# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Introduction</td>
<td>02</td>
</tr>
<tr>
<td>FAQs</td>
<td>03</td>
</tr>
<tr>
<td>Submission and Approval Process</td>
<td>09</td>
</tr>
<tr>
<td>Petition Process and Review Stages</td>
<td>10</td>
</tr>
<tr>
<td>Petition Review Timelines</td>
<td>12</td>
</tr>
<tr>
<td>California Charter School Law</td>
<td>13</td>
</tr>
</tbody>
</table>
Twin Rivers Unified School District is committed to ensuring and providing families with high quality education as part of our vision of student success for all. Charter schools play a significant role in providing educational options to meet the needs for students and families in our community.

This resource manual is designed to guide you through the Twin Rivers’ charter review process. The application process is extremely detailed and governed by Federal, State and District guidelines. Although the guidelines are complex, they are intended to ensure that each Charter School meets the needs of the students, families, faculty, staff, and administrators.

We anticipate this resource to be of great benefit for those submitting a new or renewed charter petition.
The California Department of Education provides helpful information on Frequently Asked Questions. To see the extensive list of questions and answers go to: www.cde.ca.gov, select the “Specialized Program” drop down tab and click on the “Charter Schools” icon. Below is a list of information listed on their website.

GENERAL INFORMATION

**Q. What is a charter school?**

A charter school is a public school that provides instruction in any combination of grades, kindergarten through grade twelve. Parents, teachers, or community members may initiate a charter petition, which is typically presented to and approved by a local school district governing board. California *Education Code (EC)* also allows, under certain circumstances, for county boards of education and the State Board of Education to be charter authorizing entities.

Specific goals and operating procedures for a charter school are detailed in the agreement between the charter authorizing entity and the charter developer. A charter school is exempted from many of the statutes and regulations that apply to school districts. Students enroll in charter schools on a voluntary basis.

**Q. Are charter schools part of the public school system?**

Yes. Charter schools are under the jurisdiction of the Public School System, as specified in EC Section 47615.

**Q. Are there different types of charter schools?**

As of the 2016-17 school year, there were approximately 1,232 active charter schools and seven all-charter districts. Of the cumulative 1,232 active charter schools, 986 (80 percent) were classroom-based, or site-based, and 246 (20 percent) were non-classroom-based. Approximately 185 of the 1,232 active charter schools were conversion schools, with 1,047 being start-up charter schools.

**Q. Do charter schools receive accreditation?**

Only charter schools that successfully complete an accreditation process receive accreditation. The majority of charter high schools seek accreditation through the Western Association of Schools and Colleges.
Q. Who is eligible to submit a charter petition?

Anyone may develop, circulate, and submit a petition to establish a charter school. *EC Section 47605(a)* requires charter developers to collect signatures to indicate support for the petition. For a new charter school that is not a conversion of an existing public school, charter developers must obtain the signatures of either 50 percent of the teachers meaningfully interested in teaching at the school, or 50 percent of the parents of pupils expected to enroll at the school. For a charter school that is a conversion of an existing public school, the charter developer must collect the signatures of 50 percent of the teachers at the school to be converted. The petition must contain a prominent statement that a signature means that the person signing is meaningfully interested in teaching in, or in having his or her child(ren) attend the school.

Q. What are the restrictions on the establishment of a charter school?

There are some restrictions on the establishment of a charter school. With a few exceptions, a new charter school may only be located in the district that approves it. Additionally the following restrictions apply to charter schools:

1. *EC Section 47602(b)* prohibits the conversion of private schools to public charter schools.
2. *EC Section 47605(d)* requires that a charter school be nonsectarian in its programs, admission policies, employment practices, and all other operations; that it not discriminate against any pupil; and not charge tuition.
3. *EC Section 47605(b)(5)(G)* requires that the charter include a description of the school’s means for achieving a racial and ethnic balance among its pupils that is reflective of the general population residing in the district.
4. *EC Sections 47605(s)(3)(e) and 47605 (d)(3)(f)* prohibit the governing board of a school district from requiring pupils to attend a charter school or from requiring any employee of the school district to be employed in a charter school.

