



San Bernardino County Superintendent of Schools

Ted Alejandre, County Superintendent

COUNTYWIDE CHARTER PETITION PROCESS

SBCSS CHARTER SCHOOL OFFICE

San Bernardino County Superintendent of Schools

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INTRODUCTION

San Bernardino County Superintendent of Schools (SBCSS) accepts and evaluates charter petitions on behalf of the San Bernardino County Board of Education (SBCBOE). Responsibilities related to charter school authorization and oversight have been delegated by the County Superintendent to the Charter School Office (CSO), which functions within the Business Advisory Services department, under the jurisdiction of the Business Services Branch of SBCSS.

The mission of San Bernardino County Superintendent of Schools is to transform lives through education. Working in collaboration with school districts, families, community partners and other agencies, we provide leadership, advocacy and services to ensure equitable, innovative and inspiring educational practices. This endeavor is essential to the quality of life and economic vitality of our communities.

SBCSS supports the educational options and innovative practices made possible through the authorization of high-quality charter schools that maintain rigorous standards for the students they serve. SBCSS is committed to fostering collaborative, constructive relationships with both proposed and authorized charter schools—relationships that honor the autonomy granted to charters while upholding strong accountability to all stakeholders.

OVERVIEW

This document is intended to provide charter school petitioners, governing boards, staff, and the general public with a clear understanding of the countywide charter petition submission and review process, including applicable legal requirements and expectations.

It outlines the specific statutory elements that must be addressed in a countywide charter petition, along with additional documentation necessary to constitute what SBCSS refers to as the Countywide Charter Petition Package. For further clarification or to initiate the submission process, stakeholders are encouraged to contact the SBCSS Charter School Office.

CRITERIA FOR COUNTYWIDE CHARTER SCHOOL STATUS

It is critical that a charter school seeking authorization to operate as a countywide charter, pursuant to Education Code (E.C.) section 47605.6, provide a thorough explanation of how 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 under the authorization of a single school district within the county.

In addition to meeting the criteria to operate as a countywide charter school, the following also apply to petitions submitted pursuant to E.C. 47605.6:

- An existing public school shall not be converted to a countywide charter school.
- School district(s) where the charter is proposing to operate a facility have received at least 30 days' notice of the Petitioner's intent to operate a charter school pursuant to E.C. § 47605.6.
- If a countywide charter petition is denied, there are no appeal rights.

STATUTORY TIMELINE

**30 DAY
NOTICE**

Petitioner must provide notice to each school district where the charter school petitioner proposes to operate a facility at least 30 days in advance of submitting a countywide charter school petition (E.C. 47605.6(a)(1)(A or B)).

**TIMELINE
BEGINS**

Complete Countywide Charter Petition Package is delivered to SBCSS.

**60
DAYS**

County Board holds 1st public hearing to consider support for charter (E.C. 47605.6(b)).

**75
DAYS**

Staff report of findings and recommendations are published to the SBCSS webpage and emailed to County Board, Petitioner(s), and district(s) in which charter is proposing to locate (E.C. 47605.6(b)).

**90
DAYS**

County Board holds 2nd public hearing. County staff and Petitioner are provided equal time to present and respond to staff findings and recommendations.

**120
DAYS**

An extension of up to 30 days may be granted if both parties are in agreement.

COUNTYWIDE CHARTER PETITION PACKAGE

The primary component of a countywide charter is a complete and thorough petition that provides a reasonably comprehensive description of all of the statutory requirements outlined in E.C. 47605.6. In addition to the petition, Petitioners are asked to provide specific documentation as well as to complete a Countywide Charter Petition Intake Form, Countywide Charter Petition Certification, and the Charter Petition - Submission Matrix. All documents can be found in the appendices, including a detailed Countywide Charter Petition Package checklist.

INTERNAL TIMELINE

The information provided below is intended to provide a detailed description of the various steps that will take place as part of submission and review of a Countywide Charter Petition Package.

PREREVIEW

Petitioner should prepare one complete Countywide Charter Petition Package and are then encouraged to contact SBCSS staff to coordinate submission for prereview. Staff will provide Petitioner with a SharePoint link to use in order to submit the Countywide Charter Petition Package for a prereview.

The prereview will consist of verification that the petition contains all components of a complete Countywide Charter Petition Package. The prereview will be completed within 3-5 business days and is done to ensure that the petition addresses the necessary review elements and all required documentation is included.

