

CALIFORNIA STATE BOARD OF EDUCATION

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AUGUST 2003 INFORMATION MEMORANDUM

DATE: August 1, 2003
TO: Members, State Board of Education
FROM: Greg Geeting, Assistant Executive Director

SUBJECT: **Universal Charter School Application**

Background

At the July 2003 meeting, the State Board had an information presentation by Nelson Smith, Vice President for Policy and Governance at New American Schools. Dr. Smith discussed his recent publication, "Catching the Wave: Lessons from California's Charter Schools" (Progressive Policy Institute, June 2003).

Among other things, Dr. Smith noted that charter authorizers around the country that are generally recognized as more effective authorizers typically have some form of standardized charter application to help guide and focus the work of prospective charter developers. The application becomes a sort of collection point for all relevant information, as well as an organizational tool to ensure that a charter petition covers all critical issues and does not devote inordinate attention to one issue and scant attention to another.

The attached document is a draft of a universal charter school application. This draft was initially reviewed by the Advisory Commission on Charter Schools (ACCS) several months ago and some additional attention was devoted to the document at the ACCS' July meeting, including the receipt of public comment. The ACCS expressed endorsement of the "concept" of a universal charter school application, but recognized that the document before it was a draft.

Additional comments and suggestions regarding the draft universal charter school application are now being received by staff from members of the ACCS and from other interested parties. At the request of the State Board liaison for charter schools, approval of a universal charter school application may be scheduled as an action item on the State Board's September 2003 agenda.

Analysis

The California Constitution is explicit in its requirement that local agencies of government be reimbursed when the state requires implementation of a new program or higher level of service. This draft universal charter school application, therefore, is presented not as a mandate, but rather as exemplary in terms of both the content of petitions and the criteria by which petitions are evaluated.

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This document is divided into several major sections, each of which is identified below (along with the corresponding pages of the attachment); the highlights of the section are then listed. The document incorporates references to statute and regulations where applicable.

Introductory Letter

Attachment Pages 3-4

- Outlines the purpose of a universal charter school application, which is primarily to help ensure a systematic, comprehensive presentation of ideas.
- Emphasizes that the universal application is exemplary, not mandatory.
- Outlines the three routes for individual school chartering: by district governing boards, by county boards of education, and by the State Board.
- Suggests a timeline for submission of original applications by August 1 (with the objective of a school opening in the fall of the year that follows). Although this may seem an early date, it is necessary in order to provide for a complete cycle of appeals (to the county board of education and then to the State Board) in cases where that is necessary.

Definitions and Questions

Attachment Pages 5-7

- The content of these draft questions and answers has been retained in this document to help guide a review of the existing questions and answers that appear on the CDE Web site. Ultimately, the intention is to have this section of the document reflect (in exactly the same words) what appears on the Web site.

Application Format

Attachment Page 8

- Provides a general description of what a completed charter petition will look like.
- Introduces the idea that petitions need to be focused, page-limited documents. In other words, a “heavier” charter petition is not necessarily a better petition.

Application Guidelines

Attachment Pages 9-21

- Divides the application into a logical sequence of progression (in contrast to the statutory listing of elements which is more haphazard).
 - **Founding Group.** Focuses on who came together to develop the petition, the types of expertise they bring to the venture, and how they plan to fill in any “gaps” in expertise that may exist in the group.

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- ***Educational Philosophy and Program.*** Focuses on what the proposed school is all about and how the school will meet the needs of all pupils who may request enrollment, including English learners, special education students, and academically high achieving students.
- ***Assessment and Use of Data.*** Focuses on how the school will measure success and be held accountable. Ensures that petitioners recognize the obligations of charter schools under California law with respect to participation in the STAR program and other statewide assessments.
- ***Governance.*** Focuses on how the school will be governed, including how strong vision and continuity of leadership will be fostered.
- ***Human Resources.*** Focuses on the critical issue of staffing to implement the educational program envisioned in the charter and reflected in the work of the governing body.
- ***Student Admissions, Attendance, and Suspension/Expulsion Policies.*** Focuses on key issues relating to prospective pupils and their families.
- ***Financial Planning, Reporting, and Accountability.*** Focuses on basic matters of the school's organization and management.
- ***Impact on the Charter Authorizer.*** Calls upon the petitioners to reflect on the school's potential impacts on the operation of other public schools in the area where it is located.
- ***Special Instructions for State Charter Schools.*** Focuses on unique aspects of the operation of a state charter school (none of which exist at this time), including the orderly phasing-in of sites.

Assurances, Submission Package, Resources, and References

Attachment Pages 22- 25

- Generally designed to be concise, easy-to-understand sections that assist charter developers in preparing complete petitions.

Advantages and Disadvantages

The principal advantages of a universal charter school application (that would be used on a voluntary basis) are:

- Provides an opportunity to have a comprehensive application, created from best-practices of the nation's most effective charter authorizers and tailored for California's specific requirements, used throughout the state.
- Promotes consistent expectations and charter format parameters among charter authorizers. Currently, each local entity has to establish its own expectations and format parameters. Also, in a system in which the appeal of a charter denial is allowed, a consistent application is especially helpful.

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- Standardization of evaluation criteria promotes equity in the consideration of charter petitions statewide.

The principal disadvantages of a universal charter school application might be:

- In some places, local agencies may have established their own processes and procedures and may not adopt this application.
- If a local agency elects to use its own procedures, charter petitions on appeal, may need to be re-formatted.
- This universal application proposal does not follow the sequence presented in statute and may, therefore, be confusing to local agencies that are using the statute as a reference.