Q. On what grounds can a local governing board deny approval of a charter petition?

*EC Section 47605(b)* specifies that a local educational agency shall not deny the approval of a charter petition unless it makes written factual findings, specific to the particular petition, that:

1. The charter school presents an unsound educational program.
2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
3. The petition does not contain the required number of signatures.
4. The petition does not contain an affirmation of each of the conditions described in *EC Section 47605(d)*.
5. The petition does not contain reasonably comprehensive descriptions of all of the 16 required elements of the petition.

Q. Who may approve a charter school petition?

Under EC Section 47605(b) the local school district governing board may approve charter schools, with a few exceptions, that will operate within its boundaries.

EC sections 4760(j) and 4760.6 allow a petitioner to seek approval of a charter petition from a county board of education if the pupils to be served would normally be provided direct education and related services by the county office of education, if the petition has been previously denied by a local school district governing board within the county, or if the charter provides countywide services that cannot be provided by a district-approved charter school.

EC Section 47605.8 allows a petitioner to request the SBE approve a charter petition if the petition has been previously denied by a local school district governing board and a county board of education, or if the charter school will provide services of a statewide benefit that cannot be met through the approval of a charter petition by a local charter authorizing entity.

Q. What is the timeline for approval of a charter petition?

EC Section 47605(b) specifies that a local governing board must hold a public hearing for a proposed charter within 30 days of receipt of the completed petition, and, within 60 days from receipt of the petition, either approve or deny the charter. This time line may be extended by 30 days if both parties agree to the extension. EC Section 47652(c) requires that a charter school commence instruction between July 1 and September 30.

Q. What are the required elements of a charter petition?

Each charter petition must contain reasonably comprehensive descriptions of each of 16 required elements. The 16 elements, as specified in EC Section 47605(b)(5)(A-P) are:

1. A description of the educational program of the school. If the proposed charter school will serve high school pupils, a description of how 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 must be included in the charter petition.
2. The measurable pupil outcomes identified for use by the school.
3. The method by which pupil progress in meeting those pupil outcomes is to be measured.
4. The schools governance structure, including parental involvement.
5. The qualifications to be met by individuals employed by the school.
6. Procedures to ensure health and safety of pupils and staff.
7. The means by which the school will achieve racial and ethnic balance among its pupils, reflective of the general population residing in the district.
8. Admission requirements, if applicable.
9. The manner in which annual financial audits will be conducted, and the manner in which audit exceptions and deficiencies will be resolved.
10. The procedures by which pupils may be suspended or expelled.
11. Provisions for employee coverage under the State Teachers Retirement System, the Public Employees Retirement System, or federal social security.
12. The public school alternatives for pupils residing within the district who choose not to attend charter schools.
13. A description of the rights of any 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.
15. A declaration whether or not the charter school will be the exclusive public school employer of the charter school employees.
16. The procedures to be used if the charter school closes.

GENERAL COMPLIANCE

Q. Are charter schools exempt from federal requirements?

No. While EC Section 47610 exempts charter schools from most of the California laws governing school districts, charter schools are not exempt from federal requirements. Some examples of federal laws with which charter schools must comply are the Individuals with Disabilities Education Improvement Act, the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, the NCLB Act of 2001, and any requirements that are a condition of receiving of federal funding.

Q. Must charter schools develop a School Accountability Report Card?

Yes. Article XVI Section 8.5(e) of the California Constitution requires that a "school district maintaining an elementary or secondary school shall develop and cause to be prepared an annual audit accounting for such funds and shall adopt a School Accountability Report Card (SARC) for each school.”

Q. What health and safety requirements apply to charter schools?

EC Section 47605(b)(5)(F) specifies that the charter must describe the procedures that the school will follow to ensure the health and safety of pupils and staff. These procedures must include the requirement that each employee of the school furnish the school with a criminal record summary as described in EC Section 44237, a full description of a school's health and safety policies which may include a variety of issues, such as immunizations, tuberculosis testing, and disaster procedures. The California Health and Safety Code Section 124085 requires children to have a comprehensive health screening and upon school entry.