While staff is unable to provide additional information on the petition contents during the prereview process, it may be helpful to know that based on past petition reviews, findings have typically been found in areas related to criteria to qualify as a countywide charter, services to English language learners, special education services, governance, and budget (primarily lack of narrative information). Petitioners are encouraged to review these areas of their petition carefully prior to submitting their final petition.

Once the prereview is complete, CSO staff will contact Petitioner to schedule a date and time for final submission. It is the practice of the SBCBOE to consider charter petition matters during regularly scheduled SBCBOE meetings. Special board meetings are not scheduled for charter petition matters.

INTAKE APPOINTMENT: SUBMISSION • RECEIPT • COMMENCEMENT OF TIMELINE

A petition is considered received and the timeline commences on the day the Petitioner submits to the SBCSS a complete Countywide Charter Petition Package. A complete package must also include Appendices B-D completed in their entirety, as appropriate. Whenever possible, staff will schedule the intake appointment during the week prior to a regularly scheduled SBCBOE meeting. This is done so staff can easily coordinate physical delivery of the complete Countywide Charter Petition Package to the SBCBOE.

During the intake appointment, staff will work with Petitioner to determine if there is a need for an extension to the statutory timeline. Petitioner will be provided with a timeline outlining relevant dates as described below, and acknowledgement extension, if necessary. The district(s) in which the school is

proposing to locate will also be provided with the timeline, a complete copy of the petition, and are invited to address the SBCBOE as outlined below.

***NOTE: The information described below is subject to change for reasons including but not limited to, timing of submission, holiday closures, and upcoming SBCBOE agenda items.**

PETITIONER MAKES INTRODUCTION TO SBCBOE (OPTIONAL)

At the first SBCBOE meeting following receipt of the petition, Petitioner may elect to address the SBCBOE during public comment to introduce themselves and provide a brief description of the program being proposed. This is optional and at the sole discretion of the Petitioner.

FIRST PUBLIC HEARING • PRESENTATIONS BY PETITIONER AND DISTRICT(S)

A public hearing will be held, during a regularly scheduled SBCBOE meeting, within 60 days of receiving a charter petition. The purpose of the public hearing is for the SBCBOE to consider the level of support for the proposed charter petition pursuant to E.C. § 47605(b) and 47605.6(b). Members of the public will have an opportunity to address the SBCBOE to express their support or opposition to the petition. SBCBOE members will listen to the comments presented but will not respond to any specific public comments.

During this meeting, the Petitioner will be provided an opportunity to present an overview of the proposed charter petition. District(s) in which the charter is proposing to locate will also be invited to address the SBCBOE regarding the proposed petition. The Petitioner and impacted district(s) are allotted equal time to present to the SBCBOE.

Board members may ask questions following the presentations which will not be counted towards the allotted presentation time. Petitioner and district(s) should be prepared to answer any questions asked by the SBCBOE. SBCBOE members may also ask for additional information from the Petitioner and/or district. If additional information is requested, CSO staff will work directly with the Petitioner and/or district to obtain the additional information requested and will provide to the Board, as requested.

CLARIFICATION MEETING AND/OR REQUESTS FOR ADDITIONAL INFORMATION

At the discretion of staff, a clarification meeting may be scheduled, and/or additional information may be requested from the Petitioner. If such a request is made, staff will provide a written list of questions and/or specify the documentation required to support the petition review. Petitioner should be prepared to submit responses or requested materials within five (5) business days. While staff will make reasonable efforts to allow additional time when feasible, the response window will not be shorter than five (5) business days under any circumstances.

At the discretion of staff, a clarification meeting may be conducted to more effectively assess the petition team's capacity to successfully implement and operate the proposed charter school. If such a meeting is scheduled, it will occur as soon as possible following the first public hearing, and staff will notify the Petitioner of the date and time at the earliest opportunity.

Any responses to requests for additional information, along with insights gained during the clarification meeting, will be incorporated into the overall petition review process.

STAFF REPORT AND RECOMMENDATIONS PUBLISHED

The staff report and recommendations will be posted on the SBCSS CSO webpage no later than 15 days prior to the San Bernardino County Board of Education (SBCBOE) meeting at which action on the petition—approval or denial—is scheduled. Once published, a link to the report will be distributed via email to the SBCBOE, Petitioner, and any impacted district(s), as applicable.

