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Legal and Practical Guide for Securing Charter Renewal

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Overview of the Process

- Check your data and consider whether you meet the academic criteria for renewal.
- Meet with the Authorizer to reach consensus on the renewal process.
- Update the charter to reflect new laws and current practice.
- Rally your community to prepare them to support the renewal.
- Approval of the renewal charter by the Charter School board (not legally required, but some Authorizers want to see this).
- Submission of charter to Authorizer
- Public hearing by Authorizer.
- Board action by Authorizer.

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Legal Basis for Renewal (EC Section 47607(a))

- Renewals are governed by the "standards and criteria" of Section 47605
- Each renewal can only be for a term of 5 years
- Renewals shall include a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed.

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Legal Basis for Renewal (EC Section 47607(a))



- The authority that granted the charter shall consider increases in pupil academic achievement for all groups of pupils served by the charter school as the most important factor in determining whether to grant a charter renewal.
- “All groups of pupils served by the charter school” = a numerically significant pupil sub-group



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Academic Threshold Criteria (EC Section 47607(b))



Once a charter school has been in operation for four years, it shall meet at least one of the following criteria before receiving renewal:

1. Attained its Academic Performance Index (API) growth target in the prior year or in two of the last three years, both schoolwide and for all groups of pupils served by the charter school.
2. Ranked in deciles 4 to 10, inclusive, on the API in the prior year or in two of the last three years.
3. Ranked in deciles 4 to 10, inclusive, on the API for a demographically comparable school in the prior year or in two of the last three years.



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Academic Threshold Criteria (EC Section 47607(b))



(4)(A) The entity that granted the charter determines that the academic performance of the charter school is at least equal to the academic performance of the public schools that the charter school pupils would otherwise have been required to attend, as well as the academic performance of the schools in the school district in which the charter school is located, taking into account the composition of the pupil population that is served at the charter school.



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Academic Threshold Criteria (EC Section 47607(b))



(4)(B) The determination made pursuant to this paragraph shall be based upon all of the following:

- (i) Documented and clear and convincing data.
- (ii) Pupil achievement data from assessments, including, but not limited to, the Standardized Testing and Reporting Program established by Article 4 (commencing with Section 60640) for demographically similar pupil populations in the comparison schools.
- (iii) Information submitted by the charter school.
-- must submit to SPI for recommendation and wait 30 days.

(5) Has qualified as an ASAM School.



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Data, Data, Data



- Know your academic performance
- API suspension → CA School Dashboard Report
- CAASPP scores
- Use a data management system
- Use data to improve academic performance
- Use a statewide or nationally recognized performance assessment tool
- The charter should be clear as to how the charter meets the criteria for renewal



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Data, Data, Data



What state level data is available for charter school renewals?

- The three proxies authorized in EC Section 52052(e)(4) are: (1) the most recent API calculation; (2) an average of the three most recent annual API calculations; or (3) alternative measures that show increases in pupil academic achievement for all groups of pupils school wide and among significant student groups.



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Update Your Charter to Reflect Current and Future Plans



- | | |
|------------------------------|---|
| 1. Educational Program | 9. Financial Audit |
| 2. Student Outcomes | 10. Suspension and Expulsion |
| 3. Methods of Measurement | 11. Retirement Systems |
| 4. Governance Structure | 12. Public School Attendance Alternatives |
| 5. Employment Qualifications | 13. Employee Return Rights |
| 6. Health and Safety | 14. Dispute Resolution |
| 7. Racial and Ethnic Balance | 15. Public School Employer |
| 8. Admissions Requirements | 16. Closure Procedures |



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Update Your Charter to Reflect Current and Future Plans



- Consider changes in practice to:
 - Educational program
 - Facility(ies)
 - Grade levels
 - Enrollment build out
 - Curriculum
 - Admissions procedures
 - Student outcomes and methods of measurement (preferably upward)



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Update Your Charter to Reflect Current and Future Plans



