



Charter School Petition Handbook

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Table of Contents

I.	Introduction	2
II.	Charter Petition Overview.....	3
III.	Petition Review and Appeal Timeline.....	4
IV.	Submitting a Petition for the Establishment of a Countywide Charter (Education Code 47605.5 and 47605.6)	7
V.	Submitting a Petition on Appeal (Education Code 47605)	10
VI.	Notifications and Approval Process.....	13
VII.	Charter Oversight Revocation	18
VIII.	Material Modifications or Renewal of an Approved Charter	20
Appendix I	22
	Notice of Intent to Submit a Petition Form	
	Petitioner Certification Form	
	Charter Petition Evaluation Tool	

Introduction

The Santa Barbara County Board of Education (County Board) has prepared this handbook to conform with state law, and to provide petitioners, staff, school districts and the public with an accurate description of the process and manner in which the County Board will address charter school petitions.

This handbook constitutes the official procedures adopted by the County Board in conformity with the California Education Code and the California Code of Regulations.

The County Board subscribes to the belief that properly established and operated charter schools, which are staffed by dedicated teachers and experienced educators, are an integral part of our educational system. Petitions to establish charter schools coming before the County Board are reviewed pursuant to the requirements contained in the Charter Schools Act of 1992 (Education Code 47600 et. seq.), Title 5, California Code of Regulations, and relevant policies and regulations of the Santa Barbara County Education Office (SBCEO). Once established, charter schools are likewise operated under and subject to these same laws, regulations, and policies.

It is the policy of the County Board to adhere at all times to the governing provisions of state law as respects the establishment and operation of charter schools. In the event of any conflicts with state law, the provisions of the Education Code and Code of Regulations shall apply.

This handbook applies to County Board review of three distinct types of charter school petitions:

1. Those submitted directly to the County Board for countywide charter schools proposing to serve students for whom the SBCEO would otherwise be responsible for providing direct education and related services (Education Code 47605.5)
2. Those submitted directly to the County Board for countywide charter schools proposing to provide instructional services that are not generally provided by SBCEO (Education Code 47605.6)
3. Those petitions previously denied by the governing board of a school district and subsequently submitted to County Board on appeal (Education Code 47605)

Charter Petition Overview

The County Board recognizes that charter schools may offer diverse learning opportunities for students. When considering charter petitions, the County Board shall give thoughtful consideration to the potential of the charter school to provide students with a high-quality education.

The foundational document guiding all charter school operations is the charter. An approved charter is a performance contract between the County Board and the charter school. As such, terms of the contract must be delineated as clearly as possible, especially with regards to student performance measures.

A comprehensive, well-written petition provides clear operating procedures for the charter school and objective measures to which the County Board will hold the charter school accountable. This handbook is designed to give petitioners a clear outline of what the County Board considers to be a reasonably comprehensive charter petition. Petitioners are expected to prepare a detailed and comprehensive petition that includes specific and accurate information presenting a realistic view of how the school will implement and operate its educational program.

It is the expectation of the County Board that petitioners submitting a petition shall be knowledgeable of state and federal laws and regulations regarding charter schools and the County Board charter policies, forms, and guidance materials.

All charter petitions received by the County Board shall be considered for approval or denial by the County Board pursuant to the requirements of applicable state and federal laws and regulations, and County Board policies. (Education Code 47605, 47605.5, 47605.6, 47607, 47607.2)

In reviewing charter petitions, the County Board shall consider whether granting the charter is consistent with sound educational practice and the interests of the community in which the school is proposing to locate and shall consider the academic needs of the pupils the charter proposes to serve.

If the County Board grants approval or renewal of a petition for a County Board-authorized charter, it does so contingent upon the charter school entering into a Memorandum of Understanding (MOU) with the County Board.

Upon County Board approval of any charter petition, the petitioner(s) shall provide written notice of the approval, including a copy of the petition, to the California Department of Education (CDE), to the State Board of Education (SBE), and, if the petition is for a countywide benefit charter school, to the school district(s) in which the charter will operate sites. (Education Code 47605, 47605.5, 47605.6)

Petition Review and Appeal Timeline

Procedures for Presentation and Review of Petitions

The procedures to be followed and associated timelines for the presentation and County Board review of charter school petitions shall be those specified in the Education Code and California Code of Regulations.

Upon receipt of a petition, the County Superintendent of Schools (County Superintendent) or designee shall verify that all required content has been received in the required format. A petition will not be considered officially received until all the required content is received in the required format. Once verified, the County Superintendent or designee shall officially date the receipt of the petition. The County Board will adhere to all timelines prescribed by law based on the official date of receipt.

Petitions Received for the Establishment of Countywide Charters

Petitions received directly for the establishment of charter schools serving students for whom SBCEO would otherwise be responsible for providing direct education and related services for, shall be reviewed according to the timelines and criteria described in Education Code 47605.5.

Petitions received directly for the establishment of countywide charter schools proposing to provide instructional services that are not generally provided by SBCEO shall be reviewed according to the timelines and criteria described in Education Code 47605.6.

To best facilitate the charter petition review process and the scheduling of public hearings, petitioners are encouraged to submit a complete petition approximately three to four weeks prior to a regularly scheduled meeting of the County Board.

Petitions Received on Appeal after Denial by a Local School District

Petitions received pursuant to denial by a local school district shall be reviewed according to the timelines and criteria described in Education Code 47605.

Petitions received pursuant to denial by a local school district must be received by SBCEO within 30 days of the district's denial.

If the petition submitted on appeal brought under Education Code 47605 contains new or different material terms, the County Board shall immediately remand the petition to the governing board of the school district for reconsideration, which shall grant or deny the petition within 30 days. If the governing board of the school district denies a petition after reconsideration, the petitioner may elect to resubmit the petition for the establishment of a charter school to the County Board. "Material terms" mean signatures, affirmations, disclosures, documents, and/or descriptions. Minor administrative updates are not considered material terms.

Action	Timeline
Petitioner submits a complete petition packet. Including the <i>Denied Initial Petition or Denied Renewal Petition</i> , the Notice of Intent to Submit a Petition Form, the signed Petitioner Certification Form, and the completed Charter Petition Evaluation Tool.	A complete charter appeal packet must be submitted to the County Board no later than 30 (thirty) calendar days after the school district governing board’s denial action. (Education Code 47605(k))

Petition Review Timeline for All Petitions

Within 60 days of receipt of the petition, the County Board will schedule and hold a public hearing on the provisions of the charter and consider the level of support for the petition by teachers employed by the school district, other employees of the school district or County Office, and parents, as prescribed by law.

Within 90 days of receipt of the petition, the County Board will schedule and hold a public hearing at which it will decide to approve or deny the petition. A 30-day extension may be permitted if agreed to by the petitioner and SBCEO.

At least fifteen days prior to the public hearing at which the decision is made, the County Superintendent or designee(s) shall prepare a staff report of the petition and distribute copies of it to the County Board, petitioners, and affected school districts. The staff report will consist of staff recommendations and findings. At the same public hearing where a decision is made, the staff report will be presented and the petitioners shall have equivalent time to present evidence and testimony to respond to the staff recommendations and findings.

Action	Timeline
County Board 1 st Public Hearing	Within 60 (sixty) days from receipt of petition
County Board shall publish the staff report, recommendations, and fact findings regarding the petition.	At least 15 days before the 2 nd public hearing at which time the County Board will grant or deny the petition
County Board 2 nd Public Hearing	Within 90 (ninety) days from receipt of petition
Staff present the recommendations and findings. Petitioners shall have equal time and opportunity to present evidence and testimony in response to the staff recommendations and findings. (Education Code 47605, 47607)	At the 2 nd public hearing at which time the County Board shall decide to grant or deny the petition.

