



Charter Petition Granting/Denying Timelines

- **Public Hearing Deadline:** Once a complete petition to establish a charter school is received, the district must hold a public hearing to consider the level of support for the petition within 30 calendar days.
- **Grant/Deny Deadline:** The district must grant or deny the charter within 60 calendar days from receipt of the petition, unless the parties mutually agree to extend the deadline.

The petition must be approved unless the district makes written factual findings that support one or more of the following legally permitted grounds to deny the petition:

1. The petition does not contain the required number of signatures;
2. The petition does not contain an affirmation of each of the required conditions;
3. The charter school presents an unsound educational program;
4. The petitioners are demonstrably unlikely to successfully implement the program; or
5. The petition does not contain reasonably comprehensive descriptions of the 16 required elements.

Sixteen Required Elements Of A Charter School Petition

“Reasonably comprehensive” descriptions of sixteen criteria contained in Education Code section 47605:

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| • Description of educational program | • Independent financial audit |
| • Measurable student outcomes | • Suspension and expulsion procedures |
| • Method for assessing student progress | • Staff coverage by STRS, PERS, or Social Security |
| • Governance structure of the school | • Public school attendance alternatives |
| • Employee qualifications | • Employee leave and return rights |
| • Health and safety procedures | • Dispute resolution process |
| • Means to achieve racial and ethnic balance | • Declaration re: labor relations under EERA |
| • Admission requirements | • Closure procedures |

Proposition 39 Facilities Request Timelines

A Charter School Petition

- **November 1:** The charter school must submit its request to receive facilities from the district for the following school year.
- **December 1:** The district must object to the charter school’s average daily attendance projections or else waive the right to challenge the charter school’s projections.
- **February 1:** The district’s preliminary facilities proposal is due to the charter school.
- **April 1:** The district’s final facilities offer is due to the charter school.

Factors To Consider For Petition Renewal

- The law requires consideration of increases in pupil academic achievement as the most important factor.
- Does the petition contain a sufficient description of legal requirements that went into effect after the charter was originally granted or last renewed?
- Does the petition accurately reflect student enrollment, grade levels served, and facilities operated?
- Have the petitioners shown evidence of a successfully operating budget?
- Has the charter school met its enrollment projections in the current term?
- Has the charter school been timely and responsive in providing the district with requested information?
- Has the charter school satisfied at least one of the following criteria?
 1. Attained its API growth target in the prior year or in two of the last three years schoolwide and for all groups of pupils served by the charter.
 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.
 4. The academic performance of the charter school is at least equal to the academic performance of the public schools that the charter school students 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 student population that is served at the charter school.
 5. Qualified for an alternative accountability system.

Charter Revocation

A charter may not be revoked unless written factual findings support one or more of the following:

1. The charter school committed a material violation of any of the conditions, standards, or procedures set forth in the charter;
2. The charter school failed to meet or pursue any of the student outcomes identified in the charter;
3. The charter school failed to meet generally accepted accounting principles, or engaged in fiscal mismanagement; or
4. The charter school violated any provision of law.

This is a summary only and not legal advice. We recommend that you consult with legal counsel to determine how this may apply to your specific facts and circumstances. F3 offers clients communication services when topics such as negotiations, employee matters and social media issues, capture community and media attention. For more information or assistance with communications planning, please contact the F3 Communications Department: 323.330.6300.

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