

Charter Petition Evaluation Matrix

FCMAT



FISCAL CRISIS & MANAGEMENT
ASSISTANCE TEAM

Foreword

This document was originally created in partnership with and with the support of the former Charter Accountability and Resource Support Network (CARNet) advisory board. The goal of this project was to create a unique, legally compliant evaluation tool that can be used by school districts and county offices uniformly across the state of California.

This update includes revised information based on new legislation. FCMAT acknowledges the many people who have taken part in creating this tool. Their time, dedication and shared expertise have been invaluable. It is our hope that as you use this tool you will continue to find it a helpful guide in your charter authorizing practice.

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I. Introduction: Reviewing Charter School Petitions

Guiding Principles

The Charter School Petition Evaluation Matrix was developed to align with the Education Code (EC), state regulations and other pertinent laws required for reviewing charter school petitions. The purpose of the document is to help guide the reviewer through the charter school petition review process, helping to identify strengths and weaknesses of a charter school petition. Elements of a countywide charter (EC 47605.6) petition are organized in a different manner, but the same criteria apply; therefore, you can use this same document to review a countywide charter school petition.

State Guidance

The California Code of Regulations, Title 5, Section 11967.5 provides the following guidance for reviewing a charter petition:

The criteria are intended to require no charter provisions in excess of those that the State Board of Education believes necessary to determine whether each element specified in Education Code section 47605(c) has been satisfactorily addressed. Where the criteria call for judgments to be made, the judgments will be made in such a manner as to be reasonable, rational, and fair to the petitioners and other parties potentially affected by the chartering of the school by the State Board of Education.

The California Code of Regulations (CCR), Title 5, Section 11967.5.1(g) states that 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.

Instructions To Charter School Petition Review Team / Evaluation Rubric

1. **Identify your team**, if applicable. Determine who will be responsible for reviewing which sections of the charter petition document. Record team members’ names on the Petition Review Team page to help track responsibilities.
2. **Rate the charter school petition** in the various petition elements and supplemental sections of the evaluation matrix.
 - a. Mark either “met” or “not met” in the “Evaluation Standard Met” column for each specific criteria. Criteria in **RED** indicate descriptions that are required by 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.
 - b. Use the state guidance and rating definitions below to guide your assessment.
 - c. At the end of each section, elaborate in the comment section on the areas you rated as “not met.”
3. **Analyze the results**. At the end of this process, you will be able to determine whether the petition is reasonably comprehensive or if there are any identified findings of fact. This tool should be used as part of your final analysis and report to the district governing board.

Evaluation Standard Met	The charter petition demonstrates solid preparation and grasp of key issues that indicate a reasonably comprehensive description. Overall, the charter petition contains many characteristics of concise, specific and accurate information. The standard may be met if the charter petition requires additional elaboration that is not substantive in nature.
Evaluation Standard Not Met	The charter petition addresses some of the criteria but lacks meaningful detail. The description lacks important or key additional information needed to be reasonably comprehensive. It demonstrates lack of preparation, is unclear, uses generic information, or otherwise raises substantial concerns about the petitioner’s understanding of the criteria. Additional substantive information is required to determine the charter petitioner’s ability to implement or meet the requirement in practice.

The Petition Review Team

Identify your team and which members will be responsible for reviewing which sections of the charter school petition.

Area of Review (EC 47605(c))	Department Responsible	Name of Reviewer
A. Education Program		
B. Measurable Student Outcomes		
C. Student Progress Measurement		
D. Governance Structure		
E. Employee Qualifications		

F. Health and Safety		
G. Racial, Ethnic, Special Education and English Language Learner Balance		
H. Admissions Policies and Procedures		
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 EC 47605(h), 47641(a), 47646	Department Responsible	Name of Reviewer
Financial/Administrative Plan		
Charter Management Organization (i.e., entities managing charter schools)		
Facilities		
Impact Statement		
Community Impact		
Special Education		
Required Declarations and Affirmations		
Independent Study, if applicable		
Alternative Charter Schools, if applicable		

(apply district or county name or logo here)

II. Petitioner Certification

(must be completed and signed by petitioner)

Instructions to Lead Petitioner

1. Complete and review the Cover/Intake and Petitioner Certification forms
2. Insert the petition page numbers in the far right column (titled “Located on Page(s)”) of the 15 Element and Supplemental Criteria sections of the evaluation matrix.
3. Complete, sign and submit this Petitioner Certification page and forms with the charter petition.