- Draft the strongest possible charter:
 - Brag section: tell your own story; demonstrate multiple pieces of evidence of success
 - Flesh out a “skinny” charter
 - Attention to detail – consistency!
 - Help the reader – lots of headers
 - Support conclusions with empirical evidence
 - Avoid the patchwork quilt effect
 - Appearance matters – charts, photos, graphics
 - Version control, table of contents, legal citations
 - Draft with an eye toward appeal



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Update Your Charter to Reflect New Laws



- Only 15 Elements + now 6 reasons for denial
- Local Control Funding Formula – next slides
- Common Core State Standards
- California Assessment of Student Performance and Progress
- Suspension and expulsion offenses
- Anti-discrimination language
- Health and safety procedures
- California School Dashboard Report

(EC Section 47607(a)(2))



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LCFF and LCAP



Local Control Funding Formula

- Element 1: annual goals and specific actions, schoolwide and for all numerically significant subgroups, in the 8 state priorities
- Element 2: pupil outcomes aligned with the state priorities that apply for the grade levels served or the nature of the program operated by the charter school
- Element 3: report outcomes consistent with SARC



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LCFF and LCAP



LCFF State Priorities

1. Basic services
2. Implementation of CCSS + EL proficiency
3. Parental involvement
4. Student achievement
5. Student engagement
6. School climate
7. Course access
8. Other student outcomes



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Timing

Submitting to:	Submission Date	Action	Possible Extension
District	One year before expiration (YM&C suggestion)	60 days from submission (automatic renewal)	30 days
County	30 days from denial by District	60 days from submission	30 days
SBE	180 days from denial or 60 days from no action from County	90-120 days from submission	30 days

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Closely Track the Process

- Automatic renewal: "If within 60 days of its receipt of a petition for renewal, a district governing board has not made a written factual finding as mandated by Education Code section 47605(b), the absence of written factual findings shall be deemed an approval of the petition for renewal." 5 CCR 11966.4(c)
- Carefully count the days
- Be cautious about how a request for extension is presented

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Manage Local Politics

- Invite local politicians, especially Authorizer Board members, to school events
- Seek political recognition of achievements to keep for renewal
- Develop relationships with local politicians
- Consider whether someone in your charter community wants to run for office
- Become a fixture at Authorizer Board meetings
- Watch for Authorizer action on other renewals and learn from the process

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Rally the Community for Renewal



- Lobby Authorizer Board members
- Demonstrate strong public support (fill the Board room with supporters, feed families to get them there)
- Create a strong visual effect (t-shirts, ribbons)
- Script and control communications with Authorizer as much as possible
- Act as a unit
- Represent the community of your Authorizer during public meetings
- Be sensitive and understand your impact on the Authorizer
- Don't assume the Authorizer knows the law or your charter
- Don't get lulled into a false sense of security



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Common Roadblocks to Renewal



- 1. Fiscal Viability**
 - Reserve
 - Cash flow
 - Low Enrollment
 - Lack of or weak fiscal controls
- 2. Local Politics**
 - Change in Board Support
 - Change in Local Circumstances
- 3. Academic Growth**
 - Criteria for renewal
 - Comparison with local schools
- 4. Internal Disputes**
 - Fracture amongst board or administration
 - Public criticisms
- 5. Governance**
 - Public Accountability Laws
 - Weak Board
 - Weak Administration
- 6. Racial and Ethnic Balance**
 - Failure to reflect District racial and ethnic balance
 - Failure to reflect District socio-economic balance



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Outside Support



- Legal
- Fiscal
- Educational statistics and data
- Lobbyist
- PR specialist



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QUESTIONS AND RESPONSES

THANKS FOR ATTENDING TODAY!