Contact for Additional Information

If you have any questions about this document or about the attached draft of proposed regulations, please contact:

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Attachment

**CALIFORNIA
STATE BOARD OF EDUCATION
UNIVERSAL
CHARTER SCHOOL APPLICATION**

[TO BE DETERMINED]

DRAFT

July 2003

Table of Contents

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To the Applicant:

Since passage of the Charter Schools Act of 1992, California has become a leader in the national movement for accountable, autonomous public schools. Charter schools are now a viable educational alternative for many students statewide, and some of these charters are among the State's top academic performers.

The California State Board of Education has worked assiduously with the Governor and the State Legislature to strengthen quality and academic accountability in the charter sector. With this universal charter application package, we are taking another important step. Our objective is to provide a template through which charter petitioners present their ideas in a systematic, comprehensive way that reflects the requirements of statute and regulation. Our vision is that this application would be the substance of a charter that a charter authorizer would approve or deny. If approved, we would envision the charter being supplemented, as necessary, by memoranda of understanding (or comparable documents) developed cooperatively by the petitioners and representatives of the charter authorizer. If denied (and if an appeal is possible), we would envision the same application being the document considered by the charter authorizer at the next level (modified only as technically necessary to reflect the different charter authorizer). With the degree of structure provided in this package, we believe that charters can become the type of focused, meaningful documents intended in state law, not documents that either lack essential detail or include unnecessary verbiage.

The universal charter application is not a mandate. It is offered, as stated above, with the intent of strengthening the processes of charter development and consideration. Where, in the sections that follow, "evaluation criteria" are included, they are exemplary, offered as suggestions to help ensure rigor and consistency statewide.

There are three routes to school chartering in California. Most typically, a charter petition is presented to a local school district governing board for the operation of a single school. If denied, the local governing board's decision may be appealed to the county board of education (first level) and, if also denied by the county board, to the State Board of Education (second level). Another model is a countywide charter school petition to serve a population of students that cannot be served as well through a petition presented to a school district. Such a petition is presented to the county board of education, and denial may not be appealed. Finally, state law provides for state charter schools which must offer "instructional services of statewide benefit" that cannot be provided by a school operating in only one school district, or only in one county. A petition to establish a state charter school is presented directly to the State Board of Education, and denial may not be appealed.

State law also provides for charter districts that are approved jointly by the State Superintendent of Public Instruction and the State Board of Education. Proposals to establish charter districts are treated differently from those to establish charter schools. Only a few charter districts have been proposed and approved. District charters are not exempt from a provision of law that no student can be compelled to attend a charter school. Therefore, district charters are only practical in

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certain areas of the state. For more information about becoming a charter district, please contact the Charter Schools Office of the California Department of Education.

In order to promote thoughtful consideration of charter petitions, we recommend that original applications be submitted no later than August 1 of the year prior to a school's proposed opening. This will provide ample time for all types of petitions to be considered, for any supplemental memoranda of understanding (or like documents) to be created, as necessary, and for charter operators to prepare for a successful launch.

Nothing is more important in creating high quality charter schools than an application and approval process that asks the right questions, enlists talented and experienced reviewers, and identifies applicants strong enough to surmount the rigors of opening and running a new school. We hope that this new application document will give potential applicants a clear picture of what is expected of them, and will provide charter authorizers with plentiful information about the capacities of aspiring charter operators.

Together with the parents (guardians), teachers, and entrepreneurs who will petition to operate charter schools in the coming years, we look forward to creating a diverse group of new schools united by common bonds of quality and accountability.

Reed Hastings
President
California State Board of Education

[Match up the CDE Web site to this set of "Definitions and Questions"; it's important that the two sources present the same information, not different information.]

DEFINITIONS and QUESTIONS ABOUT THE APPLICATION PROCESS

What is a "charter school"?

A charter school is a public school that may provide instruction in any of grades K-12 and is usually created or organized by a group that may consist of teachers, parents, community leaders, or a community-based organization. Specific goals and operating procedures for the charter school are detailed in an agreement (or "charter") between the authorizing board and charter school organizers.

What is the purpose of a "charter school"?

The purpose of a charter school is to: (1) improve student learning; (2) increase learning opportunities for all students, with special emphasis on expanding learning experiences for students identified as academically low-achieving; (3) encourage the use of effective, innovative teaching methods; (4) create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site; (5) provide parents and students with expanded educational opportunities within the public school system without the constraints of traditional rules and structure; (6) provide schools a way to shift from a rule-based to a performance-based system of accountability; and (7) provide competition within the public school system to stimulate improvements in all public schools. [Ref. Education Code §47601]

Who is eligible to write a charter?

Anyone may write a charter; however, to create a new charter school (not to convert an existing public school), the charter developers must obtain the signatures of either 50 percent of the teachers meaningfully interested in teaching at the school during its first year of operation or 50 percent of the parents of students expected to enroll at the school during its first year of operation. For conversion schools, the charter developers must secure 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 having his or her child attend the school. The proposed charter must be attached to the petition. [Ref. Education Code §47605(a)]

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

Restrictions on the establishment of a charter school include provisions in the law that (1) require charter schools to be nonsectarian in their programs, admission policies, employment practices, and all other operations; (2) prohibit discrimination against any student; and (3) prohibit schools from charging any tuition. In addition, students may not be required to attend a charter school, nor may teachers be compelled to teach there. [Ref. Education Code §§47602(b), 47605(b), (d), (e), and (f)]

Can a private school convert to a charter school?