Q. Are charter schools required to have a School Site Council or a Single Plan for Student Achievement?
Yes, pursuant to EC Section 47634.4 (Chapter 6, Article 2 of the Charter School Act), if a charter school participates in a program, or receives funding for a program requiring the development of a Single Plan for Student Achievement (SPSA) and/or the development of a School Site Council, the charter must comply with those programmatic requirements.

**FACILITIES**

**Q. What are the facilities requirements for charter schools?**

Charter schools may use any of the following types of facilities:

1. Facilities that comply with the California Building Standards Code as adopted and enforced by the local building enforcement agency with jurisdiction over the area in which the charter school is located.
2. Facilities that comply with the Field Act.
3. Facilities that are exclusively owned or controlled by an entity that is not subject to the California Building Standards Code, such as the federal government.
4. A proposed facility within two nautical miles of an existing or proposed runway must receive a review by the Department of Transportation’s Division of Aeronautics prior to acquiring title or leasing property. The code citation and procedure may be found on the CDE Proposed School Sites-Airport Runways Review page.

**Q. Are charter school facilities required to meet EC provisions known as the Field Act?**

No. As noted above, charter school may, but are not required to, use Field Act compliant facilities.

**Q. Does the state provide funding for charter school facilities?**

Yes, there are programs to help with the rent or lease of facilities or the construction of facilities.

The Charter School Facility Grant Program (Senate Bill [SB] 740 provides assistance with facilities rent and lease costs for eligible charter schools. These funds may also be used for costs including, but not limited to, those associated with remodeling buildings, deferred maintenance, initially installing or extending service systems and other built-in equipment, and improving sites. SB 658 (Romero) was approved on September 24, 2008, to provide additional funding to the Charter School Facility Grant Program.

The California School Financing Authority (CSFA) and the Office of Public School Contraction (OPSC) staff jointly administer the Charter School Facilities that provides low-cost financing for charter school facilities. Projects receive 50 percent of their costs in the form of a state grant, and the school is responsible for the balance of the project costs through either a lump sum matching payment or a long-term loan from the state. Funds from this source have been apportioned, and are not available at this time.
CSFA also administers the State Charter School Facilities Incentive Grants to assist charter schools in meeting their facility needs. Under this program, funds may be used toward a charter school’s cost of rent, lease, or mortgage or debt service payments for existing or new facilities or toward the costs associated with the purchase or acquisition of land or the design, construction, or renovation of a facility.

EC Section 41365 created the Charter School Revolving Loan Fund in the State Treasury. A charter school may be eligible to receive a loan through this program and use the funds for facilities.
Petitioner communicates intent to submit petition *(New Petitions: Before December 1, Renewals: July - September)*

Petitioner provides written notification of exact submission date *(1 week prior)*

Petitioner submits digital and hard copy of petition *(in person to Educational Services)*

TRUSD conducts preliminary petition review for completeness and notifies petition of results *(within 5 business days)*

Public Hearing *(within 30 days from submission of complete packet)*

TRUSD Charter Review team reviews petition.

TRUSD posts recommendations of Board action via Agenda Online *(2 days before Board meeting)*

Board votes to Approve or Deny Charter. *(Within 60 - 90 days from submission)*
## THE PETITION PROCESS AND REVIEW STAGES