COUNTY BOARD ACTION TO APPROVE OR DENY CHARTER PETITION

The meeting at which the SBCBOE will take action to approve or deny the petition will take place within 90 days of receipt of the petition, unless both parties have agreed to a 30-day extension. During this meeting, staff will present the findings and recommendations to the SBCBOE. The Petitioner will then be allotted time to present evidence and response to the staff findings. Staff and Petitioner are allotted equal time to address the SBCBOE.

Following presentations on the findings, the SBCBOE will receive public comments in support or opposition to the proposed petition. Impacted districts are not invited to formally present during this meeting but have the option to address the Board during public comment. The SBCBOE may choose to ask questions of staff or Petitioner following presentations and public comment. The SBCBOE will then deliberate and take action to approve or deny the petition. Pursuant to SBCBOE Policy 603, the Board may also conditionally approve a petition if it deems necessary to increase the likelihood of success for the charter school and/or compliance with the law.

ADDITIONAL INTERNAL TIMELINE NOTES

- Charter school matters are only considered during regularly scheduled SBCBOE meetings.
- Presentation materials will need to be provided in advance of the scheduled SBCBOE meeting. Staff will provide specific due dates for materials for each Board meeting.
- Staff will provide the Petitioner with specific directions prior to each meeting.

PETITION REVIEW PROCESS

SBCSS has developed a petition review process based on best practices and standards developed by the California Department of Education (CDE) and the California Charter Authorizers Resource Network (CARNet). The process has been modified to reflect the San Bernardino County Board of Education as the potential authorizer.

SBCSS PETITION REVIEW TEAM

SBCSS utilizes a Petition Review Team composed of internal subject matter experts from multiple departments across the organization. The CSO coordinates this team, which includes representatives from Education Support Services, Student Services, SELPA, Human Resources, Business Services, and external legal counsel.

PETITION REVIEW CRITERIA

The SBCSS Petition Review Team shall evaluate the charter petition pursuant to E.C. 47605.6 utilizing the Charter Petition - Submission Matrix adapted from the CARNet Authorizers Guide. The Petition Review Team reviews the charter petition to determine whether the petition contains reasonably comprehensive descriptions of the required petition criteria, the proposal is educationally sound, and likelihood of successfully implementing the program.

REASONABLY COMPREHENSIVE PETITION

A reasonably comprehensive petition shall include but not be limited to, information that:

- Is substantive and is not, for example, a listing of topics with little elaboration.
- For elements that have multiple aspects, addresses essentially all aspects, not just selected aspects.
- Is specific to the charter school being proposed and not to charter schools or charter petitions, in general.
- Describes, as applicable among the different elements, how the charter school will:
 - Improve pupil learning.
 - Increase learning opportunities for its students, particularly students identified as academically low achieving.
 - Provide parents/guardians and students with expanded educational opportunities.
 - Hold itself accountable for measurable, performance based pupil outcomes.
 - Provide vigorous competition with public school options available to parents/guardians and students.

REASONS FOR DENIAL

Pursuant to E.C. § 47605.6(b) a county board of education shall deny a petition for the establishment of a charter school if it finds one or more of the following:

1. Petition presents an unsound educational program for students to be enrolled in the charter school.
2. Petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
3. Petition does not contain the required number of signatures required by E.C. § 47605.6(a).
4. Petition does not contain an affirmation of each of the conditions described in E.C. 47605.6(e).
5. Petition does not contain reasonably comprehensive descriptions of the elements in E.C. 47605.6(b)(5).
6. 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.
7. Any other basis that the SBCBOE finds justifies the denial of the petition.

RESOURCES

[San Bernardino County Board of Education Policies](#)

[Oversight and Operations Memorandum of Understanding](#) **required per SBCBOE Policy 604*

[San Bernardino County Board of Education Meeting Calendar](#)

[SBCSS Charter School Office Webpage](#)

[E.C. § 47605.6 Establishment of Countywide Charter Schools](#)

[5 CCR § 11967.5.1 Criteria for Review & Approval of Charter Petitions & Renewal Petitions by the SBE](#)

***Note:** SBCSS uses CCR § 11967.5.1 as general guidance when evaluating a charter petition

APPENDICES

Appendix A: Checklist - Countywide Charter Petition Package

Appendix B: Countywide Charter Petition Intake Form

Appendix C: Countywide Charter Petition Certification

Appendix D: Charter Petition - Submission Matrix

APPENDIX A: CHECKLIST - COUNTYWIDE CHARTER PETITION PACKAGE

The checklist below constitutes the minimum requirements for a complete Countywide Charter Petition Package. Petitioner may choose to provide additional information and documentation. The items below do not need to be in the specific order as listed but must be contained in the charter petition.