No. The law expressly prohibits private schools from converting to charter schools. [Ref. Education Code §47602(b)]

Is there a "cap" on the number of charter schools?

Yes. The cap for SY2002-03 is set at 650 and will increase by 100 each July 1 thereafter. At the beginning of the 2002-03 school year, there were 428 charter schools operating in CA. [Ref. Education Code §47602(a)(1)]

Who may approve a charter school petition?

Under California law, charter schools are usually authorized by an existing local public school board or county board of education.

A county board of education may approve petitions denied at the district level. It can also approve petitions submitted to the county directly for proposed schools serving students countywide, operating at one or more sites within the geographic boundaries of the county, providing instructional services that are not generally provided by a county board of education, or offering services to students who "cannot be served as well by a charter school that operates in only one school district within the county." [Ref. Education Code §47605.5 and §47605.6(a)(1)]

The State Board of Education is authorized to review charter petitions that have been denied at the county level. The State Board may also approve direct applications for charter schools that will operate at multiple sites throughout the state and offer "instructional services of statewide benefit that cannot be provided by a charter school operating in only one school district, or only in one county." [Ref. Education Code §47605.8(a) and (b)].

The State Board of Education is also authorized to approve charter petitions for the conversion of all of the schools in an entire school district to charter schools ("district-wide" charter), provided that: (1) fifty percent of the teachers within the school district sign the petition, and (2) the charter petition conforms to the requirements set forth in Section 47605(b) of the Code. [Ref. Education Code Section 47606.]

Is the same information required for multi-campus charters as for others?

Multi-campus charters that will operate within a single district or county should follow the application guidelines of the district or county. Those that are applying to the State Board on appeal should follow the guidelines in this application package. Applicants petitioning the State Board to operate charters at multiple sites in more than one district or county should respond to all sections of this application as well as "Special Instructions for State Charter School Petitions" on page 23.

What is the timeline for developing and approving a charter petition?

Charter developers may begin developing their charter petition at any time. The law specifies that a governing board of a school district must hold a public hearing to

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consider the proposed charter within 30 days of receipt of the completed petition, and within 60 days of receipt of the petition must either grant or deny the charter. This timeline may be extended by 30 days if both parties agree to the extension. Once approved by a governing board, charter petitioners must request assignment of a charter number from the State Board of Education (SBE). [Ref. Education Code §47605(b)]

A county board of education must hold a public hearing on any charter petition no later than 60 days after receiving the petition. Following review of the petition and the public hearing, the county board must grant or deny the charter within 90 days of receipt of the petition. This date may also be extended by an additional 30 days if both parties agree to the extension. [Ref. Education Code §47605.6(b)]

A charter school petition that has previously been denied by the governing board of a school district or county board of education must be received by the State Board of Education no later than 180 calendar days after the denial. No later than 90 days after receiving a complete petition package and following the review of the petition and a public hearing, the State Board must schedule an action item at its next regular board meeting to grant or deny the charter petition. This date may be extended by an additional 30 days if the State Board and the petitioner both agree to the extension. [Ref. Education Code §47605.8(d) and 47605.6(b)]

Upon charter approval, for how long is the initial charter granted?

Charters may be granted for a period of no more than five years, renewable for subsequent five-year terms. [Ref. Education Code §47607]

What happens after my school has been "numbered" by the SBE?

The school should request a California Department of Schools (CDS) Code from the California Department of Education. The CDS code is necessary to initiate any state funding for the charter school and is the basis for state tracking and reporting of school data. Information about requesting a CDS code is available on the Internet at: <http://www.cde.ca.gov/cdscodes/>.

Answers to other "Frequently Asked Questions" about charter schools, including the issues of Start-up, Governance and Charter Oversight, Special Education, Facilities, and Funding and Apportionment, can be found at <http://www.cde.ca.gov/charter/qanda/>

APPLICATION FORMAT

The application guidelines below allow charter **petitioners** to address each of the factors defined by law upon which a charter proposal may be evaluated. While the guidelines generally follow the sequence found in the Charter Schools Act, for the sake of clarity some factors are grouped into broader categories such as "Human Resources." Following the format provided in these guidelines enables the objective review of petitions. Petitioners are encouraged to:

- Include a Table of Contents that lists page numbers for each section of the application
- Follow the same format and order as outlined in these guidelines
- Include the proposed charter and signatures
- Limit the overall length of the application to ___ pages, with no more than X pages for Attachments (See page X for more detail on possible attachments.)
- Submit ___ copies of the application in a bound format
- Include tabs to separate each of the sections of the Application

The narrative of the application should be limited to a discussion of each of the evaluation criteria presented in the guidelines. Additional information that may support the information presented in the narrative and help the charter authorizer to assess the proposed charter school should be included in the Attachments. Examples of Attachments include curriculum samples; content and performance standards (to the extent different from state content and performance standards); resumes; letters of support; program descriptions; architectural drawings/floor plans of potential school sites; financial statements; management agreements; bylaws; Articles of Incorporation; drafts of Parent, Student or Staff handbooks; samples of student work (if the petition is to establish a new charter school than is similar to an existing charter school); and organizational charts.