<p>Before the County Board 2nd Public Hearing, the petitioner and SBCEO may agree in writing that an extension is necessary. (optional)</p>	<p>Provides a 30 (thirty) day extension of timeline</p>
<p><i>If the petition is approved by the County Board,</i> the petitioner must submit written notice of approval and a copy of the petition to the affected school district within Santa Barbara County, the California Department of Education (CDE), and State Board of Education (SBE).</p> <p><i>If the petition is denied by the County Board,</i> the petitioner may appeal the denial to the State Board of Education (SBE).</p>	

Capacity Interview

In addition to a review of the charter petition, SBCEO may elect to hold a capacity interview with the petitioner team and the board of directors, if any, to gauge the experience and expertise of its members in the areas of:

- Curriculum, instruction, and assessment
- Finance and business operations
- School administration, including on-site leadership and on-site financial management
- School governance

If requested by SBCEO, this interview is mandatory and must be attended by members of the petitioner team who have expertise in all the above areas. If a board of directors has been identified, at least two members must attend. The capacity interview will be held prior to the staff report, recommendations, and fact findings regarding the petition are completed.

Submitting a Petition for the Establishment of a Countywide Charter (Education Code 47605.5 and 47605.6)

Petition Format

The petition shall be submitted in a format that may be prescribed by the County Board/County Superintendent.

Please submit one original petition on white, 8½" x 11" paper, that is unbound, un-tabbed, and sequentially numbered for the entire submission. The one original document shall be received and marked as the official petition submission. Please be prepared to submit additional hard copies of the petition on request.

Upon receipt of a petition, the County Superintendent or designee shall verify that all required content has been received in the required format. A petition will not be considered officially received until all the required content is received in the required format. Once verified, the County Superintendent or designee shall officially date the receipt of the petition.

Each petition submission shall include the following:

1. Cover Sheet
2. Table of Contents
3. The Notice of Intent to Submit a Petition (Appendix I) formally applying to the County Board for approval of the charter. The Notice of Intent to Submit a Petition shall be the first page, shall be numbered page number 1, and shall state the entire number of pages of the petition (i.e., 1/250). The numbering shall be placed in the top right-hand corner of the petition.
4. A signed Petitioner Certification (Appendix I) attesting that the petition as submitted is complete
5. Signed affirmations and assurances that the petitioner(s) will comply with all applicable law, not limited to Education Code 47605 et seq
6. A completed Charter Petition Evaluation Tool (Appendix I), with each of the required elements in the petition identified by page numbers
7. Articles of Incorporation for the non-profit organization
8. Bylaws for the non-profit organization
9. An electronic copy of the entire petition submission shall be submitted on a USB or flash drive, or directly to afreedland@sbceo.org

The complete submission package must be hand delivered to:

Santa Barbara County Education Office
County Superintendent of Schools
4400 Cathedral Oaks Road
Santa Barbara, CA 93110

Petition Content

A petition to the County Board to approve a charter school shall include all the content required by law. In addition to the items required by law, the County Board may request petitioners submit additional information that will assist the County Board in reviewing the charter petition.

Petitioners applying to the County Board to serve students for whom the SBCEO would otherwise be responsible as authorized by **Education Code 47605.5**, must submit:

1. The number of signatures required by Education Code 47605(a)
2. An affirmation of each of the conditions described in Education Code 47605(e)
3. Reasonably comprehensive descriptions of all the items listed in Education Code 47605(b)(5)(A)-(O)
4. Information regarding the proposed operation and potential effects of the school, as outlined in Education Code 47605(h)

Petitioners applying to the County Board to establish countywide charter schools to provide instructional services that are not generally provided by SBCEO, as authorized by **Education Code 47605.6**, must submit:

1. Evidence 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 only in one school district in the county
2. Petition signatures that meet the requirements of Education Code 47605.6(a)(1)(A)-(B)
3. An affirmation of each of the conditions described in Education Code 47605.6(e)
4. Reasonably comprehensive descriptions of all the items listed in Education Code 47605.6(b)(5)(A)-(P)
5. Information regarding the proposed operation and potential effects of the school, as outlined in Education Code 47605.6(h)

Reasonably Comprehensive Description

According to California Code of Regulations, 5 CCR § 11967.5.1(g), a reasonably comprehensive description shall include, but not be limited to, information that:

1. Is substantive and is not, for example, a listing of topics with little elaboration
2. For elements that have multiple aspects, addresses essentially all aspects of the elements, not just selected aspects
3. Is specific to the charter petition being proposed, not to charter schools or charter petitions generally
4. Describes, as applicable among the different elements, how the charter school will:

- A. Improve pupil learning
- B. Increase learning opportunities for its pupils, particularly pupils who have been identified as academically low achieving
- C. Provide parents, guardians, and pupils with expanded educational opportunities
- D. Hold itself accountable for measurable, performance-based pupil outcomes
- E. Provide vigorous competition with other public school options available to parents, guardians, and students

The County Board and SBCEO view 5 CCR § 11967.5.1(g) as meaningful guidelines for reviewing charter applications and have incorporated this guidance into the “Charter Petition Evaluation Tool” (Appendix I).

Submitting a Petition on Appeal (Education Code 47605)

Petition Format

The petition shall be submitted in a format that may be prescribed by the County Board/County Superintendent.

Please submit one original petition on white, 8½" x 11" paper, that is unbound, un-tabbed, and sequentially numbered for the entire submission. The one original document shall be received and marked as the official petition submission. Please be prepared to submit additional hard copies of the petition on request.

Upon receipt of a petition, the County Superintendent or designee shall verify that all required content has been received in the required format. A petition will not be considered officially received until all the required content is received in the required format. Once verified, the County Superintendent or designee shall officially date the receipt of the petition.

Each petition submission shall include the following:

1. Cover Sheet
2. Table of Contents
3. The Notice of Intent to Submit a Petition (Appendix I) formally applying to the County Board for approval of the charter. The Notice of Intent to Submit a Petition shall be the first page, shall be numbered page number 1, and shall state the entire number of pages of the petition (i.e., 1/250). The numbering shall be placed in the top right-hand corner of the petition.
4. A signed Petitioner Certification (Appendix I) attesting that the petition as submitted is complete
5. Signed affirmations and assurances that the petitioner(s) will comply with all applicable law, not limited to Education Code 47605 et seq
6. Evidence of the school district governing board's action to deny the petition and the school district's governing board's written factual findings supporting the denial
7. A written description of any new or different terms to the petition since the petition was denied by the school district's governing board
8. Narrative description of any changes to the petition necessary to reflect the County Board as the chartering entity. This separate document should identify petition elements and page numbers where the changes were made.
9. A completed Charter Petition Evaluation Tool (Appendix I), with each of the required elements in the petition identified by page numbers
10. Articles of Incorporation for the non-profit organization
11. Bylaws for the non-profit organization

12. An electronic copy of the entire petition submission shall be submitted on a USB or flash drive, or directly to afreedland@sbceo.org

The complete submission package must be hand delivered to:

Santa Barbara County Education Office
County Superintendent of Schools
4400 Cathedral Oaks Road
Santa Barbara, CA 93110

Petition Content

A petition to the County Board to approve a charter school shall include all the content required by law. In addition to the items required by law, the County Board may request petitioners submit additional information that will assist the County Board in reviewing the charter petition.

Petitioners applying to the County Board subsequent to having been denied by a local school district as authorized by **Education Code 47605**, must submit:

1. The number of signatures required by Education Code 47605(a)
2. An affirmation of each of the conditions described in Education Code 47605(e)
3. Reasonably comprehensive descriptions of all the items listed in Education Code 47605(b)(5)(A)-(O)
4. Information regarding the proposed operation and potential effects of the school, as outlined in Education Code 47605(h)

In addition, petitioners applying to the County Board subsequent to having been denied by a local school district shall submit:

1. The original petition as submitted to the denying school district governing board, including the signatures required by Education Code 47605
2. Evidence of the denial and findings of fact from the denying school district governing board (e.g., meeting minutes, staff report, and any other documentation containing the denying school district's governing board written factual findings)
3. A description of any changes to the petition necessary to reflect the County Education Office/County Board as the chartering entity, as applicable

Reasonably Comprehensive Description

According to California Code of Regulations, 5 CCR § 11967.5.1(g), a reasonably comprehensive description shall include, but not be limited to, information that:

1. Is substantive and is not, for example, a listing of topics with little elaboration.

2. For elements that have multiple aspects, addresses essentially all aspects of the elements, not just selected aspects
3. Is specific to the charter petition being proposed, not to charter schools or charter petitions generally
4. Describes, as applicable among the different elements, how the charter school will:
 - A. Improve pupil learning
 - B. Increase learning opportunities for its pupils, particularly pupils who have been identified as academically low achieving
 - C. Provide parents, guardians, and pupils with expanded educational opportunities
 - D. Hold itself accountable for measurable, performance-based pupil outcomes.
 - E. Provide vigorous competition with other public school options available to parents, guardians, and students

The County Board and SBCEO view 5 CCR § 11967.5.1(g) as meaningful guidelines for reviewing charter applications and have incorporated this guidance into the “Charter Petition Evaluation Tool” (Appendix I).