CHECKLIST FOR COMPLETE COUNTYWIDE CHARTER PETITION PACKAGE

- Cover Letter
- Evidence the school's governing board approved the submission of the petition to the SBCBOE
- Detailed rationale addressing the requirements of E.C. § 47605.6(a)
- Evidence of notification to district(s) in which the charter school proposes to locate a facility; notice must be provided 30 or more days prior to submission to the SBCBOE
- Signed affirmations and assurances
- Charter petition pursuant to EC § 47605 and 47605.6 (Countywide)
- Financial documents:
 - LCFF Calculator
 - Proposed first year operational budget, including start-up costs and cash-flow
 - Multi-year projections for at least first three (3) years of operation
 - Detailed budget assumptions and narrative used for all elements of financial projections
 - If budget contains grants, loans and/or donations, include corresponding award letters, loan agreements, pledge letters, or any other documentation verifying the proposed funding
 - Projected FTEs by fiscal year with salary
 - If charter proposes to utilize employees shared between affiliated organizations, include list of shared positions and cost allocation, as applicable
 - If charter will be operated by a CMO, include general ledger for CMO holding the charter for three months prior to petition submission
 - Board approved fiscal policies, if already approved
 - Any other documents or financial reports that will help review team gain a better understanding of the financial standing of the charter and CMO, as applicable
- Facility documents (if not included elsewhere in petition)
 - Copies of contracts, certificate of occupancy, or other documentation for facilities being negotiated, have been secured, or are identified as potential facilities.
 - Facility costs including tenant improvements (if known)
 - Provide capacity for all facilities identified
- Governance documents (if not included elsewhere in petition):
 - Organizational/governance charter
 - Current approved and stamped Articles of Incorporation
 - Bylaws of 501(c)(3) of nonprofit operating the school
- SBCSS SUBMISSION FORMS
 - Countywide Charter Petition Certification
 - Countywide Charter Petition Intake Form
 - Charter Petition - Submission Matrix

REQUIRED SUBMISSION FORMAT

- Ten (10) Hard Copies in a 3-ring binder
 - Where possible, petition must be printed double-sided
 - Dividers must be used to separate items as detailed in the petition's table of contents
 - All pages should be numbered and correspond to petition's table of contents
- One (1) Electronic Copy on a flash drive including all requested documents
 - Electronic Document Format:
 - Financial documents must be in an unlocked Excel format
 - Petition and supplemental documents must be in a text searchable PDF format

APPENDIX B: COUNTYWIDE CHARTER PETITION INTAKE FORM

Please complete all sections below. When completing each section, use additional pages, if needed.

1. CHARTER SCHOOL INFORMATION

Name of Proposed Charter School: _____
Nonprofit Corporation: _____
Charter Management Organization: _____
Proposed School Opening Date: _____
Year 1 - Proposed Grade Span: _____ Year 5 - Proposed Grade Span: _____
Year 1 - Proposed Enrollment: _____ Year 5 - Proposed Enrollment: _____

2. LEAD PETITIONER INFORMATION

Petitioner Name: _____
Other Names Used (if any): _____
Position with Charter School: _____
Email: _____ Phone: _____
Petitioner Address: _____

3. OTHER SCHOOL(S) OPERATED BY NONPROFIT CORPORATION

Does the nonprofit governing board operate any other active charter schools? YES NO

If **YES**, please provide the following:

Name of School: _____ Year 1st Authorized: _____
Authorizing District: _____
Authorizer Contact Name: _____
Authorizer Contact Email: _____ Authorizer Phone: _____

4. CHARTER SCHOOL DEVELOPMENT TEAM MEMBERS

Name	Position w/School	Email	Phone

5. BOARD OF DIRECTORS

Name	Position on Board	Year First Appointed to Board	Year Current Term Expires	Email Address	Phone Number

Are any current board members listed above, currently or previously, affiliated with any other charter schools (exclude any charter schools that are currently operated by nonprofit as provided in section 4 above)?