The purpose of the application is to ensure that a charter petition includes all necessary detail, but avoids unnecessary elaboration. It is anticipated that, if approved, a charter will be supplemented with memoranda of understanding (or comparable documents), as needed. A [charter needs to be the type of focused, meaningful document intended in state law.](#)

APPLICATION GUIDELINES

Charter authorizers are fundamentally concerned that charter schools be held responsible for meeting the following expectations:

- (1) *provision of a sound educational program for all of the school's students;*
- (2) *faithful implementation of the provisions of the charter;*
- (3) *compliance with all requirements of applicable federal, state, and local laws; and*
- (4) *prudent operation of the charter school in all respects, including governance, educational program, faculty and staff, facilities, business management and support services, and relationships with students and families.*

NARRATIVE: RESPONSES TO ITEMS I THROUGH IX ON THE FOLLOWING PAGES SHOULD BE LIMITED TO [XX] PAGES TOTAL.

I. FOUNDING GROUP

Describe the founding group for the proposed charter school, providing evidence that the applicant(s) possess(es) the necessary background in the following areas critical to the charter school's success and/or that the founders have a plan to secure the services of individuals who have the necessary background in these areas:

- Curriculum, instruction and assessment;
- Finance, **facilities**, and business management; and
- Organization, governance, and administration

[Ref. Criteria for Review and Approval of Charter School Petitions: California Code of Regulations, Title 5, §11967.5.1(c)(4)]

Explain the circumstances that brought the founding group together to form this charter school. Include resumes of the individuals and names of any organizations or agencies that are partners in planning and establishing the school, along with a description of the role they have played and any resources contributed by them. Note whether any member of the founding group is a proposed board member, school leader, or other "key" staff of the charter school. If the petitioner is an organization that manages a network of charter schools, provide a statement of the background and capacities of the organization in the above-mentioned areas.

Evaluation Criteria:

Substantial evidence is provided that the founding group:

- *Demonstrates the capacity to establish and sustain an excellent school;*
- *Will manage public funds effectively and responsibly, or will secure necessary staff expertise for this purpose; and*
- *Includes members who possess skill and experience in areas such as education, management, finance, and law, and/or will secure necessary staff expertise in these areas.*

II. EDUCATIONAL PHILOSOPHY AND PROGRAM

MISSION - Provide a clear and concise mission statement that defines the purposes and nature of the charter school. Describe here, as well as within other applicable elements of the application, how the charter will improve learning for the targeted population and increase learning opportunities for its students. **This statement should be written for understanding by the charter authorizer and the general public.** [Ref. Criteria for Review: CCR-5, §11967.5.1(f)(1)(B)]

EDUCATIONAL PHILOSOPHY - Describe the educational program of the proposed charter school:

- Identify those whom the school is attempting to educate;
- Describe what it means to be an “educated person” in the 21st century; and
- Provide the applicant’s view of how learning best occurs.

The goals identified in the educational program must include the objective of enabling students to become self-motivated, competent, and lifelong learners. [Ref. California Education Code §47605(b)(5)(A)(i)]

HIGH SCHOOL PROGRAMS – If the proposed school will serve high school students (any of grades nine through twelve), the petition must describe how the school will inform parents about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. [Ref. California Education Code §47605(b)(5)(A)(ii)]

STUDENTS TO BE SERVED - Identify the proposed charter school’s target student population, including, at a minimum, grade levels, approximate numbers of students, and specific educational interests, backgrounds, or challenges. [Ref. Criteria for Review: CCR-5, §11967.5.1(f)(1)(A)]

CURRICULUM AND INSTRUCTIONAL DESIGN – Include 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. Describe the basic learning environment (e.g., site-based matriculation, independent study, technology-based education). Discuss how the chosen instructional approach will enable the school’s students to achieve the objectives specified in the charter and master the academic content standards in core curriculum areas as adopted by the State Board of Education pursuant to Education Code Section 60605. The discussion of instructional design should include, but not be limited to, curriculum, teaching methods, materials, and technology. [Ref. Criteria for Review: CCR-5, §11967.5.1(f)(1)(C-E)]

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At a minimum, applicants should provide a full curriculum for one course or grade level as an attachment. A full curriculum should be submitted to the charter authorizer prior to the opening of school.

PLAN FOR STUDENTS WHO ARE ACADEMICALLY LOW ACHIEVING¹ – Indicate how the charter school will identify and respond to the needs of students who are not achieving at or above expected levels. [Ref. *Criteria for Review; CCR-5, §11967.5.1(f)(1)(F)*]

PLAN FOR STUDENTS WHO ARE ACADEMICALLY HIGH ACHIEVING – Indicate how the charter school will identify and respond to the needs of students who are academically high achieving. [Ref. *Criteria for Review; CCR-5, §11967.5.1(f)(1)(G)*]

PLAN FOR ENGLISH LEARNERS – Indicate how the charter school will identify and respond to the needs of English learners. [Ref. *Criteria for Review; CCR-5, §11967.5.1(f)(1)(G)*]

PLAN FOR SPECIAL EDUCATION – Indicate how the charter school will identify and respond to the needs of students with disabilities. Fully describe the charter school's special education plan, including, but not limited to, the following:

- 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 legal responsibilities for special education students; and
- How the school intends to meet those obligations.

