



Charter Petition Appeal Evaluation Rubric

Charter School Name

Date Petition Received

PETITION REVIEW TEAM

Name/Title	Assignment
Teresa Johnson, Administrator, Charter Schools Unit Coordinator, Charter Schools Unit	General Review
Anna Day, Administrator, Charter Schools, Fiscal Oversight	Finance & Budget
Tom Turner, Executive Director, Educational Services	Educational Program & EL Development
Analee Kredel, Chief, Special Education	Special Education
Ruth Brewda or Carl Piper, Counsel, Legal Services	Governance & Operations
Gary Stine, Executive Director, Business Services	Local Control & Accountability Plan

REQUIRED CRITERIA

Items identified by * per OCBE policy 400-12.

APPEAL REQUIREMENTS	EC § 47605(k)(1)(A)		
	Yes	No	Page
1. Evidence that the petition was denied by a school district pursuant to statute and the petition was submitted for appeal within 30 days of denial by the governing board of the school district. <ul style="list-style-type: none"> • Board meeting minutes, resolution, meeting audio/video, district notification. • District governing board’s written factual findings.* • Charter school’s written response to the district’s findings for denial, if available.* 			
2. The petition does not contain new or different material terms. <ul style="list-style-type: none"> • “Material terms” of the petition means the signatures, affirmations, disclosures, documents, and descriptions but shall not include minor administrative updates to the petition or related documents due to changes in circumstances based on the passage of time related to fiscal affairs, facilities arrangements, or state law, or to reflect the county board of education as the chartering authority. • A description of any changes to the petition necessary to reflect the County Board of Education as the chartering entity, as applicable. May be provided in narrative form or through supplementary documentation.* <ul style="list-style-type: none"> ○ A description of any changes to the petitioner’s Governing Board and/or leadership which have occurred subsequent to the denial by the local district.* ○ Description of any changes to the petitioner’s enrollment projections and operational budget which have occurred subsequent to the denial by the local district and the reasons therefore. A change is material if it equals or exceeds 			

<p>one classroom.*</p> <ul style="list-style-type: none"> ○ Description of any changes to the petitioner’s proposed physical facilities which have occurred subsequent to the denial by the local district and the reasons therefore.* ○ Clarifications that address deficiencies noted in the district governing board’s written factual findings.* ○ Clarifications necessary to address the evaluation criteria established by OCBE policy 400-12 and any implementing procedures or administrative regulations that may differ from the district governing board.* 			
3. A signed certification stating the petitioners will comply with all applicable laws.*			

GEOGRAPHIC AND SITE LIMITATIONS	EC § 47605(a)(1)		
1. The petition proposes to operate a single charter school within the geographic jurisdiction of the school district to which the charter was submitted.	Yes	No	Page
2. If the petition proposes to operate at multiple sites within the school district, the petition identifies each location.	Yes	No	Page

GRADE LEVELS SERVED	EC § 47605(a)(6)		
The petition will not serve pupils in grade levels not served by the school district, unless the petition proposes to serve pupils in all of the grade levels served by that school district.	Yes	No	Page

PETITION SIGNATURES	EC § 47605(a)(1)(A) or (B)		
1. The petition includes a prominent statement that a signature on the petition represents that a parent is meaningfully interested in having their child or ward attend the charter school or that the teacher is meaningfully interested in teaching at the charter school.	Yes	No	Page
2. Signatures of at least 50% of parents or guardians of the number of the pupils that the charter school estimates will enroll in the school for its first year of operation.	Yes	No	Page
<p>OR</p> <p>Signatures of at least 50% of the number of teachers that the charter school estimates will be employed at the school during its first year of operation.</p> <ul style="list-style-type: none"> • The petition contained the requisite number of signatures at the time of the submission n of the original charter to a school district governing board.* • Valid signatures include those that may be purported to have been withdrawn or to have been determined to be invalid after the petition was denied by the school district.* 			