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Governing Law and Regulations for Charter Petitions Submitted to School Districts

Charter Element	Education Code Section 47605(b)(5) [except as noted]	Title 5, California Code of Regulations Section 11967.5.1	Completed?
Affirmations Education Code Section 47605(d)(1)	<p>In addition to any other requirement imposed under this part, a 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 any pupil on the basis of the characteristics listed in Section 220. Except as provided in paragraph (2), admission to a charter school shall not be determined according to the place of residence of the pupil, or of his or her 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.</p>	<p>(e) For purposes of Education Code section 47605(b)(4), a charter petition that "does not contain an affirmation of each of the conditions described in subdivision (d)" of Education Code section 47605 shall be a petition that fails to include a clear, unequivocal affirmation of each such condition, not a general statement of intention to comply. Neither the charter nor any of the supporting documents shall include any evidence that the charter will fail to comply with the conditions described in Education Code section 47605(d).</p>	
Element 1/A Educational Program (General)	<p>(A)(i) The educational program of the charter school, designed, among other things, to identify those whom the charter school is attempting to educate, what it means to be an "educated person" in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners.</p>	<p>(f)(1) The description of the educational program of the school, as required by Education Code section 47605(b)(5)(A), at a minimum: (A) Indicates the proposed charter school's target student population, including, at a minimum, grade levels, approximate numbers of pupils, and specific educational interests, backgrounds, or challenges. (B) Specifies a clear, concise school mission statement with which all elements and programs of the school are in alignment and which conveys the petitioners' definition of an "educated person" in the 21st century, belief of how learning best occurs, and goals consistent with enabling pupils to become or remain self-motivated, competent, and lifelong learners.</p>	
Element 1/A Educational Program (LCAP)	<p>(A)(ii) The annual goals for the charter school for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school, and specific annual actions to achieve those goals. A charter petition may identify</p>	<p>(C) Includes a framework for instructional design that is aligned with the needs of the pupils that the charter school has identified as its target student population. (D) Indicates the basic learning environment or environments (e.g., site-based matriculation, independent study,</p>	

Charter Element	Education Code Section 47605(b)(5) [except as noted]	Title 5, California Code of Regulations Section 11967.5.1	Completed?
	additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals.	community-based education, or technology-based education).	
Element 1/A Educational Program (High School)	<p>(A)(iii) If the proposed charter school will serve high school pupils, the manner in which the charter school will inform parents about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered transferable and courses approved by the University of California or the California State University as creditable under the “A” to “G” admissions criteria may be considered to meet college entrance requirements.</p>	<p>(E) Indicates the instructional approach or approaches the charter school will utilize, including, but not limited to, the curriculum and teaching methods (or a process for developing the curriculum and teaching methods) that will enable the school’s pupils to master the content standards for the four core curriculum areas adopted by the SBE pursuant to Education Code section 60605 and to achieve the objectives specified in the charter.</p> <p>(F) Indicates how the charter school will identify and respond to the needs of pupils who are not achieving at or above expected levels.</p> <p>(G) Indicates how the charter school will meet the needs of students with disabilities, English learners, students achieving substantially above or below grade level expectations, and other special student populations.</p> <p>(H) Specifies the charter school’s special education plan, including, but not limited to, the means by which the charter school will comply with the provisions of Education Code section 47641, the process to be used to identify students who qualify for special education programs and services, how the school will provide or access special education programs and services, the school’s understanding of its responsibilities under law for special education pupils, and how the school intends to meet those responsibilities.</p>	
Element 2/B Pupil Outcomes	<p>The measurable pupil outcomes identified for use by the charter school. “Pupil outcomes,” for purposes of this part, means the extent to which all pupils of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school’s educational program. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both schoolwide and for all groups of pupils served by the charter school, as that term is defined in subparagraph (B) of paragraph</p>	<p>(f)(2) Measurable pupil outcomes, as required by Education Code section 47605(b)(5)(B), at a minimum:</p> <p>(A) Specify skills, knowledge, and attitudes that reflect the school’s educational objectives and can be assessed, at a minimum, by objective means that are frequent and sufficiently detailed enough to determine whether pupils are making satisfactory progress. It is intended that the frequency of objective means of measuring pupil outcomes vary according to such factors as grade level, subject matter, the outcome of previous objective measurements, and information that may be collected from anecdotal sources. To be sufficiently detailed, objective means of</p>	