[Ref. *Criteria for Review; CCR-5, §11967.5.1(f)(1)(G-H)*]

Evaluation Criteria:

Substantial evidence is provided of an educational philosophy and program that:

- *Indicates the proposed charter school's target student population, including, at a minimum, grade levels, approximate numbers of students, and specific educational interests, backgrounds, or challenges;*
- *Specifies a concise school mission that expresses clear priorities; includes specific, realistic objectives; and conveys the applicant's sense of an "educated person";*
- *Demonstrates alignment between mission and programs;*
- *Shows evidence that the school's approach will lead to improved student performance; ▪ Is founded on an understanding of effective, research-based educational practices.*

¹ Preference shall be given to petitions that demonstrate the capability to provide comprehensive learning experiences to (students) identified by the petitioner/s as academically low-achieving pursuant to the standards established by the State Department of Education under Section 54032. [Ref. *California Education Code §47605(h)*]

III. ASSESSMENT AND USE OF DATA

MEASURABLE STUDENT OUTCOMES - Describe the measurable student outcomes that will be used by the charter school. *"Student outcomes,"* for the purposes of this part, means the extent to which all students enrolled in the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school's educational program. [Ref. California Education Code § 47605 (b)(5)(B)]

ACADEMIC PERFORMANCE INDEX - Where applicable, include a plan for attaining the school's Academic Performance Index growth target. [Ref. Criteria for Review; CCR-5, § 11967.5.1(f)(2)(B)].

METHOD(S) OF ASSESSMENT - Describe the proposed method(s) by which student progress in meeting the desired student outcomes will be measured. [Ref. California Education Code §47605(b)(5)(C)] The school's plan should describe a variety of assessment tools that are appropriate to the grade level, subject matter, skills, knowledge, and/or attitudes being assessed, including, at a minimum, tools that employ objective means of assessment that are frequent and sufficiently detailed enough to determine whether students are making satisfactory progress. Assessments should include annual results from the Statewide Testing and Reporting (STAR) program and any other statewide standards or student assessments applicable to students in non-charter public schools, including, but not limited to, the California High School Exit Examination, the California English Language Development Test, and the physical performance test. [Ref. Criteria for Review; CCR-5, §11967.5.1(f)(2)(A), §11967.5.1(f)(3)(A-B) and California Education Code §47605(c)(1)].

Use and Reporting of Data - Outline the plan for collecting, analyzing, and reporting data on student achievement to school staff, parents, and guardians. Also describe the plan for utilizing the data continuously to monitor and improve the charter school's educational program. [Ref. Criteria for Review; CCR-5, §11967.5.1(f)(3)(C) and California Education Code §47605(c)(2)]

Evaluation Criteria:

Substantial evidence is provided of an assessment approach that:

- *Specifies skills, knowledge, and attitudes that reflect the school's educational objectives;*
- *Can be assessed by objective means that are frequent and sufficiently detailed enough to determine whether students are making satisfactory progress.*
- *Meets the requirements of the assessment system prescribed by law for all California public schools;*
- *Features a clear and externally credible design that incorporates multiple measures of student outcomes, reported both in terms of absolute scores and year-to-year gains/losses;*
- *Will facilitate continuous improvement in the educational program.*

IV. GOVERNANCE

GOVERNANCE STRUCTURE – Describe the planned governance structure of the school, including the process to be followed by the school to ensure the involvement of parents and guardians in supporting the school's effort on behalf of the school's students. [Ref. California Education Code §47605(b)(5)(D)] and Ref. Criteria for Review; CCR-5, §11967.5.1(f)(4)]

Specifically illustrate how the school will be organized – and how that structure is designed to support student success. Describe respective roles of the board and administration, the domains for which each will be responsible, and how their relationship will be managed. In addition, provide details of how the charter school's board will be developed, in terms of supplementing necessary skills and providing training in effective board practices.

Describe how the design of the governance structure reflects 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 and/or guardians; and (3) the educational program will be successful. Evidence of the organization's incorporation should be provided as an Attachment, as necessary. [Ref. Criteria for Review; CCR-5, §11967.5.1(f)(4)]

Evaluation Criteria:

Substantial evidence is provided of an effective governance structure and proposed practices that will:

- *Provide a strong vision and continuity of leadership;*
- *Include board members who are committed to the mission of the school and cognizant of their responsibilities;*
- *Demonstrate a track record of success in the private or public sector among the proposed board members;*
- *Clearly delineate the roles and responsibilities of the board and the staff.*

V. HUMAN RESOURCES

QUALIFICATIONS OF SCHOOL EMPLOYEES – Describe the standards that will be used in hiring teachers, administrators, and other school staff, including, but not limited to the general qualifications for the various categories of employees the school anticipates hiring and the desired professional backgrounds, depth of experience, and other qualities to be sought in their selection. [Ref. California Education Code §47605(b)(5)(E)] **Show how those qualities will help the school implement its vision, and how they will satisfy the requirements for “highly qualified teachers” under the No Child Left Behind Act.** The qualifications should be sufficient to ensure the health and safety of the school's faculty, staff, and students. Identify positions that will

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be regarded as “key” in each category and specify the additional qualifications expected of individuals assigned to those positions. Include an assurance that all requirements for employment set forth in applicable provisions of law will be met, including, but not limited to credentials, as necessary. [Ref. *Criteria for Review; CCR-5, §11967.5.1(f)(5)*]

COMPENSATION AND BENEFITS – Provide a brief explanation of how the school will structure employee compensation to attract candidates with the necessary skills and experience. Describe the manner by which staff members of the charter school will be covered by the State Teachers’ Retirement System, the Public Employees’ Retirement System, and/or federal social security; or how the school will create a system of its own to accommodate employees’ retirement funding. Include the specific positions to be covered under each system and the staff designated to ensure that appropriate arrangements for that coverage are made. [Ref. *California Education Code §47605(b)(5)(K) and Criteria for Review; CCR-5, §11967.5.1(f)(11)*]

