcomes will be Measured

To measure the student outcomes listed in Element B, Summit Tahoma utilizes several standardized assessments. These include the Smarter Balanced Assessments for English Language Arts and Mathematics (assessed in 11th grade), and the California Science Test (assessed in 12th grade). English Learners are assessed annually through the English Language Proficiency Assessments for California (ELPAC).

Assessment data is integral to driving instruction at Summit Tahoma. Teachers frequently analyze individual and class-level performance to identify patterns, areas of strength, and students in need of additional support. Data dashboards help streamline this process by providing real-time insights, allowing teachers and school leaders to make informed decisions that enhance student achievement. This data is shared with educational partners, including parents, through progress reports and conferences, and with the chartering authority and other relevant entities through formal reports.

The Charter Schools Department Staff believe this section includes a reasonably comprehensive description.

D. Element Four: Governance Structure

In accordance with Education Code Section 47604, all Summit Public School (SPS) campuses will be operated by Summit Public Schools, a California non-profit public benefit corporation with 501(c)(3) status. Summit Tahoma is governed by the SPS Board of Directors ("the Board")

Summit Public School: Tahoma

pursuant to its corporate bylaws as adopted and subsequently amended from time-to-time, which shall be consistent with the Charter. Board meetings are held in accordance with the Brown Act. Tahoma is one of seven charter schools operated by SPS across California and Washington State.

Interviews with the parents, as part of the annual visit, confirm their active participation and their willingness to lend their voice to the CMO level regarding the uniqueness of their school. Parents participate in the Expeditions showcase and learn about their students' passion projects.

The Renewal Petition specifies that SPS shall comply with the Brown Act, the Political Reform Act of 1974, and Government Code Section 1090 et seq., and provide annual training on these topics.

The Renewal Petition states the Board will comply with all federal, state, and local laws applicable to independent public charter schools and the Board has adopted a Conflict of Interest (COI) Code that has been approved by the Fair Political Practices Commission, as SPS operates in more than one county in California. The COI included in the Renewal Petition (including in appendix section L) is from 2021. As part of the annual reviews, SPS has submitted the 2024 Multi-County Agency Biennial Notice for the COI, however, has not yet submitted the 2026 Biennial Notice for the COI. The most recent COI Code was approved on April 14, 2021, and Summit Tahoma and SPS are required to comply with the current adopted and FPPC approved COI Code.

In accordance with the Political Reform Act and the COI Code, all SPS Board members, as well as the designated SPS CMO leadership and Summit Tahoma leadership, are required to file a "Form 700" Statement of Economic Interests annually disclosing specified interests. During the charter term, SCCOE staff have reviewed Forms 700 filed on behalf of Tahoma reporters and found that directors or staff have identified reportable interests as required.

Summit Tahoma has an English Learner Advisory Committee that encourages parents to advocate and participate in their children's education.

CSD Staff note that the 2021 MOU and Addendum both required updates to the SPS Bylaws that are not included in the Bylaws attached in appendix M to the Renewal Petition and are not acknowledged in the Renewal Petition. For example, the current Bylaws incorrectly fail to acknowledge the authority of SCCBOE to appoint and/or remove a representative to the corporate Board in SCCBOE or its designee's sole discretion, fails to update the requirements for revising the corporate bylaws as required by the 2021 MOU, and include provisions for contracting with Directors that are inconsistent with the requirements of Government Code Section 1090 and/or the Political Reform Act of 1974. The Renewal Petition description is also inconsistent with the current Bylaws. CSD Staff recommends, as a condition of this renewal, SPS be required to update the Bylaws to address those existing requirements as well as any additional requirements in the 2026 MOU and/or an addendum thereto and first provide a copy of the proposed revisions to CSD Staff to ensure compliance prior to the SPS Board approving the revisions.

The Renewal Petition also is not entirely consistent with, or as complete/detailed as, the requirements of the 2021 MOU and/or the addendum thereto. As noted above, because that MOU and addendum are incorporated into the current charter and remain in full force and effect unless and until repealed or replaced, SCCOE staff's analysis and recommendations took the terms of the 2021 MOU and addendum into account when analyzing the Renewal Petition and

its recommendations are premised on Tahoma's ongoing compliance with the terms thereof. Through ongoing maintenance of the 2021 MOU and addendum, in addition to the 2026 MOU and addendum as otherwise recommended herein, or through incorporation into an addendum to the 2026 MOU, Tahoma must be required to address the governance terms that have not been directly incorporated into the Renewal Petition and operate in a manner consistent with SCCOE's standards and best practices for charter schools authorized by SCCBOE. This includes, but is not limited to, a description of how Tahoma ensures parental involvement in *governance* of the Charter School, not only involvement in their individual student's education, but opportunities also to volunteer and participate in school activities, and similar opportunities. Similarly, clarity regarding limitations on the delegation of the Board's authority (e.g., to close a charter school) and the administration's authority to speak on behalf of the Board, requirements for revisions to the corporate bylaws, and SCCBOE's reservation of authority to appoint a representative to the SPS corporate Board, must continue to be addressed through an MOU and/or addendum.

The Charter Schools Department Staff believe this section includes a reasonably comprehensive description, on the condition the Bylaws are required to be updated and additional terms regarding governance and compliance with SCCOE's standards and best practices for charters authorized by SCCBOE be addressed through the ongoing operation of the 2021 MOU and addendum and/or the 2026 MOU and an addendum thereto, as a condition of renewal.

E. Element Five: Employee Qualifications

The Renewal Petition states that Tahoma recruits qualified personnel for all administrative, instructional, instructional support, and non-instructional support capacities. The staff recruited believe in the instructional philosophy outlined in the vision statement. In accordance with Education Code 47605(c)(5)(e), SPS: Tahoma shall be nonsectarian in its employment practices and all other operations. SPS: Tahoma shall not discriminate against any individual (employee or student) on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, including immigration status, or association with an individual who has any of the aforementioned characteristics).

As discussed above, which discussion is incorporated herein by reference, SCCOE Staff notes the SPS: Tahoma's administrator qualifications described in the body of the renewal Charter do not explicitly state these positions require a valid California teaching credential or a credential that is transferable from another state. The possession of a valid credential is implied as the Renewal Petition specifies, "Summit Tahoma administrators should possess a master's degree or higher in education and have demonstrated at least three years of successful teaching experience. Moreover, the job descriptions attached in Appendix M to the charter do include a valid credential as a minimum requirement for the Executive Director, Dean of Culture and Instruction, Dean of Expeditions positions. While administrative credentials are not legally required for administrators at charter schools, possession of at least valid California teaching credentials for the Executive Director and Dean positions would allow those administrators to cover classrooms or teach classes as needs arise. SPS: Moreover, such credentials are essential to the job duties of these positions. Specifically, the Executive Director is charged with preparing and overseeing a comprehensive educational vision, hiring and supervising teachers, and "is expected to coach and support faculty and staff to ensure professional progression and growth." It would be

difficult or impossible for a person who does not have a teaching credential successfully to conduct these functions, including supervising and evaluating credentialed teachers. Tahoma's current Executive Director, Dean of Culture and Instruction, and Dean of Expeditions all hold valid teaching credentials, and Tahoma's Executive Director and Dean of Expeditions also hold current administrative credentials. SCCOE staff recommend adding the teaching credential requirement to the administrative employee qualifications for at least these administrative positions as part of the addendum to the MOU.

SPS: Tahoma continues to work with SCCOE Human Resources to ensure the teaching staff are enrolled in Teacher Credentialing Programs and fulfilling all the legal requirements necessary to perform as teachers. While the Renewal Petition specifically acknowledges the legal requirement that charter schoolteachers "hold the Commission on Teacher Credentialing certificate, permit, or other document required for the teacher's certificated assignment," as well as the appropriate authorization to teach English learners, the teacher job description which was to be included in Appendix M to the Petition was left out of the appendix. SCCOE staff reviewed the teacher job description on the SPS website, which specifies that teachers are required to hold a teaching credential in California *or another US state*. An out of state credential would not satisfy the requirements of law, so SPS: Tahoma must update this job description and ensure that its hiring practices remain consistent with applicable legal requirements. SCCOE had raised this issue during the last renewal, and it was included in the addendum to the 2021 MOU, however, this adjustment has not been made to Tahoma's posted job description.

All SPS special education services are monitored by an experienced teacher who serves as the network's program director and three specialists who support the special education staff at Tahoma. As of the time of the SCCOE Staff renewal visit to SPS: Tahoma, all SPS: Tahoma Staff meet the current credentialing requirements.

The Charter Schools Department Staff believes this section includes a reasonably comprehensive description only if, as a condition of renewal, the addendum to the MOU specifies that the minimum qualifications contained in the charter for the Executive Director, Deans, and Teacher job descriptions include the requirement of a valid "California" teaching credential or a credential that is transferrable to another state and if Tahoma updates the teacher job description to comply with the requirements of law and the addendum to the 2021 MOU.

F. Element Six: Health and Safety

The Renewal Petition specifies that Summit Tahoma maintains and regularly reviews and updates Board-approved policies and procedures to ensure the health and safety of students and staff. Summit Tahoma provided an overview of Health and Safety Policies and Procedures and the process for employee fingerprinting and background checks. All staff are expected to comply with Ed. Code 47605(c)(5)(f), Education Code Section 44691, and all other legal requirements, and Summit Tahoma states it is committed to providing a safe, compliant working environment. Summit Tahoma submitted its 2025-26 Comprehensive School Safety Plan and declared that Summit Tahoma will review and update the plan by March 1 of every year and that the plan shall include the required safety topics. The Renewal Petition specifies that its Employee Handbook, School Safety Plan, and Student/Parent Handbook are all reviewed, updated, and presented to the SPS Board annually for approval to ensure ongoing compliance with state and federal laws and regulations.

Summit Tahoma has updated its description of health and safety policies and procedures to address the changes and new requirements of law that have gone into effect since its Charter was last renewed.

The Charter Schools Department Staff believe this section includes a reasonably comprehensive description.

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

On July 1, 2020, AB 1505 took effect, updating Element G to require schools to provide a reasonably comprehensive description of how the school will achieve a balance of racial and ethnic pupils, special education pupils, and English learner pupils, including redesignated fluent English proficient pupils, reflective of the general population residing within the territorial jurisdiction of the district to which the Summit Tahoma charter was initially submitted, which, as previously established, is ESUHSD. Summit Tahoma's Renewal Petition has been updated consistently with these revised requirements.

Object 22, below, demonstrates that Summit Tahoma's student demographic distribution is not largely reflective of the surrounding East Side Union High School District (ESUHSD) nor the schools that Summit Tahoma students would otherwise have attended. The Hispanic or Latino population at Summit Tahoma is 41.8%, which is less than the 54.1% at ESUHSD, and the Asian population is also lower at Summit Tahoma (14.4%) as compared to ESUHSD (31.4%). Summit Tahoma is located on Oak Grove High School, and its demographics do not reflect those of Oak Grove either.

Object 22: Comparison of 2025-26 Demographic Data Among Summit Tahoma, ESUHSD, and Schools Summit Tahoma Students Would Otherwise Have Attended

	Hispanic or Latino	Asian	Filipino	White	African American	Two or More Races
Tahoma	41.8%	14.4%	3.7%	24.5%	2.7%	10.4%
ESUHSD	54.1%	31.4%	5.5%	4.3%	1.4%	2.6%
Santa Teresa	40.1%	26.8%	3.6%	18.6%	3.1%	6.9%
Pioneer	41.8%	10.3%	3.3%	33.8%	2.2%	8.0%
Oak Grove	64.1%	18.6%	5.1%	5.1%	3.5%	2.9%

Data gathered from Dataquest: <https://data1.cde.ca.gov>

Object 23, below, highlights differences in student group populations between Summit Tahoma, ESUHSD, and the schools Summit Tahoma students would otherwise have attended. Notably, Summit Tahoma has a lower percentage of ELs at 7.7% compared to 22.8% in ESUHSD, and comparable percentages compared to other comparison schools. However, Summit Tahoma's SWD population is significantly higher at 20.2% compared to 12.9% in ESUHSD and the even higher percentage at comparison school Oak Grove (14.8%). The SED population at Summit Tahoma, at 24.5%, is significantly less than ESUHSD's 71.3% and Oak Grove's 79.3%, and less than Santa Teresa (47%) and Pioneer (31.3%).

**Object 23: Comparison of 2025-26 Student Group Data Among Summit Tahoma, ESUHSD, and Schools
Summit Tahoma Students Would Otherwise Have Attended**

	Total Number of Students	SED	EL	SWD
Summit Tahoma	376	24.5%	7.7%	20.2%
ESUHSD	22,560	71.3%	22.8%	12.9%
Santa Teresa	2,205	47.0%	8.2%	11.8%
Pioneer	1,342	31.3%	9.4%	8.2%
Oak Grove	1,288	79.3%	27.1%	14.8%

Data gathered from Dataquest: <https://data1.cde.ca.gov>

Summit Tahoma's recruitment plan outlines broad strategies to attract a student population reflective of ESUHSD. The plan includes both outreach and admissions practices designed to ensure diversity in racial, ethnic, and special student populations. Recruitment materials are printed in multiple languages to accommodate the linguistic diversity of the community, and partnerships are formed with local organizations that serve diverse populations.