Charter Element	Education Code Section 47605(b)(5) [except as noted]	Title 5, California Code of Regulations Section 11967.5.1	Completed?
	(3) of subdivision (a) of Section 47607. The pupil outcomes shall align with the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school.	measuring pupil outcomes must be capable of being used readily to evaluate the effectiveness of and to modify instruction for individual students and for groups of students. (B) Include the school's Academic Performance Index growth target, if applicable.	
Element 3/C Methods of Measurement	The method by which pupil progress in meeting those pupil outcomes is to be measured. To the extent practicable, the method for measuring pupil outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card.	(f)(3) The method by which pupil progress is to be measured, as required by Education Code section 47605(b)(5)(C), at a minimum: (A) Utilizes a variety of assessment tools that are appropriate to the skills, knowledge, or attitudes being assessed, including, at a minimum, tools that employ objective means of assessment consistent with paragraph (2)(A) of subdivision (f) of this section. (B) Includes the annual assessment results from the Statewide Testing and Reporting (STAR) program. (C) Outlines a plan for collecting, analyzing, and reporting data on pupil achievement to school staff and to pupils' parents and guardians, and for utilizing the data continuously to monitor and improve the charter school's educational program.	
Element 4/D Governance	The governance structure of the charter school, including, but not limited to, the process to be followed by the charter school to ensure parental involvement.	(f)(4) The governance structure of the school, including, but not limited to, the process to be followed by the school to ensure parental involvement in supporting the school's effort on behalf of the school's pupils, as required by Education Code section 47605(b)(5)(D), at a minimum: (A) Includes evidence of the charter school's incorporation as a non-profit public benefit corporation, if applicable. (B) Includes evidence that the organizational and technical designs of the governance structure reflect a seriousness of purpose necessary to ensure that: 1. The charter school will become and remain a viable enterprise. 2. There will be active and effective representation of interested parties, including, but not limited to parents (guardians). 3. The educational program will be successful.	
Element 5/E Employee	The qualifications to be met by individuals to be employed by the charter school.	(f)(5) The qualifications to be met by individuals to be employed by the school, as required by Education Code section	



Charter Element	Education Code Section 47605(b)(5) [except as noted]	Title 5, California Code of Regulations Section 11967.5.1	Completed?
Qualifications		47605(b)(5)(E), at a minimum: (A) Identify general qualifications for the various categories of employees the school anticipates (e.g., administrative, instructional, instructional support, non-instructional support). The qualifications shall be sufficient to ensure the health, and safety of the school’s faculty, staff, and pupils. (B) Identify those positions that the charter school regards as key in each category and specify the additional qualifications expected of individuals assigned to those positions. (C) Specify that the requirements for employment set forth in applicable provisions of law will be met, including, but not limited to credentials as necessary.	
Element 6/F Health and Safety	The procedures that the charter school will follow to ensure the health and safety of pupils and staff. These procedures shall include the requirement that each employee of the charter school furnish it with a criminal record summary as described in Section 44237.	(f)(6) The procedures that the school will follow to ensure the health and safety of pupils and staff, as required by Education Code section 47605(b)(5)(F), at a minimum: (A) Require that each employee of the school furnish the school with a criminal record summary as described in Education Code section 44237. (B) Include the examination of faculty and staff for tuberculosis as described in Education Code section 49406. (C) Require 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. (D) Provide for the screening of pupils’ vision and hearing and the screening of pupils for scoliosis to the same extent as would be required if the pupils attended a non-charter public school.	
Element 7/G Racial and Ethnic Balance	The means by which the school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted.	(f)(7) Recognizing the limitations on admissions to charter schools imposed by Education Code section 47605(d), the means by which the school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted, as required by Education Code section 47605(b)(5)(G), shall be presumed to have been met, absent specific information to the contrary.	
Element 8/H	Admission requirements, if applicable.	(f)(8) To the extent admission requirements are included in keeping with Education	