RIGHTS OF SCHOOL DISTRICT EMPLOYEES – Provide, as applicable, 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. [Ref. *California Education Code §47605(b)(5)(M) and Criteria for Review; CCR-5, §11967.5.1(f)(13)*]

HEALTH AND SAFETY – Describe the procedures that the school will follow to ensure the health and safety of students and staff, including how the school will provide for proper immunization, as well as vision, hearing, and scoliosis screening for students; and the steps the school will take to ensure that criminal background checks and proof of an examination for tuberculosis are collected from all school personnel. [Ref. *California Education Code §47605(b)(5)(F) and Criteria for Review; CCR-5, §11967.5.1(f)(6)*]

DISPUTE RESOLUTION -- Provide a description of the procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter. Describe how the costs of such a dispute resolution process, if needed, will be funded. [Ref. *California Code §47605(b)(5)(N) and Criteria for Review; CCR-5, §11967.5.1(f)(14)*]

Evaluation Criteria:

Substantial evidence is provided of:

- *A plan for the recruitment and development of staff that is manageable and consistent with the school's mission and educational program, as well as federal legislation;*
- *A clear understanding of staffing needs and requirements as they relate to the educational program and student population;*
- *Working conditions and compensation packages that will attract and retain high quality staff;*
- *A dispute resolution process that provides fair and prompt action, respects the due process rights of all parties, and operates in the spirit of the school's mission.*

VI. STUDENT ADMISSIONS, ATTENDANCE, AND SUSPENSION / EXPULSION POLICIES

STUDENT ADMISSION POLICIES AND PROCEDURES – Describe the policies and procedures the school will develop and implement for the admission and enrollment of students, including any proposed timetable or calendar and the extent to which the school will develop a random lottery process, where applicable. Include assurance that the charter school will be nonsectarian in its programs, admission policies, employment practices, and all other operations, and will not charge tuition nor discriminate against any student based on ethnicity, national origin, gender, or disability. [Ref. California Education Code §47605(b)(5)(H), §47605(d) and Criteria for Review; CCR-5, §11967.5.1(f)(8)]

NON-DISCRIMINATION – Describe how the charter school will ensure a racial and ethnic balance among its students that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted. [Ref. California Education Code §47605(b)(5)(G) and Criteria for Review; CCR-5, §11967.5.1(f)(7)]

PUBLIC SCHOOL ATTENDANCE ALTERNATIVES – As applicable, describe the public school attendance alternatives for students in the district who choose not to attend the charter school. At a minimum, specify that the parent or guardian of each student enrolled in the charter school will be informed that the students have no right to admission in a particular school of any local education agency as a consequence of enrollment in the charter school, except to the extent that such a right is extended by the local education agency. [Ref. California Education Code §47605(b)(5)(L) and Criteria for Review; CCR-5, §11967.5.1(f)(12)]

SUSPENSION/EXPULSION PROCEDURES – Describe the procedures by which students can be suspended or expelled. [Ref. California Education Code §47605(b)(5)(J)] Include a preliminary list of the offenses for which students in the charter school must (where non-discretionary) and may (where discretionary) be suspended or expelled, respectively. Identify the procedure by which students can be suspended or expelled and the process by which parents/guardians and students will be informed about the reasons for any such actions and their due process rights. Explain how the charter school will take into account the rights of students with disabilities in regard to suspension and expulsion. Outline how policies and procedures regarding suspension and expulsion will be periodically reviewed and, when necessary, modified. [Ref. Criteria for Review; CCR-5, §11967.5.1(f)(10)]

Evaluation Criteria

Substantial evidence is provided of:

- *A demonstration that admission policies at the proposed school will comply with applicable law;*
- *Assurance that the school has a viable plan for recruiting a student population reflective of the population in the surrounding community;*
- *A continuing plan for broad outreach and recruitment, including families traditionally less informed about education options;*
- *A student admissions plan that ensures adequate enrollment and full accessibility of the school to all eligible students;*
- *Evidence that petitioners have reviewed the offenses for which students may or must be suspended or expelled in non-charter public schools;*
- *Evidence that the proposed suspension/expulsion procedures provide adequately for the safety of students, staff, and visitors to the school; provide adequate due process for students; and serve the best interests of the school's students and their parents or guardians.*

VII. FINANCIAL PLANNING, REPORTING, AND ACCOUNTABILITY

BUDGETS -- Provide a proposed first-year operational budget, including startup costs, that includes:

- Reasonable estimates of all anticipated revenues and expenditures necessary to operate the school – including special education;
- Budget notes that clearly describe assumptions or revenue estimates, including, but not limited to the basis for average daily attendance estimates and staffing levels

Also provide cash flow and financial projections for the first three years of operation; and plans for establishment of a reserve equivalent to that required by law. [Ref. California Education Code §47605(g) and Criteria for Review; CCR-5, §11967.5.1(c)(3)(B)]

FINANCIAL REPORTING – Describe the systems and processes by which the school will keep track of financial data and compile information needed for the annual statement of receipts and expenditures for the prior fiscal year that is due to the State Board by September 15 of each year.