Object 24: Comparison of 2025-26 Student Group Data Among Summit Tahoma, ESUHSD, and Comparison Schools

	Hispanic or Latino	Asian	Filipino	White	African American	Two or More Races
Summit Tahoma	41.8%	14.4%	3.7%	24.5%	2.7%	10.4%
ESUHSD	54.1%	31.4%	5.5%	4.3%	1.4%	2.6%
Santa Teresa	40.1%	26.8%	3.6%	18.6%	3.1%	6.9%
Pioneer	41.8%	10.3%	3.3%	33.8%	2.2%	8.0%
Oak Grove	64.1%	18.6%	5.1%	5.1%	3.5%	2.9%

Data gathered from Dataquest: <https://data1.cde.ca.gov>

	Total Number of Students	SED	EL	SWD	Homeless
Summit Tahoma	376	24.5%	7.7%	20.2%	7.7%
ESUHSD	22,560	71.3%	22.8%	12.9%	5.1%
Santa Teresa	2,205	47.0%	8.2%	11.8%	1.0%
Pioneer	1,342	31.3%	9.4%	8.2%	0.6%
Oak Grove	1,288	79.3%	27.1%	14.8%	3.2%

Data gathered from Dataquest: <https://data1.cde.ca.gov>

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Object 25: Summit Tahoma Demographic Data from 2017-18 to 2025-26

	Total Number of Students	Hispanic or Latino %	Asian %	Filipino %	White %	African American %	Two or More Races %
2017-18	342	42.1%	12.9%	4.4%	22.8%	2.6%	8.5%
2018-19	379	44.3%	12.4%	3.2%	21.6%	3.2%	12.9%
2019-20	340	46.5%	12.9%	2.9%	22.6%	2.9%	10.0%
2020-21	470	51.5%	14.3%	3.4%	18.9%	2.8%	7.4%
2021-22	371	49.6%	13.2%	1.9%	21.8%	3.2%	9.2%
2022-23	314	41.4%	13.7%	1.6%	26.4%	3.2%	10.8%
2023-24	427	38.9%	18.5%	4.4%	23.0%	2.6%	10.8%
2024-25	383	39.4%	16.4%	4.4%	23.2%	3.1%	10.4%
2025-26	376	41.8%	14.4%	3.7%	24.5%	2.7%	10.4%

Data gathered from Dataquest: <https://data1.cde.ca.gov>

Object 26: Summit Tahoma Student Group Data from 2017-18 to 2025-26

	Total Number of Students	Percentage of SED	Percentage of EL	Percentage of SWD	Percentage of Homeless
2017-18	342	33.0%	9.1%	13.7%	0.0%
2018-19	379	35.6%	8.7%	14.0%	0.0%
2019-20	340	32.4%	9.4%	15.9%	1.2%
2020-21	470	34.7%	12.6%	16.4%	1.5%
2021-22	371	29.4%	8.9%	18.1%	2.4%
2022-23	314	25.2%	9.9%	18.5%	0.0%
2023-24	427	28.1%	8.0%	17.8%	0.0%
2024-25	383	30.0%	7.3%	20.4%	0.0%
2025-26	376	24.5%	7.7%	20.2%	0.0%

Data gathered from Dataquest: <https://data1.cde.ca.gov>

Object 25, above, shows that Summit Tahoma's racial and ethnic demographic composition has remained relatively stable from 2017-18 to 2025-26, particularly for the Hispanic or Latino population, yet this population is still not reflective of ESUHSD. The Hispanic or Latino percentage has ranged from 38.9% to 51.5%, with the most recent year (2025-26) at 41.8%. The other demographic groups also remain relatively stable but fluctuate slightly from year-to-year as various families move in and out of school, again still not reflecting ESUHSD.

Object 26, above, indicates that the EL population at Summit Tahoma has remained relatively stable over the years with a range of 7.3% to 12.6%; currently EL is 7.7%. The percentage of SWD has steadily increased with a range of 13.7% to 20.4%, currently SWD is 20.2%. The percentage of SED students has remained stable, staying between 24.5% and 35.6%, with a current level of 24.5%. Yet again, these demographics do not reflect ESUHSD.

In April 2026, SCCOE sent Summit Tahoma a Notice of Concern and 47607(e) Notification due to the variance in the student balance between Summit Tahoma and ESUHSD. Tahoma responded in July 2026 and provided a plan to address the issue which is included in the renewal petition.

The Charter specifies, “Each year, Summit Tahoma will review its demographics across various categories (e.g. pupils with disabilities, academically low-achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, socioeconomically disadvantaged pupils, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation, etc.) and implement practices and strategies to achieve a diverse student population.” CSD Staff appreciate that the Renewal Petition acknowledges the necessity of ongoing review and refinement of this plan and Summit Tahoma’s recruitment efforts. This commitment is consistent with SCCOE’s best practices and expectations for charter schools to commit to conducting this analysis and update process at least annually taking account of the results of the most recent open enrollment process.

The Charter Schools Department Staff believe this section includes a reasonably comprehensive description.

H. Element Eight: Admissions Policies and Procedures

Summit Tahoma says it has articulated student admission policies and procedures. The school is nonsectarian, tuition free, and does not discriminate against any pupil based on protected characteristics.

With the changes to the Charter Schools Act since Summit Tahoma’s most recent renewal, the actual policies and procedures for admission – including how Summit Tahoma implements the admission preferences, conducts the public random drawing (lottery) admission procedures, adds students to the waitlist, and offers them admission from the waitlist – must also be included in the Renewal Petition. Summit Tahoma has updated the Renewal Petition to include these items.

Admission to the school is not determined by the place of residence of pupils or parents, except in the case of public random drawing (lottery), as allowed by law. The Renewal Petition also includes the process and way the public random drawing takes place.

The Renewal Petition requests the County Board approval of the current admission preferences in cases in which there are more applicants than spaces at a particular grade level:

1. Children of current Summit Public Schools employees and founders of SPS: Tahoma. This exemption may total up to 10% of enrollment. Founders of SPS: Tahoma have been identified and described in Appendix DD - Founding Group.
2. Siblings of currently enrolled students or graduates of SPS: Tahoma residing within the boundaries of East Side Union High School District (the “District”)
3. Students who are enrolled in, or reside in the attendance boundaries of the public elementary school where SPS: Tahoma is located (when Tahoma is participating in the Charter School Facility Grant Program)
4. Students residing within the boundaries of the District
5. Siblings of currently enrolled students or graduates of SPS: Tahoma residing outside the boundaries of the District
6. All other students who wish to attend the Charter School

The Renewal Petition specifies, “Applicants are invited, but not required, to provide information to establish an approved lottery preference. Staff review information provided in each application and validate preferences, if any, prior to each lottery.” It is not entirely clear what

Summit Tahoma means by staff “validating preferences” prior to the lottery, but it would appear to implicate verification that a particular student who indicates they qualify for a preference does, in fact, meet the requirements for the preference. This further indicates a need to verify information about the particular student, which would be completed through some type of records review. Charter schools are prohibited from requesting or requiring the submission of records prior to enrollment. Therefore, it will be necessary, through the 2026 MOU and/or an addendum thereto, for Tahoma to clarify its verification process and modify it – including postponing such verification until after admission has been offered as part of the enrollment process – as necessary to ensure compliance with the limitation on requesting or requiring the submission of records.

The Renewal Petition also states, “Lottery processes are updated from time to time.” Again, it is unclear specifically what Tahoma intends by this statement. However, a reasonably comprehensive description of Tahoma’s admissions policies and procedures is a required charter element. This necessarily includes a detailed description of its lottery procedures. As such, Tahoma may not unilaterally “update” its lottery processes without first obtaining a determination from the County Superintendent or designee whether the proposed revisions would constitute a material revision to the Charter. This limitation must be specified in the 2026 MOU and/or addendum thereto.

The Renewal Petition specifies that no waitlist for admission (“Admission Priority List”) will “be carried beyond the first ten school days of the school year or into the following school semester.” This implies that Tahoma may hold multiple admission lotteries throughout the year, but the Renewal Petition does not specify. Nor is there any other explanation of how students may apply for and/or be granted admission after the first 10 days of any school year. This explanation will need to be clarified or revised through the 2026 MOU and/or addendum to ensure an established process that comports with the requirements of the Charter Schools Act. Additional details regarding the lottery and admission process consistent with SCCOE’s best practices and expectations are also included in the 2026 MOU.

The sample “Intent to Enroll” form included in Appendix Q to the Renewal Petition is inconsistent with both the explanation of the applicable admission process in the Renewal Petition and the requirements of the 2021 MOU. For example, it does not specify that any of the information that would be used to determine qualification for a preference is optional, it does not include the information necessary to determine whether the first level of preference – for children of employees and founders – would be applicable, and it includes information beyond that which is permitted pursuant to the 2026 MOU. To the extent Tahoma desires to include an optional area for racial/ethnic identification information to help inform its analysis regarding the effectiveness of its outreach efforts, that information must necessarily be in a separate location of the form that would not be visible to or reviewed by staff or the automated enrollment management platform as part of the admissions process or preference “verification” discussed above. The purpose and implementation of such an inquiry would also need to be clarified to SCCOE and an exception from the limitations on information that may be included on the admission application as specified in the 2021 MOU and/or in the 2026 MOU to be specifically agreed upon.

The Charter Schools Department Staff believe this section includes a reasonably comprehensive description only if the various concerns noted above are remediated through the 2026 MOU and/or an addendum thereto.

I. Element Nine: Student Suspension/Expulsion Procedures

Summit Tahoma's Renewal Petition includes its comprehensive suspension and expulsion policies and procedures that have generally been updated to reflect current law, in the Restorative Practices attached as Appendix R and the Suspension and Expulsion Policies attached as Appendix S to the Renewal Petition. The Charter Schools Act requires the Charter to provide a reasonably comprehensive description of the procedures for suspension and expulsion from Summit Tahoma. As such, the appendices setting forth these policies and procedures must be explicitly incorporated by reference into the Renewal Petition. Summit Tahoma may not substantively revise the causes or procedures for suspension, expulsion, and/or involuntary removal, except to comport with requirements of law or to track revisions to the causes and procedures applicable to non-charter California public schools, without a determination from the County Superintendent or designee whether the proposed revision(s) is a material revision to the Renewal Petition. The statement in the Renewal Petition and in Appendix S to the contrary, claiming authority for Summit Tahoma unilaterally to amend these policies and procedures, is incorrect and Summit Tahoma should be required, as a condition of renewal, to acknowledge through the MOU and/or addendum thereto the need to obtain a determination from the County Superintendent or designee whether any proposed revision(s) are material.

These policies and procedures are generally consistent with SCCOE's expectations for best practices and with the changes to this portion of the Charter Schools Act.

Tahoma's policies omit language specifically required by EC Section 47605(c)(5)(I)(iii) addressing notices and protections for homeless or foster children and Indian children, and the policies must be amended to comply with those requirements. The policies must also be updated to reflect that this charter element is now addressed in subdivision (I) rather than (J) of EC Section 47605(c)(5). Additionally, the procedures also include a misstatement regarding the standards related to support persons for a complaining witness in an expulsion procedure for sexual assault or battery, which must be corrected via updates to the procedures documented in the 2026 MOU or addendum.

The Charter School's current expulsion procedures do not articulate procedures for the development, implementation, and/or periodic review of rehabilitation plans for expelled students or establish a process for evaluating and determining eligibility for readmission in a manner consistent with the requirements of AB 1230, which became effective January 1, 2026. AB 1230 amended provisions of the Education Code governing student discipline – specifically, Education Code sections 48916, 48916.1, and 48926 – to impose additional obligations related to individualized rehabilitation planning, ongoing progress monitoring, and equitable access to readmission. Because Tahoma implements student discipline and expulsion procedures in alignment with Education Code Section 48900 et seq. and is required to afford students due process in the suspension, expulsion, and involuntary removal processes, SCCOE Staff recommend it update its procedures to be consistent with these amended statutory requirements applicable to non-charter public schools and to protect student's educational rights.

The Charter Schools Department Staff believe this section includes a reasonably comprehensive description, only if the above issues are clarified and corrected through the 2026 MOU and/or an addendum thereto.

J. Element Ten: Employee Retirement System

The Summit Tahoma Renewal Petition states there is a collective bargaining agreement between Summit Public Schools and Unite Summit/CTA/NEA. All eligible employees of Summit Tahoma who provide creditable service may participate in the State Teachers Retirement System (STRS). All employees not providing creditable service for STRS will participate in a 401(a) retirement system. The Renewal Petition fails to specify that all employees who do not participate in STRS will participate in social security, however, it is included in the employee handbook that employees will have payroll FICA deductions. Clarification as to retirement system for all employees must be specified in an addendum to the 2026 MOU. SPS's Human Resources, People Operations and Finance Teams ensure that appropriate arrangements for each employee have been made available.

The Charter Schools Department Staff believe this section includes a reasonably comprehensive description so long as clarification is made as part of the 2026 MOU or addendum thereto.

K. Element Eleven: Public School Attendance Alternatives

No students are required to attend Summit Tahoma. Students who choose not to attend Summit Tahoma may attend the district of residence schools or pursue an intra- or inter-district transfer in accordance with existing district enrollment and transfer policies. Parents and guardians of each student enrolled in Summit Tahoma will be informed their students have no right to admission to a particular school of any local education agency as a consequence of enrollment in Summit Tahoma, except to the extent such a right is extended by the local education agency.

The Charter Schools Department Staff believe this section includes a reasonably comprehensive description.

L. Element Twelve: Description of the Rights of An Employee of the County Superintendent of Schools, Upon Leaving the Employment of the County Superintendent of Schools, to be Employed by the Charter School

The Summit Tahoma Renewal Petition addresses the return rights of employees of the "school district or local educational agency" in accordance with applicable law. However, SCCOE employees are employees of the "Santa Clara County Superintendent of Schools." This will need to be clarified in the MOU and/or addendum thereto. This should have been adjusted during the prior renewal.

The Charter Schools Department Staff believe this section includes a reasonably comprehensive description, but it must be updated through the 2026 MOU and/or addendum thereto to reflect the Santa Clara County Superintendent of Schools as the employer of personnel at SCCOE.

M. Element Thirteen: Dispute Resolution

Summit Tahoma includes a proposed dispute resolution procedure in the Renewal Petition which acknowledges Summit Tahoma cannot bind the SCCOE to any dispute resolution process to which it did not agree. Summit Tahoma has agreed to the terms which are set forth in the 2021 MOU and 2021 Addendum which replaced the language proposed in the Charter. However, the

new Renewal Petition did not include any of the current language. The dispute resolution procedures proposed by Summit are inconsistent with SCCOE's standards and practices and Staff recommend against agreeing with Summit's proposal. This language continues to remain in effect until the new MOU is established. Summit Tahoma has received the proposed 2026 MOU, which will again address the dispute resolution process, and will be further updated through an addendum to take account of the impact of recent changes to the Charter Schools Act.

The Charter Schools Department Staff believe this section includes a reasonably comprehensive description as a placeholder, but recommends against agreeing to the proposed process, and instead, recommends that this element of the Renewal Petition be replaced in its entirety through the 2026 MOU and/or an addendum thereto be consistent with the SCCOE's most current dispute resolution language.

N. Element Fourteen: Closure Protocol³

Summit Tahoma outlines a process to be used if the charter school closes. The 2021 MOU and 2021 Addendum contain language which remains in effect until a new MOU is established. Summit Tahoma has received the proposed 2026 MOU, which will again address the dispute resolution process. The Renewal Petition specifies that Tahoma shall comply with the closure procedures prescribed in any MOU with SCCOE that are consistent with applicable legal requirements, which are incorporated into the Renewal Petition by reference.