Charter Element	Education Code Section 47605(b)(5) [except as noted]	Title 5, California Code of Regulations Section 11967.5.1	Completed?
Admission Requirements		Code section 47605(b)(5)(H), the requirements shall be in compliance with the requirements of Education Code section 47605(d) and any other applicable provision of law.	
Element 9/I Independent Financial Audit	The manner in which annual, independent financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the chartering authority.	(f)(9) The manner in which annual, independent, financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the chartering authority, as required by Education Code section 47605(b)(5)(I), at a minimum: (A) Specify who is responsible for contracting and overseeing the independent audit. (B) Specify that the auditor will have experience in education finance. (C) Outline the process of providing audit reports to the SBE, California Department of Education, or other agency as the SBE may direct, and specifying the time line in which audit exceptions will typically be addressed. (D) Indicate the process that the charter school will follow to address any audit findings and/or resolve any audit exceptions.	
Element 10/J Suspension and Expulsion Procedures	The procedures by which pupils can be suspended or expelled.	(f)(10) The procedures by which pupils can be suspended or expelled, as required by Education Code section 47605(b)(5)(J), at a minimum: (A) Identify a preliminary list, subject to later revision pursuant to subparagraph (E), of the offenses for which students in the charter school must (where non-discretionary) and may (where discretionary) be suspended and, separately, the offenses for which students in the charter school must (where non-discretionary) or may (where discretionary) be expelled, providing evidence that the petitioners' reviewed the offenses for which students must or may be suspended or expelled in non-charter public schools. (B) Identify the procedures by which pupils can be suspended or expelled. (C) Identify the procedures by which parents, guardians, and pupils will be informed about reasons for suspension or expulsion and of their due process rights in regard to suspension or expulsion.	



Charter Element	Education Code Section 47605(b)(5) [except as noted]	Title 5, California Code of Regulations Section 11967.5.1	Completed?
		<p>(D) Provide evidence that in preparing the lists of offenses specified in subparagraph (A) and the procedures specified in subparagraphs (B) and (C), the petitioners reviewed the lists of offenses and procedures that apply to students attending non-charter public schools, and provide evidence that the charter petitioners believe their proposed lists of offenses and procedures provide adequate safety for students, staff, and visitors to the school and serve the best interests the school's pupils and their parents (guardians).</p> <p>(E) If not otherwise covered under subparagraphs (A), (B), (C), and (D):</p> <ol style="list-style-type: none"> 1. Provide for due process for all pupils and demonstrate an understanding of the rights of pupils with disabilities in regard to suspension and expulsion. 2. Outline how detailed policies and procedures regarding suspension and expulsion will be developed and periodically reviewed, including, but not limited to, periodic review and (as necessary) modification of the lists of offenses for which students are subject to suspension or expulsion. 	
<p>Element 11/K</p> <p>Retirement Systems</p>	<p>The manner by which staff members of the charter schools will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security.</p>	<p>(f)(11) The manner by which staff members of the charter schools will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security, as required by Education Code section 47605(b)(5)(K), at a minimum, specifies the positions to be covered under each system and the staff who will be responsible for ensuring that appropriate arrangements for that coverage have been made.</p>	
<p>Element 12/L</p> <p>Public School Attendance Alternatives</p>	<p>The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools.</p>	<p>(f)(12) The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools, as required by Education Code section 47605(b)(5)(L), at a minimum, specify that the parent or guardian of each pupil enrolled in the charter school shall be informed that the pupils has no right to admission in a particular school of any local educational agency (LEA) (or program of any LEA) as a consequence of enrollment in the charter school, except to the extent that such a right is extended by the LEA.</p>	