Notifications and Approval Process

Notifications

SBCEO will notify the petitioner of the following:

1. Date of 1st Public Hearing
2. Date of Staff Report release
3. Date of 2nd Public Hearing in which the County Board will approve or deny the charter
4. Request for a Capacity Interview, if necessary
5. Scheduling of site visit(s), if necessary

Approval Process

The County Board may approve charter petitions according to applicable laws and such approvals shall be for a specified term. (Education Code 47605, 47607, 47607.2)

If the County Board grants a charter petition, it does so contingent upon the charter school entering into an MOU with the County Board. Charter petitions approved by the County Board shall operate under the provisions of their respective charters, the MOU, the relevant policies and procedures of the County Board, and applicable state and federal laws. The County Board becomes the chartering authorizer if it grants a charter.

Upon the County Board approval of any charter petition, the petitioner(s) shall provide written notice of the approval, including a copy of the petition, to the affected school district, the California Department of Education (CDE), and to the State Board of Education (SBE). (Education Code 47605)

A charter petition shall be denied if such petition proposes to operate a charter school as or by a for-profit corporation, a for-profit educational management organization, or a for-profit charter management organization. (Education Code 47604)

A charter petition shall be denied if granting the petition would convert a private school to a charter school. (Education Code 47602(b))

Conditional Approval

Within the rules delineated in Education Code 47605, the County Board may condition the approval of any petition with certain conditions, including, but not limited to, the following:

- For a classroom-based program, that a site be secured with an appropriate Certificate of Occupancy 45 days prior to the opening of school
- That the school's student recruitment process does not begin until the above condition has been met

- That a qualified principal be hired prior to the opening of the school and that the charter school shall notify the SBCEO 45 days prior to the opening of the school

Charter Approval Period

An initial approval of a charter petition by the County Board shall be for a period to be determined by the County Board, but for a period not to exceed five years. (Education Code 47607 (a)(1))

Approval Process for Petitions Submitted for the Establishment of a Countywide Charter School Under Education Code 47605.5

For petitions submitted to establish countywide charter schools for students already receiving direct education and related services from the SBCEO (Education Code 47605.5), it is the intent of the County Board that charter schools with sound educational practice should be encouraged.

The County Board shall deny a petition only if the County Board makes written factual findings, specific to the petition, setting forth specific facts to support one or more of the following findings:

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 by the Education Code 47605(a)
4. The petition does not contain an affirmation of each of the conditions set forth in Education Code 47605(e)
5. The petition does not contain reasonably comprehensive descriptions of all the information required by Education Code 47605(c)(5)(A)-(O)
6. The petition does not contain a declaration of whether or not 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, Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code
7. The charter school is demonstrably unlikely to serve the interests of the entire community in which the school is proposing to locate. Analysis of this finding shall include consideration of the fiscal impact of the proposed charter school. A written factual finding under this paragraph shall detail specific facts and circumstances that analyze and consider the factors discussed in the Education Code 47605(c)(7)(A)-(B).
8. The school district is not positioned to absorb the financial impact of the proposed charter school. A school district satisfies this paragraph if it has a qualified interim certification pursuant to Education Code 42131 and the County Superintendent, in consultation with the Fiscal Crisis and Management Assistance Team (FCMAT), certifies that approving the charter school would result in the school district having a negative interim certification pursuant to Education Code 42131, has a negative interim certification pursuant to Education Code 42131, or is under state receivership. Charter schools proposed in a school district satisfying one of these conditions shall be subject to a rebuttable presumption of denial.

If the County Board denies a charter school petition, the petitioner may submit the petition to the State Board of Education in accordance with state law. (Education Code 47605(k)(2))

Approval Process for Petitions Submitted for Establishment of Countywide Charter Schools Under Education Code 47605.6

For petitions submitted to establish countywide charter schools to provide instructional services that are not generally provided by the SBCEO (Education Code 47605.6), the County Board may grant such a petition only if the County Board finds 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.

The County Board shall deny a petition to establish a countywide charter school brought under Education Code 47605.6 if the County Board 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 by the Education Code 47605.6(a)
4. The petition does not contain an affirmation of each of the conditions set forth in Education Code 47605.6(e)
5. The petition does not contain reasonably comprehensive descriptions of all the information required by the Education Code 47605.6(b)(5)(A)-(P)
6. The petition does not contain a declaration of whether or not the charter school shall be deemed the exclusive public school employer of the employees of the charter school for purposes of the Educational Employment Relations Act, 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 finds justifies the denial of the petition

Further, for petitions under Education Code 47605.6, the County Board may impose any additional requirements beyond those required by Education Code 47605.6 that it considers necessary for the sound operation of a countywide charter school.

A County Board that approves a petition for the operation of a countywide charter may, as a condition of approval, enter into an agreement with a third party at the expense of the charter school, to oversee, monitor and report to the County Board on the operations of the charter school. The County Board may prescribe the aspects of the charter school's operations to be monitored by the third party and may prescribe appropriate requirements regarding the reporting of information concerning the operations of the charter school to the County Board.

If the County Board denies a countywide petition brought under Education Code 47605.6, the petitioner shall not elect to submit an appeal to the State Board of Education. (Education Code 47605.6(k))

Approval Process for Petitions Submitted on Appeal after District Denial Under Education Code 47605

For petitions submitted following denial at the district level (Education Code 47605(k)) it is the intent of the County Board that charter schools with sound educational practice should be encouraged.

The County Board shall deny a petition only if the County Board makes written factual findings, specific to the petition, setting forth specific facts to support one or more of the following findings:

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 by the Education Code 47605(a)
4. The petition does not contain an affirmation of each of the conditions set forth in Education Code 47605(e)
5. The petition does not contain reasonably comprehensive descriptions of all the information required by Education Code 47605(c)(5)(A)-(O)
6. The petition does not contain a declaration of whether or not 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 Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code
7. The charter school is demonstrably unlikely to serve the interests of the entire community in which the school is proposing to locate. Analysis of this finding shall include consideration of the fiscal impact of the proposed charter school. A written factual finding under this paragraph shall detail specific facts and circumstances that analyze and consider the factors discussed in the Education Code 47605(c)(7)(A)-(B).
8. The school district is not positioned to absorb the financial impact of the proposed charter school. A school district satisfies this paragraph if it has a qualified interim certification pursuant to Education Code 42131 and the County Superintendent, in consultation with the Fiscal Crisis and Management Assistance Team (FCMAT), certifies that approving the charter school would result in the school district having a negative interim certification pursuant to Education Code 42131, has a negative interim certification pursuant to Education Code 42131, or is under state receivership. Charter schools proposed in a school district satisfying one of these conditions shall be subject to a rebuttable presumption of denial.

If the County Board denies a charter school petition, the petitioner may submit the petition to the State Board of Education in accordance with state law. (Education Code 47605(k)(2))

Charter Oversight

Oversight/Monitoring and Supervision

The County Board/County Superintendent oversight of the charter school shall conform to the provisions required and/or authorized by law.

Education Code 47604.32 requires the following activities from the County Superintendent or designee:

1. Designate a contact person from the charter school
2. Visit the charter school once a year
3. Ensure compliance with all required reports
4. Monitor the fiscal condition of the charter school
5. Inform the state of new charters, renewal decisions, and closures

The County Superintendent or designee may also inspect documents verifying all teachers at the school hold a certificate, permit or other document as required by law. Therefore, these documents must be maintained on file at the charter school. (Education Code 47605(l)(1))

The County Superintendent or designee may inspect or observe any part of the charter school at any time. (Education code 47607(a)(5))

The charter school shall promptly respond to all reasonable inquiries from the County Board, the County Superintendent or designee.