Education Code Section 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:

	Yes	No
(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.		
(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.		

Education Code Section 47605(b): 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.

Certified Signature of Petitioner

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 it is later discovered and is material to compliance with the Charter Schools Act.

name of lead petitioner

signature of lead petitioner

date

Acceptance by District/COE

name of district personnel receiving petition

signature of district personnel receiving petition

date received

Petition Appeal Consideration and Acceptance {EC 47605(k)(1)(A)}

(COE Office Use Only)

	Yes	No	N/A
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.			
The charter school petition appeal includes new information or changes to the original petition that was submitted to the district. <i>If yes, the petition will be remanded to the district immediately.</i>			
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.			

(apply district or county name or logo here)

III. Intake Information / Cover Sheet

Petitioner Intake Information		Petition Review and Presentation Timelines (Authorizer Use Only)		
Name of Proposed Charter School		Initial Petition	Petition Appeal	Renewal
		<i>District that Denied Petition (if on appeal):</i>		
Name and Position of Lead Petitioner		Petition Submitted Date	Public Hearing	Decision by Board
			<i>(No later than 60 days after receiving the petition.)</i>	<i>(90 days from submission but may be extended 30 days if mutually agreed.)</i>
Phone and Email			Date Due	Date Due
Address		Was an Extension Requested?	Date Held	Date of Board Decision
		Yes		
Proposed Grade Span for First Year		No		

Facility Information				
Have facilities been secured?	Yes		No	
	Street	City	State	Zip Code
Proposed Facility Address				
Facilities being considered (include any Proposition 39 Facility Requests being proposed)				

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		
Name of authorizing agency and contact name		
Authorizing agency contact phone and email		

Special Education - SELPA Information

Has charter school applied for or been approved as a local educational agency (LEA) member of a special education local plan area (SELPA)?	Yes	No
If yes, provide name of SELPA and contact name.		
If no, explain intent for special education compliance as a charter school in the charter petition (see Supplemental Criteria section of this evaluation matrix).		

IV. Required Petition Elements

The 15 Charter Elements

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

Criteria in **BLACK** are descriptions 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)	Evaluation Standard Met		Located on Page(s)
	YES	NO	
<i>THE PETITION DESCRIBES, AT MINIMUM</i>			
1. Targeted Student Populations and Community Need			
a. Students the charter school will try 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 (5 CCR 11960)			
a. School year/academic calendar, number of school days and instructional minutes (EC 47612.5(a)).			
b. Attendance expectations and requirements, including enrollment projections.			
c. Master/daily schedule and proposed bell schedule.			
3. What It Means to Be an Educated Person in the 21st Century (5 CCR 11967.5.1 (f)(B))			
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 nonacademic skills and qualities important for an educated person.			

4. How Learning Best Occurs/Instructional Design, including subgroup program (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. Instructional approaches and strategies school will use 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 State Board of Education.			
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, ELL students, students who are achieving substantially above or below grade level expectations, and other special student populations (EC 52052 (a)(2)). 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.			
5. Materials, Including Technology			
a. How staff's and students' technology resources are aligned with 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 special education students.			
d. Common Core technology standards, digital assessments, and professional learning.			
6. Annual Goals (EC 52064)			
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. Description Requirements for Charter Schools Serving High School Students (EC 47605(b)(5)(A))			
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 the Free Application for Federal Student Aid (FAFSA) or California Dream Act Application at least once before the student enters grade 12.			
d. How the exit outcomes will align with mission, curriculum and assessments.			
e. Affirmation that all students will have the opportunity to take courses that meet the University of California’s A-G requirements.			
f. Planned graduation requirements and Western Association of Schools and Colleges (WASC) accreditation are defined.			
Comments by review team:			

B. Measurable Student Outcomes

Evaluation Criteria: EC 47605(c)(5)(B)	Evaluation Standard Met		Located on Page(s)
	YES	NO	
THE PETITION DESCRIBES, AT MINIMUM			
1. Measurable pupil outcomes for all groups, i.e., specific assessment methods or tools listed for each exit outcome (EC 47607).			
2. A description of how pupil outcomes align with the state priorities consistent with the Local Control and Accountability Plan (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 with the mission and instructional design of the program.			
7. Description or affirmation that benchmark skills and specific classroom-level skills will be developed.			
8. Schoolwide student performance goals students will achieve over a given period of time, including projected attendance levels, dropout percentage, and graduation rate goals.			