Staff notes that the provisions in the Renewal Petition regarding the disposition of assets generated exclusively through state and federal apportionment funds for Charter School students are inconsistent with the 2021 MOU and best practices to ensure such funds go to a Santa Clara County public school consistent with the purpose of those public education dollars. Per the terms of the Renewal Petition, however, the 2021 MOU closure terms would prevail over the inconsistent terms that were inexplicably included in the Renewal Petition.

The Charter Schools Department Staff believe this section includes a reasonably comprehensive description, though recommends it be required to be fine-tuned through the MOU and/or an addendum thereto be consistent with the SCCOE's most current closure protocol best practices and to be internally consistent with Summit's existing obligations.

Required Supplemental Information

CSD Staff reviewed Tahoma's renewal petition, which includes the budget narrative, projected budget, and cash flow for Fiscal Years (FY) 2026-27 through 2031-32, together with supplemental documents, information presented at the public hearing, and explanations provided during the fiscal review to assess Tahoma's financial position. Supplemental materials reviewed include, but are not limited to, financial audits, monthly financial statements, state-required financial reports, annual visit documents, and the Fiscal Crisis Management Assessment Team (FCMAT) Local Control Funding Formula (LCFF) Calculator. Staff used the FCMAT calculator to independently recalculate the LCFF Revenue sources reported in the renewal petition.

³ For some reason, the Renewal Petition includes a statement about employment pursuant to the Educational Employment Relations Act as Element N, but since 1999 this statement has not been a required charter "element," but it is instead a separate mandatory requirement. As such, this Staff Analysis will address this provision separately, and not as a charter element, thus the Closure Procedures element is numbered differently in this Staff Analysis than in the Renewal Petition.

Enrollment & Average Daily Attendance (ADA)

The objects 27A & 27B, below, present Summit Tahoma's historical and projected enrollment and Average Daily Attendance (ADA). While enrollment began and ended the historical period at virtually identical levels, beginning at 379 students in FY 2018–19 with 376 students in FY 2025–26, there were significant fluctuations during the period. Tahoma experienced two significant increases associated with the closure of SPS-affiliated schools. Enrollment increased from 340 students in FY 2019–20 to 470 in FY 2020–21 following Summit Rainier's closure in June 2020 and the resulting influx of students from Rainier. Enrollment subsequently declined to 371 students in FY 2021–22 and 314 in FY 2022–23. A similar influx following Summit Denali's closure in June 2023 contributed to an increase to 427 students in FY 2023–24. Enrollment then declined to 383 in FY 2024–25 and 376 in FY 2025–26. These closure-related enrollment increases provide important context for assessing historical enrollment trends, as they do not necessarily indicate sustained growth through ongoing recruitment.

Tahoma's ADA generally followed its enrollment trend, reaching 430.50 in FY 2020–21, declining to 285.02 in FY 2022–23, and increasing to 394.84 in FY 2023–24. ADA subsequently decreased to 353.11 in FY 2024–25 and 349.20 in FY 2025–26. The school's ADA rate ranged from approximately 91% to 95% during the historical period. Following a decline to approximately 91% in FY 2022–23, the rate improved to approximately 93% in FY 2025–26.

The FY 2026-27 adopted budget, submitted on July 1, projected enrollment of 380, 384, and 388 students for FY 2026–27 through FY 2028–29, respectively, with a projected ADA rate of 94%. Summit subsequently revised its Renewal Petition enrollment assumptions downward based on actual enrollment. The updated projections assume 360 students in FY 2026–27, 355 in FY 2027–28, 350 in FY 2028–29, and FY 2029–30. Enrollment is projected to increase to 360 students in FY 2030–31 and remain at that level through FY 2031–32. Corresponding ADA ranges from 329.00 to 338.40, based on a 94% ADA rate in all projected years.

The Renewal Petition's grade-level enrollment model assumes 75 ninth-grade students in FY 2026–27 and 90 annually thereafter, with enrollment reaching 90 students in each of Grades 9–12 by FY 2030–31. Achieving these projections will depend on Tahoma's ability to recruit approximately 90 incoming ninth-grade students annually beginning in FY 2027-28, retain existing students, and enroll additional students where projected grade-level counts exceed the preceding year's cohort. As part of the fiscal stabilization plan, Tahoma also proposes adjusting staffing to align expenditures with lower enrollment. As discussed in the historical financial analysis, enrollment declines and recurring operating deficits underscore the importance of implementing these adjustments and monitoring whether expenditures remain aligned with actual revenue.

Overall, Tahoma's projected enrollment of 350–360 students is below its recent historical enrollment and reflects a more conservative assumption than the July 1 adopted budget submission. The projected 94% ADA rate remains within the historical range but exceeds the approximately 91%–93% achieved in each of the past six fiscal years. Accordingly, the revised enrollment projections appear more closely aligned with recent trends, while achieving projected ADA will require improved attendance. The successful implementation of the school's fiscal stabilization plan will depend on sustained recruitment and retention, achievement of the projected attendance rate, and timely implementation of staffing and expenditure adjustments.

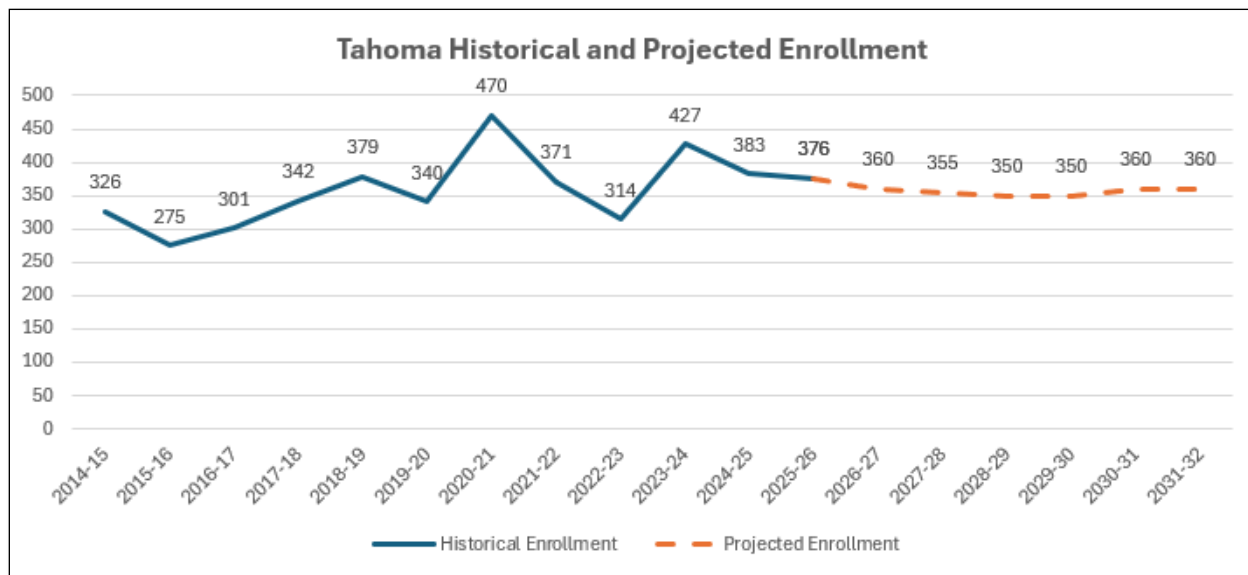
Summit Public School: Tahoma

Object 27A: Tahoma Historical and Projected Enrollment and ADA

	Historical Data								Enrollment Projection					
	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32
Grade 9	97	76	93	71	75	98	104	91	75	90	90	90	90	90
Grade 10	95	93	97	89	75	102	95	102	91	80	90	90	90	90
Grade 11	91	87	139	91	81	109	87	96	99	90	80	90	90	90
Grade 12	96	84	141	120	83	118	97	87	95	95	90	80	90	90
A. Actual Enrollment	379	340	470	371	314	427	383	376						
B. Projected Enrollment									360	355	350	350	360	360
C. Incr/(Decr) in Enrollment ²	37	(39)	130	(99)	(57)	113	(44)	(7)	(16)	(5)	(5)	0	10	0
D. Percentage change in Enrollment ³	11%	-10%	38%	-21%	-15%	36%	-10%	-2%	-4%	-1%	-1%	0%	3%	0%
E. ADA	357.26	324.50	430.50	344.59	285.02	394.84	353.11	349.20	338.40	333.70	329.00	329.00	338.40	338.40
F. ADA % ⁴	94%	95%	92%	93%	91%	92%	92%	93%	94%	94%	94%	94%	94%	94%

¹ Historical enrollment data is based on Census Day enrollment and historical ADA is based on P2 ADA.
² FY 2026-27 through FY 2031-32 reflects projections included in the Renewal Petition.
³ Current Year Enrollment minus Prior Year Enrollment
⁴ Row C/Prior Year Enrollment
⁵ Row F/Row A or Row B

Object 27B: Tahoma Historical and Projected Enrollment



Revenues & Expenses

Object 28, below, presents Tahoma's multiyear projections for the current and the five-year renewal term, FY 2026-27 through FY 2031-32. Tahoma projects a deficit of \$104,465 in FY 2026-27, followed by modest annual surpluses ranging from \$21,513 to \$96,125. As discussed in the finance and enrollment sections, the projected improvement reflects planned staff reductions and other cost efficiencies and depends on achievement of the enrollment and attendance assumptions presented in Objects 27A and 27B.

As a result of the FY 2026-27 deficit, ending net assets are projected to decrease from approximately \$914,000 at the beginning of the year to \$810,000 at year-end, then gradually recover to approximately \$1.08 million by FY 2031-32. Projected ending net assets represent 13% to 16% of annual expenditures throughout the projection period, remaining above the 4% minimum established in the SCCOE MOU.

Object 28: Tahoma Renewal Petition Multi-Year Projection Summary

		2026-27*	2027-28	2028-29	2029-30	2030-31	2031-32
[A]	Total Revenues	6,005,919	6,046,585	6,003,599	6,200,628	6,506,270	6,677,430
[B]	Total Expenses	6,110,384	6,025,072	5,953,825	6,158,271	6,410,145	6,614,576
[C] = [A - B]	Net Income (Loss)	(104,465)	21,513	49,774	42,357	96,125	62,855
[D]	Beginning Fund Balance	914,459	809,993	831,506	881,281	923,638	1,019,763
[E]	Adj. to Beg. Fund Balance	-	-	-	-	-	-
[F] = [(D+E) + C]	Total Net Assets, End of Year	\$ 809,993	\$ 831,506	\$ 881,281	\$ 923,638	\$ 1,019,763	\$ 1,082,617
[G] = [F/B]	Reserve Percentage	13%	14%	15%	15%	16%	16%

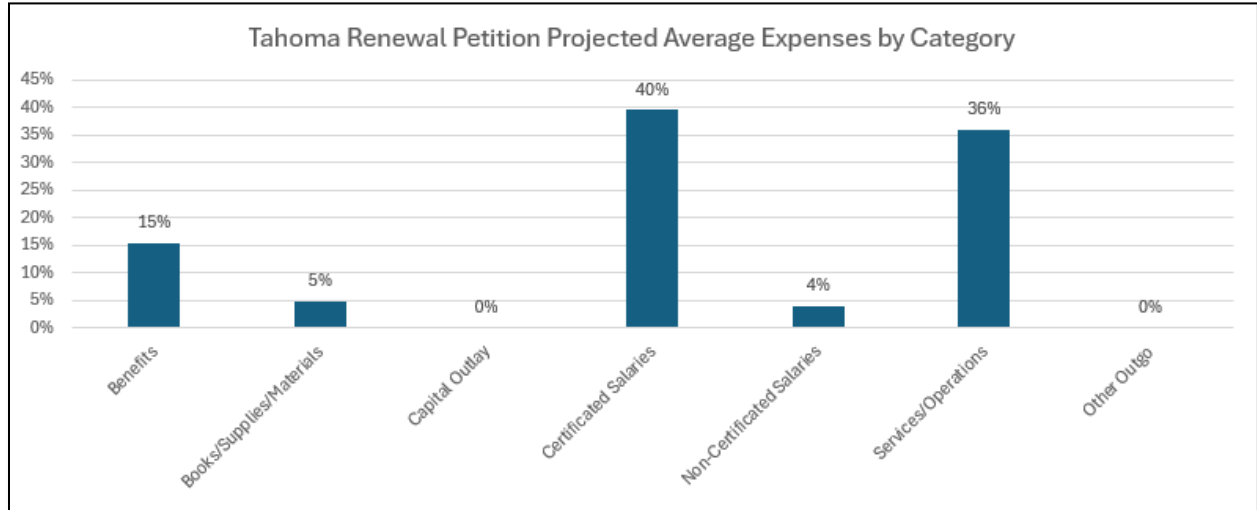
1. Source of Data for *FY 2026-27 - FY 2031-32 Renewal Petition projections.

Total revenues are projected to increase approximately 11% from \$6.01 million in FY 2026–27 to \$6.68 million in FY 2031–32. LCFF remains Tahoma’s principal revenue source, representing approximately 81% of projected revenues, with cost-of-living adjustments contributing to revenue growth. Other sources include 14% in state and 3% in federal categorical funding, and a modest 2% in local revenues. The school’s reliance on LCFF makes achievement of the projected enrollment and ADA particularly important to maintain balanced operations.

Total expenditures are projected to decrease from approximately \$6.11 million in FY 2026–27 to \$5.95 million in FY 2028–29, then increase to approximately \$6.61 million by FY 2031–32. The initial decrease reflects the staffing reductions discussed in the finance section. Summit reports approximately \$220,000 in annual salary and benefit savings from the initial reductions, increasing to approximately \$469,000 in cumulative annual savings following the additional reductions, and confirms that these savings are incorporated into the multiyear projections. Summit also reports adjustments to enrollment-related expenditures and special education contracted services to improve cost efficiency. These measures help offset lower enrollment-related revenues and projected annual salary increases of approximately 3% to 4%, as well as health and welfare benefit increases of 6%.

As reflected in Object 29, personnel costs account for approximately 59% of the projected expenditures, including 40% for certificated salaries, 4% for noncertificated salaries, and 15% for benefits. Services and other operating expenditures represent approximately 36%, while books, supplies, and materials account for approximately 5%. Operating expenditures include SPS partnership support fees, special education services, facilities, and other contracted services.

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Object 29: Tahoma Renewal Petition Average Expenses by Category

SCCOE staff find that Tahoma’s reported expenditure reductions and multiyear projections provide a reasonable basis for a cautiously optimistic assessment of its fiscal outlook and support renewal from a fiscal perspective, subject to the financial support commitment recommended in the historical financial performance section. The planned measures address the revenue-expenditure imbalance, and the projections indicate a gradual return to positive operating results and the rebuilding of reserves.

