



Charter School Petition Appeal Process

Following School District Denial

I. Charter School Petition Submission Process

Within **180 calendar days** of denial by local school district, a complete Charter School Appeal Package must be submitted in person to the Orange County Board of Education (OCBE) at a regularly scheduled board meeting.

The Orange County Department of Education (OCDE) Charter Schools Unit staff must verify that the Charter School Appeal Package contains all required elements prior to the petition being submitted to OCBE. Contact OCDE Charter Schools Unit at (714) 966-4381 to schedule an appointment to have your Charter School Appeal Package verified at least two weeks prior to the board meeting in which you want to submit a charter school petition. Appointments will take place at the Orange County Department of Education, 200 Kalmus Drive, Costa Mesa, 92626.

The timeline for the charter school petition review shall commence once OCBE receives a verified complete Charter School Appeal Package at a regularly scheduled board meeting.

OCBE meeting information can be accessed from the following link:

www.ocde.us/Board/Pages/Board-Meeting-Information.aspx

II. Charter School Appeal Package

A complete Charter School Appeal Package consists of **12 binders** and **12 flash drives** containing the required items listed below with tabs separating each of the sections:

- A. Letter of Intent to submit the denied charter school petition on appeal to OCBE
- B. Notice of Intent to Submit Charter School Petition form
- C. Table of Contents delineating items in the charter petition
- D. Local school district governing board's action of denial of the petition and the governing board's written factual findings specific to the petition, as required by Education Code Section 47605(b)
- E. Written response by the charter school petitioners to school district governing board's findings for denial
- F. Written description of changes to the original charter petition
- G. Signed certification that charter school will comply with all applicable laws



H. Signature pages by parents or teachers that meet the following guidelines:

1. Charter petition signed by a number of parents/guardians of pupils that is equivalent to at least 50 percent of the number of pupils that the charter school estimates will enroll in the school in the first year of operation; or by a number of teachers that the charter school estimates will be employed at the school in the first year of operation
2. Signature pages must include a prominent statement that a signature on the petition means that the parent/guardian is meaningfully interested in having his/her child attend the charter school; or a teacher is meaningfully interested in teaching at the charter school
3. Parent signature pages must include the date signed, printed name, signature, address, phone number, number of children and grade level(s) of children
4. Teacher signature pages must include date signed, printed name, signature, phone number, teaching credential type, credential number and expiration date

In addition, please provide **three binders** and **three flash drives** with all of the items listed above and include the following:

- A. Original charter school petition and supporting documents considered by the local school district when petition was denied
- B. A "redlined" version of the original charter school petition reflecting changes to the petition necessary to reflect OCBE as the chartering entity. Identify deleted language by ~~strikeout~~ and new language by underline.

III. Charter School Petition Review

The Charter Schools Unit petition review team will evaluate whether the petition complies with the Charter Schools Act and provides a comprehensive description of the elements set forth in Education Code Section 47605.

A clarification and capacity meeting will take place with the charter school petitioners and Charter Schools Unit petition review team. Information from this meeting may be used in the written report and analysis provided to OCBE.

Charter Schools Unit staff will make a recommendation to approve or deny the charter petition to OCBE based on whether the charter school is consistent with sound educational practices and whether the petitioners are demonstrably likely to successfully implement the program of the proposed charter school.

Charter Schools Unit staff will provide a written report to support the recommendation for approval or denial of a charter petition. Charter school petitioners will be notified of the results of the review.



IV. Public Hearing

OCBE will hold a public hearing on the provisions of the charter petition. The level of support for the petition by parents, teachers and the community will be considered. In addition, supplemental written responses may be submitted to OCBE.

Prior to the public hearing, Charter Schools Unit staff will contact the charter petitioners to explain the process of the public hearing and answer any questions petitioners may have.

V. Final Decision

Within the guidelines delineated in Education Code Section 47605, OCBE will make a final decision whether to approve or deny the charter school petition.

OCBE shall not deny a petition unless it makes written factual findings to support one or more of the following:

- A. Charter school presents an unsound educational program for students
- B. Petitioners are demonstrably unlikely to successfully implement the program set forth in the petition
- C. Charter petition does not contain the required number of signatures
- D. Charter petition does not contain the necessary affirmations of the conditions described in Education Code Section 47605(d)
- E. Charter petition does not contain reasonably comprehensive descriptions of the required charter elements

OCBE Charter School Board Policy can be accessed by the following link:

www.ocde.us/Board/Pages/Board-Policies.aspx