

# Charter School Action Form Instruction Guide

Version 1 | Fiscal Year 2020–21



California Department of Education | Charter Schools Division  
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## Revision History

<b>Version Number</b>	<b>Revision Date</b>	<b>Section</b>	<b>Summary of Changes</b>
v 1.0	06/2020	All sections	Document created
v 1.0	09/2020	Section 3c	References to “renewal” petition removed

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# Background

Information of the Charter School Action Form.

## Who, What, and Why

Assembly Bill 1505 [Chaptered 486, Statutes of 2019] defines specific instances in which a charter school is to be treated as “continuing” by the California Department of Education (CDE). In order to comply with this requirement of AB 1505, the CDE developed the Charter School Action Form. The Charter School Action Form is to be completed by authorizing local educational agencies (LEAs) as follows:

- To request a charter school number for a new classroom-based (CB) charter school

**or**

- To inform that a currently-existing charter school has changed authorizing LEAs

**or**

- To inform that a nonclassroom-based (NCB) charter school resource center has petitioned to become its own charter school.

For a newly-authorized CB charter school and an NCB resource center that has petitioned to become a charter school, the completion and submission of the Charter School Action Form is the responsibility of the approving authorizing LEA.

For an existing charter school that has changed authorizers, the completion and submission of the Charter School Action Form is the responsibility of the charter school’s new authorizing LEA, not the charter school’s previous authorizing LEA.

## When, Where, and How

California *Education Code (EC)* does not specify a date by which this information is to be reported to the CDE; however, the CDE recommends the Charter School Action Form be submitted to the Charter Schools Division (CSD) within 10 calendar days of the official action taken by the new authorizing LEA.

# Instructions

Instructions to aid in the completion and submission of the Charter School Action Form.

## Section 1. Charter School Information

Complete this section as it pertains to the charter school under its new authorizing LEA:

1. School name as it appears on the charter petition and the authorizing LEA's board-approved minutes
2. Assigned charter school number, as applicable. If a charter school number is needed, leave the field blank.
3. Assigned county-district-school (CDS) code, as applicable. If a CDS code is needed, leave the field blank.
4. Physical street address of the school's facility. If a facility has not yet been secured, provide the county and zip code of the general location.
5. City in which the school's facility is located
6. County in which the school's facility is located
7. Zip code in which the school's facility is located
8. Mailing address of the school
9. City in which the mailing address of the school is located
10. County in which the mailing address of the school is located
11. Zip code in which the mailing address of the school is located
12. School website address
13. Name of the school administrator or principal
14. Email address of the school administrator or principal
15. Phone number, including area code, of the school administrator or principal

## Section 2. Authorizing Local Educational Agency Information

Complete this section as it pertains to the charter school's new authorizing LEA:

1. LEA Name

2. County in which the LEA is located
3. Name of the authorizing LEA superintendent
4. Email address of the authorizing LEA superintendent
5. Name of the point-of-contact person at the authorizing LEA, if different from the superintendent
6. Email address of the point-of-contact person at the authorizing LEA
7. Phone number, including area code, of the point-of-contact person at the authorizing LEA
8. Date, formatted as mm/dd/yyyy, of the authorizing LEA board meeting at which the charter petition was approved

**Note:** This date must match the date on the authorizing LEA's board meeting minutes showing approval of the charter petition.

9. Term or length of time, formatted as mm/dd/yyyy, for which the charter petition is approved as specified in the authorizing LEA's board minutes or official notice

**Note:** A charter petition cannot be approved to operate for more than five years per one term.

10. Date, formatted as mm/dd/yyyy, the school will start serving/providing instruction to students
11. Grade span the school is approved to serve

### **Section 3. Action**

Read each option under subsections 3a, 3b, and 3c carefully. Select the best option as it pertains to the authorizing LEA's approval of the charter petition. Complete all fields under the selected option, as appropriate.

#### **3a. Request charter school number**

Select the option that most accurately describes the reason for requesting a charter school number for a newly-approved charter petition:

1. **CB charter school**

As defined by *EC* Section 47605:

A petition for the establishment of a charter school shall identify a single charter school that will operate within the geographic boundaries of that

school district. A charter school may propose to operate at multiple sites within the school district if each location is identified in the charter school petition.

## **2. CB county charter school**

As defined by *EC* Section 47605.5:

A petition may be submitted directly to a county board of education in the same manner as set forth in Section 47605 for charter schools that will serve pupils for whom the county office of education would otherwise be responsible for providing direct education and related services. Any denial of a petition shall be subject to the same process for any other county board of education denial of a charter school petition pursuant to this part.