Name	Affiliated School	Role/Position Held	Current	Previous	Period of Affiliation
			<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	

6. RELATED BUSINESS ORGANIZATIONS AND OTHER CORPORATE AFFILIATIONS

List all entities related/affiliated to corporation proposed to operate the charter and/or lead petitioner(s). Explain whether, and to what extent, other entities will participate in operating the charter.

Related or Affiliated Entity Name and Contact Information	Services to be Provided, if any

7. FACILITY INFORMATION

Provide facility information for proposed location(s) in table below.

	Facility Address	District of Residence	Location Capacity	Proposed Enrollment	Secured	Proposed
1.					<input type="checkbox"/>	<input type="checkbox"/>
2.					<input type="checkbox"/>	<input type="checkbox"/>
3.					<input type="checkbox"/>	<input type="checkbox"/>

***NOTE:** Petition must include copies of notices sent to each district notifying the district that the charter is proposing to locate within the district's boundaries.

8. SPECIAL EDUCATION SERVICES

Does the Charter School Intend to be a LEA member of a SELPA? YES NO

If **YES**, select one of the following options:

<input type="checkbox"/> Charter is a current LEA member of a SELPA	<input type="checkbox"/> Charter has or intends to apply to a SELPA for LEA membership
Name of SELPA: _____	
SELPA Contact Information: (Staff Name, Email, Phone) _____	

If **NO**, provide the following:

A comprehensive explanation detailing the charter school's intention for special education compliance as a charter school authorized by a county office of education can be found in the petition on page(s):	Page(s)

9. SIGNATURE

The information provided above is complete and accurate to the best of my knowledge.

Print Name of Lead Petitioner

Signature of Lead Petitioner

Date

APPENDIX D: CHARTER PETITION - SUBMISSION MATRIX

Complete matrix below by entering page numbers in petition that correspond to identified criteria.

Charter Elements/Content Areas

Criteria in **RED** are descriptions that are required under law to be included in the charter petition.

Criteria in **BLACK** are descriptions that are strongly suggested to be included to ensure that the charter petition is reasonably comprehensive.

A. Description of Vision, Mission, and Educational Program

Evaluation Criteria: EC § 47605(c)(5)(A) THE PETITION DESCRIBES, AT MINIMUM	Located on 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 aligns with the target population	
d. The needs and challenges of the student groups to be served	
2. Attendance	
a. School year/academic calendar, number of school days and instructional minutes	
b. Master/daily schedule and proposed bell schedule	
3. What It Means to Be an Educated Person in the 21st Century	
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	
4. How Learning Best Occurs/Instructional Design, Including Student Groups CCR § 11967.5.1. (f)(C)	
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. 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 <ul style="list-style-type: none"> - The description demonstrates understanding of the likely ELL population - Includes sound approach to identify and meet the needs of subgroup populations 	
d. Special education plan including, but not limited to, the means by which the charter school will comply with the provisions of EC section 47641 .	
e. Instructional approaches and strategies the school will utilize that will enable students, including subgroup populations such as English language learners (ELL), to master the content standards for the core curriculum areas adopted by the State Board of Education (SBE)	
f. Process for developing or adopting curriculum and teaching methods	
g. A plan for professional development that aligns with the charter school's proposed program	

5. Materials, Including Technology	
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	
6. Annual Goals	
a. Annual goals for all pupils and for each subgroup of pupils identified pursuant to EC 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	
7. Charter Schools Serving High School Students	
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

Evaluation Criteria: EC § 47605(c)(5)(B) THE PETITION DESCRIBES, AT MINIMUM	Located on Page(s)
1. Measurable pupil outcomes for all groups, and each numerically significant subgroups, including 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. School-wide student performance goals students will achieve over a given period of time, including projected attendance levels, dropout percentage, and graduation rate goals	
6. Description of how pupil outcomes will address state content and performance standards in core academic areas	
7. Description of how exit outcomes align to the mission and instructional design of the program	
8. Description or affirmation that "benchmark" skills and specific classroom-level skills will be developed	

C. Student Progress Measurement

Evaluation Criteria: EC § 47605(c)(5)(C) THE PETITION DESCRIBES, AT MINIMUM	Located on Page(s)
1. Assessment tools that include all required state and federal assessment (SBAC, ELPAC, etc.) for purposes of accountability	
2. A plan for collecting, analyzing/utilizing and reporting student/school performance to charter school staff and to students' parents and guardians, and for using the data continually to monitor and improve the charter school's educational program.	
3. At least one assessment method or tool listed for each of the exit assessments	
4. A variety of alternative assessment tools, including tools that employ objective means of assessment consistent with the measurable pupil outcomes.	
5. Chosen assessments are appropriate for standards and skills the charter school seeks to measure.	

