



# California State Board of Education Policy

POLICY #
<b>01-04</b>
DATE
April 2002

SUBJECT

## Advisory Commission on Charter Schools

REFERENCES

Education Code Sections 33031 and 47634.2(b).

HISTORICAL NOTES

This policy was originally approved in October 2001. Minor technical amendments were made in April 2002.

Establishment. In accordance with the requirements of Education Code Section 47634.2(b), and for purposes of providing for its own government in keeping with Education Code Section 33031, the State Board of Education (State Board) hereby establishes the Advisory Commission on Charter Schools (ACCS).

Membership. The ACCS shall be composed of nine members. Eight of the members shall be appointed by the State Board to two-year terms on a calendar-year basis. The ninth member of the ACCS, who shall be deemed to be appointed by the State Board, represents the State Superintendent of Public Instruction and shall be designated by the State Superintendent. For purposes of the initial appointments to the ACCS, four members shall be designated by the State Board to serve three-year terms in order to establish a proper staggering of appointments. The remainder of the year 2001 shall be disregarded in relation to the terms of office of the initial appointees. Individuals may be re-appointed to subsequent terms on the ACCS without limit. Within the membership of the ACCS, the State Board shall ensure that all of the following groups are represented: school district superintendents, charter schools, teachers, parents (guardians), members of the governing boards of school districts, and county superintendents of schools. A single individual may represent more than one group.

Background Statement. Charter schools are a promising means for generating higher student achievement. The State Board has been assigned by statute a strategic role to ensure that this promise of higher student achievement is realized within a context of sound educational programs and practices, proper financial management, and certain specific requirements of law. The State Board’s role includes, but is not limited to, the following:

- Selective granting of charter petitions that have been denied or not renewed by local education agencies, but that the State Board determines to have met statutory requirements.
- Taking appropriate action, including, but not limited to, revocation with respect to State Board-granted and locally-granted charters under specific circumstances set forth in statute.
- Establishing appropriate funding levels for nonclassroom-based charter schools.

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### California State Board of Education

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- Jointly with the State Superintendent, approving districtwide charter petitions when those petitions are determined to be satisfactory.
- Developing and adopting regulations to implement various provisions of the *Charter Schools Act of 1992* (Part 26.8 of the Education Code, commencing with Section 47600).
- Approving or denying requests to waive otherwise applicable provisions of law.
- Assigning numbers to charter school petitions to ensure that the statutory cap on the number of charter schools is not exceeded.

Duties of the ACCS. The ACCS shall advise the State Board on all aspects of the State Board’s duties under the *Charter Schools Act of 1992*. In so doing, the ACCS shall assist the State Board in carrying out the State Board’s proper role of ensuring that charter schools realize higher student achievement within a context of sound educational programs and practices, proper financial management, and other specific requirements of law. Priority areas for consideration by the ACCS will include the first three matters listed in the Background Statement above: selective granting of charters; taking appropriate action, including, but not limited to, revocation of charters; and establishing appropriate funding levels for non-classroom based charter schools.

Applicability of Bagley-Keene Open Meeting Act. In accordance with law, meetings of the ACCS are subject to the requirements of the *Bagley-Keene Open Meeting Act*.

Chair and Rules of Governance. From among the members of the ACCS, the State Board shall designate a chair. The chair shall typically serve a one-year term in that office, unless otherwise specified by the State Board. The chair may from time to time surrender to another member the duty of presiding over a meeting of the ACCS as he or she deems necessary and appropriate. The ACCS may establish bylaws for its own government as it deems necessary. Unless otherwise addressed in bylaws it may establish, the ACCS shall follow *Robert’s Rules of Order (Newly Revised)*. No fewer than five members shall be deemed a quorum of the ACCS for purposes of conducting meetings. Each formal recommendation of the ACCS shall require an affirmative vote of at least five members.

Staff to the ACCS. The California Department of Education (CDE) shall provide staff support for the ACCS, including, agenda preparation, posting of meeting notices, distribution of meeting materials to ACCS members, maintenance of records regarding ACCS recommendations to the State Board, making of travel arrangements and filing of travel claims, and such other staff support as the members of the ACCS may need.

Travel, Lodging, and Other Expenses. Members of the ACCS shall be entitled to receive CDE-purchased airline tickets and reimbursements for travel, lodging, and other expenses only to the extent permitted by applicable provisions of statute and the *State Administrative Manual*.

Frequency of Meetings. The ACCS may hold meetings as necessary based upon the members’ assessment of workload in consultation with CDE staff.