However, Tahoma’s recurring historical deficits and declining net assets warrant continued attention. Projected annual surpluses remain below 2% of revenues, providing limited flexibility to absorb enrollment or attendance shortfalls, higher expenditures, or changes in funding. Sustained fiscal improvement depends on the timely implementation of reported cost efficiencies and the alignment of ongoing expenditures with recurring revenues. As discussed in the historical finance section, staff recommend that renewal approval include a SPS written financial support commitment to be incorporated into an addendum to the MOU.

Additionally, staff recommends continued monitoring of enrollment and ADA, actual staffing and contracted-service savings, operating results, and cash flow throughout the renewal term, with timely corrective action if financial performance falls below projections.

Cash Flow

Tahoma’s Charter Renewal Petition includes cash flow projections for FY 2026–27 through FY 2031–32. Object 30 shows historical and projected year-end Days of Cash on Hand (DCOH). Projected DCOH ranges from 58 to 75 days and remains above SCCOE’s 60-day benchmark through FY 2030–31 before declining to 58 days in FY 2031–32, slightly below the benchmark.

Historically, DCOH exceeded 60 days from FY 2018–19 through FY 2021–22, declined to 29 days in FY 2022–23, and recovered to 91 days in FY 2023–24. DCOH subsequently increased to 154 days in FY 2024–25 and was 129 days in FY 2025–26, based on unaudited actuals. As discussed in the finance section, Tahoma received nonrecurring fund balance transfers following the closures of Summit Rainier and Summit Denali, as well as a subsequent SPS home office loan. These sources

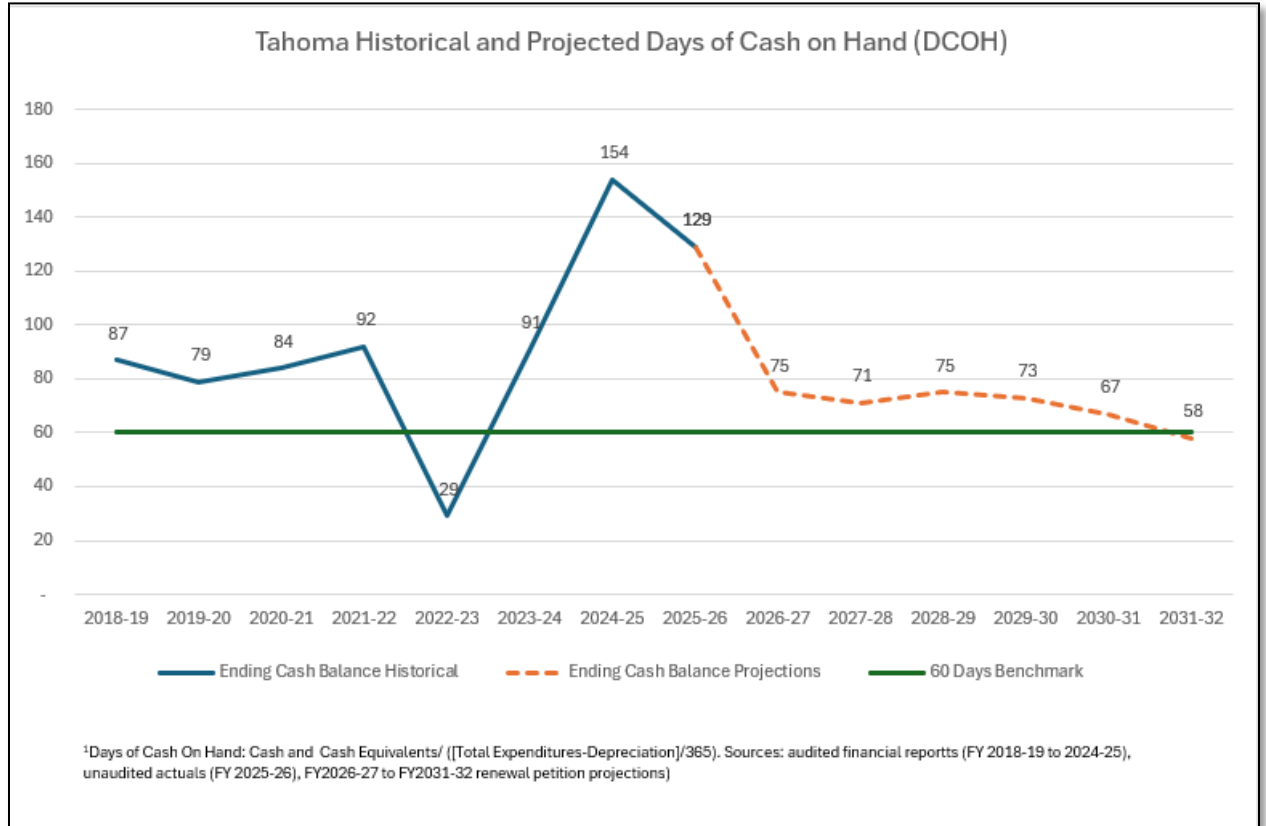
of support should be considered when assessing historical cash levels and the school's ability to sustain operations through recurring revenues.

Object 31 compares year-end cash and ending net assets. Cash exceeded net assets in FY 2024–25 and FY 2025–26, reflecting, in part, the \$1.2 million SPS home office loan received in June 2025. Borrowed funds increase cash and corresponding liabilities without increasing net assets. As of September 30, 2026, no repayments had been made, and the full loan balance remained outstanding. Summit reports that the loan is interest-free and has no established repayment deadline. The cash flow projections nevertheless include repayments of \$100,000 in December 2027 (FY 2027–28), \$100,000 in January 2031 (FY 2030–31), and \$200,000 in January 2032 (FY 2031–32). These scheduled repayments total \$400,000, leaving \$800,000 outstanding at the end of the projection period, assuming no additional repayments or changes to the loan terms. Although the loan supports liquidity, the remaining balance represents an obligation unless formally forgiven by SPS.

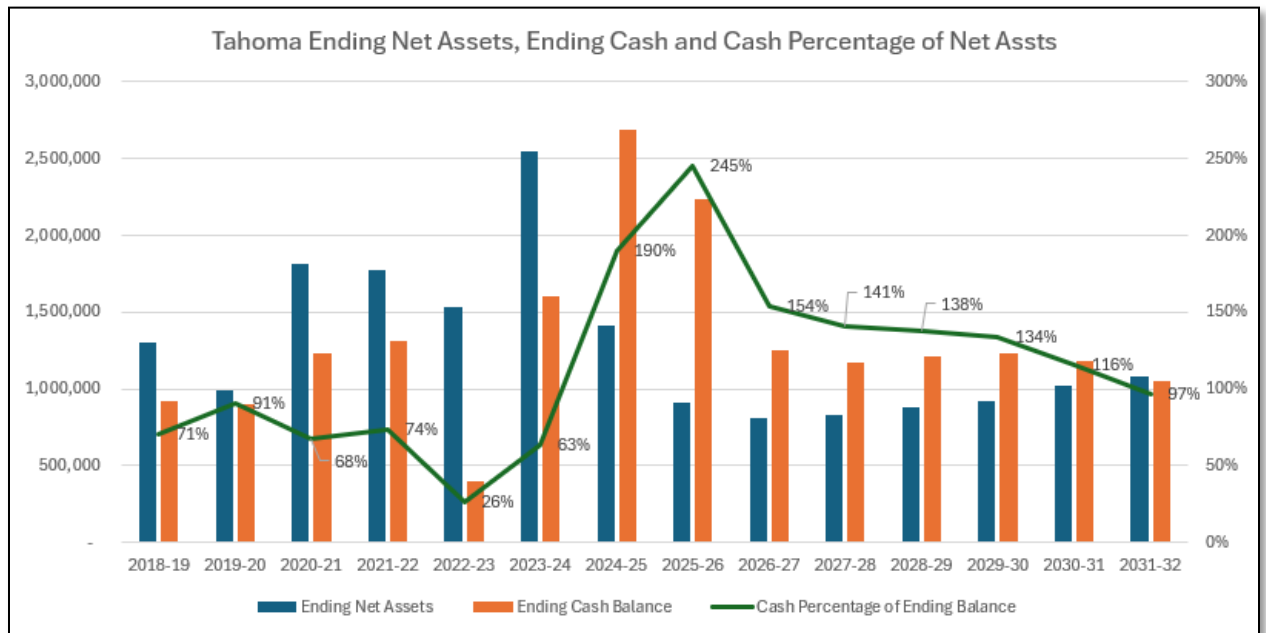
Overall, the projections support a cautiously favorable assessment of Tahoma's ability to meet operating needs during most of the renewal term, provided the school achieves its enrollment and attendance assumptions and implements the fiscal stabilization measures discussed earlier. However, the projected decline in DCOH to below the 60-day benchmark in the final year, together with the remaining loan obligation, indicates limited flexibility to absorb enrollment shortfalls, operating deficits, or delays in revenue receipts. Long-term fiscal sustainability will depend on maintaining balanced operations and sufficient cash while meeting repayment obligations. Continued monitoring of monthly school-level cash flow, actual results against projections, and implementation of the stabilization plan will be important throughout the renewal term, as year-end cash balances alone may not identify cash shortfalls during the year.

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Object 30: Tahoma Historical and Renewal Petition Days of Cash on Hand (DCOH)



Object 31: Tahoma Historical Ending Net Assets, Ending Cash and Cash as a Percentage of Net Assets



Cash exceeding net assets in FY 2024-25 and FY 2025-26 reflects approximately \$1.2 million in home office loan support. Net assets equal total assets minus total liabilities, so borrowed funds increase cash but not net assets. Cash as a percentage of net assets = ending cash/ending net assets. Sources: audited financial reports (FY 2018-19 to 2024-25), unaudited actuals (FY 2025-26), FY 2026-27 to FY 2031-32 renewal petition projections.

Potential Civil Liability Effects on the School and County Office

Summit Tahoma is following its current MOU, including the insurance and indemnification, defense, and hold harmless provisions, however, it has not updated its bylaws. The Renewal Petition specifies that Summit Tahoma will carry insurance as recommended by its insurance company and enter an MOU to indemnify SCCOE. It is essential that Summit Tahoma comply with the SCCOE's current requirements regarding insurance and indemnification, defense, and hold harmless (not just its insurance carrier's recommendations) to protect SCCOE and Summit Tahoma from potential civil liability effects of Summit Tahoma's operations. The 2021 MOU – including its insurance and indemnification obligations – will remain in effect unless and until a new MOU or addendum to the MOU replacing it in whole or part is entered into, which will address any new provisions as required by SCCOE's risk management team. There is no reason to believe Summit Tahoma will not continue to abide by SCCOE's requirements and the agreed upon MOU and/or an addendum thereto.

5. Exclusive Public Employer

As required by the Charter Schools Act, the Charter specifies SPS shall be deemed the exclusive public employer of the employees of the Charter School for the purposes of Educational Employment Relations Act ("EERA").

6. Requirements for Grade-Levels Served, Facility Location, and Students Served

Summit Tahoma currently serves 9-12. It is located within the boundaries of the ESUHSD on Oak Grove High School, and Summit Tahoma plans to remain at that location throughout the renewal term. Summit Tahoma is located at 285 Blossom Hill Rd., San Jose, California 95123.

The Charter Schools Department Staff found Summit Tahoma met the requirements for grade levels served, facility location, and students served.

7. Any Other Criteria Set Forth in the Statute

Since Summit Tahoma's Charter was last renewed, several new laws have gone into effect, including but not limited to AB 1505, AB 1507, AB 1219, SB 126, SB 820, SB 98, AB 126, and AB 2467 which enacted broad changes to the Charter Schools Act. Summit Tahoma will need to comply with the changes to the law.

The Renewal Petition specifies that Summit Tahoma will provide transportation only as required by a student's IEP. It is also necessary that Summit Tahoma provide transportation as required by the McKinney-Vento Homeless Assistance Act and/or any other requirement of law. This compliance should be specified in the MOU and/or an addendum thereto.

ADDITIONAL CRITERIA FOR DENYING A CHARTER RENEWAL

Background

As noted above, any charter may be denied renewal pursuant to the standards and procedures in EC Section 47607(e), including upon a finding that the school is not serving all pupils who wish to attend. The chartering authority must provide at least 30 days' notice to the charter school of the alleged violation and provide the school with a reasonable opportunity to cure the violation, including a corrective action plan proposed by the

charter school. The chartering authority may then only deny renewal if it finds either (1) “The corrective action proposed by the charter school has been unsuccessful” or (2) “The violations are sufficiently severe and pervasive as to render a corrective action plan unviable.” (EC Section 47607(e).)

On April 27, 2026, in response to direction from SCCBOE, in accordance with the requirements of EC Section 47607(e) related to potential nonrenewal of a charter because the charter school is not serving all pupils who wish to attend, SCCOE issued Tahoma an EC Section 47607(e) Notice and provided Tahoma a reasonable opportunity to cure the violations. The Notice and evidence contained therein, attached hereto as Exhibit 1, are incorporated herein by this reference as if set forth in full herein and will not be repeated in detail in this Staff Analysis and Proposed Findings of Fact. Thus, SCCBOE has complied fully with the procedural requirements for charter denial pursuant to EC Section 47607(e), including providing over 30 days as Tahoma’s reasonable opportunity to cure the violation described in the Notice.

This section of the Staff Analysis analyzes this violation, whether Tahoma’s corrective action plan has been successful, and whether the Charter should be denied renewal on this basis.

On July 10, 2026, Tahoma provided a response to the Notice including a comprehensive corrective action plan to address the violations identified in the Notice, which response and corrective action plan is attached hereto as “Exhibit 2” and is also incorporated herein by this reference and will not be repeated in full herein. Tahoma’s response and its corrective action plan indicated a commitment to continue its work in addressing these concerns and a desire and commitment to work in partnership with SCCOE to address the issues identified in the Notice. This corrective action plan includes annual reviews of Tahoma’s efforts in the following areas:

1. *Recruitment Infrastructure:* Tahoma commits to maintaining and continuously improving its recruitment and outreach infrastructure.
2. *Community Outreach Events:* Tahoma commits to conducting proactive, culturally responsive outreach in the communities it serves at times and locations convenient to families in the region.
3. *Application Materials and Language Access:* Tahoma commits to ensuring that application and informational materials are available in primary languages spoken in the San Jose Area, including English, Spanish, Vietnamese, Mandarin, and Cantonese, with translation services available for additional languages.
4. *Website and FAQ Accessibility:* Tahoma commits to reviewing and updating its website and FAQ materials on an ongoing basis to ensure language is clear, welcoming, and accessible to all prospective families.
5. *Application Assistance:* Tahoma commits to continuing to provide on-site application assistance and informational sessions at times convenient to working families, including evenings and weekends.