D. Governance Structure

Evaluation Criteria: EC § 47605(c)(5)(D) THE PETITION DESCRIBES, AT MINIMUM	Located on Page(s)
1. Evidence of the charter school's incorporation as a nonprofit benefit corporation (EC 47604)	
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: <ul style="list-style-type: none"> - 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 the governing structure:	
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:	
a. A clear delineation of roles and responsibilities of parent councils, advisory committee or other supporting groups	
b. A description of how it shall notify the parents and guardians of applicant pupils and currently enrolled pupils that parental involvement is not a requirement for acceptance 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: EC § 47605(c)(5)(E) THE PETITION DESCRIBES, AT MINIMUM	Located on Page(s)
1. Affirms all teachers hold appropriate Commission on Teacher Credentialing certificates (new on 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. Proposed teacher to student ratio	

F. Health & Safety Procedures

Evaluation Criteria: § 47605(c)(5)(F) THE PETITION DESCRIBES, AT MINIMUM	Located on Page(s)
1. A comprehensive charter school safety plan, which shall include topics listed in EC 32282, 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 school will adopt suicide prevention policies and update policy in a manner that follows EC 215	
5. Includes in petition or its safety procedures a requirement for immunization of pupils as a condition of school attendance to the same extent as would apply if the pupils attended a non-charter public school (CCR 11967.5.1(f)(6)(C))	
6. Health and safety practices for students and staff that include health and safety related policies/procedures or the date by which they will be adopted and submitted to the authorizer	
7. Assurances on the compliance with ADA (Americans with Disabilities Act)	

G. Racial & Ethnic Balance

Evaluation Criteria: EC § 47605(c)(5)(G) THE PETITION DESCRIBES, AT MINIMUM	Located on Page(s)
1. Specific practices/policies the charter school will implement to achieve a balance of racial and ethnic pupils, special education pupils, and English learner pupils, including redesignated fluent English proficient pupils that is reflective of the general population residing within the territorial jurisdiction of the district	
2. Practices and policies appear likely to achieve racial/ethnic/demographic 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. Admissions Requirements

Evaluation Criteria: § 47605(c)(5)(H) THE PETITION DESCRIBES, AT MINIMUM	Located on Page(s)
1. The following assurances: <ol style="list-style-type: none"> a. The charter school shall be nonsectarian in its programs, admission policies, employment practices, and all other operations b. The charter school shall not charge tuition c. The charter school 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:	
<ol style="list-style-type: none"> a. Information to be collected through interest form, application form, and/or enrollment forms 	
<ol style="list-style-type: none"> b. Assures enrollment preferences will not require mandatory parent volunteer hours as a criteria for admission 	
5. Description of public random drawing process 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

Evaluation Criteria: § 47605(c)(5)(m) THE PETITION DESCRIBES, AT MINIMUM	Located on Page(s)
1. The manner in which the audit will be conducted	
2. Assurance that the annual audit will employ generally accepted accounting principles (GAAP)	
3. 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	
4. Assurance that the charter school will satisfy any audit deficiencies to the satisfaction of the authorizer	
5. A process and timeline that the charter school will follow to address any audit findings and/or resolve audit exceptions	
6. Procedures to select and retain an independent auditor including: <ul style="list-style-type: none"> - Qualifications that will be used for the selection of an independent auditor - Assurance that the auditor will be selected from the list of approved K-12 auditors per the State Controller's Office - Assurance that the auditor will have experience in education finance 	
7. Proposed individual responsible for contracting with and overseeing the independent audit	

J. Suspension & Expulsion Procedures

Evaluation Criteria: EC § 47605(c)(5)(J) THE PETITION DESCRIBES, AT MINIMUM	Located on Page(s)
1. The process for suspensions of fewer than 10 days, including	
a. Oral and/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. Staff Retirement Systems