## **3. CB countywide charter school**

As defined by *EC* Section 47605.6:

In addition to the authority provided by Section 47605.5, a county board of education may also approve a petition for the operation of a charter school that operates at one or more sites within the geographic boundaries of the county and that provides instructional services that are not generally provided by a county office of education. A county board of education may approve a countywide charter only if it finds, in addition to the other requirements of this section, that the educational services to be provided by the charter school will offer services to a pupil population that will benefit from those services and that cannot be served as well by a charter school that operates in only one school district in the county. A petition for the establishment of a countywide charter school pursuant to this subdivision may be circulated throughout the county by any one or more persons seeking to establish the charter school.

## **4. CB partnership charter school**

As defined by *EC* Section 47612.1(a):

Except for the requirement that a pupil be a California resident, subdivision (b) of Section 47612 shall not apply to a charter school program that provides instruction exclusively in partnership with any of the following: (1) The federal Workforce Innovation and Opportunity Act (29 U.S.C. Sec. 3101 et seq.). (2) Federally affiliated Youth Build programs. (3) Federal job corps training or instruction provided pursuant to a memorandum of understanding with the federal provider. (4) The California Conservation Corps or local conservation corps certified by the California Conservation Corps pursuant to Section 14406 or 14507.5 of the Public Resources Code.

### 3b. Change authorizing LEA by existing charter school

Select the option that most accurately describes the charter school's reason for changing authorizing LEAs:

1. The charter school was previously operating outside the geographical boundaries of the authorizing LEA; charter school submitted a request for renewal of the charter petition to the school district in which the charter school is located in order to continue operating.
  - a. Name of previous authorizing LEA
  - b. County in which the previously authorizing LEA is located

As defined by *EC* Section 47605(a)(5)(A):

A charter school that established one site outside the boundaries of the school district, but within the county in which that school district is located before January 1, 2020, may continue to operate that site until the charter school submits a request for the renewal of its charter petition. To continue operating the site, the charter school shall do either of the following:

- (i) First, before submitting the request for the renewal of the charter petition, obtain approval in writing from the school district where the site is operating.
- (ii) Submit a request for the renewal of the charter petition pursuant to Section 47607 to the school district in which the charter school is located.

Also, as defined by *EC* Section 47607.

2. A resource center has been operating outside of the boundaries of the authorizing LEA under a currently-approved charter school that is operating within the boundaries of its respective authorizing school district.

The charter school under which the resource center is currently operating submitted a petition to physically locate and operate within the boundaries of the school district in which the resource center is currently located.

- a. Name of previous school district
- b. County in which the school district is located

Per *EC* Section 47605.1(c)(5)(A):

A charter school that was operating a resource center, meeting space, or other satellite facility outside the jurisdiction of the school district where the charter school is physically located before January 1, 2020, may continue to operate the resource center, meeting space, or other satellite facility until the charter school submits a request for the renewal of its charter petition. To continue operating the resource center, meeting space, or other satellite facility, the charter school, before submitting the request to the charter school's chartering authority for the renewal of the charter petition, shall first obtain approval in writing from the school district where the resource center, meeting space, or other satellite facility is operating.

Also, per *EC* Section 47612.7(b):

(b) Subdivision (a) shall not apply to an NCB charter school that was granted approval of its petition and providing educational services to pupils before October 1, 2019, under either of the following circumstances:

(1) If AB 1507 of the 2019–20 Regular Session amends Section 47605.1 and becomes operative on January 1, 2020, and the charter school is required to submit a petition to the governing board of a school district or county board of education in an adjacent county in which its existing resource center is located in order to comply with Section 47605.1, as amended by AB 1507 of the 2019–20 Regular Session, or to retain current program offerings or enrollment.

(2) If a charter school is required to submit a petition to a school district or county board of education in which a resource center is located in order to comply with the court decision in *Anderson Union High School District v. Shasta Secondary Home School* (2016) 4 Cal.App.5th 262, or other relevant court ruling, and the petition is necessary to retain current program offerings or enrollment.

3. The charter school was renewed on appeal by the county office of education in which the charter school is located.

a. Name of denying school district

As defined by *EC* Section 47605(j)(1):

If the governing board of a school district denies a petition, the petitioner may elect to submit the petition for the establishment of a charter school to the county board of education. The county board of education shall review the petition pursuant to subdivision (b). If the petitioner elects to submit a petition for establishment of a charter school to the county board of education and the county board of education denies the petition, the petitioner may file a petition for establishment of a charter school with the state board, and the state board may approve the petition, in accordance

with subdivision (b). A charter school that receives approval of its petition from a county board of education or from the state board on appeal shall be subject to the same requirements concerning geographic location to which it would otherwise be subject if it received approval from the school district to which it originally submitted its petition. A charter petition that is submitted to either a county board of education or to the state board shall meet all otherwise applicable petition requirements, including the identification of the proposed site or sites where the charter school will operate.