INSURANCE -- Agree that the school will acquire and finance general liability, workers compensation, and other necessary insurance of the types and in the amounts required for an enterprise of similar purpose and circumstance, and provide evidence that the cost and availability of such insurance has been researched by the petitioners. [Ref. Criteria for Review; CCR-5, §11967.5.1(c)(3)(C)]

ADMINISTRATIVE SERVICES – Describe the structure for providing business/administrative services (including, at a minimum, personnel transactions, accounting, and payroll) that reflects an understanding of school business practices and expertise needed to carry out administrative services or a reasonable plan and timeline to develop and assemble such practices and expertise. For any contract services planned to serve the school, describe the criteria and procedures for the selection of contractors. [Ref. Criteria for the Review; CCR-5, §11967.5.1(c)(3)(A)]

FACILITIES -- Describe the types and potential location of any facility/ies needed to operate the size and scope of educational program proposed in the charter. If (a) specific facility/ies has/have not been identified, provide evidence of the type and projected cost of the facility/ies that may be available in the location of the proposed charter school(s). Facilities plans must reflect reasonable costs for the acquisition or leasing of facilities to house the charter school. [Ref. California Education Code §47605(g) and Criteria for Review; CCR-5, §11967.5.1(c)(3)(D)]

TRANSPORTATION -- Provide a description of the arrangements, if any, to be made for transportation of students, including expected level of need, proposed contracts, and adequate types and levels of insurance.

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AUDITS-- Describe the manner in which annual, independent financial audits, as required by law, will be completed by December 15 following the close of each fiscal year, and the anticipated timeline in which audit exceptions and deficiencies (if any) will be resolved to the satisfaction of the charter authorizer. [Ref. California Education Code §47605(b)(5)(l) and (m) and Criteria for Review; CCR-5, §11967.5.1(f)(9)] Additionally, describe who will be responsible for contracting and overseeing the independent audit, including a specification that the auditor will have experience in education finance. Outline, as applicable, the process for providing audit reports to the State Board of Education, California Department of Education, or other agency as the State Board of Education may designate. [Ref. Criteria for Review §11967.5.1(f)(9)]

CLOSURE PROTOCOL -- Provide a detailed description of the procedures to be used in the case of a decision by the charter authorizer or State Board of Education to revoke the school's charter, a decision by the charter authorizer not to renew the charter, or a decision by the school voluntarily to close, including plans for a final audit of the school; disposition of net assets; communication of the closure to parents and staff; and maintenance and transfer of student records. [Ref. California Education Code 47605(b)(5)(P)]

Evaluation Criteria:

Substantial evidence is provided of:

- *Sound budget planning that supports the educational mission and operational plans of the proposed school and makes the most of limited funds (i.e., demonstrates that public funds will be used effectively and responsibly);*
- *Realistic revenue and expenditure projections over the first three years of operation, including realistic projections relative to cash flow and buffers in case of shortfalls;*
- *An understanding of the timing of the receipts of various revenues and their relative relationship to timing of expenditures;*
- *Adequacy of financial management systems and procedures;*
- *A plausible plan for obtaining and financing adequate space in time for an orderly opening and operation of the school.*

SCHOOL MANAGEMENT CONTRACTS – *If the proposed charter school intends to enter into a contract with an education management organization (EMO), inclusion of the following is recommended:*

- *A description of the proposed contract including roles and responsibilities, performance evaluation measures, payment structure, conditions for renewal and termination, and investment disclosure;*
- *A draft of the proposed management contract;*
- *A recent corporate annual report and audited financial statements for the EMO;*

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- *A description of the firm's roles and responsibilities for the financial management of the proposed charter school and the internal controls that will be in place to guide this relationship;*
- *A list of other schools managed by the school management company, including contact information; and*
- *A summary of the company's history and philosophy, past results of its school management efforts, and background on its corporate leaders.*

Evaluation Criteria:

Substantial evidence is provided of clear understanding and agreement concerning the respective roles and responsibilities of the governing board and any proposed management company, including a clearly defined performance-based relationship between the organization and the school's board.

VIII. IMPACT ON THE CHARTER AUTHORIZER

Provide information regarding the potential effects of the charter school on the charter authorizer and/or the school district in which it will be located, including, but not limited to, the facilities to be utilized by the school, the manner in which administrative services of the school are to be provided, and potential civil liability effects. [Ref. California Education Code §47605(g)]

Evaluation Criteria:

Substantial evidence is provided that the applicant has made a thorough and conscientious attempt to examine the issues listed here through dialogue with the charter authorizer and/or school district officials.

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IX. SPECIAL INSTRUCTIONS FOR STATE CHARTER SCHOOL PETITIONS

If submitting a petition for a charter school that will operate at multiple sites in more than one school district or more than one county, the following elements should also be included:

- The types and potential location of each charter school facility that the petitioner proposes to operate. *[Ref. California Education Code §47605.8(d)]* A list of each site that will be operated by the school, as well as the general location of each site the school intends to add; a description of the potential facilities to be used at each site; and the approximate number of students that can safely be accommodated at each site. This additional element should also be included in an application for a countywide charter school. *[Ref. California Education Code §47605(b)(5)(D)]*
- A description of how the charter school will provide instructional services of statewide benefit that cannot be provided by a charter school operating in only one school district or only in one county. *[Ref. California Education Code §47605.8(b)]*. The description shall include, but not be limited to:
 - How the school will further the objectives of the Charter Schools Act of 1992 specified in Education Code section 47601 (e.g., providing parents and pupils with expanded choices in the types of educational opportunities that are available within the public school system).
 - How the school's organization and administration will be beneficial for the school (e.g., in fund raising, community partnerships, or relationships with institutions of higher education) and will meet state requirements for collection of data on student achievement, average daily attendance, and financial accountability.
 - Information on how the charter school will serve student populations or geographic areas that have been determined to be at-risk, low performing, or economically disadvantaged; or areas with inadequate school facilities.
 - An acknowledgement that an annual independent audit of the school must be conducted in keeping with Education Code Section 47605(b)(5)(I) and an indication of how the school's individual sites will be appropriately included in the audit process.
 - An acknowledgement that the school must pay charges for costs of oversight covering sites in keeping with statute, and that (if applicable) the State Board may delegate oversight and monitoring of the school's operations to a third party.
 - Consistent with the proposed charter, an assurance that the educational program described in the charter will be essentially similar at each site and, thus, that each

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student's educational experience will be reasonably the same with regard to instructional methods, instructional materials, staffing configuration, personnel requirements, course offerings, and class schedules.

