

# CHARTER SCHOOL SERVICES

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## Countywide Benefit Charter Petition Processes

### San Diego County Office of Education

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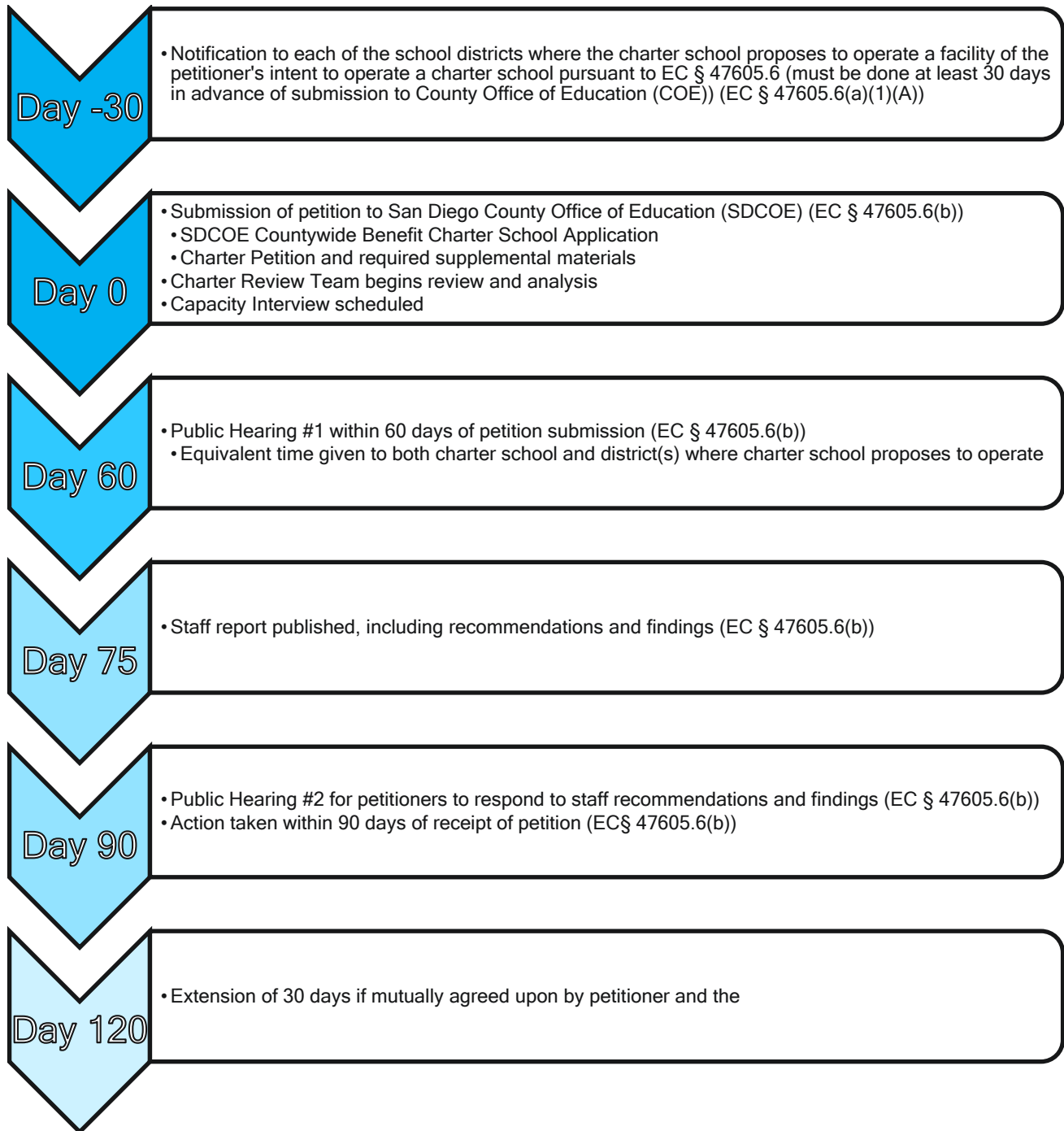
san diego county office of  
**EDUCATION**  
FUTURE WITHOUT BOUNDARIES<sup>SM</sup>

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# Countywide Benefit Charter Petition Submission Process

## Countywide Benefit Charter Petition Timeline



## **Required Documents to be Submitted to SDCOE**

All appeal petitions submitted to the San Diego County Office of Education (SDCOE) should contain the following:

1. ~~10 hard copy binders of all items submitted~~ **\*\*Not required due to COVID-19**
2. ~~1 thumb drive with all submitted documents in PDF format~~ **\*\*Not required due to COVID-19**
3. Google Folder Submission
  - a. When a charter school is ready to submit a petition to SDCOE, contact the Charter School Services Team at [charters@sdcoe.net](mailto:charters@sdcoe.net), to request a Google Drive folder to upload all required petition documents and materials.
  - b. The date of submission will be the latest date that petition documents and materials are submitted.
4. Format of documents
  - a. PDF format
  - b. Please submit a copy of financial documents in Excel format
5. SDCOE Countywide Benefit Charter School Application
  - a. Organizational/Governance chart
  - b. Facilities Supplemental Documents
  - c. Articles of Incorporation
  - d. Board Bylaws
6. A copy of the Charter Petition Review Matrix with page numbers included to indicate where the information can be located in the petition.
7. The charter petition and any additional documents or materials
8. All required supplemental materials and documents as requested by the SDCOE.