Comments by review team:

C. Student Progress Measurement

Evaluation Criteria: EC 47605(c)(5)(C) <i>THE PETITION DESCRIBES, AT MINIMUM</i>	Evaluation Standard Met		Located on Page(s)
	YES	NO	
1. Assessment tools that include all required state and federal assessments (e.g., SBAC, ELPAC) 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 use 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, using and reporting student and 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.			

Comments by review team:

D. Governance Structure			
Evaluation Criteria: EC 47605(c)(5)(D)	Evaluation Standard Met		Located on Page(s)
	YES	NO	
THE PETITION DESCRIBES, AT MINIMUM			
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. (EC 47605(h)).			
b. Includes a set of bylaws and basic policies.			
2. Evidence that the organization and design of the governance structure reflect the following: 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 (the Brown Act, Political Reform Act, Government Code 1090, and the Corporations Code, including the Nonprofit Integrity Act).			
3. Key features of governing structure including, but not limited to, the following:			
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 and composition of board, board committees and/or advisory councils.			
d. Method for selecting initial board members and election or appointment of replacement board members.			
4. A process for involvement or input of parents and guardians in the governance of the charter school, including the following:			
a. A clear delineation of roles and responsibilities of parent councils, advisory committee and 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 that ensure the implementation and monitoring of those policies.			
6. A description and frequency of board trainings and workshops.			
7. Other important legal or operational relationships between the charter school and granting agency.			

Comments by review team:

E. Employee Qualifications

Evaluation Criteria: EC 47605(c)(5)(E) <i>THE PETITION DESCRIBES, AT MINIMUM</i>	Evaluation Standard Met		Located on Page(s)
	YES	NO	
1. Core and college preparatory teachers, and affirms all teachers will hold appropriate Commission on Teacher Credentialing certificates (EC 47605.4)			
2. Those positions that the charter school regards as key and for which it specifies additional qualifications , responsibilities and accountability.			
3. General qualifications for the various categories of employees (e.g., other administrative, instructional support, noninstructional 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 leaders.			
5. Roles and lines of authority for board and management positions.			
6. Qualifications for non-core, non-college-prep teaching positions staffed by noncertified teachers.			
7. Proposed teacher-to-student ratio.			

Comments by review team:

F. Health and Safety Procedures			
Evaluation Criteria: EC 47605(c)(5)(F)	Evaluation Standard Met		Located on Page(s)
	YES	NO	
THE PETITION DESCRIBES, AT MINIMUM			
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 California Department of Education (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. Policy must be adopted in conjunction with a variety of stakeholders and must address the needs of specifically high-risk groups.			
5. Health and safety practices for students and staff. Health and safety policies and practices should include, but not be limited to, the following: Mandated child abuse reporting. Natural disasters and emergencies, including seismic safety (structural integrity and earthquake preparedness). Required immunizations, vision, hearing and scoliosis health screenings, and administration of medications to the same extent as would apply if the students attended a noncharter public school. Staff training on emergency and first aid response (e.g., epi pen usage, defibrillator) Notification to students, parents and guardians on how to access student mental health services on campus and/or in the community Assurances that in grades 6-12, if applicable, the charter school identifies the most appropriate method of informing parents and guardians of human trafficking prevention resources.			
a. references include health- and safety-related policies and procedures or the date by which they will be adopted and submitted to the authorizer.			
6. Assurances regarding compliance with the Americans with Disabilities Act (ADA).			