The SBCEO shall charge, and the charter school shall pay, for actual costs of monitoring and supervision not to exceed 1 percent of the revenue of the charter school, or 3 percent of the revenue of the charter school if the charter school is able to obtain substantially rent-free facilities from SBCEO. Additional SBCEO services may be provided to the charter school, subject to mutual agreement.

Revocation

1. Pursuant to Education Code 47607(f), "A charter may be revoked by the authority that granted the charter under this chapter if the authority finds that the charter school did any of the following:
 - (1) Committed a material violation of any of the conditions, standards, or procedures set forth in the charter.
 - (2) Failed to meet or pursue any of the pupil outcomes identified in the charter.
 - (3) Failed to meet generally accepted accounting principles or engaged in fiscal mismanagement.
 - (4) Violated any law."

2. Before revocation, the County Board shall notify the charter school of any violation of Education Code 47607(f) and give the school a reasonable opportunity to remedy the violation, unless the County Board determines, in writing, that the violation constitutes a severe and imminent threat to the health or safety of pupils.
3. After a reasonable period, if satisfactory evidence is not presented to the County Board that the violation has been remedied, the County Board shall provide a written notice of intent to revoke and notice of facts in support of revocation to the charter school. No later than 30 days after providing notice of intent to revoke a charter, the chartering authority shall hold a public hearing, in the normal course of business, on the issue of whether evidence exists to revoke the charter. No later than 30 days after the public hearing, the County Board shall issue a final decision to revoke or decline to revoke the charter, unless the County Board and the charter school agree to extend the issuance of the decision by an additional 30 days. The County Board shall not revoke a charter, unless it makes written factual findings supported by substantial evidence, specific to the charter school, that support its findings.

Charter School as a Nonprofit

Should the charter school elect to operate as, or be operated by, a nonprofit public benefit corporation, the County Board may appoint a representative to serve on the board of directors of the corporation, and the corporation shall confer upon the County Board's appointee all rights and responsibilities exercised by any other director of the corporation.

Material Modifications or Renewal of an Approved Charter

Materially modifying or renewing a charter is subject to the approval of the County Board and must be in accordance with Education Code 47607.

Charter schools approved by the County Board may submit an application for renewal between July 1 and October 1 of the final year of their charter. If an application for renewal is not submitted within the time and in the format prescribed, the County Board may allow the charter to expire.

Material Modifications

Charter schools approved by the County Board may submit an application for material modifications to their charter at any time prior to July 1 of the final year of their charter. A material modification is any change in the basic charter document initially approved by the County Board, not a change in the MOU.

Renewal

Under AB 1505, the County Board must consider the charter school's performance on the indicators included in the California School Dashboard when evaluating a petition to renew a charter school. The renewal process creates three tiers of renewal:

1. High-Performing Charter Schools: The County Board shall not deny renewal for a charter school that meets the high-performing criteria, and the school can be renewed for a period of between five and seven years. A charter school meets this criterion if, in the two preceding years, it has either:
 - a. Received two highest performance levels schoolwide on all state indicators, which is all blue or all green, or
 - b. Received performance levels schoolwide and for a majority of subgroups that are the same or higher than the state average on the "academic performance indicators"—test-based indicators for English Language Arts (ELA) and math, the English Language Progress Indicator (ELPI), and the College and Career Indicator (CCI)
2. Low-Performing Charter Schools: The County Board shall not renew a charter school that meets the low-performing criteria. A charter school meets this criterion, if in the preceding two years, it has either:
 - a. Received the two lowest performance levels schoolwide on all state indicators, which is all red or all orange, or
 - b. Received performance levels schoolwide that are the same or lower than the state average and for a majority of subgroups performing below the state average in the "academic performance indicators"—test-based indicators for ELA and math, ELPI, and CCI

However, the County Board may make an exception and renew a low-performing school if it makes both of the following written factual findings:

- a. The charter school is taking meaningful steps to address the underlying cause or causes of low performance reflected, or will be reflected, in a written plan adopted by the charter school’s governing body, and
 - b. There is clear and convincing evidence that the charter school has either achieved measurable increases in academic achievement, as defined by at least one year’s progress for each year in school, or the charter school has demonstrated strong postsecondary outcomes
3. Middle-Performing Charter Schools: For all other charter schools, the County Board shall consider for renewal based on the performance schoolwide, and the performance of all subgroups of pupils served by the school, on the state and local indicators on the Dashboard. In determining whether to grant a renewal, the County Board must give greater weight to the school’s performance on “measurements of academic performance”—the test-based indicators in ELA and math, ELPI, and CCI.

In addition, the County Board shall consider clear and convincing evidence showing either of the following:

- a. The charter school achieved measurable increases in academic achievement, defined by at least one year’s progress for each year in school, or
- b. The charter school has achieved strong postsecondary outcomes, as defined by college enrollment, persistence, and completion rates equal to similar peers

A chartering authority may deny renewal of a charter school in the middle tier only upon making a specific written finding that the school has failed to make sufficient progress toward meeting standards that provide a benefit to the school’s students, that closure of the school is in the student’s best interests, and that the decision provided greater weight to performance on “measurements of academic performance”—the test-based indicators in ELA and math, ELPI, and CCI.

The renewal period will be for five years.

For schools in low-performing and middle-performing tiers, the County Board must also consider “verified data.” At its November 2020 meeting, the SBE adopted a list of valid and reliable assessment to define “verified data,” which can be found on SBE’s website:

<https://www.cde.ca.gov/sp/ch/verifdatacrit.asp>.

The County Board may deny renewal of a charter school in any of the three tiers upon a finding that the school is demonstrably unlikely to successfully implement the program due to substantial fiscal and governance factors, or if the charter school is not serving all pupils who wish to attend. Even a high-performing charter may be denied renewal based upon such a finding. However, the County Board must give the school at least 30 days’ notice of the alleged violation and provide the charter school with a reasonable opportunity to remedy. A finding supporting non-renewal would then have to include findings that either the corrective action proposed by the school was unsuccessful, or that the violations are sufficiently severe and pervasive as to render a corrective action plan unviable.

Appendix I



NOTICE OF INTENT TO SUBMIT A PETITION

To be completed by a charter school petitioner. Submit to SBCEO with a completed petition packet.

Petitioner Information	Type of Charter Petition		
Name of Proposed Charter School:	INITIAL/NEW PETITION	PETITION ON APPEAL	RENEWAL
Name & Position of Lead Petitioner:	<i>District that Denied Petition (if on appeal):</i>		
Petitioner Phone and Email:	<i>Petition Review & Presentation Timelines (SBCEO Use Only)</i>		
Petitioner Address:	Petition Submission Verification Date:	Public Hearing (60 days from submission) Date Due:	Decision by Board (90 days from submission unless 30 day extension) Date Due:
Proposed Grade Span for 1st Year:	Was an extension requested? YES NO	Date Held:	Date of Board Decision:

Facility Information				
Facilities Have Been Secured (select yes or no)	YES (List proposed address below)		— NO (List facilities being considered below)	
Proposed Facility Address	Street	City	State	Zip Code
Facilities Being Considered (include any Prop 39 Facility Requests being proposed)	Street	City	State	Zip Code
	Street	City	State	Zip Code

Related Business Organizations and Other Corporate Affiliations	
List all corporations or business entities related to the corporation proposed to operate the charter school and/or lead petitioner(s). Explain whether, and to what extent, those other entities will participate in operating the charter school (use additional pages if necessary)	
Related or Affiliated Entity Name and Contact Information	Services to be Provided, if any

Affiliated Schools and Prior Charter School Experience	
Any past or current operational charter schools affiliated with proposed charter school?	YES NO
Name of affiliated school(s)	
Mailing Address	Street City State Zip Code
Name of Authorizing Agency & Contact Name	
Authorizing Agency Contact Phone and email	

Special Education - SELPA Information		
Has Charter School applied for or been approved as LEA member of SELPA?	YES <input type="checkbox"/> NO	If YES, Provide LEA #, Name of SELPA & Contact
If NO, give a detailed description of intent for special education compliance as a charter school in the charter petition.		