Charter Element	Education Code Section 47605(b)(5) [except as noted]	Title 5, California Code of Regulations Section 11967.5.1	Completed?
<p>Element 13/M</p> <p>Employee Return Rights</p>	<p>The rights of an employee of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school.</p>	<p>(f)(13) The description of the rights of any employees of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school, as required by Education Code section 47605(b)(5)(M), at a minimum, specifies that an employee of the charter school shall have the following rights:</p> <p>(A) Any rights upon leaving the employment of an LEA to work in the charter school that the LEA may specify.</p> <p>(B) Any rights of return to employment in an LEA after employment in the charter school as the LEA may specify.</p> <p>(C) Any other rights upon leaving employment to work in the charter school and any rights to return to a previous employer after working in the charter school that the SBE determines to be reasonable and not in conflict with any provisions of law that apply to the charter school or to the employer from which the employee comes to the charter school or to which the employee returns from the charter school.</p>	
<p>Element 14/N</p> <p>Dispute Resolution</p>	<p>The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter.</p>	<p>(f)(14) The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter, as required by Education Code section 47605(b)(5)(N), at a minimum:</p> <p>(A) Include any specific provisions relating to dispute resolution that the SBE determines necessary and appropriate in recognition of the fact that the SBE is not an LEA.</p> <p>(B) Describe how the costs of the dispute resolution process, if needed, would be funded.</p> <p>(C) Recognize that, because it is not an LEA, the SBE may choose to resolve a dispute directly instead of pursuing the dispute resolution process specified in the charter, provided that if the SBE intends to resolve a dispute directly instead of pursuing the dispute resolution process specified in the charter, it must first hold a public hearing to consider arguments for and against the direct resolution of the dispute instead of pursuing the dispute resolution process specified in the charter.</p>	

Charter Element	Education Code Section 47605(b)(5) [except as noted]	Title 5, California Code of Regulations Section 11967.5.1	Completed?
		(D) Recognize that if the substance of a dispute is a matter that could result in the taking of appropriate action, including, but not limited to, revocation of the charter in accordance with Education Code section 47604.5, the matter will be addressed at the SBE's discretion in accordance with that provision of law and any regulations pertaining thereto.	
<p>Element 15/O</p> <p>Closure Procedures</p>	<p>The procedures to be used if the charter school closes. The procedures shall ensure a final audit of the charter school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records.</p>	<p>(5 CCR 11962)</p> <p>As used in Education Code sections 47605(b)(5)(P) and 47605.6(b)(5)(Q), "procedures" means, at a minimum, each of the following:</p> <p>(a) Designation of a responsible entity to conduct closure-related activities.</p> <p>(b) Notification of the closure of the charter school to parents (guardians) of pupils, the authorizing entity, the county office of education (unless the county board of education is the authorization entity), the special education local plan area in which the school participates, the retirement systems in which the school's employees participate (e.g., Public Employees' Retirement System, State Teachers' Retirement System, and federal social security), and the California Department of Education, providing at least the following:</p> <p>(1) The effective date of the closure;</p> <p>(2) The name(s) of and contact information for the person(s) to whom reasonable inquiries may be made regarding the closure;</p> <p>(3) The pupils' school districts of residence; and</p> <p>(4) The manner in which parents (guardians) may obtain copies of pupil records, including specific information on completed courses and credits that meet graduation requirements.</p> <p>(c) Provision of a list of pupils in each grade level and the classes they have completed, together with information on the pupils' district of residence, to the responsible entity designated in subdivision (a).</p> <p>(d) Transfer and maintenance of all pupil records, all state assessment results, and any special education records to the custody of the responsible entity designated in subdivision (a), except for records and/or assessment results that the charter may</p>	