Comments by review team:

G. Racial and Ethnic Balance

Evaluation Criteria: EC 47605(c)(5)(G)	Evaluation Standard Met		Located on Page(s)
	YES	NO	
THE PETITION DESCRIBES, AT MINIMUM			
1. Specific practices and policies the charter school will design and implement to attract a diverse applicant pool and enrollment that reflects the general population, including special populations that reside within the district’s territorial jurisdiction.			
2. Practices and policies appear likely to achieve racial and ethnic balance.			
3. The outreach strategies, which identify specifically who the targeted groups will be and include developed or planned benchmarks for achieving balance.			
4. Types of supports that will be provided to maintain enrollment balance (e.g., counselors, support staff, medical-related staff).			

Comments by review team:

H. Admissions Policies and Procedures, If Applicable

Evaluation Criteria: EC 47605(c)(5)(H)	Evaluation Standard Met		Located on Page(s)
	YES	NO	
THE PETITION DESCRIBES, AT MINIMUM			
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, which include the following:			
a. Information to be collected through the interest form, application form, and/or enrollment form.			
b. Assurances that enrollment preferences will not require mandatory parent volunteer hours as a criteria for admission.			
5. Description of the public random drawing processes that comply with state and federal laws.			
6. Assurances that preferences, if given, are not likely to negatively impact the racial, ethnic and unduplicated pupil balance the charter school strives to reflect.			

Comments by review team:

I. Annual Independent Financial Audits

Evaluation Criteria: EC 47605(c)(5)(I) <i>THE PETITION DESCRIBES, AT MINIMUM</i>	Evaluation Standard Met		Located on Page(s)
	YES	NO	
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 by 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.			

Comments by review team:

J. Suspension and Expulsion Procedures

Evaluation Criteria: EC 47605(c)(5)(J) <i>THE PETITION DESCRIBES, AT MINIMUM</i>	Evaluation Standard Met		Located on Page(s)
	YES	NO	
1. A process for suspensions of fewer than 10 days, including the following:			
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 a rebuttal to the charges.			
2. A process for suspensions of 10 days or more and all other expulsions for disciplinary reasons, including the following:			
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 to 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 with written notice, and that ensures the written notice shall be in the native language of the pupil or the pupil’s parent or guardian.			

<p>4. Understanding of relevant laws protecting constitutional rights of students.</p> <p>Petitioner’s understanding of relevant laws should indicate that their proposed lists of offenses and procedures provide adequate safety for pupils, staff and visitors to the school, and serve the best interests of the school’s pupils and their parents and guardians.</p>			
<p>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.</p>			
<p>b. Explanation of how authorizer may be involved in disciplinary matters.</p>			

Comments by review team:

K. Staff Retirement System

Evaluation Criteria: EC 47605(c)(5)(K)	Evaluation Standard Met		Located on Page(s)
<i>THE PETITION DESCRIBES, AT MINIMUM</i>	YES	NO	
<p>1. A statement of what retirement options will be offered to employees</p>			
<p>a. State Teachers’ Retirement System (STRS) (if STRS, then all teachers must participate).</p>			
<p>b. Public Employees’ Retirement System (PERS).</p>			
<p>c. Social Security.</p>			
<p>2. Whether retirement will be offered, with language clearly reflecting one of the following choices for each retirement system:</p> <p>Coverage will be offered to eligible employees.</p> <p>The charter school retains the option to elect the coverage at a future date.</p> <p>The charter school will not offer coverage.</p>			
<p>3. Who is responsible for ensuring that the appropriate arrangements for coverage have been made.</p>			

Comments by review team:

L. Public School Attendance Alternatives

Evaluation Criteria: EC 47605(c)(5)(L)	Evaluation Standard Met		Located on Page(s)
	YES	NO	
<i>THE PETITION DESCRIBES, AT MINIMUM</i>			
1. Attendance alternatives for students who reside within the county and choose not to attend the charter school.			

Comments by review team:

M. Post-employment Rights of Employees

Evaluation Criteria: EC 47605(c)(5)(M)	Evaluation Standard Met		Located on Page(s)
	YES	NO	
<i>THE PETITION DESCRIBES, AT MINIMUM</i>			
1. School district employees' return to employment rights, including the following:			
a. Whether, and how staff may resume employment within the district or authorizer.			
b. The ability to transfer sick and/or vacation leave to and from the charter school and another LEA			
c. Whether staff will continue to earn service credit (tenure) in district while employed at the charter.			
2. Whether collective bargaining contracts of the charter authorizer will be controlling documents.			