On August 6, 2026, CSD Staff provided a response to Tahoma’s response and corrective action plan, attached hereto as “Exhibit 3,” and incorporated herein by this reference and will not be repeated in full herein.

While Staff notes that there have been areas of improvement and incremental progress in Tahoma’s service of students from historically underserved student groups across the current charter term, there continue to be concerns with Tahoma not serving all students who wish to attend, as detailed in the Notice. SCCOE understands it takes time and implementation of the corrective action plan elements, including ongoing review and modification to plan elements as needed, in order successfully to address and alleviate these issues. The corrective action plan proposed by Tahoma is a step in the right direction and must be implemented with fidelity. CSD Staff also recognize that Tahoma provides a valuable, high-quality educational program to its students who benefit from it. As such, CSD Staff believes that, on balance, it is not in the best interest of students to nonrenew

Tahoma's Charter and for the school to close, provided that Tahoma commits to and is required as a condition of renewal to comply with the obligation to continue improving and implementing, reviewing, and updating as necessary its corrective action plan. CSD Staff believes that approval of the renewal for a term of five years, subject to the conditions described herein and in the proposed resolution – specifically including a condition requiring Tahoma to implement its corrective action plan on an ongoing basis – is consistent with sound educational practice.

CONCLUSION

The Charter Schools Department Staff reviewed Summit Tahoma's Renewal Petition and considered it against the standards for renewal of middle performing school, utilizing the criteria set forth in Education Code Sections 47605, 47607, and 47607.2.

Staff recommend the Summit Tahoma Charter be renewed with the condition that Summit Tahoma and SPS enter into the 2026 MOU and/or an addendum thereto on or before January 31, 2027, or such later deadline as agreed to by the County Superintendent or designee, which addresses each of Staff's concerns and recommended conditions identified above, including as specifically reviewed in this Staff Analysis. Recommendations, and Proposed Findings of Fact, and as necessary to update and/or replace the terms of the 2021 MOU, and any addenda thereto, to be consistent with current law and SCCOE best practices, as well as any additional conditions identified by the SCCBOE.

Staff further recommends that the SCCBOE effectuate these actions by adopting the proposed resolution entitled: Resolution Approving with Conditions for a term of July 1, 2027, through June 30, 2032, the Charter Renewal for Summit Tahoma Charter School, and, Alternatively, Making Written Factual Findings Supporting Denial & Denying the Summit Tahoma Charter School Charter Renewal if the Requirements Are Not Met.

Student Impact

The Charter School Department provides oversight and monitoring for 20 County Board of Education authorized charter schools. Summit Tahoma was authorized in 2013 and currently serves approximately 360 students.

EXHIBIT 1: 47607(e) Notification

EXHIBIT 2: Summit Tahoma Response and Corrective Action Plan

Summit Public School: Tahoma

EXHIBIT 3: SCCOE Response to Summit Tahoma



Santa Clara County Office of Education

Dr. David M. Toston, Sr.
County Superintendent of Schools

April 24, 2026

SENT VIA EMAIL

Summit Public School: Tahoma
c/o Cady Ching
780 Broadway
Redwood City, CA 94063

Re: Notice in Accordance with Education Code Section 47607(e) and Notice of Concern

Dear Members of the Board and Cady Ching:

The Santa Clara County Board of Education¹ initially authorized Summit Public School: Tahoma on December 10, 2010, and its current term runs through June 30, 2027. Summit Public School: Tahoma is governed by Summit Public Schools, a nonprofit public benefit corporation. In this notice (“Notice”), for all purposes, a reference to “Summit Public School: Tahoma” or “Tahoma” or “SPS: Tahoma” or “School” or “Charter School” shall constitute a reference to Summit Public School: Tahoma, Summit Public Schools, and its Board of Directors, and a reference to “Summit” or “Summit Public Schools” or “SPS” shall constitute a reference to Charter School. Without regard to the terminology used, throughout this Notice, all references are intended to and do apply to the nonprofit corporation, its Board of Directors, and the School and, to the extent the School and corporation are separate entities, SCCOE holds both responsible for all matters. The School, the corporation, and the corporate Board will be referred to herein collectively and/or individually and interchangeably primarily as “Tahoma” but may be referred to herein by any and all of these terms.

SCCOE is sending this Notice pursuant to *Education Code (EC) Section 47607(e)*² as notice of SCCOE’s determination that Tahoma is demonstrably unlikely to successfully implement the program set forth in its expected charter renewal petition (“Charter”) because it is not serving all pupils who wish to attend. The SCCOE is hereby providing Tahoma a reasonable opportunity to resolve the violations. If Tahoma fails to resolve the violations set forth in this Notice, including providing and implementing a corrective action plan, SCCOE may deny Tahoma’s renewal Charter in accordance with *Section 47607(e)*. This Notice also serves as a general notice of concern consistent with SCCOE’s general oversight obligations whereby SCCOE is notifying Tahoma of the

¹ The Santa Clara County Board of Education, the Santa Clara County Superintendent of Schools, and the Santa Clara County Office of Education are collectively referred to herein as “SCCOE.”

² All further statutory references are to the Education Code unless otherwise indicated.

concerns described herein and SCCOE's expectation and requirement that Tahoma will take all necessary and appropriate steps to remediate these concerns.

I. BACKGROUND

Tahoma is expected to submit its renewal Charter on September 8, 2026, during the 2026-27 school year. In addition to the other bases for denial of a charter renewal, a chartering authority may deny a renewal upon a finding that the school is demonstrably unlikely to successfully implement the program set forth in the petition due to substantial fiscal or governance factors, or because the charter school is not serving all pupils who wish to attend. In this context, "not serving all pupils who wish to attend" means a charter school is not serving all demographic groups, including but not limited to, historically underserved student groups and/or students based on their academic performance. To deny on this basis, SCCOE must first provide Tahoma with at least 30 days' notice of the violation(s) and a reasonable opportunity to cure the violation(s). (*Section 47607(e).*)

The Charter Schools Act ("CSA") includes a finding that the charter school is demonstrably unlikely to successfully implement the program set forth in its charter because it is not serving all students who wish to attend as a separate cause for denying renewal of any charter school. This finding is implicated by the substantial discrepancy in Tahoma's enrollment of historically underserved pupil groups in comparison East Side Union High School District's ("ESUHSD") population. Thus, this Notice, and the corresponding opportunity to resolve and correct these concerns, are clearly and explicitly for Tahoma's benefit and provide Tahoma added protections and opportunity to resolve matters that could negatively impact Tahoma's upcoming request to have its Charter renewed.

Numerous changes to the CSA have been made over time that focus on ensuring that charter school admissions are fair, open, equal, and non-discriminatory; that no students are discouraged from enrolling in any charter school for any reason; and that charter school admissions do not result in limiting charter school enrollment on the basis of protected characteristics. These revisions to the law governing charter schools have been far-reaching, impacting enrollment preferences and practices, mandating that charter schools define the means by which they will work towards student enrollment reflective of the racial and ethnic, special education, and English learner populations of their local community, and including consideration of whether a charter school is serving all pupils who wish to attend when determining whether to renew a charter. In light of these changes, there can be no doubt that the Legislature and Governor, as well as the public education advocates who provided input into these statutory changes – including advocates from the charter school community – perceived unequal access to all charter schools to be a substantial concern requiring remediation by charter schools and authorizers.

During Tahoma's 2020-21 renewal process, the Staff Analysis and Findings of Fact stated, "Tahoma's student demographics do not closely reflect the demographics of ESUHSD, as Tahoma has a higher White population and lower Asian, SED, and EL populations. The School Year 2021 Student Recruitment Plan included in Appendix CC does not include any specific mention of

efforts or means of recruitment and outreach specifically targeted towards or established to be effective increasing the racial and ethnic and/or English learner student populations to be reflective of ESUHSD. Through the addendum to the MOU, SPS: Tahoma should be required to provide further updates to its plan via an addendum to the MOU, including but not limited a commitment to audit and expand its efforts as necessary to achieve the requisite balance in accordance with Education Code Section 47605(c)(5)(G)."

Tahoma was also reminded in both the 2023-24 and 2024-25 SCCOE Annual Oversight Reports, "[i]n preparation for renewal of the Tahoma charter, update the plan outlined in EC Section 47605(c)(5)(G) to include special needs pupils and English learner pupils, including redesignated English learners, reflective of the general population residing in the district."

SCCOE's goal is for Tahoma and SCCOE to work cooperatively with an emphasis on serving student needs and ensuring equal access. SCCOE desires to assist Tahoma in creating and implementing an effective plan whereby Tahoma can increase its efforts and successes in enrolling a more diverse student population consistent with the letter and spirit of the law.

Tahoma should develop a results-oriented corrective action plan, including, but is not limited to, concrete means of increasing outreach efforts including assurances that Tahoma welcomes and serves all students, irrespective of whether a family chooses to volunteer at the school as part of Tahoma's parent involvement and community engagement model, and that volunteering is not a requirement to enroll at or attend Tahoma. SCCOE stands ready to support Tahoma in the development and implementation of this plan. SCCOE anticipates that Tahoma acknowledges this Notice as an opportunity to move forward in a strong, productive, and collaborative fashion to implement the mission of educating and serving all students and to alleviate any and all real or perceived disparities in the educational opportunities and services afforded by Tahoma. SCCOE believes our mutual focus should be educating students, and SCCOE looks forward to collaborating with Tahoma in furthering the statewide mandate to expand access to charter schools.

Issuing notice pursuant to *Section 47607(e)* is a formal legal procedure mandated by law that relates directly to renewal or nonrenewal of Tahoma's Charter. This Notice is not a decision to deny Tahoma's Charter renewal. Rather, it is a clear statement and notice to Tahoma that this is an issue of serious concern that Tahoma is expected to address. SCCOE hopes Tahoma takes these matters seriously and recognizes this Notice as an opportunity for Tahoma to take significant steps to implement our shared priorities and the mandates of the CSA in collaboration with SCCOE.

II. FINDINGS

SCCOE hereby notifies Tahoma of evidence that Tahoma is not serving all students who wish to attend. This evidence constitutes a possible cause for denying Tahoma's renewal if not remedied and this Notice affords Tahoma a reasonable opportunity to address these concerns. The CSA requires that charters include a 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 reflective of the general population of the school district in which they are located. Moreover, the CSA includes a variety of other requirements and prohibitions mandating equal access and nondiscrimination in access to and ongoing enrollment at charter schools. *Section 47607(d)* and *(e)* establish that equity in access and a charter school’s success in ensuring this equity is fundamental and necessary to a determination whether to renew a charter school petition. Consistent with these requirements of the CSA, SCCOE monitors Tahoma’s enrollment and demographic data.

A. Tahoma’s Enrollment and Demographic Data.

During the 2025-26 school year, SCCOE reviewed Tahoma’s publicly available dashboard enrollment data from the California Department of Education (“CDE”) for 2024-25. SCCOE then compared that data to the corresponding CDE dashboard data for to ESUHSD, the local district in which the charter school is located. (This dashboard data can be located at the following links: Summit Public School: <https://www.caschooldashboard.org/reports/43104390123794/2025> and ESUHSD <https://www.caschooldashboard.org/reports/43695750000000/2025>) SCCOE reviewed the following demographic groups as specified in the dashboard data: African American, Asian, Filipino, Hispanic, Two or More Races, and White. SCCOE also reviewed the following numerically significant student groups: English Learners, Socioeconomically Disadvantaged (SED), and Students with Disabilities. SCCOE found from this review that Tahoma’s enrollment was significantly disproportionately low compared to ESUHSD among in the following historically underserved pupil groups areas: Asian, Hispanic, English Learners, and Socioeconomically Disadvantaged (see chart below). However, Tahoma is serving a significantly higher percentage of Students with Disabilities than ESUHSD.

2024-25 Demographics	Summit Public School: Tahoma		East Side Union High School District		DIFFERENCE
	Total	Percentage	Total	Percentage	
All Students	383		20,001		
African American	12	3.1%	338	1.7%	1.4
Asian	63	16.4%	7,236	36.2%	-19.8
Filipino	17	4.4%	1,240	6.2%	1.8
Hispanic	151	39.4%	9,521	47.6%	-8.2
Two or More Races	40	10.4%	549	2.7%	7.7
White	89	23.2%	942	4.7%	18.5
English Learners	28	7.3%	4,034	20.2%	-12.9
Socioeconomically Disadvantaged	115	30%	10,422	52.1%	-22.1
Students w Disabilities	78	20.4%	942	4.7%	15.7

Source <https://www.caschooldashboard.org/>

SCCOE then reviewed the same data from Tahoma's last renewal in 2020-21 (see chart below). Tahoma had a disproportionately low enrollment compared to ESUHSD of the same historically underserved pupil groups (Asian and Socioeconomically Disadvantaged) at the time of renewal. The disproportionality has been reduced for Asian (from 22.9 to 19.8) since the last renewal, however Asian still remain significantly disproportionate. In contrast, the disproportionality has grown since the last renewal for Socioeconomically Disadvantaged pupils (from -13 to -22.1), Hispanic (6.9 to -8.2), and English Learners (-3.9 to -12.9). (This dashboard data can be found at the following links: Summit Public Schools: Tahoma <https://www.caschooldashboard.org/reports/43104390123794/2021> and ESUHSD <https://www.caschooldashboard.org/reports/43694270000000/2021>)

2020-21 Demographics	Summit Public School: Tahoma		East Side Union High School District		DIFFERENCE
	Total	Percentage	Total	Percentage	
All Students	470		22,488		
African American	13	2.8%	443	2%	0.8
Asian	67	14.3%	8,367	37.2%	-22.9
Filipino	16	3.4%	1,557	6.9%	3.5
Hispanic	242	51.5%	10,033	44.6%	6.9
Two or More Races	35	7.4%	620	2.8%	5.4
White	89	18.9%	1,197	5.3%	13.6
English Learners	59	12.6%	3,721	16.5%	-3.9
Socioeconomically Disadvantaged	163	34.7%	10,722	47.7%	-13
Students w Disabilities	77	16.4%	4,483	11%	5.4

Source <https://www.caschooldashboard.org/>

III. REMEDIAL/CORRECTIVE ACTION

Based on the disproportionality in enrollment of these historically underserved pupil groups as described above, SCCOE is issuing this Notice supporting a determination that Tahoma is demonstrably unlikely to successfully implement its program due to not serving all pupils who wish to attend. This Notice also serves as a general notice of concern about the work to address the disproportionate under-enrollment of the Asian, Hispanic, English learner, and socioeconomically disadvantaged student groups at Tahoma. Consistent with *Section 47607(e)*, by this Notice Tahoma is being provided a reasonable opportunity to resolve the concerns identified herein, including providing a corrective action plan.