Charter Element	Education Code Section 47605(b)(5) [except as noted]	Title 5, California Code of Regulations Section 11967.5.1	Completed?
		<p>require to be transferred to a different entity.</p> <p>(e) Transfer and maintenance of personnel records in accordance with applicable law.</p> <p>(f) Completion of an independent final audit within six months after the closure of the school that may function as the annual audit, and that includes at least the following:</p> <p>(1) An accounting of all financial assets, including cash and accounts receivable and an inventory of property, equipment, and other items of material value.</p> <p>(2) An accounting of the 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>(3) An assessment of the disposition of any restricted funds received by or due to the charter school.</p> <p>(g) Disposal of any net assets remaining after all liabilities of the charter school have been paid or otherwise addressed, including but not limited to, the following:</p> <p>(1) The return of any grant funds and restricted categorical funds to their source in accordance with the terms of the grant or state and federal law, as appropriate, which may include submission of final expenditure reports for entitlement grants and the filing of any required Final Expenditure Reports and Final Performance Reports.</p> <p>(2) 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>(h) Completion and filing of any annual reports required pursuant to Education Code section 47604.33.</p> <p>(i) Identification of funding for the activities identified in subdivisions (a) through (h).</p>	
<p>Additional Provisions</p> <p>Facilities</p> <p>Education Code Section 47605(g)</p>	<p>The governing board of a school district shall require that the petitioner or petitioners provide information regarding the proposed operation and potential effects of the school, including, but not limited to, the facilities to be used by the school... The description of the facilities to be</p>	<p>(c) For purposes of Education Code section 47605(b)(2), the SBE shall take the following factors into consideration in determining whether charter petitioners are "demonstrably unlikely to successfully implement the program."</p> <p>(3) The petitioners have presented an unrealistic financial and operational plan for the proposed charter school. An</p>	

Charter Element	Education Code Section 47605(b)(5) [except as noted]	Title 5, California Code of Regulations Section 11967.5.1	Completed?
	used by the charter school shall specify where the school intends to locate.	unrealistic financial and operational plan is one to which any or all of the following applies: (D) In the area of facilities, the charter and supporting documents do not adequately: 1. Describe the types and potential location of facilities needed to operate the size and scope of educational program proposed in the charter. 2. In the event a specific facility has not been secured, provide evidence of the type and projected cost of the facilities that may be available in the location of the proposed charter school. 3. Reflect reasonable costs for the acquisition or leasing of facilities to house the charter school, taking into account the facilities the charter school may be allocated under the provisions of Education Code section 47614.	
Additional Provisions Administrative Services Education Code Section 47605(g)	The governing board of a school district shall require that the petitioner or petitioners provide information regarding the proposed operation and potential effects of the school, including, but not limited to... the manner in which administrative services of the school are to be provided...	(c) For purposes of Education Code section 47605(b)(2), the SBE shall take the following factors into consideration in determining whether charter petitioners are "demonstrably unlikely to successfully implement the program." (3) The petitioners have presented an unrealistic financial and operational plan for the proposed charter school. An unrealistic financial and operational plan is one to which any or all of the following applies: (A) In the area of administrative services, the charter or supporting documents do not adequately: 1. Describe the structure for providing administrative services, including, at a minimum, personnel transactions, accounting and payroll that reflects an understanding of school business practices and expertise to carry out the necessary administrative services, or a reasonable plan and time line to develop and assemble such practices and expertise. 2. For any contract services, describe criteria for the selection of a contractor or contractors that demonstrate necessary expertise and the procedure for selection of the contractor or contractors.	
Additional Provisions Civil Liability	The governing board of a school district shall require that the petitioner or petitioners provide information regarding the		

Charter Element	Education Code Section 47605(b)(5) [except as noted]	Title 5, California Code of Regulations Section 11967.5.1	Completed?
Effects Education Code Section 47605(g)	proposed operation and potential effects of the school, including, but not limited to... potential civil liability effects, if any, upon the school and upon the school district.		
Additional Provisions Budget Education Code Section 47605(g)	The petitioner or petitioners shall also be required to provide financial statements that include a proposed first-year operational budget, including startup costs, and cashflow and financial projections for the first three years of operation.	(c) For purposes of Education Code section 47605(b)(2), the SBE shall take the following factors into consideration in determining whether charter petitioners are "demonstrably unlikely to successfully implement the program." (3) The petitioners have presented an unrealistic financial and operational plan for the proposed charter school. An unrealistic financial and operational plan is one to which any or all of the following applies: (B) In the area of financial administration, the charter or supporting documents do not adequately: 1. Include, at a minimum, the first-year operational budget, start-up costs, and cash flow, and financial projections for the first three years. 2. Include in the operational budget reasonable estimates of all anticipated revenues and expenditures necessary to operate the school, including, but not limited to, special education, based, when possible, on historical data from schools or school districts of similar type, size, and location. 3. Include budget notes that clearly describe assumptions on revenue estimates, including, but not limited to, the basis for average daily attendance estimates and staffing levels. 4. Present a budget that in its totality appears viable and over a period of no less than two years of operations provides for the amassing of a reserve equivalent to that required by law for a school district of similar size to the proposed charter school. 5. Demonstrate an understanding of the timing of the receipt of various revenues and their relative relationship to timing of expenditures that are within reasonable parameters, based, when possible, on historical data from schools or school districts of similar type, size, and location.	
Additional Provisions	N/A	(c) For purposes of Education Code section 47605(b)(2), the SBE shall take the	