## **Countywide Benefit Charter School Criteria: EC § 47605.6**

A charter school may choose to submit a petition directly to the county board of education as a countywide benefit charter school. This type of petition is not submitted on appeal, rather as an initial petition to establish a countywide benefit charter school. A countywide benefit charter school must demonstrate that the educational services to be provided by the charter school will offer services to a pupil population that will benefit from those services and that cannot be served as well by a charter school that operates in only one school district in the county. An existing public school cannot be converted for the purpose of a countywide benefit charter school and there are no appeal rights if a countywide benefit charter petition is denied. Below outline the specific requirements that must be met for a countywide benefit charter school.

### California Education Code § 47605.6

A charter school must meet required criteria outlined in [EC § 47605.6](#) as outlined below:

1. Countywide Benefit Justification: A county board of education may approve a countywide charter only if it finds, in addition to the other requirements of this section, that the educational services to be provided by the charter school will offer services to a pupil population that will benefit from those services and that cannot be served as well by a charter school that operates in only one school district in the county.
2. The petition has appropriate signatures of either:
  - a. A number of parents or legal guardians of pupils within the county, that is equivalent to at least one-half of the number of pupils that the charter school estimates will enroll in the charter school for its first year of operation; or,
  - b. A number of teachers that is equivalent to at least one-half of the number of teachers that the charter school estimates will be employed at the charter school during its first year of operation.
3. At least 30-days prior to the submission of the charter petition to the SDCOE, the charter school has notified each of the school districts where the charter school proposes to operate a facility of its intent to operate a charter school.
4. A declaration of whether or not the charter school shall be deemed the exclusive public-school employer of the employees of the charter school for purposes of the Educational Employment Relations Act (EERA) (Chapter 10.7 (commencing with Section (§) 3540) of Division 4 of Title 1 of the Government Code)
5. Contains all affirmations and declarations pursuant to EC § 47605.6(e)
6. Charter school must contain a reasonably comprehensive description of all 16 required elements outlined in EC § 47605 (b)(5)(A) – (P).
  - a. Educational Program
  - b. Measurable Pupil Outcomes
  - c. Pupil Progress and Outcomes
  - d. Facilities
  - e. Governance Structure
  - f. Employee Qualifications
  - g. Health and Safety of Pupils and Staff
  - h. Racial and Ethnic Balance
  - i. Annual Financial Audits
  - j. Suspension and Expulsion
  - k. Staff Requirement System
  - l. Dispute Resolution Process

- m. Admission Policies and Procedures
  - n. Attendance Alternatives
  - o. Post-Employment Rights to Employees
  - p. Closure Procedures
7. The charter school shall meet all statewide standards and conduct the pupil assessments required pursuant to [EC § 60605](#) and any other statewide standards authorized in statute or pupil assessments applicable to pupils in non-charter public schools
  8. Charter schools shall consult with parents, legal guardians, and teachers regarding the school's educational programs on a regular basis
  9. The charter must contain information regarding the proposed operation and potential effects of the charter school, including, but not limited to:
    - a. Proposed facilities, including a description of facilities to be used and specify where the charter school intends to locate
    - b. The manner in which administrative services of the charter school will be provided
    - c. Potential civil liberty effects upon the charter school and upon the school district (if any)
    - d. Financial statements that include the proposed first-year operational budget, startup costs, cashflow and financial projections for the first three years of operation
  10. Teachers shall be required to hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold.

### *Reasons for Denial EC § 47605.6(b)*

The county board of education shall deny a petition for establishment of a charter school if it finds 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 the number of signatures required (see above)
4. The petition does not contain an affirmation of each of the conditions described in EC § 47605.6(e)
5. The petition does not contain reasonably comprehensive descriptions of the 16 elements (see above)
6. A declaration of whether or not the charter school shall be deemed the exclusive public-school employer of the employees of the charter school for purposes of the Educational Employment Relations Act (EERA) (Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code).

7. Any other basis that the county board of education finds justifies the denial of the petition (EC § 47605.6(b)(7))

### *Other Information, Materials & Documents Used During an Appeal Review*

In addition to statutorily required elements to be contained in the charter petition, the SDCOE Charter Review Team will also consider other documentation during the review process, including but not limited to the following:

1. Additional documents submitted to the county office of education (COE) during the COE's review process
2. The capacity interview conducted by the COE

### **Action Taken By the Board**

The San Diego County Board of Education has two action options for a countywide benefit charter school petition:

1. Grant the countywide benefit charter school and become the chartering authority
  - a. Upon granting the appeal a Memorandum of Understanding (MOU) will be entered into between the charter school and the SDCOE
  - b. Any conditions identified in the action taken by the board or determined by staff, will be brought into compliance, and monitored.
  - c. Upon granting the countywide benefit charter, the petitioner(s) shall notify the school district(s) where the charter school proposes to locate, including a copy of the petition.
2. Deny the appeal of the charter school and adopt written findings of fact
  - a. There are no appeal rights for a countywide benefit charter petition.