



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 **three 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 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 Renewal Package consists of **15 binders** and **15 flash drives** containing the following required items with tabs/folders separating each of the sections:

Two flash drives containing the items listed below separated into folders:

- A. [Notice of Intent to Submit Charter School Petition](#)
- B. Table of Contents delineating items in the charter petition
- C. 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)
- D. Written response by the charter school petitioners to school district governing board's findings for denial
- E. Written description of changes to the original charter petition
- F. Signed certification that charter school will comply with all applicable laws
- G. Original charter school petition
- H. 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.



- I. A final, clean copy of the revised charter petition with changes necessary to reflect OCBE as the chartering entity.
- J. Supporting documents and appendices considered by the local school district when petition was denied, including Articles of Incorporation and Bylaws.
- K. Budget and Fiscal Policies and Procedures
 1. Annual budgets, monthly cash flow and budget assumptions for the charter term.
 2. Budget must be submitted in Microsoft Office Excel Format with formulas and not password protected.
 3. If budget contains grants or loans, include award letters and/or loan agreements with documentation of any terms.
- L. 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

Fifteen (15) binders and **13 flash drives** containing the items listed below with tabs/folders separating each of the sections:

- A. [Notice of Intent to Submit Charter School Petition](#) form
- B. Table of Contents delineating items in the charter petition
- C. 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)
- D. Written response by the charter school petitioners to school district governing board's findings for denial
- E. Signed certification that charter school will comply with all applicable laws



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- F. A final, clean copy of the revised charter petition with changes necessary to reflect OCBE as the chartering entity.
 - G. Supporting documents and appendices considered by the local school district when petition was denied.

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.

OCBE charter petition review standards can be accessed in the [Charter School Board Policy](#).

IV. Clarification Meeting

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.

V. Public Hearing

OCBE will hold a public hearing on the provisions of the charter petition 30 days (60 days for countywide charter schools) after submission at a regularly scheduled board meeting. The level of support for the petition by parents, teachers, community and school district(s) where the charter school is located will be considered. The charter school and school district(s) within which the charter school is located will be allotted time to address the Board. 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.

VI. 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 within 60 days after submission at a regularly scheduled board meeting, unless an extension not to exceed 30 days has been agreed to by the charter school and OCBE.

Charter Schools Unit staff will make a recommendation to approve or deny the charter petition to OCBE and provide a written report to support the recommendation. Charter school petitioners will be notified of the results of the review.

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 to be enrolled in the charter school
- 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 elements in Education Code section 47605(b)

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

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