4. The charter school was operating under the State Board of Education and was renewed by the governing board of the school district or county office of education in which the charter school is located.

As defined by *EC* Section 47605.9(c):

A charter school operating under a charter approved by the state board pursuant to Section 47605.8, as that section read on January 1, 2019, may continue to operate under the authority of that chartering authority only until the date on which the charter is up for renewal. The charter school shall submit a petition for renewal to the state board. If the state board grants renewal pursuant to Section 47607, the state board shall designate, in consultation with the petitioner, the governing board of the school district or county board of education in which the charter school is located as the chartering authority. A charter school assigned to a county board of education under this subdivision shall qualify as a charter school pursuant to Section 47605.6. Subsequent renewals shall be subject to the same requirements as other charter schools authorized by the same chartering authorities, including review by the state board in accordance with Section 47607 and paragraph (2) of subdivision (k) of Section 47605.

### **3c. Petition resource center into charter school**

Select this option if a resource center submitted a charter petition to the school district in which it is located.

A resource center is currently operating outside of the boundaries of the authorizing LEA under a currently-approved charter school that is operating within the boundaries of the authorizing school district.

The resource center submitted a petition to the school district in which it is located to operate as its own charter school. The charter school under which it previously operated remains in the school district in which it is located.

- a. Name of the school under which the resource center previously operated

- b. CDS code of the school under which the resource center previously operated
- c. Charter school number of the school under which the resource center previously operated
- d. Name of previous school district
- e. County in which the school district is located

Per *EC* Section 47605.1(c)(5)(A):

A charter school that was operating a resource center, meeting space, or other satellite facility outside the jurisdiction of the school district where the charter school is physically located before January 1, 2020, may continue to operate the resource center, meeting space, or other satellite facility until the charter school submits a request for the renewal of its charter petition. To continue operating the resource center, meeting space, or other satellite facility, the charter school, before submitting the request to the charter school's chartering authority for the renewal of the charter petition, shall first obtain approval in writing from the school district where the resource center, meeting space, or other satellite facility is operating.

Also, per *EC* Section 47612.7(b):

(b) Subdivision (a) shall not apply to an NCB charter school that was granted approval of its petition and providing educational services to pupils before October 1, 2019, under either of the following circumstances:

(1) If AB 1507 of the 2019–20 Regular Session amends Section 47605.1 and becomes operative on January 1, 2020, and the charter school is required to submit a petition to the governing board of a school district or county board of education in an adjacent county in which its existing resource center is located in order to comply with Section 47605.1, as amended by AB 1507 of the 2019–20 Regular Session, or to retain current program offerings or enrollment.

(2) If a charter school is required to submit a petition to a school district or county board of education in which a resource center is located in order to comply with the court decision in *Anderson Union High School District v. Shasta Secondary Home School* (2016) 4 Cal.App.5th 262, or other relevant court ruling, and the petition is necessary to retain current program offerings or enrollment.

## **Section 4. Certifications**

### **Authorizing Local Educational Agency Certification**

The superintendent's original signature is required for the certification. If a designee provides a signature, the designee is representing compliance with defined *EC* on behalf of the authorizing LEA.

1. Signature of the new authorizing LEA superintendent
2. Date Charter School Action Form signed by the new authorizing LEA superintendent

### **Charter School Administrator/Principal Certification**

The charter school administrator/principal's original signature is required for the certification representing compliance with defined *EC* on behalf of the charter school.

1. Signature of the charter school administrator/principal
2. Date Charter School Action Form signed by the charter school administrator/principal

## Submission

Submit the completed and signed Charter School Action Form as well as the supporting documentation specified below to the CSD via email at [charters@cde.ca.gov](mailto:charters@cde.ca.gov):

1. Copy of the authorizing LEA's board meeting minutes showing approval of the charter school,
2. Copy of the approved charter petition, and
3. Cover letter signed by the superintendent of the authorizing LEA that provides an explanation for the action identified under Section 3 of the Charter School Action Form.

If any of the aforementioned documents are too large to be submitted via email, contact the CSD and alternate upload arrange will be made.

If the Charter School Action Form and additional documentation cannot be provided electronically, mail all documents (printed back to back) to the CSD at the following address:

California Department of Education  
Charter Schools Division  
Attention: Charter School Action  
1430 N Street, Suite 5401  
Sacramento, CA 95814

## Next Steps

The CSD will confirm receipt of the Charter School Action Form and supporting documentation, review the information provided, and reach out to the indicated point-of-contact at the authorizing LEA with guidance regarding next steps and additional CDE reporting requirements.