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<thead>
<tr>
<th>Instructions</th>
<th>Charter Petition submissions should be double-sided on plain, 8 ½ X 11” paper. Petitioners are encouraged to keep the Petition brief, specific, and clear.</th>
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<tbody>
<tr>
<td>Deadlines</td>
<td>Charter Petitions should be submitted to TRUSD between August and March. New Charter Schools expecting to open during the upcoming academic year are encouraged to submit petitions before December 1st which should allow enough time to prepare for site opening.</td>
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| Petition Layout | Be sure all 16 required elements are addressed in the petition. In addition, please note the following:  
  • Provide 1 hard copy of the entire petition  
  • Provide a digital copy using a Flash Drive  
    o Digital documents should be in Microsoft Word or Excel format.  
    o Digital copies must include ALL items that were submitted in hard copy and should be Microsoft Word or Excel format.  
    o PDF or scanned versions are acceptable if Word and/or Excel versions are not available for specific documents.  
  • It is recommended that hard copy petitions be submitted in a 3 ring binder  
    o Avoid complex binding |
| Submission Location | Petitions should be submitted to the Twin Rivers Unified District Office in person. **Be sure to ask for the Executive Assistant in Educational Services:**  
  Twin Rivers Unified School District  
  Educational Services Department  
  5115 Dudley Blvd.  
  McClellan Park, CA 95652 |
| Receipt Acknowledgement | Charter Petitions will be date stamped at the time of submission. If the petition is complete, a letter and/or email will be provided to the lead petitioner confirming complete petition receipt within 5 business days. The letter will also contain information regarding the Public Hearing, timelines, and generally will also include a request to agree upon a 30 day decision extension (EC Section 47652(c)) If incomplete, the lead petition will be notified of missing information via email. |
| Public Hearing General Info | Within 30 days of petition submission, a Public Hearing will be held by the TRUSD Board providing the petitioners an opportunity to speak on behalf of their charter school. The public will also have the opportunity to comment on the proposed charter. |
The Public Hearing provides the TRUSD Board with understanding regarding public sentiment surrounding the proposed charter. In addition, the Hearing should bring clarification regarding the specifics of the proposed charter.

**Public Hearing Deadlines**

Petitioners must email all presentation documents, including the PowerPoint to Sharilyn.Marshall@twinriversusd.org at least eight days prior to the hearing by 12 pm. *(Generally, this will fall on a Monday).*

**Review Process**

The Twin Rivers Charter Review team will thoroughly read the charter petition and all submitted materials. Team members will be assigned to specific key areas based on their expertise. A rubric developed by CARSNET will be utilized to ensure the petition is complete and complies with governing laws and regulations.

Petitioners may be contacted during this process to address questions that arise out of the review process. Petitioners may also be asked to participate in a meeting or formal review to address concerns or unanswered questions.

**Recommendation (Approve / Deny)**

Dr. Lori Grace, Associate Superintendent of Educational Services or a TRUSD appointed party will make a formal recommendation to the Twin Rivers Board of Trustees based on the outcome of the detailed petition review.

The Lead petitioner and any other supporters of the charter school may speak on behalf of their petition during the open forum of the Board meeting regardless of recommendations.

**TRUSD Board (Approve / Deny)**

The Twin Rivers Board of Trustees will vote to approve or deny the charter petition.
THE PETITION PROCESS AND REVIEW STAGES

STEP 1
• Petitioner Submits Petition
  • Twin Rivers reviews for completeness and date stamps petition

STEP 2
• Twin Rivers mailes and/or emails receipt confirmation to petitioner, provides timelines, instructions on Public Hearing presentation materials and request for 30 day decision extension.

STEP 3
• TRUSD Charter Review team reviews petition. Petitioner may be contacted with questions.

STEP 4
• Public Hearing (Within 30 days from date of submission)

STEP 5
• TRUSD to inform Lead petitioner and recommendations going to the Board.

STEP 6
• Board meeting for final decision (Approximately 60 days from date of submission unless mutually agreed upon by both parties. No more than 90 days after submission.)
Chapter 1. General Provisions – EC sections 47600-47604.5

Chapter 2. Establishment of Charter Schools – EC sections 47605-47608

Chapter 3. Charter School Operation – EC sections 47610-47615

Chapter 4. Notice – EC sections 47616.5-47616.7

Chapter 5. University Charter Schools – EC sections 47620-47626

Chapter 6. Funding

   Article 2. Charter School Block Grant – EC sections 47633-47635
   Article 3. Other operational funding available to Charter Schools – EC sections 47636-47638
   Article 4. Special Education Funding – EC sections 47640-47647
   Article 5. Apportionment of Funds – EC sections 47650-47652
   Article 6. Computations affecting sponsoring local educational agencies – EC sections 47660-47664

Additional Education Code sections that may be of interest to charter schools:

Audits by County Superintendent – EC section 1241.5

Location near airport – EC Section 17215

Charter School Revolving Loan Program – EC Sections 41365 – 41367

Targeted Instructional Improvement Block Grant: Conversion Charter – EC 41540

General Independent Study – EC sections 51745 – 51749.3

California Assessment of Academic Achievement – EC sections 60600-60603 and 60604 – 60618, 60630, 60640 – 60649