Evaluation Criteria: EC § 47605(c)(5)(K) THE PETITION DESCRIBES, AT MINIMUM	Located on Page(s)
1. A statement of what retirement options will be offered to employees:	
a. STRS (if yes, 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 <ul style="list-style-type: none"> - 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. Individual responsible for ensuring that the appropriate arrangements for coverage have been made	

L. Public School Alternatives

Evaluation Criteria: EC § 47605(c)(5)(L) THE PETITION DESCRIBES, AT MINIMUM	Located on 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

Evaluation Criteria: EC § 47605(c)(5)(M) THE PETITION DESCRIBES, AT MINIMUM	Located on 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

Evaluation Criteria: EC § 47605(c)(5)(N) THE PETITION DESCRIBES, AT MINIMUM	Located on 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 the 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

Evaluation Criteria: EC § 47605(c)(5)(O) THE PETITION DESCRIBES, AT MINIMUM	Located on Page(s)
1. The procedures to be used if the charter school closes, including:	
a. Responsible entity/person that will conduct closure-related activities	
b. How charter will notify the closure to students, parents/guardians, the authorizing entity, the county office of education, the charter's SELPA, the retirement systems in which the charter school's employees participate, and the CDE that includes effective date of closure, name(s) and contact information for person(s) reasonable inquiries may be made regarding closure, pupils' school district of residence, and manner in which parents/guardians may obtain copies of pupil records, including specific information on completed courses/credits that meet graduation requirements	
2. The maintenance plan for pupil records and manner in which parents/guardians may obtain copies of records and how information will be preserved	
3. Process for how the charter will ensure a final audit of the charter school	
a. An assurance that the audit will be conducted within six months of closure	
b. The disposition of charter school's assets	
c. Plans for disposing of net assets	
4. The transfer and maintenance of personnel records in accordance with applicable law	

Required Supplemental Criteria

Criteria in **RED** are descriptions that are required under law to be included in the charter petition.

Criteria in **BLACK** are descriptions that are strongly suggested to be included to ensure the charter petition is reasonably comprehensive.

Financial/Administrative Plan

Evaluation Criteria: EC § 47605(h) <i>THE PETITION DESCRIBES, AT MINIMUM</i>	Located on Page(s)
One (1) Year Operational Budget (current year or first year)	
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 (as defined by CCR 15450)	
g. If expenditures exceed revenues in the 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	
Start-Up Costs (Initial Petition Only)	
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 and 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	
Cash Flow Projections for First Three (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	
Financial Projections Include a Clear Description of Planning Assumptions	
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 (3) years	
k. Fund balances are positive, or sources of supplemental working capital are identified	
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	
e. If operated by a non-profit organization, affirms will provide additional 501(c)(3) fiscal reports	

Charter Management Organization (CMO), i.e. Entities Managing Charter Schools

Evaluation Criteria: EC § 47605(h)	Located on Page(s)
THE PETITION DESCRIBES, AT MINIMUM	
1. Name and relationship of CMO to charter school , including roles, responsibilities, payment structure, conditions for renewal/termination, investment disclosure	
2. If charter school is managed by a single nonprofit that manages multiple schools but does not have a traditional CMO structure, detailed accounting of how expenses are shared among schools and a breakdown of shared expenses is included	
3. CMO's role in the financial management of the charter and the associated internal controls	
4. Other schools and/or companies managed by the CMO	
5. CMO's history, philosophy, and past results operating other schools and/or companies	
6. CMO's Form 990s for up to prior three years	
7. Back office provider and description of support utilized by the charter	
8. Affirmation that the CMO/back office provider will provide timely submissions of calendar of due date items	
9. Affirmation that the CMO/back office provider will provide timely submissions of request for information items	

Facilities

Evaluation Criteria: EC § 47605(h) THE PETITION DESCRIBES, AT MINIMUM	Located on Page(s)
1. The types and the location of the charter school facility that the petitioner proposes to operate	
2. Size, resources, safety, and educational suitability of facility	
3. Address of potential facilities or schedule for securing facility	
4. Assurances of all legal compliance with health and safety, ADA, and applicable building codes	
5. Adequate budget for anticipated costs, including renovation, rent, maintenance, and utilities	
6. Statement whether a request will be made for use of district/authorizer-owned facilities	
7. Lease or occupation agreement for privately obtained facilities, and/or provides a copy of the lease agreement	