Tahoma must determine how it will resolve the concerns identified in this Notice, including the development, submission, and implementation of a corrective action plan, which should also include details and explanations of how the proposal(s) will address the concern(s). SCCOE is committed to collaborating and supporting Tahoma in these efforts, and anticipates that the plan

and Tahoma's response will include, at a minimum, the following, including consideration of the various concepts below to determine if they would be effective components of Tahoma's plan:

1. Potentially engaging the services of a professional expert(s) to assist in the development of Tahoma's corrective action plan, based on Tahoma's specific facts and circumstances., which may significantly affect the impact and likelihood of success of Tahoma's corrective plan.
2. Updates to Tahoma's outreach and recruitment plans, including but not limited to updates and modifications to the plans as described in the Pupil Balance element of the Charter pursuant to *Section 47605(c)(5)(G)*. The updated plans should include, but not be limited to, at least annually, following the completion of Tahoma's open enrollment period and any required public random drawing, Tahoma shall audit, assess, and review the results of its outreach and recruitment plan in order to determine the effectiveness of its efforts to achieve the pupil balance provided for in the CSA, and modify/update its plan, including recruitment and outreach efforts, to improve the effectiveness of its plan as necessary. The annual review and analysis shall include metrics for assessing the effectiveness of the various components of the plan, and shall not simply assume that the plan (or any component thereof) is or is not working as a whole based on who enrolled, but shall include a more specific analysis of facts and factors indicating effectiveness and identifying plans to increase effectiveness as necessary. Tahoma should commit to providing SCCOE a written report of this analysis and any changes/updates to its plan by May 31 each year.
3. Determine whether modification of existing admissions preferences is appropriate.
4. Commit Tahoma to all of the following requirements regarding admissions: Tahoma shall announce the number of openings at each grade level prior to commencing the open enrollment period each year, to its best estimation. If the number of openings will result in an overall decrease in enrollment from the prior year, Tahoma shall explain in writing to SCCOE the reason for the enrollment reduction. After that announcement, Tahoma may increase the number of openings in any grade level but may not decrease the number of seats at any grade level for that open enrollment and lottery period. Tahoma shall inform SCCOE should it increase the number of openings after the original announcement, including providing a written explanation as to the basis for the increase. Tahoma shall admit students for each of the announced open seats (in accordance with the lottery procedures and order) until all such openings have been filled or there are no more applicants or waitlisted students for the seat(s).
5. Simplify and provide assistance in understanding and completing the application process, including through information and application assistance meetings at times and locations convenient to the underrepresented communities and in multiple languages. Assist families to complete applications and paperwork required for enrollment after admission.

6. Make hardcopies of applications and informational materials available at Tahoma, at each informational meeting, and at other locations throughout the community.
7. Consider the word choice in FAQ and advertisements to ensure it is accessible, clear, understandable, and welcoming.
8. Implement school and community programs that celebrate diversity.
9. Clearly state in all materials about the program and application and admission to Tahoma that volunteering or other donations are not required and have any impact on a student's initial or continued enrollment or participation at Tahoma. All such statements should be in font of at least the same size and quality as the font referring to the parent involvement model.
10. Train staff members, volunteers, and parents who organize activities, seek donations, etc., on the requirements and prohibitions of the free schools guarantee and *Education Code Section 49010 et seq.* and prohibit any communications implying that donations or volunteerism are required or have any impact on a student's initial or continued enrollment or participation at Tahoma.

This is not intended to be a comprehensive list of actions that Tahoma should consider or implement but is provided as a resource to assist and support Tahoma in this process.

IV. CONCLUSION

In compliance with SCCOE's expectations in issuing this Notice, and in accordance with *Section 47607(e)*, please submit Tahoma's response, including its corrective action plan on or before **July 1, 2026**. This affords Tahoma a reasonable opportunity to resolve and commence implementation of the corrective action plan prior to the open enrollment period for the next school year and provides SCCOE an opportunity to evaluate and, if necessary, collaborate with Tahoma's on its corrective action plan prior to any action on Tahoma's renewal Charter.

As always, SCCOE is committed to providing support and assistance to Tahoma's efforts to increase equity and access in its applicant pool and enrollment.

SCCOE looks forward to Tahoma's response to this Notice. Should you have any questions regarding the foregoing, please do not hesitate to contact me or Director Dr. Johnson.

In collaboration,

Signed by:

AEFF8FA0C5E741B...

David Toston, Sr., Ed.D.
County Superintendent of Schools

Attachments

cc: Santa Clara County Board of Education
Michelle Johnson, Ed.D, Director
Jonathan Stewart, Summit Public Schools: Tahoma Executive Director

Summit Public Schools
780 Broadway St.
Redwood City, California 94063

July 10, 2026

VIA EMAIL

David Toston, Sr., Ed.D
County Superintendent of Schools
Santa Clara County Office of Education
1290 Ridder Park Drive
San Jose, California 95131
dtoston@sccoe.org

Re: Response and Corrective Action Plan to April 24, 2026 Notice of Concern

Dear Dr. Toston:

Summit Public Schools, a California nonprofit public benefit corporation, on behalf of Summit Public School: Summit Tahoma ("Summit Tahoma") respectfully provides this response to the "Notice in Accordance with *Education Code Section 47607(e)* and Notice of Concern" (the "Notice") dated April 24, 2026 issued by the Santa Clara County Office of Education ("SCCOE" or the "County"), and which includes the corrective action plan (the "Plan") requested by the Notice.

Summit Tahoma has operated in Santa Clara County since 2011, and we appreciate the importance of addressing concerns provided by SCCOE. Specifically, we understand the importance of relaying concerns in a timely manner and through channels specifically designed to promote collaboration and transparency. We disagree with SCCOE's demographic analysis, which selectively compares enrollment data across different schools and local educational agencies in support of SCCOE's allegation that Summit Tahoma is "not serving all students who wish to attend" in violation of Education Code section 47607(e). We respectfully protest and reject the flawed analysis that underlies the Notice, as well as the legal conclusions and assumptions drawn from such analysis, which themselves violate the law. We presume our analysis and response herein resolves any threat to our renewal petition as a result.

The Charter Schools Act does not require schools to submit corrective action plans based on an authorizer's assumptions or guesses about why racial enrollment differences exist. We welcome continued discussion about our school's recruitment, enrollment, retention, and demographics. That discussion should be based on facts, not speculation.

We are aware that SCCOE has issued notices of concern on this topic to several other charter schools. We are also concerned that requiring multiple charter schools to submit corrective action plans addressing the same student subgroups creates an unintended consequence: SCCOE appears to be asking schools to prioritize certain racial subgroups so that the schools begin competing with one another to attract students from specific demographic groups in order to satisfy SCCOE's subjective expectations. That is not the goal of public education, nor is it legal under California or federal law. The purpose of a diverse public school system is to ensure the focus remains on whether a given school meets a unique student and family's expectations in the areas of academics and services, sense of belonging, and postsecondary goals. Requiring schools to simply recruit more students of a given race or ethnicity is not legal, nor in furtherance of students' best interests.

Further, outreach to families conducted under the pressure of potential corrective action risks prioritizing short-term enrollment over genuine family choice and long-term decisionmaking, which does not serve students, families, or the broader goal of equitable access to quality education.

Our current student outreach approach has a different purpose: to understand how we can better communicate the Summit model and the student experience. In other words, our recruitment efforts are designed to ensure that Summit Tahoma's doors are open to all students who wish to benefit from what we offer and what we do best, i.e., that we serve "all pupils who wish to attend."

As we have shared before, Summit remains an organization committed to continual improvement and receiving constructive feedback. When proposals and recommendations are formulated with the best interests of students first, we will always be receptive. We are proud of the work the Summit Tahoma community does to recruit, welcome, and retain students year after year. The team at Summit Tahoma works incredibly hard, without bias or impropriety, to maintain Summit Tahoma as a small school where students are known, students are challenged, students apply learning to real life, and students leave prepared. We are a high quality public school option in the Edenvale neighborhood of South San Jose. Our response and the Plan are grounded in what Summit Tahoma can lawfully accomplish.

I. The Notice of Concern Does Not Meet the Legal Standard for Denial of a Renewal Petition Under Education Code Section 47607(d)-(e).

As a preliminary matter, the Notice does not satisfy the legal standard for issuance of a notice of concern under Education Code section 47607(e).

A. The Notice Does Not Cite the Correct Legal Standard.

The Notice states that SCCOE has determined, pursuant to Education Code section 47607(e), that Summit Tahoma "is demonstrably unlikely to successfully implement the program set forth in its expected charter renewal petition ("Charter") because it is not serving all pupils who wish to attend." This is not an accurate restatement of the legal standard. Education Code section 47607(e) states, in relevant part: "... the chartering authority may deny renewal of a charter school upon a finding that the school is demonstrably unlikely to successfully implement the petition set forth in the petition due to substantial fiscal or governance factors, or is not serving all pupils who wish to attend, as documented pursuant to subdivision (d)." In short, a chartering authority may issue a notice of concern pursuant to Education Code section 47607(e) if: (1) the school is demonstrably unlikely to successfully implement the petition due to substantial fiscal or governance factors, *or* (2) the school is not serving all pupils who wish to attend as documented pursuant to Education Code section 47607(d).

Here, the Notice cites an amalgamation of the two—i.e., the school is demonstrably unlikely to successfully implement the petition because it is not serving all pupils who wish to attend?—which is unsupported by Section 47607(e) or any other law.

We understand that SCCOE likely had intended to allege that Summit Tahoma is "not serving all pupils who wish to attend" for purposes of Section 47607(e), as SCCOE has not alleged the presence of any fiscal or governance factors that evidence we are unlikely to successfully implement the program set forth in our petition. However, even if the Notice had cited the legal standard for issuance of a notice of concern under Section 47607(e) correctly, it has not applied that standard correctly (see below).

B. The Notice Does Not Adhere to the Procedural Requirements to Apply That Legal Standard Against Summit Tahoma.

Education Code section 47607(d)-(e) enumerates the procedural requirements that a chartering authority must follow in order to issue a finding of non-renewal. Specifically, Education Code section 47607(e) requires that, for a chartering authority to deny renewal upon a finding that the school is not serving all pupils who wish to attend, the chartering authority must “document” that finding “pursuant to [Education Code section 47607] subdivision (d).”

In turn, Education Code section 47607(d) describes multiple types of data that the chartering authority must request from the California Department of Education (“CDE”) and subsequently review and analyze, to evaluate pupil enrollment patterns at the charter school for purposes of making a determination that the charter school is not serving all pupils who wish to attend, including all the below:

1. The cumulative enrollment for each school year of the charter school’s term. For purposes of this section of the Charter Schools Act, cumulative enrollment is defined as the total number of pupils, disaggregated by race, ethnicity, and pupil subgroups, who enrolled in school at any time during the school year.
2. For each school year of the charter school’s term, the percentage of pupils enrolled at any point between the beginning of the school year and census day who were not enrolled at the conclusion of that year, and the average results on the statewide assessments in the California Assessment of Student Performance and Progress system, or any successor system, for any such pupils who were enrolled in that charter school the prior school year.
3. For each school year of the charter school’s term, the percentage of pupils enrolled the prior school year who were not enrolled as of census day for the school year, except for pupils who completed the grade that is the highest grade served by the charter school, and the average results on the statewide assessment in the California Assessment of Student Performance and Progress system, or any successor system, for any such pupils.
4. Any other data that may be provided to chartering authorities by CDE.
5. Any substantiated complaints that the charter school has not complied with Education Code sections 47605(c)(5)(J) or 47605.6(b)(5)(J).

(Ed. Code, § 47607(d)(1)-(3).)

Here, the Notice does not satisfy the threshold procedural data analysis requirements under Section 47607(d) to determine that Summit Tahoma is not serving all pupils who wish to attend for purposes of Section 47607(e). Indeed, the Notice includes no mention of the Section 47607(d) requirements at all. The Notice states that it only reviewed Summit Tahoma’s “publicly available dashboard enrollment data” for the 2020-21 and 2024-25 school years. However, Dashboard data only evaluates school demographics on Census Day, not enrollment at any time during the school year, or year-over-year analysis of students who continue to remain enrolled. Moreover, SCCOE only provides data for two years of Summit Tahoma’s term, not data for *each school year* of its term, which should have included all of 2020-21, 2021-22, 2022-23, 2023-24, and 2024-25.

Ultimately, the Notice seems to be relying on its own idiosyncratic interpretation that “not serving all pupils who wish to attend” means that the school is “not serving all demographic groups, including but not limited to, historically underserved student groups and/or students based on their academic performance.” Nowhere is this interpretation reflected by the plain language of Section 47607(d)-(e), nor does the County cite any other legal authority, legal guidance, source, or justification for this construction of the statutory requirements.

Indeed, the mere existence of a demographic delta between various subgroup percentages at Summit Tahoma versus at East Side Union High School District (“ESUHSD” or the “District”) does not

even logically support the inference that Summit Tahoma is “not serving all pupils who wish to attend.” Stated differently, just because Summit Tahoma’s enrollment levels across subgroups are not identical to the District’s does not mean Summit Tahoma is not serving all students *who wish* to attend.

Charter schools are schools of choice. Families in the San Jose and broader Santa Clara County region choose the schools that their children attend for a wide range of reasons, many of which are unrelated to any outreach or recruitment action by Summit Tahoma. Some families select Summit Tahoma because its educational model best fits their student’s needs. Others make the same determination in favor of other schools in the area. Both choices deserve respect. Our ongoing partnership with Oak Grove, with whom we share campus space, reflects and furthers that principle. We maintain open communication, coordinate transportation and campus access, and share facilities where appropriate. This partnership is built on ensuring that families understand both schools are available while respecting whichever option they ultimately choose.