Comments by review team:

N. Dispute Resolution Procedures

Evaluation Criteria: EC 47605(c)(5)(N)	Evaluation Standard Met		Located on Page(s)
	YES	NO	
THE PETITION DESCRIBES, AT MINIMUM			
1. A process for the charter and the authorizer to settle disputes related 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 a description of how this process is communicated to parents, staff and the community.			
3. Acknowledgement that, except for 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.			

Comments by review team:

O. Closure Procedures

Evaluation Criteria: EC 47605(c)(5)(O)	Evaluation Standard Met		Located on Page(s)
	YES	NO	
THE PETITION DESCRIBES, AT MINIMUM			
1. The procedures to be used if the charter school closes, including the following:			

<p>a. Who is the responsible entity or person that will conduct closure-related activities.</p>			
<p>b. How the charter will communicate the closure to students, parents and guardians, the authorizing entity, the county office of education, the charter’s special education local plan area, the retirement systems in which the school’s employees participate, and the California Department of Education.</p>			
<p>c. Who will conduct the process for the completion and submission of final financial reports, expenditure reports for entitlement grants, and the filing of any required final expenditure and performance reports.</p>			
<p>2. The maintenance plan for pupil records and the manner in which parents and guardians may obtain copies of pupil records if the charter school closes, including how information will be preserved and transferred.</p>			
<p>3. A process for how the charter will ensure a final audit of the charter school.</p>			
<p>a. An assurance the audit will be conducted within six months of closure.</p>			
<p>b. The disposition of the charter school’s assets.</p>			
<p>c. Plans for disposing net assets including at least the following:</p> <p>The disposition of all assets of the charter, including cash and accounts receivable and an inventory of property, equipment and other items of material value.</p> <p>An accounting of all liabilities, including accounts payable and any reduction in apportionments as a result of audit findings or other investigations, loans, and unpaid staff compensation.</p> <p>An assessment of the disposition of any restricted funds received by or due to the charter.</p> <p>Process for the return of any donated materials and property in accordance with any conditions established when the donation of such materials or property was accepted.</p>			
<p>4. The transfer and maintenance of personnel records in accordance with applicable law.</p>			
<p>Comments by review team:</p>			

V. Required Supplemental Criteria

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

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

Financial and Administrative Plan			
Evaluation Criteria: EC.47605(h)	Evaluation Standard Met		Located on Page(s)
	Yes	No	
THE PETITION DESCRIBES, AT MINIMUM			
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 essential 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 operation, 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 or 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 or county office.			
k. Expenditures for facilities, or, if specific facilities are 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.			
2. Financial projections include a clear description of planning assumptions:			
a. Revenues and expenditures in the budget correlate with the number and/or types of students by grade level.			
b. Expenditure assumptions correlate with the number of staff in the budget.			
c. Expenditure assumptions correlate with the facility needs in the budget			
d. Expenditure assumptions in alignment with the 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 the following: Staffing Facilities Equipment and supplies Professional services (e.g., food services) Technology materials Assessment systems/materials Legal costs			
b. In alignment with overall school design plan.			
c. Potential funding sources.			
d. Timeline that allows for grant applications and fundraising efforts to be completed in time, if included in start-up costs.			
4. Cash flow projections for first three years:			
a. Monthly projection of revenue receipts in line with local, state and federal funding disbursements.			
b. Expenditures are projected by month and correspond with typical or reasonable schedules.			
c. Balance sheet accounts are 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 the expertise needed to carry out the required functions.			
c. Plan and timeline to develop and assemble school business practices and expertise.			
d. Explanation of how the school intends to manage risk, including any policies and procedures.			
e. If operated by a nonprofit organization, an affirmation that it will provide additional 501(c)(3) fiscal reports.			