AFFIRMATIONS & DECLARATIONS	EC § 47605(e)		
1. Affirmation that the school will be nonsectarian in its programs, admission policies, employment practices, and all other operations.	Yes	No	Page
2. Affirmation that the school shall not charge tuition.	Yes	No	Page
3. Affirmation that the school shall not discriminate against any pupil on the basis of	Yes	No	Page

ethnicity, national origin, gender, gender identity, gender expression, disability, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the California Penal Code.			
4. Affirmation that the admission to a charter school shall not be determined according to the place of residence of the pupil, or of the pupil’s parent or legal guardian, within this state.	Yes	No	Page
5. Affirmation that the charter school shall admit all pupils who wish to attend the charter school.	Yes	No	Page
6. A declaration of whether or not the charter school shall be deemed the exclusive public-school employer of the employees of the charter school for purposes of the Educational Employment Relations Act. EC § 47605(c)(6)	Yes	No	Page
7. Charter school shall meet all statewide standards and conduct the pupil assessments required pursuant to section 60605 and any other statewide standards authorized in statute or pupil assessments applicable to pupils in non-charter public schools. EC § 47605(d)(1)	Yes	No	Page
8. Charter school shall on a regular basis consult with their parents and teachers regarding the charter school’s educational programs. EC § 47605(d)(2)	Yes	No	Page
9. Teachers in charter schools shall be required to hold the Commission on Teacher Credentialing certificate, permit, or other document required for the teacher’s certificated assignment. A governing body of a direct-funded charter school may use local assignment options authorized in statute and regulations for the purpose of legally assigning corticated teachers, in accordance with all of the requirements of the applicable statues or regulations in the same manner as a governing board of a school district. A charter school shall have authority to request an emergency permit or a waiver from the Commission on Teacher Credentialing for individuals in the same manner as a school district. EC § 47605(l)	Yes	No	Page
10. Charter school shall transmit a copy of its annual independent financial audit report for the preceding fiscal year, to its chartering authority, the Controller, the county superintendent of schools of the county in which the charter school is sited, and the department of education by December 15 of each year. EC § 47605(m)	Yes	No	Page
11. Charter school may encourage parent involvement but shall notify the parents and guardians of applicant pupils and currently enrolled pupils that parental involvement is not a requirement for acceptance to, or continued enrollment at, the charter school. EC § 47605(n)	Yes	No	Page

FISCAL IMPACT AND COMMUNITY INTEREST

EC § 47605(c)(7)(A), (B) & (8)

1. Provides discussion of whether the charter school would substantially undermine existing services, academic offerings, or programmatic offerings. <ul style="list-style-type: none"> • “Substantially undermine” shall mean that , if the charter school is approved, the district would be unable to operate or offer existing academic or programmatic offerings by reducing their scale or costs.* 	Yes	No	Page
2. Provides discussion of whether the proposed charter school would duplicate a program currently offered within the school district and the existing program has sufficient	Yes	No	Page

<p>capacity for the pupils proposed to be served within reasonable proximity to where the charter school intends to locate.</p> <ul style="list-style-type: none"> • “Duplicative” shall mean that the proposed charter is essentially the same in its mission, structure, program offerings, proposed pedagogy, and other key features, relative to an existing school that has the capacity to meet the demands the charter would otherwise serve.* • The offering of a charter school in a different part of the community and at existing, similar program, shall not be seen as duplicative nor shall the charter be seen as duplicative if the charter proposes to combine offerings from multiple different district schools into one program.* 			
<p>3. The school district is not positioned to absorb the fiscal impact of the proposed charter school.</p> <ul style="list-style-type: none"> • School district has a qualified interim certification pursuant to EC § 42131 and the county superintendent of schools, in consultation with the county Office Fiscal Crisis and Management Assistance Team, certifies that approving the charter school would result in the school district having a negative interim certification, has a negative interim certification or is under state receivership. • Adverse fiscal impact of the charter on the district shall be defined as effects of the charter that would prevent the district from providing an adequate education as required by the California Constitution.* • The rebuttable presumption falls to the charter petitioners to demonstrate that the adverse fiscal impact of the charter will be minimal and that the benefit of the charter school on students, families, taxpayers and the district are substantial by providing evidence of positive and compensatory fiscal impact of the charter petition on the district as well as data that demonstrates the negative fiscal impact will be minimal.* <ul style="list-style-type: none"> ○ Positive fiscal impact of the charter on the district, shall include, but not be limited to, those that strengthen the district’s capacity to provide an education to all resident public-school students. This should include but is not limited to, strengthening outcomes for students and the community such that it brings long-term fiscal impact to the area.* ○ Compensatory fiscal impact of the charter, such as the effects of the charter that diminish the adverse fiscal impact demonstrated by the district. These could include, but are not limited to, reduced district expenses, rent from a non-Prop 39 agreement, or other payments or services that increase the total district revenue.* 	Yes	No	Page

