



# Charter School Material Revision Process

Effective July 1, 2021

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The information contained in this document is intended to assist charter school petitioners in submitting a material revision to an existing charter petition authorized by the Orange County Board of Education (OCBE). Orange County Department of Education (OCDE) staff are available to answer questions regarding the material revision process. Contact the Charter Schools Unit at (714) 966-4381 to speak to a representative or to schedule an appointment.

## I. MATERIAL REVISION PROCESS

### A. Criteria for Submission

1. A complete Charter School Material Revision Package (see section II for information regarding the required contents) to OCBE prior to the charter school implementing the changes.
2. Material revisions of charter schools are governed by the standards and criteria described in Education Code section 47605 and shall include, but not be limited to, reasonably comprehensive descriptions of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed in accordance with California Education Code section 47607.
3. The governing board of the charter school and OCBE must approve any amendment that would constitute a material revision of the charter in accordance with California Education Code section 47607.
4. The charter petition must be submitted along with a signed [Petitioner Certification](#) that the petitioner deems the submitted petition to be complete.
5. A material revision is deemed received by OCBE, for purposes of commencing the timelines, on the day the petitioner submits a complete Material Revision Package to Orange County Department of Education, Charter Schools Unit, 200 Kalmus Drive, Costa Mesa, 92626.

### B. Identified Material Revisions

Charter schools authorized by OCBE shall consult with OCDE Charter Schools Unit staff regarding any proposed material changes. OCDE receives and reviews material revisions to charters authorized by OCBE for determination.

Material revisions may include, but are not limited to, the following:

1. Addition or reduction of grade spans served (e.g. elementary school adding high school grade levels).
2. Change of facility or addition/expansion of operations to one or more additional sites (school site, resource center, meeting space or satellite facility).
3. Changes to admission preferences, policies and procedures.

4. Changes to the charter school's governance structure (e.g. changes to charter school board governing bylaws; new non-profit benefit corporation operating the charter school).
5. Entering into a new or revised CMO/EMO contract.
6. Change in the charter school's classification as a seat-based or non-classroom based program in accordance with Education Code 47612.5 (e)(1).

### **C. Public Hearing to Consider Level of Support**

OCBE will hold a public hearing on the provisions of the revised charter petition no later than 60 days after receiving a material revision submission for the purpose of considering the level of support for the revised petition by teachers employed by the school district, other employees of the school district and parents. Charter school and school district representatives are allotted 10 minutes each to address the Board. Any documents or digital presentations utilized on that day must be submitted 48 hours prior to the board meeting.

### **D. Clarification Meeting**

A clarification meeting may take place with the charter school petitioners and the OCDE petition review team, and may include legal counsel as necessary. The meeting will take place at the Orange County Department of Education, 200 Kalmus Drive, Costa Mesa, 92626, or via teleconference. Information garnered from the meeting may be included in the published staff recommendation, including the recommended findings.

### **E. Staff Recommendation and Recommended Findings**

OCDE staff recommendations, including the recommended findings will be published 15 days before the public hearing at which OCBE will take action to either grant or deny the revised charter petition.

### **F. Public Hearing to Grant or Deny Charter Petition**

Within the guidelines delineated in Education Code section 47605, OCBE will take action to grant or deny the revised charter school petition within 90 days of receipt of the petition, unless an extension not to exceed 30 days has been agreed to by the charter school petitioner and OCBE.

At the public hearing at which OCBE will take action to grant or deny the revised charter petition, the petitioners shall have 10 minutes or equivalent time, whichever is longer, to present evidence and testimony responsive to the OCDE staff recommendation and findings.

## II. CHARTER SCHOOL MATERIAL REVISION PACKAGE

A complete Charter School Material Revision Package consists of six (6) binders and six (6) flash drives containing the following items with folders/tabs separating each of the sections:

### A. Charter School Petitioner Certification and Intake Information Forms

1. Signed [Petitioner Certification](#) that the petitioner deems the submitted petition to be complete.

### B. Letter Requesting Material Revision

A letter addressed to the Orange County Board of Education requesting a material revision to the charter. The letter shall describe the request (include specific details such as changes in the number of classrooms, staff, grade levels, total enrollment, specific address of new facility, effective date, financial impact, etc.) and identify the charter element(s) revised.

### C. Verification of Charter School Board Approval

Evidence that the charter school governing board has approved the submission of the material revision and supporting documentation, such as meeting minutes.

### D. Supplemental Information

1. Documents supporting the material revision, such as revised bylaws or Articles of Incorporation, school performance data, wait-list information or other data that support the change.
2. A countywide charter school that proposes to establish operations at additional sites within the geographic boundaries of the county board of education shall notify the school districts where those sites will be located. Include a copy of the letter notifying the school district where the site will be located. OCBE will consider whether to approve the additional location at an open, public meeting, held no sooner than 30 days following notification to the school district.

### E. Revised Charter Petition

An updated “redlined” charter petition with changes to reflect the material revision including reasonably comprehensive descriptions of any new requirements of charter schools enacted into law after the charter was originally granted or last renewed. Identify deleted language by strikeout and new language by underline (Flash drives must include Microsoft Word format).

### F. Budget and Finance

1. Financial statements and a proposed operational budget including startup costs, cash flow and financial projections for each remaining year in the charter term (Flash drives must include Microsoft Office Excel format with formulas and no password protection).
2. If the budget contains grants, loans and/or donations, include corresponding award letters, loan agreements, and/or pledge letters.

### III. RESOURCES

Orange County Board of Education charter schools board policies

<https://ocde.us/Board/Pages/Board-Policies.aspx>

Orange County Board of Education meeting schedule and information

<https://ocde.us/Board/Pages/Meeting-agendas-minutes-and-audio.aspx>

Orange County Department of Education Charter Schools Unit website

<https://ocde.us/glcp/CharterSchools/Pages/default.aspx>

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