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**CHARTER SCHOOL
AUTHORIZATIONS:
A PRACTICAL CHECKLIST
FOR SCHOOL BOARDS
REVIEWING A CHARTER
PETITION**

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KMTG CHARTER PETITION REVIEW CHECKLIST:

I. LEGAL BACKGROUND

A. Education Code section 47605 sets forth the statutory requirements for the establishment of charter schools. A school district governing board may only deny a charter petition if one or more of the following findings are made:

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 section 47605(a).
4. The petition does not contain an affirmation of each of the conditions described in section 47605(d).
5. The petition does not contain reasonably comprehensive descriptions of all of the 16 required elements of section 47605(b)(5)(A) through 47605(b)(5)(P).

B. A school district's findings for denial must be in writing.

C. Petitions must be carefully analyzed in order to determine whether the petition meets the requirements described above or whether it should be denied based on failure to meet one of the above requirements.

II. CHECKLIST FOR SCHOOL BOARDS CONSIDERING A CHARTER PETITION:

- Does the petition present a sound educational program for the pupils to be enrolled in the charter school?
 - Consider the proposed educational programs for special student populations like special education, English Language Learners, etc.
- Are the petitioners demonstrably likely to successfully implement the program?
 - Any relevant past experience or involvement to be considered?

- Have the petitioners presented a realistic financial and operational plan?
- Does the petition contain the number of required signatures?
- Does the petition contain the required affirmations?
- Does the petition contain a reasonably comprehensive description of the following 16 required elements?
 - Description of the educational program:
 - indicates the target school population
 - specifies a clear and concise school mission statement
 - identifies what it means to be an “educated person” in the 21st century
 - identifies how learning best occurs
 - includes program objective of enabling all pupils to become self-motivated, competent, and lifelong learners
 - includes a framework for instructional design that is aligned with the needs of the pupils of the targeted student population
 - indicates the learning environment (site based, independent study, community based education, technology-based, etc.)
 - indicates the instructional approach the charter will utilize, including curriculum and teaching methods
 - indicates how the charter school will identify and respond to the needs of pupils not achieving at or above expected levels
 - indicates how the school will meet the needs of students with disabilities, English learners, and other special student populations
 - indicates the charter school’s special education plan
 - the means by which the charter school will comply with Education Code §47641
 - the process used to identify students who qualify for special education and services
 - the charter school’s understanding of its responsibilities under law

for special education students and how it intends to meet those responsibilities

- includes information on manner of communication to parents regarding transferability of courses and which courses meet college entrance requirements
- Measurable student outcomes identified for use by the charter school:
 - specific skills, knowledge, and attitudes that reflect the school's educational objectives which can be assessed by objective means to determine whether students are making satisfactory progress
 - the school's Academic Performance Index growth target, if applicable
- Method by which pupil progress in meeting those pupil outcomes is to be measured:
 - utilizes a variety of appropriate assessment tools
 - includes the annual assessment results from the STAR program
 - outlines a plan for collecting, analyzing and reporting data on pupil achievement
- Governance structure of the school:
 - process to be followed to ensure parental involvement
 - evidence of status as non-profit public benefit corporation, if applicable
 - organizational and technical designs of the governance structure
- Qualifications to be met by employees:
 - including qualifications for administrative, instructional, instructional support, and non-instructional support employees
 - specify that all requirements for employment specified by law will be met, including credentials as necessary
- Procedures the school will follow to ensure the health and safety of pupils and staff:
 - require that each employee of the school furnish the school with a criminal record summary

- include the examination of faculty and staff for tuberculosis
 - require immunizations of pupils as a condition of attendance to the same extent as would apply to pupils attending non-charter public schools
 - provide for screening of pupils' vision, hearing and scoliosis to the same extent as would apply if pupils attended non-charter public schools
- Means by which the school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing in the school district
- Admissions requirements, if applicable
- 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:
 - specify who is responsible for contracting and overseeing the independent audit
 - specify that the auditor will have experience in education finance
 - outline the process of providing audit reports and the timeline for doing so
 - indicate the process the school will follow to address any audit findings or resolve audit exceptions
- Procedures by which pupils can be suspended or expelled:
 - list of offenses for which pupils may be suspended or expelled
 - identify procedures to be used in suspending or expelling pupils
 - provide due process for all pupils and an understanding of the rights of pupils with disabilities in regard to discipline
- The manner by which staff will be covered by STRS or PERS or federal social security and a list of positions to be covered under each system
- The public school attendance alternatives for pupils residing with the district who choose not to attend charter schools
- A description of rights of any employee of the school district upon leaving employment of the district to work in the charter school, and any rights of return
- The procedures to be followed by the school and the district to resolve disputes

relating to provisions of the charter:

- specific dispute resolution procedures
- description of how costs of dispute resolution process will be funded and allocated
- does not infringe on the district's right to revoke charter if appropriate
- A declaration of whether the charter school shall be deemed the exclusive public school employer of the employees of the school for purposes of the EERA
- A description of the procedures to be used if the charter school closes:
 - ensures a final audit
 - provides for disposition of all assets and liabilities
 - includes a plan for disposing of any net assets
 - includes a plan for the maintenance and transfer of pupil records

III. CAVEAT:

The above checklist is only a suggested checklist for school boards to utilize in reviewing charter petitions. The checklist was created based upon the requirements of Education Code section 47605 as well as the State Board of Education's Regulations governing review of charter petitions (5 CCR 11967.5.1). District administrators with expertise in the specific areas should be consulted, as should the district's legal counsel if necessary.