Back Office Providers

Evaluation Criteria: EC 47605(h)	Evaluation Standard Met		Located on
THE PETITION DESCRIBES, AT MINIMUM	Yes	No	Page(s)
1. Name of the back office provider and a description of support used by the charter.			
2. Affirmation that the back office provider will provide timely submissions of calendared items by their respective due dates.			
3. Affirmation that the back office provider will provide timely submissions of requests for information.			

Comments by review team:

Charter Management Organization (CMO)
(i.e., entities managing charter schools)

Evaluation Criteria: EC 47605(h)	Evaluation Standard Met		Located on
THE PETITION DESCRIBES, AT MIMIMUM	Yes	No	Page(s)
1. Name and relationship of CMO to charter school, including the following: Roles Responsibilities Payment structure Conditions for renewal and 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. Affirmation that the CMO will provide timely submissions of calendared items by their respective due dates.			
7. Affirmation that the CMO will provide timely submissions of request for information items.			

Comments by review team:

Facilities

Evaluation Criteria: EC 47605(h) <i>THE PETITION DESCRIBES, AT MIMIMUM</i>	Evaluation Standard Met		Located on Page(s)
	Yes	No	
1. Location of facility			
a. The types and the location of the charter school facility or facilities that the petitioner proposes to operate, including the following: 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 legal compliance with all health and safety, ADA, and applicable building codes.			
c. Adequate budget for anticipated costs, including renovation, rent, maintenance and utilities.			
d. Statement of whether a request will be made for use of authorizer-owned facilities.			
e. Lease or occupation agreement for privately obtained facilities, and/or a copy of the lease agreement.			

Comments by review team:

Impact Statement

Evaluation Criteria: EC 47605(h)	Evaluation Standard Met		Located on Page(s)
	Yes	No	
<i>THE PETITION DESCRIBES, AT MIMIMUM</i>			
1. Number of students anticipated to enroll.			
2. Whether the 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 the charter and its authorizer, including the following:			
a. Process, activities and associated fees for oversight of the charter.			
b. Processes, timelines, and evaluation criteria for annual review and site visits.			
c. Regular, ongoing fiscal and programmatic performance monitoring and reporting.			
d. Process, timelines and evaluation criteria for charter renewal.			
e. Other important legal or operational relationships between authorizer and charter school.			
5. Criteria and procedure for the selection of a contractor, if applicable, including the following			
a. Process for determining necessary expertise.			
b. Selection of the contractor or contractors, if applicable.			
6. Potential civil liability effects, if any, upon the school and the authorizer.			

Comments by review team:

Community Impact			
Evaluation Criteria: EC 47605(c)(7)	Evaluation Standard Met		Located on Page(s)
	Yes	No	
THE PETITION DESCRIBES, AT MINIMUM			
1. How the charter school will not substantially undermine existing school district services, academic offerings, or program offerings.			
2. Whether the charter school petition duplicates a program currently offered by the district, and whether the existing program has sufficient capacity for the pupils proposed to be served within reasonable proximity of where the charter school intends to locate.			
Comments by review team:			
Special Education			
Evaluation Criteria: EC 47641(a) and EC 47646	Evaluation Standard Met		Located on Page(s)
	Yes	No	
THE PETITION DESCRIBES, AT MINIMUM			
1. The school’s special education structure (3 options): a. Charter school will be an independent LEA for special education purposes. b. Charter school will be a school within the district. c. The charter school will be a SELPA. Note: If the charter elects “b”, a school within the district, district staff will be responsible to serve students, the district will collect special education funding, and the charter may pay a share of district’s overall costs.			
2. How special education services will be provided consistent with the 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 any student’s district of residence.			
5. The process for notifying a student’s district of residence and authorizing LEA when a special education student enrolls, becomes eligible or ineligible, and/or leaves the charter.			
6. The transition to or from a district when a student with an individualized education program (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. The evidence should demonstrate the following:			
a. An understanding of the charter’s special education responsibilities.			
b. A draft application of SELPA policies, or assurance that such policies will be created.			
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 in need of Section 504 services will receive such services.			
If the charter will not be an independent LEA			
1. Clarifies in the charter petition or in 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 contributions from general funds.			
If the charter school is an independent LEA within a SELPA			
1. Notifies the SELPA director of its intent to participate before February 1 of the preceding school year.			
2. Includes its current operating budget in accordance with EC 42130 and EC 42131			
3. Understands that the charter school is fiscally responsible for its fair share of any contributions from general funds.			
4. Asserts responsibility for any legal fees related 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.			
Comments by review team:			