PETITIONER CERTIFICATION

To be completed by a charter school petitioner. Submit to SBCEO with a completed petition packet.

Education Code §47605(a)(1):

A petition for the establishment of a charter school shall identify a single charter school that will operate within the geographic boundaries of that school district. A charter school may propose to operate at multiple sites within the school district if each location is identified in the charter school petition. The petition may be submitted to the governing board of the school district for review after either of the following conditions is met:

<p><i>(A) The petition is signed by a number of parents or legal guardians of pupils 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</i></p>	YES	NO
<p><i>(B) The petition is signed by 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</i></p>	YES	NO

A petition is deemed received by the governing board of the school district for purposes of commencing the timelines described in this subdivision on the day the petitioner submits a petition to the district office, along with a signed certification that the petitioner deems the petition to be complete.

I hereby certify under the laws of the State of California and the United States that the foregoing petition and cover page(s) are deemed complete, true and correct. I understand and acknowledge that failure to provide accurate or complete information may subject the charter to revocation if later discovered and material to compliance with the Charter Schools Act.

Name of lead petitioner	Signature of lead petitioner	Date
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Name of SBCEO personnel receiving petition	Signature of SBCEO personnel receiving petition	Date received
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Petition Appeal Consideration & Acceptance E.C. §47605(k)(1)(A) (SBCEO Office Use Only)

<p>Petitioner submitted the charter school petition appeal to the county board of education within 30 days of denial by the governing board of the school district as required by law.</p>	YES	NO
<p>The charter school petition appeal includes new information or changes to the original petition that was submitted to the district.</p>	YES	NO
<p>This is a resubmission of the charter school's petition appeal. The school district governing board denied the petition after reconsideration of the petition's new or different material terms to its charter.</p>	YES	NO

If yes, the petition will be immediately remanded back to the district

N/A



Santa Barbara County Education Office

CHARTER PETITION EVALUATION TOOL

To be completed by petitioners and submitted with the official petition

Name of Proposed Charter School	Petitioner Contact Information Name, Phone, and Email	Proposed Charter Locations in Santa Barbara County	Date petition submitted to SBCEO

Area of Review (§47605(c))	Name of Petitioner Responsible for Section
A. Education Program	
B. Measurable Student Outcomes	
C. Student Progress Measurement	
D. Governance Structure	
E. Employee Qualifications	
F. Health and Safety	
G. Racial & Ethnic Balance	
H. Admission Requirements	
I. Annual Financial Audits	
J. Suspension and Expulsion	
K. Staff Retirement System	
L. Attendance Alternatives	
M. Post-Employment Rights of Employees	
N. Dispute Resolution Process	
O. Closure Procedures	

Supplemental Criteria	
Areas of Review	Name of Petitioner Responsible for Section
Financial/Administrative Plan	
Charter Management Organization	
Facilities	
Impact Statement	
Community Impact	
Special Education	
Required Declarations/Affirmations	
Alternative Education Charter Schools, if applicable	
Independent Study, if applicable	

A. DESCRIPTION OF VISION, MISSION AND EDUCATIONAL PROGRAM <i>Evaluation Criteria: E.C. §47605(c)(5)(A)</i> THE PETITION DESCRIBES, AT MINIMUM RED indicates a description that is required under law to be included in the charter petition.	Petition Page(s)
1. Targeted Student Populations and Community Need	
a. students the charter school will attempt to educate and a demonstration of need for proposed educational program	
b. grade levels and number of students the charter school plans to serve	
c. a clear, concise school mission and vision statement that align with the target population	
d. the needs and challenges of the student groups to be served	
a. school year/academic calendar, number of school days and instructional minutes	
b. attendance expectations and requirements, including enrollment projections	
c. master/daily schedule and proposed bell schedule	
a. goals that are consistent with enabling all pupils to become or remain self-motivated, competent, lifelong learners	
b. list of academic skills and qualities important for an educated person	
c. list of general non-academic skills and qualities important for an educated person	
a. a framework for instructional design that is aligned with the needs of the students that the charter has identified as its target student population	
b. description of learning setting (e.g. site-based matriculation, independent study, tech-based)	
c. instructional approaches and strategies school will utilize that will enable the school's students, including subgroup populations such as English language learners (ELL), to master the content standards for the core curriculum areas adopted by the SBE	
d. process for developing or adopting curriculum and teaching methods	
e. how the charter school will identify and meet the needs of students with disabilities, ELLs, students achieving substantially above or below grade level expectations, and other special student populations - the description demonstrates understanding of the likely ELL population - includes sound approach to identify and meet the needs of subgroup populations	
f. special education plan including, but not limited to, the means by which the charter school will comply with the provisions of EC section 47641	
g. a plan for professional development that aligns with the charter school's proposed program	

a. how staff and students' technology resources are aligned to the instructional program and meet state assessment requirements	
b. what materials are available to students: student-to-computer ratio appears reasonable	
c. a description or plan for providing adaptive technology for SPED students	
d. Common Core technology standards, digital assessments, and professional learning	
a. annual goals for all pupils and for each subgroup of pupils identified pursuant to section 52052 that apply to the grade levels served	
b. goals tied to state priorities listed in EC section 52060(d) and LCAP, as appropriate - Additional priorities related to unique aspects of the proposed charter school program include goals and specific annual actions	
c. specific annual actions designed to achieve the stated goals	
a. how parents will be informed about the transferability of courses to other public high schools	
b. how parents will be informed about the eligibility of courses to meet college entrance requirements	
c. how each student will receive information on how to complete and submit a FAFSA or California Dream Act Application at least once before the student enters grade 12	
d. how the exit outcomes will align to mission, curriculum and assessments	
e. affirmation that all students will have the opportunity to take courses that meet the 'A-G' requirements	
f. planned graduation requirements and WASC accreditation are defined	

B. MEASURABLE STUDENT OUTCOMES <i>Evaluation Criteria: E.C. §47605(c)(5)(B)</i> THE PETITION DESCRIBES, AT MINIMUM RED indicates a description that is required under law to be included in the charter petition.	Petition Page(s)
1. Measurable pupil outcomes for all groups, i.e. specific assessment methods or tools listed for each exit outcome	
2. A description of how pupil outcomes align with the state priorities consistent with LCAP, as described in EC 52060(d), that apply for the grade levels served or the nature of the program	
3. Specific annual actions designed to achieve the stated goals	
4. Additional school priorities related to unique aspects of the proposed charter school program, with goals and specific annual actions	
5. Description of how pupil outcomes will address state content and performance standards in core academic areas	
6. Description of how exit outcomes align to the mission and instructional design of the program	
7. Description or affirmation that "benchmark" skills and specific classroom-level skills will be developed	
8. School-wide student performance goals students will achieve over a given period of time, including projected attendance levels, dropout percentage, and graduation rate goals	

C. STUDENT PROGRESS MEASUREMENT <i>Evaluation Criteria: E.C. §47605(c)(5)(C.)</i> THE PETITION DESCRIBES, AT MINIMUM RED indicates a description that is required under law to be included in the charter petition.	Petition Page(s)
1. Assessment tools that include all required state and federal assessment (SBAC, ELPAC, etc.) for purposes of accountability	
2. At least one assessment method or tool listed for each of the exit assessments	
3. A variety of alternative assessment tools, including tools that employ objective means of assessment consistent with the measurable pupil outcomes	
4. Chosen assessments are appropriate for standards and skills the charter school seeks to measure	
5. A plan for collecting, analyzing/utilizing and reporting student/school performance to charter school staff and to students' parents and guardians, and for utilizing the data continuously to monitor and improve the charter school's educational program	