Impact Statement

Evaluation Criteria: EC § 47605(h) THE PETITION DESCRIBES, AT MINIMUM	Located on Page(s)
1. Potential civil liability effects, if any, upon the school and the authorizer	
2. Number of students anticipated to enroll	
3. Identification of whether charter will request to purchase support services from authorizer	
4. Affirmation there will be a Memorandum of Understanding between the authorizer and charter school	
5. 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	
6. Criteria and procedure for the selection of a contractor, if applicable, including: <ul style="list-style-type: none"> - process for determining necessary expertise - selection of contractor(s), if applicable 	

Community Impact

Evaluation Criteria: EC § 47605(c)(7) THE PETITION DESCRIBES, AT MINIMUM	Located on 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

Evaluation Criteria: EC § 47641(a) and EC § 47646 THE PETITION DESCRIBES, AT MINIMUM	Located on Page(s)
1. The school's special education structure [Three (3) options] a. Independent LEA for special education purposes b. Will be a school within the district, or c. charter school will be an LEA member of 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. Assurance that the charter school will comply with all provisions of IDEA	
8. Assurance that no student will be denied admission based on disability or lack of available services	
9. Assurance that the charter school will implement a Student Study Team process	
10. Assurance that any student potentially in need of Section 504 services will receive such services	
11. Evidence that the school has consulted with a SELPA, such as a letter from SELPA confirming receipt of application	
If the charter will not be an independent LEA	
1. Clarifies in the charter petition or a Memorandum of Understanding the responsibilities of each party for service delivery, including referral, assessment, instruction, due process, and 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 EC §§ 42130 and 42131	
3. Understands that the charter school is fiscally responsible for its 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

Evaluation Criteria: EC § 47605(c)(6) THE PETITION DESCRIBES, AT MINIMUM	Located on Page(s)
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	

Required Affirmations

Evaluation Criteria: EC § 47605(e)	Located on Page(s)
THE PETITION DESCRIBES, AT MINIMUM	
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	

Independent Study

(Pursuant to EC 47612.7(a): moratorium on establishment of new NCB charters January 1, 2020 - January 1, 2026)	
Evaluation Criteria: EC §51745	Located on Page(s)
THE PETITION DESCRIBES, AT MINIMUM	
1. An assurance that the K-12 public school guidelines for independent study will be evident in the annual audit per EC 47612.5(b)	
2. An assurance that the charter will meet the requirement related to the ratio of ADA to FTE certificated employees as prescribed under -EC 51745.6(a)	
3. An acknowledgement that independent study will be supervised by an appropriately credentialed teacher per EC 51747.5(a)	
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)	
5. A description of how the required Written Agreement for each pupil will be processed and maintained, including at a minimum the following:	
a. The manner, time, frequency, and place for submitting a pupil's assignments and for reporting his/her progress	
b. The objectives and methods of study for the pupil's work, and the methods utilized to evaluate that work	
c. The specific resources, including materials and personnel that will be made available to the pupil	
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	
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	
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	
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	

6. 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	
7. 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	
8. 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	

Alternative Charter Schools

Evaluation Criteria: EC §58500 - 58512	Located on Page(s)
THE PETITION DESCRIBES, AT MINIMUM	
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	
3. Clearly articulated mission and purpose to recruit and educate high-risk students	
4. 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	
5. An assurance that 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	
6. An assurance that 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	

Countywide Benefit Charter Criteria

*Note: Only applicable to a charter seeking initial approval as a countywide charter under E.C. 47605.6

Criteria in **RED** are descriptions that are required under law to be included in the charter petition. Criteria in **BLACK** are descriptions that are strongly suggested to be included to ensure the charter petition is reasonably comprehensive.

Required Notices & Countywide Benefit Status

Evaluation Criteria: EC 47605.6(a)(1) & EC 47605.6(a)(1) (A & B)	Located on Page(s)
THE PETITION DESCRIBES, AT MINIMUM	
1. Copies of notices provided to districts in which the petitioner proposes to operate have been provided and were submitted to the district at least 30 days in advance of the date the petition was submitted for consideration	
2. Provides a comprehensive description of how the proposed charter meets the definition for a countywide charter	
a. Explains how educational services proposed 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 a single school district in the county	
b. Charter school provides instructional services that are not generally provided by a county office of education	