Currently, Summit Tahoma has not even reached its full enrollment capacity for the 2026-27 school year. We remain open for interested students, and recruitment activities are still underway. Interested families who stop by Summit Tahoma are always told in clear and concrete terms that there is no screening, no fees, no volunteer or participation requirements, and no enrollment barriers whatsoever. Interested families are also invited and encouraged to attend our school tours and speak directly with our Executive Director, Dean of Operations, and Dean of Culture and Instruction. To the extent any differences in the numbers of students of a particular race, ethnic, or other demographic group exist between Summit Tahoma’s enrollment profile and the District’s enrollment profile, there is no evidence that such differences result from any action (or inaction) by the Summit Tahoma team. Critically, SCCOE has not alleged—and cannot allege—that Summit Tahoma has limited access or created barriers to enrollment for students who *wish to attend* our school. Indeed, the Notice does not mention or take issue with any of the actual recruitment, admission-related, or other relevant operational practices at our charter school.

Summit Tahoma agrees and understands that the State Legislature has made numerous changes to the Charter Schools Act to ensure that charter school admissions are “...fair, open, equal, and non-discriminatory...” and that “...no students are discouraged from enrolling in any charter school for any reason.” However, Summit meets that legal standard. The Notice does not meet the legal standard under Education Code section 47607(e) to justify the denial of Summit Tahoma’s charter renewal on the basis that the school is allegedly not serving all pupils who wish to attend.

II. Compliance with the Notice Would Require Summit Tahoma to Violate Applicable State and Federal Law.

Even if the Notice did meet the legal standard for denial of a renewal petition under Section 47607(d)-(e), we hope to guide SCCOE to an understanding (which we hope will be a shared understanding) regarding the legal implications of the Notice itself. Our goal is never to push back on accountability when we have an area for improvement, but we are wary of agreeing to any pathway that would put our school and our community in legal, financial, and operational jeopardy. We fear that, taken at face value, the Notice could trigger all three.

Title VI of the Civil Rights Act of 1964 and the Equal Protection Clause of the Fourteenth Amendment prohibit schools such as Summit Tahoma from engaging in race-based discrimination. Three years ago, the Supreme Court of the United States confirmed that race-based admissions programs constitute prohibited race-based discrimination under federal law. (*Students for Fair Admissions, Inc. v. President and Fellows of Harvard College* (2023) 600 U.S. 181.) The core principle of that case applies

broadly: federally funded schools cannot use race as a factor in recruiting, enrolling, or retaining students. Following *Students for Fair Admissions*, the U.S. Department of Education further clarified that race may not be used as a proxy for socioeconomic disadvantage.¹ Likewise, outreach to socioeconomically disadvantaged students and English learners must be understood as an effort to reduce inequitable barriers to access for all students, not as a mechanism for engineering a particular racial or demographic outcome for certain students.

In short, federal law conflicts with and outright prohibits any “corrective action plan” that would require Summit Tahoma to conduct student outreach in a manner to specifically reshape the school’s race or ethnicity-related enrollment metrics. A race-based recruitment program would plainly expose Summit Tahoma to liability and place its federal funding at risk. Those funds support free and reduced-price meals, classroom staff, teacher training, and other essential programs that support all students, including disadvantaged students.

State law reaches the same result, and more so. Proposition 209 of the California State Constitution specifically prohibits California public entities from discriminating *or* granting any preferential treatment based on race, color, ethnicity, or national origin. (Cal. Const., art. I, § 31 [“The State shall not discriminate against, or grant preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting”].) The California Supreme Court has confirmed that this prohibition applies to public agency programs that provide race-based advantages, even when framed as a diversity-promoting initiative. (*Hi-Voltage Wire Works, Inc. v. City of San Jose* (2000) 24 Cal.4th 537.) Furthermore, the Office of the Attorney General of the State of California recently determined that a proposed Local Control Funding Formula preference for students in the lowest performing ethnic subgroup on statewide exams would constitute an illegal proxy for conditioning State education funding on student ethnicity, in violation of federal law and Proposition 209. (107 Ops.Cal.Atty.Gen. 62 (2024).)

A renewal condition that requires or even merely encourages race-based outreach could force Summit Tahoma to choose between keeping its charter and violating state and federal law. Neither Education Code section 47605.6 nor the corrective action process under Education Code section 47607(e) or the Charter Schools Act was intended to override or supersede federal and state civil rights laws, nor place charter schools in the untenable position of choosing which laws to comply with.

Summit Tahoma cannot legally use racial preferences in its lottery, cannot set racial enrollment targets, and cannot make enrollment or admissions decisions intended to favor or disfavor any racial or ethnic group, regardless of what SCCOE may purport to require. An authorizer and a public school simply cannot require enrollment to reflect particular racial percentages.

Summit Tahoma remains committed to race-neutral outreach and access strategies designed to continue reaching diverse geographic areas and socioeconomic communities, in compliance with applicable law and with its charter petition.

III. The Notice’s Statistical Analysis of Summit Tahoma’s Demographic Data is Inaccurate and/or Incomplete.

¹ U.S. Department of Education, Office for Civil Rights, “Frequently Asked Questions About Racial Preferences and Stereotypes Under Title VI of the Civil Rights Act,” <https://www.ed.gov/media/document/frequently-asked-questions-about-racial-preferences-and-stereotypes-under-title-vi-of-civil-rights-act-109530.pdf>.

The Notice includes several tables that compare Summit Tahoma’s publicly available Dashboard enrollment data for 2024-25 and 2020-21 against that of ESUHSD’s data for the same two years. The Notice further states that, “SCCOE found from this review that [Summit] Tahoma’s enrollment was significantly disproportionately low compared to ESUHSD among in [sic] the following historically underserved pupil groups [sic] areas: Asian, Hispanic, English Learners, and Socioeconomically Disadvantaged.” However, that conclusion is not sound, as discussed below.

A. The Student Population of ESUHSD is not an Appropriate Comparison.

ESUHSD is a district with more than 20,000 students across sixteen high schools spread across 140 square miles, in a community of approximately 540,000.² We understand that SCCOE selected ESUHSD as its reference point for purposes of the Notice because Summit Tahoma is located within ESUHSD’s geographic boundaries. However, the Charter Schools Act requires a different comparison. A charter petition authorized by a county office of education, such as Summit Tahoma, must describe:

“...[t]he 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 Section 52064.5, *that is reflective of the general population residing within the territorial jurisdiction of the county board of education to which the charter petition is submitted.*” (*emphasis added*) (Ed. Code, § 47605.6(b)(5)(H).)

The statute refers to the *general* population residing within the *County’s* territorial jurisdiction, not the demographic composition of *students* enrolled in the *District*. Those are different populations. As shown further below, the racial and ethnic composition of ESUHSD’s student enrollment differs not only from the general population residing within the District’s boundaries, but also from the general population of Santa Clara County. The choice of benchmark therefore materially affects the analysis.

Indeed, using ESUHSD’s student enrollment as the benchmark establishes demographic targets that not even Oak Grove High School, the local comprehensive district high school on whose campus we are co-located, meets.³

B. Summit Tahoma’s Student Population is Diverse and Representative of the Community.

Summit Tahoma’s own enrollment data also present a far more nuanced picture than the Notice suggests. The Notice alleges that Summit Tahoma’s enrollment is “significantly disproportionately low compared to ESUHSD among in [sic] the following historically underserved pupil groups [sic] areas: Asian, Hispanic, English Learners, and Socioeconomically Disadvantaged.” Meanwhile, the Notice ignores the fact that:

- The percentage of White students at Summit Tahoma is below the percentage of White residents in Santa Clara County.

² U.S. Census Bureau, *East Side Union High School District, California*, Census Reporter, <https://censusreporter.org/profiles/966000US0611820-east-side-union-high-school-district-ca/> (last visited June 17, 2026)

³ For example, Oak Grove High School’s Dashboard data for 2025 reflects Asian students as constituting 19.9% of enrollment on Census Day, which is significantly lower than ESUHSD’s Dashboard data for the same year which reflects Asian students as constituting 36.2%.

- Summit Tahoma enrolls students identifying as Two or More Races at a percentage that is far above that at ESUHSD; and such percentage is also higher than the percentage of residents identifying as Two or More Races within the District's boundaries and within the general population of Santa Clara County.
- Summit Tahoma enrolls a substantially higher percentage of students with disabilities than ESUHSD does.
- Summit Tahoma serves a higher percentage of Black/African American students than ESUHSD does; and that percentage is also higher than the percentage of Black/African American residents within the District's boundaries and within the general population of Santa Clara County.
- Summit Tahoma serves a higher percentage of Hispanic students than the percentage of Hispanic residents within the District's boundaries and within the general population of Santa Clara County.

These data, reflected in the table below, illustrate that a single comparison to District student enrollment does not at all capture whether Summit Tahoma reflects the demographics of the communities it serves, let alone in alignment with Education Code section 47605.6(b)(5)(H).

Race/Ethnicity	Summit Tahoma Students	ESUHSD Students	General Population in District Boundaries	General Population in Santa Clara County
White	23.2%	4.7%	11.1%	25.8%
Black/African American	3.1%	1.7%	2.7%	2.2%
Native American	-	0.2%	0.3%	0.2%
Asian	16.4%	36.2%	47.4%	41.9%
Filipino	4.4%	6.2%	-	-
Pacific Islander	-	0.6%	0.7%	0.4%
Other	-	-	1.0%	0.7%
Two or More Races	10.4%	2.7%	2.1%	4.1%
Hispanic	39.4%	47.6%	34.8%	24.8%
Student Need Indicators	Summit Tahoma Students	ESUHSD Students	General Population in District Boundaries	General Population in Santa Clara County
English Learners	7.3%	20.2%	-	-
Foster Youth	0.3%	0.2%	-	-
Homeless	-	4.4%	-	-
Socioeconomically Disadvantaged	30%	52.1%	-	-
Students with Disabilities	20.4%	12.7%	-	-

C. The Notice's Analysis of Summit Tahoma's Demographic Data is Internally Inconsistent.

The Notice further reflects an internal inconsistency in how it treats demographic variation. SCCOE appears to view Summit Tahoma's higher enrollment of Students with Disabilities as an acceptable or even positive outcome, while simultaneously treating differences in race, ethnicity, socioeconomic disadvantage, and English learner status as indicative of concern.

This framing cannot be reconciled if demographic variation alone is treated as evidence of noncompliance. If higher enrollment of Students with Disabilities is properly understood as the result of lawful family choice, program fit, or effective outreach, then demographic differences alone cannot reasonably be interpreted as evidence of exclusion in other contexts. Conversely, if any deviation from District averages is presumed to indicate a problem, the same logic would necessarily call into question outcomes the Notice implicitly accepts.

The more consistent principle is that demographic variation, whether above or below ESUHSD averages or a one-year snapshot, does not establish discrimination or exclusion. The relevant question is whether our school engaged in conduct that created barriers to access or otherwise violated applicable admissions and recruitment requirements in contravention of Education Code section 47607(e). Again, the Notice has presented no evidence that Summit Tahoma has done so.

D. The Notice Suffers From Other Data Limitations.

It is also necessary to understand how small changes in enrollment affect statistical interpretation at a school the size of Summit Tahoma. The Notice relies merely on percentage-point differences in subgroup enrollment to draw unsupported conclusions about our school's general access and enrollment patterns.

Summit Tahoma enrolled 383 students during the 2024-25 school year. At that scale, each student represents approximately 0.26% of total enrollment, meaning that the addition or withdrawal of as few as four students can shift a subgroup's representation by approximately one percentage point. As a result, even minor enrollment changes can appear as significant percentage swings when viewed in isolation.

This effect is further compounded by the fact that students may belong to multiple demographic categories simultaneously. A single student may be both White and a student with a disability, or Asian and socioeconomically disadvantaged. Accordingly, the movement of individual students into or out of our school can affect multiple subgroup percentages at once, increasing apparent volatility across categories.

Given that there are fewer than 400 students at our school, it is difficult to compare our data to District data or treat our data as evidence of something impermissible in access or enrollment practices. A two-percentage-point change in English Learner enrollment at Summit Tahoma reflects approximately five students, while the same two-point change in ESUHSD represents roughly 400 students. These figures are not statistically comparable and do not carry equivalent analytical weight.

In addition, subgroup percentages do not directly measure access or enrollment trends. Because they are a function of both subgroup size and total enrollment, percentages may decline even when absolute enrollment of a subgroup increases, if overall enrollment grows more quickly.

For these reasons, demographic fluctuations at a small school should not, standing alone, be treated as evidence of meaningful changes in enrollment practices or student access. This approach is consistent with Education Code section 47607(d), which requires authorizers to rely on multi-year evidence across the term of the charter, rather than two Census Day snapshots when evaluating school performance. Applying district-scale interpretive assumptions to a school of 383 students inaccurately conflates ordinary statistical variation with systemic enrollment practices.

IV. Summit Tahoma Continues to Invest in Enrollment Infrastructure.

Summit Tahoma has made strengthening enrollment a strategic priority. Ensuring that every Summit school, including Summit Tahoma, is fully enrolled is one of Summit Public Schools' network-wide priorities each school year. Consistent with that priority, Summit Tahoma has invested significantly in its recruitment and enrollment infrastructure over the past several years.

Summit Tahoma approaches enrollment as a multi-stage process designed to engage families over time. Outreach begins by building awareness through digital advertising, social media, community events, and referrals from current families. Families who express interest receive information through phone calls, emails, mailings, campus tours, and information sessions. As families move toward enrollment, staff provide individualized support and personalized communications. After enrollment, the Summit Tahoma team maintains engagement through ongoing communication and school events.

To support and scale these efforts, Summit Public Schools has invested in technology, training, and continuous improvement. The network has implemented a customer relationship management system to support digital marketing, automated communications, streamlined inquiry and application processes, and data dashboards that allow schools to monitor enrollment activity and replicate effective practices. Deans of Operations also participate in ongoing professional development, collaboration, site visits, and coaching focused on strengthening enrollment systems.

Summit Public Schools is mindful of the Legislature's intent that charter schools 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 or county board of education to which the charter petition is submitted as applicable. (Ed. Code, §§ 47605(c)(5)(G), 47605.6(b)(5)(H).) Summit Tahoma utilizes all of the above-described methods to achieve such a balance of students that *is* reflective of the general population residing within the territorial jurisdiction of SCCOE in compliance with these legal requirements.

The Notice questions Summit Tahoma's enrollment efforts without first examining what those efforts are and how those efforts work. The Notice instead works backward from the racial breakdown of the student population, assuming Summit Tahoma's practices are unlawful based on a noncomprehensive snapshot of end-result demographic percentages. This analysis focuses on the wrong thing. A lawful, good-faith recruitment process is what the law requires, and such process cannot guarantee any demographic result in light of Proposition 209 and federal law. This is particularly true at a school with fewer than 400 students where very small changes in enrollment can produce significant percentage fluctuations, as discussed. The law does not require any particular end-result in terms of racial, ethnic, and subgroup balance. Moreover, at this scale, demographic outcomes are sensitive to ordinary variation in family choice and cohort movement.