D. GOVERNANCE STRUCTURE <i>Evaluation Criteria: E.C. §47605(c)(5)(D)</i> DESCRIBES, AT MINIMUM RED indicates a description that is required under law to be included in the charter petition.	<i>THE PETITION</i> Petition Page(s)
1. Evidence of the charter school's incorporation as a nonprofit benefit corporation	
a. provides the names and relevant qualifications of all persons whom the petitioner nominates to serve on the governing body of the charter school.	
b. includes a set of bylaws and basic policies	
2. Evidence that the organizational technical designs of the governance structure reflect: - a seriousness of purpose to ensure that the charter will become and remain a viable enterprise - understanding and assurance of compliance with open meeting requirements	
3. Key features of governing structure including, but not limited to:	
a. delineation of roles and responsibilities of the governing board and staff	
b. a clear description of the flexibility and level of autonomy the charter school has from the charter management organization over budget, expenditures, personnel, and daily operations	
c. size/composition of board, board committees and/or advisory councils	
d. method for selecting initial board members and election/appointment for board member replacement	
4. A process for involvement or input of parents/guardians in the governance of the charter school including:	
a. a clear delineation of roles and responsibilities of parent councils, advisory committee or other supporting groups	
b. a description how it shall notify the parents and guardians of applicant pupils and currently enrolled pupils that parental involvement is not a requirement for acceptance to or continuation at, the charter school	
5. Specific policies and internal controls that will prevent fraud, embezzlement, and conflict of interest and ensures the implementation and monitoring of those policies	
6. A description and frequency of board trainings/workshops	
7. Other important legal or operational relationships between the charter school and granting agency	

E. EMPLOYEE QUALIFICATIONS Evaluation Criteria: E.C. §47605(c)(5)(E) THE PETITION DESCRIBES, AT MINIMUM RED indicates a description that is required under law to be included in the charter petition.	Petition Page(s)
1. Core and college preparatory teachers, and affirms all teachers will hold appropriate Commission on Teacher Credentialing certificates (new in July 1, 2020)	
2. Those positions that the charter school regards as key, and specifies the additional qualifications expected of individuals assigned to those positions, their responsibilities and accountability	
3. General qualifications for the various categories of employees (e.g., other administrative, instructional support, non-instructional support). These qualifications shall be sufficient to ensure the health and safety of the charter school's faculty, staff, and students.	
4. A clear plan for recruitment, selection, development and evaluation of staff and charter school leader	
5. Roles and lines of authority for board and management positions	
6. Qualifications for non-core, non-college prep teaching positions staffed by non-certified teachers	
7. Proposed teacher to student ratio	

F. HEALTH AND SAFETY PROCEDURES <i>Evaluation Criteria: §47605(c)(5)(F)</i> <i>THE PETITION DESCRIBES, AT MINIMUM</i> RED indicates a description that is required under law to be included in the charter petition.	Petition Page(s)
1. A comprehensive charter school safety plan and assurance that all charter school staff will be trained on this plan and that the plan will be updated annually	
2. Assurances that the charter school will require a criminal background clearance report, and proof of tuberculosis examination prior to employment	
3. Assurances that the charter school will adopt procedures to prevent acts of bullying and cyberbullying, and make the CDE online training module available to all employees who interact with students	
4. Affirmation that charter schools with grades 7-12 will adopt a suicide prevention policy	
5. Health and safety practices for students and staff	
a. references include health and safety related policies/procedures or the date by which they will be adopted and submitted to the authorizer	
6. Assurances on the compliance with ADA (Americans with Disabilities Act)	

G. RACIAL AND ETHNIC BALANCE <i>Evaluation Criteria: E.C. §47605(c)(5)(G)</i> <i>THE PETITION DESCRIBES, AT MINIMUM</i> RED indicates a description that is required under law to be included in the charter petition.	Petition Page(s)
1. Specific practices/policies the charter school will design and implement to attract a diverse applicant pool/enrollment that is reflective of the general population, including special populations residing within the territorial jurisdiction of the district	
2. Practices and policies appear likely to achieve racial and ethnic balance	
3. The outreach strategies, identifying specifically who the targeted groups will be, including developed or planned benchmarks for achieving balance	
4. Types of supports that will be provided to maintain enrollment balance (counselors, support staff, medical-related staff, etc.)	

H. ADMISSION REQUIREMENTS, IF APPLICABLE <i>Evaluation Criteria: E.C. §47605(c)(5)(H)</i> THE PETITION DESCRIBES, AT MINIMUM RED indicates a description that is required under law to be included in the charter petition.	Petition Page(s)
1. The following assurances: The charter school shall be nonsectarian in its programs, admission policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against a pupil on the basis of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, including immigration status, equal rights, and opportunities in the educational institutions of the state	
2. A clear description of admission policies that meet the state and federal permissive preferences	
3. A clear description of how students in the community will be informed and given an equal opportunity to attend the charter school. All promotional material must clearly state the charter school will serve ALL students.	
4. Proposed admissions and enrollment requirements, process and timeline, and includes :	
a. information to be collected through the interest form, application form, and/or enrollment form	
b. assures enrollment preferences will not require mandatory parent volunteer hours as a criteria for admission	
5. Description of the public random drawing processes that coincide with state and federal laws	
6. Assurances that preferences, if given, are not likely to negatively impact the racial, ethnic and unduplicated balance the charter school strives to reflect	

I. ANNUAL INDEPENDENT FINANCIAL AUDITS <i>Evaluation Criteria: §47605(c)(5)(I)</i> <i>THE PETITION DESCRIBES, AT MINIMUM</i> RED indicates a description that is required under law to be included in the charter petition.	Petition Page(s)
1. The manner in which the audit will be conducted	
2. Procedures to select and retain an independent auditor including: - qualifications that will be used for the selection of an independent auditor - assurance that the auditor will have experience in education finance	
3. Assurance that the annual audit will employ generally accepted accounting principles	
4. Scope and timing of audit, as well as distribution of completed audit to authorizer, county office, State Controller, California Department of Education, and/or other agencies required under law	
5. A process and timeline that the charter school will follow to address any audit findings and/or resolve audit exceptions	
6. Assurance that the charter school will satisfy any audit deficiencies to the satisfaction of the authorizer	
7. Who is responsible for contracting with and overseeing the independent audit	

J. SUSPENSION AND EXPULSION PROCEDURES <i>Evaluation Criteria: E.C. §47605(c)(5)(J)</i> THE PETITION DESCRIBES, AT MINIMUM RED indicates a description that is required under law to be included in the charter petition.	Petition Page(s)
1. A process for suspensions of fewer than 10 days, including	
a. oral or written notice of the charges against the pupil	
b. if the pupil denies the charges, an explanation of the evidence that supports the charges	
c. how an opportunity will be provided for the pupil to present his/her rebuttal to the charges	
2. A process for suspensions of 10 days or more and all other expulsions for disciplinary reasons, including	
a. timely, written notice of the charges against the pupil and an explanation of the pupil's basic rights	
b. a process of hearing adjudicated by a neutral officer within a reasonable number of days, and at which the pupil has the right to bring legal counsel or an advocate	
3. A clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice and that ensures the written notice shall be in the native language of the pupil or the pupil's parent or guardian	
4. Understanding of relevant laws protecting constitutional rights of students	
a. provides for due process for all students and demonstrates understanding of the rights of students with disabilities in regard to suspension, expulsion and involuntary dismissal	
b. explanation of how authorizer may be involved in disciplinary matters	

K. CALIFORNIA STATE TEACHER RETIREMENT SYSTEM <i>Evaluation Criteria: E.C. §47605(c)(5)(K)</i> <i>THE PETITION DESCRIBES, AT MINIMUM</i> RED indicates a description that is required under law to be included in the charter petition.	Petition Page(s)
1. A statement of what retirement options will be offered to employees	
a. STRS (if STRS, then all teachers must participate)	
b. PERS	
c. Social Security	
2. Whether retirement will be offered with language clearly reflecting one of the following choices for each retirement system - coverage will be offered to eligible employees - the charter school retains the option to elect the coverage at a future date - the charter school will not offer coverage	
3. Who is responsible for ensuring that the appropriate arrangements for coverage have been made	

L. PUBLIC SCHOOL ATTENDANCE ALTERNATIVES <i>Evaluation Criteria: E.C. §47605(c)(5)(L)</i> <i>THE PETITION DESCRIBES, AT MINIMUM</i> RED indicates a description that is required under law to be included in the charter petition.	Petition Page(s)
1. Attendance alternatives for students residing within the county who choose not to attend the charter school.	