- A description of how the school and each of its sites will participate in a special education local plan area (SELPA) pursuant to Education Code section 47641, or will otherwise arrange for delivery of special education services and programs; and
- A plan for operations of the school that describes the distinction between centralized and site level responsibilities and includes a staffing plan to implement the activities at the designated level. The plan shall address all topics of school operations including, but not limited to: facilities and site operations, legal and programmatic compliance, financial administration, governance, and decision-making authority.

Evaluation Criteria:

Substantial evidence is provided:

- *That the applicant is familiar with California charter law, including the impact of its funding methods on the operations of multi-site charters;*
- *That the applicant has the organizational background and skills to manage the complexity of a multi-site charter;*
- *Of a reasonable plan for development and phasing-in of site operations.*

ASSURANCES

This form is intended to be signed by a duly authorized representative of the applicant and submitted with the Full Application.

As the authorized representative of the applicant, I hereby certify that the information submitted in this application for a charter for _____ (name of school) to be located at _____ is true to the best of my knowledge and belief; and further I understand that if awarded a charter, the school:

1. Will meet all statewide standards and conduct the student assessments required, pursuant to Section 60605, and any other statewide standards authorized in statute, or student assessments applicable to students in noncharter public schools. *[Ref. California Education Code §47605(c)(1)]*
2. Will/will not (circle one) be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Act (chapter 10.7 (commencing with Section 3540) of Division 4 of Title 4 of Title 1 of the Government Code. *[Ref. California Education Code Section 47605(b)(5)(O)]*
3. Will be nonsectarian in its programs, admissions policies, employment practices, and all other operations. *[Ref. California Education Code Section 47605(d)(1)]*
4. Will not charge tuition. *[Ref. California Education Code Section 47605(d)(1)]*
5. Will admit all students who wish to attend the school, and who submit a timely application, unless the school receives a greater number of applications than there are spaces for students, in which case each applicant will be given equal chance of admission through a random lottery process. *[Ref. California Education Code Section 47605(d)(2)(B)]*
6. Will not discriminate against any student on the basis of ethnic background, national origin, gender, or disability. *[Ref. California Education Code Section 47605(d)(1)]*
7. Will adhere to all provisions of federal law relating to students with disabilities, including the IDEA, Section 504 of the Rehabilitation Act of 1974, and Title II of the Americans with Disabilities Act of 1990, that are applicable to it. .
8. Will meet all requirements for employment set forth in applicable provisions of law, including, but not limited to credentials, as necessary. *[Ref. Criteria for Review, §11967.5.1(f)(5)]*
9. Will ensure that teachers in the school hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools are required to hold. As allowed by statute, flexibility will be given to non-core, non-college preparatory teachers. *[Ref. California Education Code Section 47605(l)]*
10. Will at all times maintain all necessary and appropriate insurance coverage.
11. Will follow any and all other federal, state, and local laws and regulations that pertain to the applicant or the operation of the charter school.

Authorized Representative's Signature

Date

SUBMISSION PACKAGE

Application:

In addition to the narrative in response to Sections I through XIII of the guidelines above, applicants should include the attachments listed below. Again, the application should not exceed [X] pages and should be completed on 8-1/2" by 11" paper with readable font and reasonable margins. The total number of pages should be clearly referenced in the text and the table of contents. It is recommended that at least [x] number of bound copies.

Attachments:

1. Necessary Signatures
2. Completed Assurances page
3. Evidence of the organization's incorporation
4. Sample curriculum
5. Letters of support from partner organizations (optional)
6. Organizational chart of school
7. Budget [A template for budget submissions will be provided.]
8. Others of the applicant's choosing

Resources

California State Department of Education, Charter Schools Page

www.cde.ca.gov/charter - includes information about charter schools in the state and contact information for the state Charter Schools Office.

California Network of Educational Charters (CANEC)

www.canec.org - a charter school membership organization that provides advocacy, resources, and services to charter schools in California.

Charter Schools Development Corporation (CSDC)

www.csus.edu/ier/charter/center.html - provides experienced and expert technical assistance, training, and resources to California charter school developers, operators, charter-granting agencies, and policy makers. Offers downloadable sample documents, policy papers, and planning tools for charter school leaders.

U.S. Department of Education (Charter Schools website)

www.uscharterschools.org - serves as an overall information clearinghouse about charter schools, including federal efforts to support charter schools

Center for Education Reform (CER)

www.edreform.com - provides information about the status of charter schools in each state, as well as legislation and charter news from around the country.

Charter Friends National Network (CFNN)

www.charterfriends.org - a network of state charter school support organizations, CFNN provides resources on facilities financing, accountability, special education, working with EMOs and school designs, and other issues.

California Charter School Law and Regulations

The California Charter School Law, *California Education Code Sections 47600 – 47616.5*,
“*Charter Schools Act of 1992*,” as amended can be found at
<http://www.cde.ca.gov/charter/regs/law>.