Required Declaration			
Evaluation Criteria: EC 47605(c)(6)	Evaluation Standard Met		Located on Page(s)
	Yes	No	
THE PETITION DESCRIBES, AT MINIMUM			
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.			
Required Affirmations			
Evaluation Criteria: EC 47605(e)	Evaluation Standard Met		Located on Page(s)
	Yes	No	
THE PETITION DESCRIBES, AT MINIMUM			
1. Affirmation that the school will be nonsectarian in its: Programs Admission policies Employment practices 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 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.			
Comments by review team:			

VI. Alternative Education Criteria

Criteria For Alternative Education Charter Schools, If Applicable			
Evaluation Criteria: EC 58500 - 58512	Evaluation Standard Met		Located on Page(s)
	Yes	No	
THE PETITION DESCRIBES, AT MINIMUM			
1. Acknowledgement that the charter school will maintain an unduplicated pupil count of at least 70% of the school’s total enrollment, composed of the following required high-risk student groups:			
a. Expelled (EC 48925(b)) including situations in which enforcement of the expulsion order was suspended (EC 48917).			
b. Suspended (EC 48925(d)) more than 10 days in a school year.			
c. Wards of the court (Welfare and Institution Code (WIC) Section 601 or 602) or dependents of the court (WIC Section 300 or 654).			
d. Pregnant and/or parenting.			
e. Recovered dropouts – State Board of Education (SBE) defines recovered dropouts based on EC 52052.3(b) as students who: (1) are designated as dropouts pursuant to the exit and withdraw codes in the California Longitudinal Pupil Achievement Data System (CALPADS), or (2) left school and were not enrolled in a school for a period of 180 days.			
f. Habitually truant (EC 48262) or habitually insubordinate and disorderly whose attendance at the school is directed by a school attendance review board or probation officer (EC 48263).			
g. Retained more than once in kindergarten through grade eight.			
h. Students who are credit deficient (i.e., students who are one semester or more behind in the credits required to graduate on time, per grade level, from the enrolling school’s credit requirements).			
i. Students with a gap in enrollment (i.e., students who have not been in any school during the 45 days prior to enrollment in the current school, when the 45 days does not include noninstructional days such as summer break, holiday break, off-track, and other days when a school is closed).			
j. Students with a high level of transiency (i.e., students who have been enrolled in more than two schools during the past academic year or who have changed secondary schools more than two times since entering high school).			
k. Foster youth (EC 42238.01[b]).			
l. Homeless youth.			
2. Clearly articulated mission and purpose to recruit and educate high-risk students.			

<p>3. 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.</p>			
<p>4. Required assurances:</p>			
<p>a. The school will maintain documentation that 70% of students will be reflected on Part 1 of their Dashboard Alternative School Status (DASS) participation form, as defined in item 1 above.</p>			
<p>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. A student is considered high-risk if they meet one of the high-risk criteria approved by the SBE upon first enrollment at the school. If their high-risk status starts after first entry to the school, they cannot be counted as high-risk in this calculation.</p>			
<p>Comments by review team:</p>			

VII. Independent Study Supplemental Criteria

Independent Study/Non-Classroom-based Instruction — For Renewals Only			
<i>(There is a 5-year moratorium on the approval of new petitions effective January 1, 2020 to January 1, 2025)</i>			
Evaluation Criteria: EC 51745	Evaluation Standard Met		Located on Page(s)
	Yes	No	
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 average daily attendance (ADA) to full-time equivalent (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. 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 (EC 51747(a)).			
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 the pupil should return to a regular school program (EC 51747(b)).			
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 (EC 51747(g) (9)(A)).			
8. A description of how the required written agreement for each pupil will be processed and maintained, including at a minimum the following (EC 51747(g)):			
a. The manner, time, frequency, and place for submitting a pupil’s assignments, for reporting the pupil’s academic progress, and for communicating with a pupil’s parent or guardian regarding the pupil’s academic progress.			
b. The objectives and methods of study for the pupil’s work, and the methods used to evaluate that work.			