M. POST-EMPLOYMENT RIGHTS OF EMPLOYEES <i>Evaluation Criteria: E.C. §47605(c)(5)(M)</i> <i>THE PETITION DESCRIBES, AT MINIMUM</i> RED indicates a description that is required under law to be included in the charter petition.	Petition Page(s)
1. School district employee's return employment rights, including a. whether, and how staff may resume employment within the district or authorizer	
b. the ability to transfer sick/vacation leave to and from charter and another LEA	
c. whether staff will continue to earn service credit (tenure) in district while employed at charter	
2. Whether collective bargaining contracts of charter authorizer will be a controlling document	

N. DISPUTE RESOLUTION PROCEDURES <i>Evaluation Criteria: E.C. §47605(c)(5)(N)</i> <i>THE PETITION DESCRIBES, AT MINIMUM</i> RED indicates a description that is required under law to be included in the charter petition.	Petition Page(s)
1. A process for the charter and the authorizer to settle disputes relating to the provisions of the charter	
2. The process by which charter will resolve internal complaints and disputes	
a. includes Uniform Complaint procedures and description of how this process is communicated to parents, staff, and the community	
3. Acknowledgement that except those disputes between the chartering authority and the charter school, all disputes involving the charter school shall be resolved by the charter school according to the charter school's own internal policies	
4. Statement that if any such dispute concerns facts or circumstances that may be cause for revocation of the charter, the authorizer shall not be obligated by the terms of the dispute resolution process as a precondition to revocation	

O. CLOSURE PROCEDURES <i>Evaluation Criteria: E.C. §47605(c)(5)(O)</i> <i>THE PETITION DESCRIBES, AT MINIMUM</i> RED indicates a description that is required under law to be included in the charter petition.	Petition Page(s)
1. The procedures to be used if the charter school closes, including:	
a. who is the responsible entity/person that will conduct closure-related activities	
b. process for submission of final financial reports, expenditure reports for entitlement grants, and the filing of any required final expenditure and performance reports	
2. The maintenance plan for pupil records and the manner in which parents/guardians may obtain copies of pupil records if the charter school closes, including how information will be preserved and transferred.	
3. A process of how charter will ensure a final audit of the charter school	
a. an assurance it will be conducted within six months of closure	
b. the disposition of the charter school's assets	
c. plans for disposing net assets	
4. The transfer and maintenance of personnel records in accordance with applicable law	

FINANCIAL/ADMINISTRATIVE PLAN <i>Evaluation Criteria: E.C. §47605(h)</i> <i>The petition describes, at minimum</i> RED indicates a description that is required under law to be included in the charter petition.	Petition Page(s)
1. A First Year Operational Budget	
a. annual revenues and expenditures clearly identified by source	
b. revenue assumptions in alignment with applicable state and federal funding formulas	
c. expenditure assumptions that reflect the school design plan	
d. expenditure assumptions that reflect market costs	
e. revenues from grants or other proposed fundraising that are not critical to fiscal solvency	
f. minimum reserve level and projected positive ending fund balance (the larger of 3% of expenditures, or \$25,000)	
g. if expenditures exceed revenues in first year of operations, identifies sources of capital sufficient to cover deficits until the budget is projected to balance	
h. expenditures for property and liability insurance that name the district/authorizer as additional insured (and/or a hold harmless agreement)	
i. expenditures for reasonably expected legal services	
j. expenditures for special education excess costs consistent with current experiences in the school district/county office	
k. expenditures for facilities – if specific facilities not secured, reasonable projected cost	
l. expenditures for required student meals that meet federal nutritional requirements	
m. the alignment of LCAP expenditures with the charter’s budget	
a. revenues and expenditures correlate with the number/types of students by grade level in budget	
b. expenditure assumptions correlate with the amount of staff in budget	
c. expenditure assumptions correlate with the facility needs in budget	
d. expenditure assumptions in alignment with overall school design plan	
e. revenues based on state and federal funding guidelines	
f. revenues based on reasonable potential growth in local, state and federal categories	
g. revenues based on reasonable student growth projections	
h. revenue from sources such as grants, loans, donations and other non-guaranteed funds not necessary for the charter to maintain fiscal solvency	
i. timeline for any referenced grant applications to be submitted and funded	
j. positive reserves are maintained in all three years	
k. fund balances are positive, or sources of supplemental working capital are identified	

3. Start-Up Costs	
a. reasonable allocation for all major start-up costs including: - staffing - facilities - equipment and supplies - professional services (i.e. food services, etc.) - technology materials - assessment systems/materials - legal costs	
b. in alignment with overall school design plan	
c. potential funding sources	
d. timeline allows for grant applications and fundraising efforts to be completed in time, if included in start-up costs	
4. Cash Flow Projections for First 3 Years	
a. monthly projection of revenue receipts in line with local/state/federal funding disbursements	
b. expenditures projected by month and corresponds with typical/reasonable schedules	
c. balance sheet accounts projected by month	
d. show positive cash balance each month and/or identify sources of working capital	
5. Structure for Administrative Services and Operations	
a. outline or process for how personnel transactions will be conducted, (i.e. hiring, payroll, leaves and retirement)	
b. accounting and payroll processes that reflect an understanding of school business practices and expertise to carry out the necessary functions	
c. plan and timeline to develop and assemble school business practices and expertise	
d. explanation of how school intends to manage risk, including any policies and procedures	
d. if operated by a non-profit organization, affirms will provide additional 501(c)(3) fiscal reports	

CHARTER MANAGEMENT ORGANIZATION i.e. ENTITIES MANAGING CHARTER SCHOOLS <i>Evaluation Criteria: E.C. §47605(h)</i> <i>The petition describes, at minimum</i> RED indicates a description that is required under law to be included in the charter petition.	Petition Page(s)
1. Name and relationship of CMO to charter school, including - roles - responsibilities - payment structure - conditions for renewal/termination - investment disclosure	
2. CMO's role in the financial management of the charter and the associated internal controls	
3. Other schools and/or companies managed by the CMO	
4. CMO's history, philosophy, and past results operating other schools and/or companies	
5. CMO's Form 990s for up to prior three years	
6. Back office provider and description of support utilized by the charter	
7. Affirmation that the CMO/back office provider will provide timely submissions of calendar of due date items	
8. Affirmation that the CMO/back office provider will provide timely submissions of request for information items	

FACILITIES <i>Evaluation Criteria: E.C. §47605(h)</i> <i>The petition describes, at minimum</i> RED indicates a description that is required under law to be included in the charter petition.	Petition Page(s)
1. Location of Facility	
a. the types and the location of the charter school facility that the petitioner proposes to operate, including - size and resources - safety - educational suitability	
b. the address of the facility or a schedule for securing the facility, including the person responsible for securing the location	
c. assessment and analysis of anticipated facilities needs and viability of potential sites	
2. Current and Projected Availability	
a. current and projected availability of each charter school site, and schedule for securing the facility	
b. assurances of all legal compliance with health and safety, ADA, and applicable building codes	
c. adequate budget for anticipated costs, including renovation, rent, maintenance and utilities	
d. statement whether a request will be made for use of authorizer-owned facilities	
e. lease or occupation agreement for privately obtained facilities, and/or provides a copy of the lease agreement	

IMPACT STATEMENT <i>Evaluation Criteria: E.C. §47605(h)</i> <i>The petition describes, at minimum</i> RED indicates a description that is required under law to be included in the charter petition.	Petition Page(s)
1. Number of students anticipated to enroll	
2. Identification of whether charter will request to purchase support services from authorizer	
3. Affirmation there will be a Memorandum of Understanding between the authorizer and charter school	
4. Processes and policies between charter and authorizer	
a. includes process, activities and associated fees for oversight of charter	
b. includes processes, timelines, and evaluation criteria for annual review and site visits	
c. includes regular, ongoing fiscal and programmatic performance monitoring and reporting	
d. includes process, timelines and evaluation criteria for charter renewal	
e. outlines other important legal or operational relationships between authorizer and charter school	
5. Criteria and procedure for the selection of a contractor, if applicable, including - process for determining necessary expertise - selection of the contractor or contractors, if applicable	
6. Potential civil liability effects, if any, upon the school and the authorizer	