Summit Tahoma remains committed to transparency, continuous improvement, and a collaborative relationship with SCCOE. Our school welcomes the opportunity to demonstrate the substantial efforts it has undertaken to comply with Education Code section 47605.6(b)(5)(H) and to expand access and serve all students in its community. While no correction is warranted, in an effort to cooperate with SCCOE as our authorizer, the sections that follow discuss each element of our proposed corrective action plan and provide further operational context.

V. Corrective Action Plan

Although the Notice does not contain any basis to deny renewal under Education Code section 47607(e), Summit Tahoma is committed to keeping a clear and consistent line of communication with

SCCOE, including through the implementation of the following Corrective Action Plan, which addresses all of the concepts identified by SCCOE in Section III of the Notice.

The following individuals have been identified as responsible parties:

Name	Title	CAP Responsibility
Jonathan Stewart	Executive Director	Oversight and SCCOE liaison
Julieta Pomares	Dean of Operations	Recruitment, enrollment, and CRM implementation, data tracking, reporting, and dashboard management
Jady Lynn Garcia	Special Projects Manager	Community outreach and family engagement

Access and Outreach to All Families

Summit Tahoma is committed to ensuring that all families in its community regardless of language, background, or prior familiarity with charter schools or non-neighborhood schools have a genuine opportunity to learn about and apply to our school.

Recruitment Infrastructure

Summit Tahoma commits to: maintaining and continuously improving its recruitment and outreach infrastructure to reach prospective families at every stage of the enrollment decision.

Summit Tahoma has already made significant investments in this area including the use of a customer relationship management system. A prior engagement with a professional enrollment consultant upskilled Summit Tahoma's team, expanded the geographic catchment area for recruitment, and identified where the school-age population is concentrated in the surrounding area. Summit Tahoma notes that the surrounding community has experienced demographic shifts and a decline in the school-age population following the pandemic, which are dynamics that affect enrollment regardless of outreach effort.

Community Outreach Events

Summit Tahoma commits to: conducting proactive, culturally responsive outreach in the communities it serves, at times and locations convenient to families in the region.

Summit Tahoma's 2025–26 outreach schedule reflects this commitment in practice. Recent events include: Mercadito (January 2026); First Friday Tea – Santa Teresa Library (February 2026); Family Storytime and Zumba for Kids – Edenvale Library (February 2026); Lion Dance – Edenvale Library (February 2026); Women's Heritage Day – History Park (March 2026); Discovery Multicultural Fair (March 2026); Discovery Holi Celebration (March 2026); Sciencepalooza – SJSU (April 2026); Viva Calle SJ – Escuela Popular (April 2026); Cinco de Mayo Festival – Plaza de César Chávez (May 2026); AANHPI Community Event – History Park (May 2026); and Spring Fun Fair, Scout-o-Rama, and Rockin' ROMO Party (May 2026).

These events engage multicultural communities in the region and are held on weekends and evenings at libraries, parks, schools, and other neighborhood gathering spaces across San José to ensure they are accessible to all. Summit staff and volunteers support outreach at each event, and translation services are available to support multilingual families.

Application Materials and Language Access

Summit Tahoma commits to: ensuring that application and informational materials are available in the primary languages spoken in the San Jose area, including English, Spanish, Vietnamese, Mandarin, and Cantonese, with translation services available for additional languages. Hard copies of applications and informational materials will be available at Summit Tahoma, at each informational meeting, and at community locations throughout the service area.

Website and FAQ Accessibility

Summit Tahoma commits to: reviewing and updating its website and FAQ materials on an ongoing basis to ensure language is clear, welcoming, and accessible to all prospective families. Summit Tahoma already conducts this review and welcomes the opportunity to continue evaluating its materials as part of this Plan.

Application Assistance

Summit Tahoma commits to: continuing to provide on-site application assistance and informational sessions at times convenient to working families, including evenings and weekends. Staff will assist families in completing applications and enrollment paperwork after admission.

Elements

1. **Continual Feedback:** Summit Tahoma is committed to incorporating feedback from SCCOE to ensure alignment.
2. **Mid-Year Progress Review:** Summit Tahoma will meet with the Director of SCCOE's Charter Schools Department to review outreach and open enrollment progress by March of each year.
3. **Annual Report:** Summit Tahoma will provide SCCOE a written report of its outreach analysis and any proposed plan updates on an annual cadence. by May 31 each year during the charter term.

Admissions and Transparency Practices

Summit Tahoma is committed to full transparency in its admissions practices and to ensuring that all families have fair and equal access to Summit Tahoma.

Admissions Preferences

Summit Tahoma commits to: reviewing its admissions preferences from time to time as needed to determine whether any modification is appropriate.

Summit Tahoma's current lottery preferences are: (1) children of current Summit Public Schools employees and founders of Summit Tahoma, up to 10% of enrollment; (2) siblings of currently enrolled students or Summit Tahoma graduates residing within District boundaries; (3) students residing within the

attendance boundaries of the public school where Summit Tahoma is located; (4) students residing within the boundaries of the District; (5) siblings of enrolled students residing outside District boundaries; and (6) all other students.

Preferences two through four draw from students residing within the District's boundaries, which would result in enrollment from the same population the District serves. It is unlikely that modifying lottery preferences will produce a meaningful demographic shift, as the preferences already direct the lottery toward the District's own school-age population. Any demographic difference between Summit Tahoma and the District reflects who applies instead of who receives a preference.

Most importantly, because Summit Tahoma is currently under-enrolled with available seats at multiple grade levels, admissions preferences are largely theoretical. No student is being turned away and no preference is acting as a barrier to entry. Nevertheless, Summit Tahoma commits to reviewing preferences from time to time as appropriate. Summit Tahoma is not modifying its existing admissions preferences at this time.

Seat Announcements and Enrollment Transparency

Summit Tahoma commits to: announcing the number of available openings by grade level prior to the open enrollment period each year as needed, publishing this information on Summit Tahoma's website as needed, and informing SCCOE in writing of any increase in announced seats and the reason for the increase.

Summit Tahoma does not currently announce seats by grade level because seats are currently available at every grade. There is no lottery being run and no seats being withheld.

Summit Tahoma commits to: admitting students for all announced open seats until they are filled or no eligible applicants remain. This is fully consistent with current practice and with the Charter Schools Act.

Staff and Volunteer Training on Free Schools Guarantee

Summit Tahoma commits to: providing training to all staff, volunteers, and parent organizers on the requirements and prohibitions of the free schools guarantee and Education Code Section 49010, and to prohibiting any communications that imply donations or volunteerism are required or have any impact on a student's enrollment or continued participation.

Summit Tahoma will continue to communicate that volunteering and donations are not required and have no impact on enrollment. Summit Tahoma notes that there is no documented history of any family raising volunteer or donation obligations as a barrier to enrollment, and will take care to present this disclaimer in a way that informs without creating confusion where none previously existed.

Annual Review and Reporting

Summit Tahoma commits to: Sharing updated information with SCCOE, on a mutually agreed to annual cadence, drawn from our internal dashboards as we are tracking inquiries, applications/intent to enroll forms, and conversation rates. This quantitative data, alongside the qualitative information from the Dean of Operations who leads engagement with prospective families, helps us identify what strategies and channels are working and where adjustments are needed. Enrollment outcomes are a valuable data point, but do not provide a full picture of school recruitment.

Summit Tahoma cautions that key demographic information, including race and ethnicity, disability status, and socioeconomic status, for enrolled students may be subject to a lag until students enroll and complete required state forms. The most accurate demographic snapshot is therefore the CALPADS October census report. As a result, the May 31 report will reflect prior-year CALPADS data rather than the current enrollment cycle. In addition, until our school reaches capacity we continue to accept intent to enroll forms and enrollments. As we noted above, the addition of even four students can swing data by a full percentage point, which means that the reported data will remain subject to fluctuations.

School Culture and Community Engagement

Summit Tahoma is committed to fostering a school culture that is welcoming, inclusive, and reflective of the diversity of the community it serves.

Diversity and Belonging Programs

Summit Tahoma commits to: Continuing to welcome families from all backgrounds, with multiple opportunities for student and family engagement; and continuing to develop our practices with feedback from our students and caregivers.

Family Engagement and Representation

Summit Tahoma commits to: actively recruiting families from underserved and underrepresented groups to participate in school governance and family engagement structures.

VI. Conclusion

In short, the Notice conflates differences in enrollment numbers of certain cherry-picked subgroups with evidence of unlawful barriers to enrollment in violation of Education Code section 47607(e).

Behind the data are diverse families making individual, affirmative choices about where to enroll their children. Some families receive information in their home language, submit intent-to-enroll forms to multiple schools, and visit campuses before selecting the best fit. Other families choose schools based on proximity to work, program offerings, or attendance alongside friends from their neighborhood. These are ordinary enrollment decisions that reflect preference, not barriers, discouragement, or discrimination.

In these circumstances, families have not been denied access: they received information, were able to apply, and made independent choices among available options. Summit Tahoma does not limit or otherwise stand in the way of any student's enrollment. Summit Tahoma complies with Education Code section 47605.6(b)(5)(H) and remains committed to continuous improvement and to ensuring that all families have meaningful access to its programs. If there are additional questions or requests for information, please contact me directly.

Sincerely,

A handwritten signature in black ink, appearing to read "Jonathan Stewart". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Jonathan Stewart
Executive Director
Summit Public School: Summit Tahoma

Cc: Santa Clara County Board of Education (sccboemembers@sccoe.org)

Michelle Johnson, Ed.D., Director at Santa Clara County Office of Education, Charter Schools
Department (mjohnson@sccoe.org)



Santa Clara County Office of Education

Dr. David M. Toston, Sr.
County Superintendent of Schools

Jonathan Stewart, Executive Director
Summit Public School: Summit Tahoma
jstewart@summitps.org

Re: Summit Public School: Summit Tahoma's Response to Notice in Accordance with Education Code Section 47607(e) and Notice of Concern

Dear Mr. Stewart:

The Santa Clara County Office of Education¹ is in receipt of Summit Public School: Summit Tahoma's² July 10, 2026, Response ("Response") to the Notice in Accordance with Education Code³ Section 47607(e) and Notice of Concern issued by SCCOE on April 24, 2026 ("Notice"). SCCOE appreciates the spirit of cooperation and collaboration and commitment to ensuring equitable access to Summit set forth in the Response, including the submission of a corrective action plan ("CAP").

It is necessary, however, for SCCOE to respond briefly to several incorrect assertions in Summit's Response. This correspondence will not debate or dissect every sentence and assertion in the Response with which SCCOE disagrees, which is unnecessary as SCCOE will carefully consider Summit's CAP. As an initial matter, SCCOE unequivocally specifies and clarifies that the Notice did not direct or require – and SCCOE would not permit – Summit to admit or enroll students on the basis of race or ethnicity or otherwise to conduct its recruitment, admissions, and/or enrollment processes in violation of state or federal law. Any and all outreach, recruitment, and admission to Summit – including but not limited to all components of the CAP – must, at all times, comport with state and federal law, including Title VI of the Civil Rights Act of 1964 and the U.S. and California Constitutions.

Summit's assertion that the Notice did "not satisfy the threshold procedural data analysis requirements under Section 47607(d) to determine that Summit Tahoma is not serving all pupils who wish to attend for purposes of Section 47607(e)" is misplaced. As acknowledged in Summit's own Response, Section 47607(d) specifies in pertinent part:

(2) When determining whether to grant a charter renewal, the chartering authority shall review data provided pursuant to paragraph (1), any data that may be provided to chartering authorities by the department, and any substantiated complaints that the charter school has not complied with subparagraph (J) of paragraph (5) of subdivision (c) of Section 47605 or with subparagraph (J) of paragraph (5) of subdivision (b) of Section 47605.6.

¹ The Santa Clara County Board of Education, the Santa Clara County Superintendent of Schools, and the Santa Clara County Office of Education are collectively and interchangeably referred to herein as "SCCOE."

² Summit Public School: Summit Tahoma and the Summit Public Schools nonprofit public benefit corporation that governs it are collectively and interchangeably referred to herein as "Summit."

³ All further statutory references are to the Education Code.

(3) As part of its determination of whether to grant a charter renewal based on the criterion established pursuant to subdivision (c) and subdivisions (a) and (b) of Section 47607.2, the chartering authority may make a finding that the charter school is not serving all pupils who wish to attend and, upon making such a finding, specifically identify the evidence supporting the finding.

As such, Section 47607(d) specifically provides for the Section 47607(e) finding that a charter school is not serving all students who wish to attend to be based on *any data that CDE may provide to chartering authorities*. The demographic data on which the Notice relied is Dashboard data provided by CDE, and, as such, clearly comes within the definition set forth in Section 47607, subdivisions (d) and (e). Thus, the Notice was appropriately issued pursuant to Section 47607(e). Of course, SCCOE's purpose in issuing the Notice is not to deny renewal of Summit's Charter, but, rather, to comply with SCCOE's obligation to give notice as required by Section 47607(e) in order to provide Summit an opportunity to cure the concern, including through submission and implementation of its CAP.

Summit's Response also attempts to rely upon the wrong legal standard. The Response incorrectly asserts that East Side Union High School District ("ESUHSD"), the school district in which Summit is located, is not the appropriate comparison for Summit's demographics. Summit bases this mistaken position on the fact that Summit is authorized by a county board of education and Summit cites to the standards of Section 47605.6(b)(5)(H) for its claim that Summit is supposed to have a pupil balance reflective of the general population residing within Santa Clara County rather than ESUHSD. As you know, Summit was approved by the Santa Clara County Board of Education ***on appeal from a denial by ESUHSD*** pursuant to Section 47605. As such, Summit remains subject to the standards and criteria of Section 47605, including the student balance provisions of subdivision (c)(5)(H), which relate to the general population residing within ESUHSD, not the County as a whole. Section 47605.6, on which the Response purports to rely, applies only to countywide benefit charters, which are submitted directly to a county board, and is inapplicable to Summit.

SCCOE will carefully review and analyze Summit's CAP in accordance with Section 47607(e) and the consideration of and action on the upcoming request for renewal of Summit's charter. SCCOE appreciates the ongoing dialogue with Summit and looks forward to working in cooperation with Summit through the renewal process.

In collaboration,



Michelle Johnson, Ed.D.
Director