<p>c. The specific resources, including materials and personnel, that will be made available to the pupil. These resources shall include confirming or providing access for all pupils to the connectivity and devices needed to participate in the educational program and complete assigned work.</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 school year.</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. A statement detailing the academic and other supports that will be provided to address the needs of pupils who are not performing at grade level, or who need support in other areas, such as English learners or individuals with exceptional needs, to be consistent with the pupil’s individualized education program or plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 USC Sec. 794), pupils in foster care or experiencing homelessness, and pupils requiring mental health supports.</p>			
<p>h. 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>			
<p>Comments by review team:</p>			

VIII. Charter School Petition Review Findings of Fact

Education Code 47605(c)

In reviewing petitions for the establishment of charter schools pursuant to this section, the chartering authority shall be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that the establishment of charter schools should be encouraged. The governing board of the school district shall grant a charter for the operation of a school under this part if it is satisfied that granting the charter is consistent with sound educational practice and with the interests of the community in which the school is proposing to locate. The governing board of the school district shall consider the academic needs of the pupils the school proposes to serve. The governing board of the school district shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular 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 subdivision (a).
- (4) The petition does not contain an affirmation of each of the conditions described in subdivision (e).
- (5) The petition does not contain reasonably comprehensive descriptions of all of the 15 elements (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 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 following factors:
 - (A) The extent to which the proposed charter school would substantially undermine existing services, academic offerings, or programmatic offerings.
 - (B) Whether the proposed charter school would duplicate a program currently offered within the school 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.
- (8) The school district is not positioned to absorb the fiscal impact of the proposed charter school. A school district satisfies this paragraph if it has a qualified interim certification pursuant to Section 1240 and the county superintendent of schools, in consultation with the County Office Fiscal Crisis and Management Assistance Team, certifies that approving the charter school would result in the school district having a negative interim certification pursuant to Section 1240, has a negative interim certification pursuant to Section 1240, 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.

IX. Glossary

ADA	Average daily attendance, OR Americans with Disabilities Act
affiliated school(s)	Current or past charter schools that are connected in any way to a proposed charter school petition.
affirmation	Confirmation or declared statement that something is true.
authorizer	Governing board of a school district or county office of education that approves a charter petition.
authorizing agency	District or county office of education that provides the day-to-day oversight and monitoring of an approved charter school.
charter	Approved charter school petition.
charter governing board	Governing body responsible for making leadership decisions regarding the charter school's educational, management and financial operations.
charter management organization	Organization that operates multiple charter schools in one or more school districts.
charter school petition	A document that is submitted to a school district or county office of education, requesting to operate a public charter school.
corporate affiliations	A person or persons connected with other charter schools, or organizations that provide services to charter schools.
EC	Education Code
ELL	English language learner
evaluation criteria	Benchmarks against which conformance, performance, and suitability of a plan, as well as of risk-reward ratio, are measured.
evaluation matrix	A tool or method used to objectively evaluate a number of options against a number of criteria.
evaluation rubric, also known as rating definitions	A scoring guide used to define the expectation of a quality response to the petition evaluation criteria.

evaluation standard	How the quality of an evaluation will be judged.
findings of fact	Specific facts that support one or more underlying reasons for the denial of a charter school petition under consideration.
initial petition	Submission of a new charter school petition to a school district or county office of education, asking to open a charter school.
LEA	local educational agency
lead petitioner	A person who is the main contact for the submission of a charter petition to a school district or county office of education.
MOU	Memorandum of understanding — a document that describes the broad outlines of an agreement. MOUs communicate the mutually accepted expectations of all of the parties involved.
petition appeal	Submission to a county office of education or the State Board of Education of a charter school petition that was initially submitted to and denied by a school district.
petition review team	District or county office staff or consultant, with expertise in various areas of TK-12 education, assigned to review a charter school petition.
petitioner	Person or persons submitting an application, or petition, to open a public charter school.
renewal petition	Submission of documents as required by law to renew an existing charter school.
SBE	State Board of Education
SELPA	Special education local plan area