COMMUNITY IMPACT <i>Evaluation Criteria: E.C. §47605(c)(7)</i> <i>The petition describes, at minimum</i> RED indicates a description that is required under law to be included in the charter petition.	Petition Page(s)
1. How the charter school will not substantially undermine existing school district services, academic offerings, or programmatic offerings	
2. Whether the charter school petition duplicates a program currently offered by the district, and the existing program has sufficient capacity for the pupils proposed to be served within reasonable proximity to where the charter school intends to locate	

SPECIAL EDUCATION <i>Evaluation Criteria: E.C. §47641(a) and E.C. §47646</i> <i>The petition describes, at minimum</i> RED indicates a description that is required under law to be included in the charter petition.	Petition Page(s)
1. The school's special education structure (3 options) a. charter school will be an independent LEA for special education purposes, or school will be a school within the district, or b. charter c. the charter school will be a SELPA	
2. How special education services will be provided consistent with SELPA Plan and/or policies and procedures. a. includes a fiscal allocation plan in alignment with the SELPA the charter plans to join	
3. Affirmation that the charter school will assume full responsibility for appropriate accommodations to address the needs of any student	
4. Acknowledgment that the charter is responsible for providing special education, instruction and related services to the students enrolled in the school regardless of students' district of residence	
5. The process for notifying district of residence and authorizing LEA when a special education student enrolls, becomes eligible, ineligible and/or leaves the charter	
6. The transition to and from a district when a student with an IEP enrolls in or transfers out of the charter	
7. Evidence that the school has consulted with a SELPA, such as a letter from SELPA confirming receipt of application	
8. Includes the following assurances	
a. the charter will comply with all provisions of IDEA	
b. no student will be denied admission based on disability or lack of available services	
c. a Student Study Team process will be implemented	
d. any student potentially in need of Section 504 services will receive such services	
If the charter will not be an independent LEA	
1. Clarifies in charter petition or a Memorandum of Understanding the responsibilities of each party for service delivery, including Referral, Assessment, Instruction, Due Process, Agreements describing allocation of actual excess costs	
2. An assertion that the charter will be fiscally responsible for its fair share of any encroachment on general funds	
If the charter school is an independent LEA within a SELPA	
1. Notifies SELPA Director of intent to participate prior to February 1 of the preceding school year	
2. Includes current operating budget in accordance with E.C. §42130 and E.C. §42131	
3. Understands that the charter school is fiscally responsible for fair share of any encroachment on general funds	
4. Asserts responsibility for any legal fees relating to the application and assurances process	
5. Demonstrates it is located within SELPA's geographical boundaries	
6. Asserts all instruction will be in a safe environment	
7. Affirms the terms of the Agreement will be met regarding the organization, implementation, administration and operation of the SELPA	

REQUIRED DECLARATION <i>Evaluation Criteria: E.C. §47605(c)(6)</i> <i>The petition describes, at minimum</i> RED indicates a description that is required under law to be included in the charter petition.	Petition Page(s)
<p>1. Declaration of whether or not the charter school shall be deemed the exclusive public employer of the employees of the charter school for purposes of Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code.</p>	

REQUIRED AFFIRMATIONS <i>Evaluation Criteria: E.C. §47605(e)</i> <i>The petition describes, at minimum</i> RED indicates a description that is required under law to be included in the charter petition.	Petition Page(s)
1. Affirmation that the school will be nonsectarian in its - programs - admission policies - employment practices - and all other operations	
2. Affirmation that the school shall not charge tuition	
3. Affirmation that the school shall not discriminate against any pupil on the basis of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the California Penal Code	
4. Affirmation that the admission to a charter school shall not be determined according to the place of residence of the pupil, or of the pupil's parent or legal guardian, within this state, except that an existing public school converting partially or entirely to a charter school under this part shall adopt and maintain a policy giving admission preference to pupils who reside within the former attendance area of that public school	
5. Affirmation that the charter school shall admit all pupils who wish to attend the charter school	
6. Affirmation that the school will comply with federal, state and local laws as required for charter schools	

FOR ALTERNATIVE EDUCATION CHARTER SCHOOLS, IF APPLICABLE <i>Evaluation Criteria: E.C. §58500 - 58512</i> <i>The petition describes, at minimum</i> RED indicates a description that is required under law to be included in the charter petition.	Petition Page(s)
1. Acknowledgement that the charter school will maintain an unduplicated count of at least 70% of the school's total enrollment composed of the required high-risk student groups	
2. Assurance that the school will maintain documentation that 70% of students will be reflected on Part 1 of their DASS Participation Form	
4. Clearly articulated mission and purpose to recruit and educate high-risk students	
5. Performance plan that include specific measures and goals for success, including one or two attainable norm references and/or verifiable alternative measures that support the school's mission and vision	
6. Required assurances	
a. the school will maintain documentation that 70% of students will be reflected on Part 1 of their DASS Participation Form, as defined in item 1, above	
b. when applying for other alternative school status, ONLY the school's current enrollment will be used (in accordance with the DASS Eligibility Criteria and examples) to determine a school's percentage of high-risk student for DASS eligibility.	

<p>INDEPENDENT STUDY/NON-CLASSROOM BASED INSTRUCTION-For Renewals Only (There is a moratorium on the approval of new petitions effective January 1, 2020 to January 1, 2025) <i>Evaluation Criteria: E.C. §51745</i> <i>The petition describes, at minimum</i> RED indicates a description that is required under law to be included in the charter petition.</p>	<p>Petition Page(s)</p>
<p>1. an assurance that the K-12 public school guidelines for independent study will be evident in the annual audit per Education Code 47612.5(b)</p>	
<p>2. an assurance that the charter will meet the requirement related to the ratio of ADA to FTE certificated employees as prescribed under Education Code 51745.6(a)</p>	
<p>3. an acknowledgement that independent study will be supervised by an appropriately credentialed teacher per EC 51747.5(a)</p>	
<p>4. an acknowledgement that the charter may claim apportionment credit for independent study only to the extent of the time value of pupil or student work products, as personally judged in each instance by a certified teacher per EC 51747.5(b)</p>	
<p>5. the maximum length of time, by grade level and type of program, that may elapse between the time an independent study assignment is made and the date by which the pupil must complete the assigned work</p>	
<p>6. the number of missed assignments that will be allowed before an evaluation is conducted to determine whether it is in the best interest of the pupil to remain in independent study, or whether he/she should return to a regular school program</p>	
<p>7. an assurance that each written agreement shall be signed, prior to the commencement of independent study, by the pupil, the pupil's parent, legal guardian, or caregiver, if the pupil is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of independent study, and all persons who have direct responsibility for providing assistance to the pupil</p>	
<p>8. a description of how the required Written Agreement for each pupil will be processed and maintained, including at a minimum the following:</p>	
<p>a. The manner, time, frequency, and place for submitting a pupil's assignments and for reporting his/her progress</p>	
<p>b. The objectives and methods of study for the pupil's work, and the methods utilized to evaluate that work</p>	
<p>c. The specific resources, including materials and personnel that will be made available to the pupil</p>	
<p>d. A statement of the policies adopted pursuant to subdivisions (a) and (b) regarding the maximum length of time allowed between the assignment and the completion of a pupil's assigned work, and the number of missed assignments allowed prior to an evaluation of whether or not the pupil should be allowed to continue in independent study</p>	
<p>e. The duration of the independent study agreement, including the beginning and ending dates for the pupil's participation in independent study under the agreement. No independent study agreement shall be valid for any period longer than one semester, or one-half year for a school on a year-round calendar</p>	
<p>f. A statement of the number of course credits, or, for elementary grades, other measures of academic accomplishment appropriate to the agreement, to be earned by the pupil upon completion</p>	
<p>g. The inclusion of a statement in each independent study agreement that independent study is an optional educational alternative in which no pupil may be required to participate</p>	