Charter Element	Education Code Section 47605(b)(5) [except as noted]	Title 5, California Code of Regulations Section 11967.5.1	Completed?
Insurance 5 CCR 11967.5.1 (c)(3)(C)		following factors into consideration in determining whether charter petitioners are "demonstrably unlikely to successfully implement the program." (3) The petitioners have presented an unrealistic financial and operational plan for the proposed charter school. An unrealistic financial and operational plan is one to which any or all of the following applies: (C) In the area of insurance, the charter and supporting documents do not adequately provide for the acquisition of and budgeting for general liability, workers compensations, and other necessary insurance of the type and in the amounts required for an enterprise of similar purpose and circumstance.	
Signatures Education Code Section 47605(a)(1)&(3) *Must gather AFTER charter is drafted*	(1) The petition may be submitted to the governing board of the school district for review after either of the following conditions is met: (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 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 school during its first year of operation. (3) A petition shall include a prominent statement that a signature on the petition means that the parent or legal guardian is meaningfully interested in having his or her child or ward attend the charter school, or in the case of a teacher's signature, means that the teacher is meaningfully interested in teaching at the charter school. The proposed charter shall be attached to the petition.	(d) For purposes of Education Code section 47605(b)(3), a charter petition that "does not contain the number of signatures required by subdivision (a)" of Education Code section 47605 shall be a petition that did not contain the requisite number of signatures at the time of the submission of the original charter to a school district governing board pursuant to Education Code section 47605(a). The SBE shall not disregard signatures that may be purported to have been withdrawn or to have been determined to be invalid after the petition was denied by the school district. The signature requirement set forth in Education Code section 47605(a) is not applicable to a petition for renewal.	
District and County Charter	Gather from District! Look on website, or call Charter Office.	Gather from County! Look on website, or call Charter Office.	

Charter Element	Education Code Section 47605(b)(5) [except as noted]	Title 5, California Code of Regulations Section 11967.5.1	Completed?
Board School Board Policy, Administrative Regulations, and Review Matrix			

POSSIBLE CHARTER APPENDICES

- First year budget and 3-year cash flow and financial projections (minimum) *
- Petition signatures (50% of parents and/or teachers in first year) *
- Bylaws, Articles of Incorporation, and Conflict of Interest Code **
- Curriculum Samples (e.g., scope and sequence)
- Health and Safety Policies (complete version)
- Instructional Materials List
- Additional Details/Plans Regarding Special Student Populations: English Learners, Academically High- and Low-Achieving Students, Special Education
- Day in the Life Summary (Describe Typical Day for a Student)
- School Calendar
- Bell Schedule
- Content and Performance Standards (e.g., tailored to educational program)
- Resumes or Brief Biographies of Founders/Governing Board, Administrative Team, and/or Consultants
- Letters of Support (e.g., from local politicians, community leaders, public safety officials, teachers, parents and students)
- Facilities Lease, Map(s), Letter(s) of Intent
- Draft MOU (including special education agreement)
- Detailed local outreach and recruitment plan

* **Required by law to be in charter appendix**

** **Strongly suggested (draft versions are generally acceptable)**