PROGRAM IMPLEMENTATION*	EC § 47605(C)(2)		
<p>1. If the petitioners have a past history of involvement in charter schools or other education agencies (public or private), those schools have been successful.*</p> <ul style="list-style-type: none"> • The petitioners have not been associated with a charter school of which the charter has been revoked or a private school that has ceased operation for reasons within the petitioners’ control.* 	Yes	No	Page
<p>2. The petitioners are familiar with the content of the petition or the requirements of law that would apply to the proposed charter school.*</p>	Yes	No	Page

3. The petitioners have the necessary background in areas critical to the charter school's success, and the petitioners have a plan to secure the services of individuals who have the necessary background in curriculum, instruction, assessment, finance and business management.*	Yes	No	Page

OPERATIONS AND POTENTIAL EFFECTS	EC § 47605(h)		
<ul style="list-style-type: none"> Information on the facilities to be used by the charter school. Specifies where the charter school intends to located. Describes the types and potential location of facilities needed to operate the size and scope of the educational program proposed in the charter.* In the event a specific facility has not been secured, provide evidence of the type and projected cost of the facilities that may be available in the location of the proposed charter school.* Reflects reasonable costs for the acquisition or leasing of facilities to house the charter school, taking into account the facilities the charter school may be allocated under the provisions of EC § 47614.* 	Yes	No	Page
<p>4. Manner in which administrative services of the charter school are to be provided.</p> <ul style="list-style-type: none"> The petition describes a structure for providing administrative services, including at a minimum personnel transactions, accounting and payroll that reflects an understanding of school business practices and expertise to carry out the necessary administrative services.* A reasonable plan and timeline to develop and assemble such practices and expertise if not currently available.* For any contract services, the petition describes criteria for the selection of a contractor or contractors that demonstrate necessary expertise and the procedure for selection of the contractor or contractors.* 	Yes	No	Page
<p>5. Potential civil liability effects, if any, upon the charter school, and upon the school district.</p> <ul style="list-style-type: none"> The charter and supporting documents adequately provide for the acquisition of and budgeting for general liability, workers compensations, and other necessary insurance of the type and in the amounts required for an enterprise of similar purpose and circumstance.* 	Yes	No	Page
<p>6. The petitioner(s) provide financial statements that include a proposed first-year operational budget, including startup costs, and cash flow and financial projections for the first three years of operation.</p> <ul style="list-style-type: none"> The petitioners presented a realistic financial and operational plan for the proposed charter school.* The operational budget includes reasonable estimates of all anticipated revenues and expenditures necessary to operate the school, including, but not limited to, special education, based, when possible, on historical data from schools or school districts of similar type, size, and location.* Includes budget notes that clearly describe assumptions on revenue estimates, including, but not limited to, the basis for average daily attendance estimates and 	Yes	No	Page

<p>staffing levels.*</p> <ul style="list-style-type: none"> • Presents a budget that in its totality appears viable and over a period of no less than two years of operations provides for the amassing of a reserve equivalent to that required by law for a school district of similar size to the proposed charter school. * • Demonstrates an understanding of the timing of the receipt of various revenues and their relative relationship to timing of expenditures that are within reasonable parameters, based, when possible, on historical data from the schools or school districts of similar type, size, and location.* 			
<p>7. If the school is to be operated by, or as, a nonprofit public benefit corporation, shall provide the names and relevant qualifications of all persons whom the petitioner nominates to serve on the governing body of the charter school.</p>	Yes	No	Page

REQUIRED ELEMENTS

Items identified by * per OCBE policy 400-12.

ELEMENT A: EDUCATIONAL PROGRAM

EC § 47605(c)(5)(A)

The educational program of the charter school, designed, among other things, to identify those whom the charter school is attempting to educate, what it means to be an “educated person” in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners.

The annual goals for the charter school for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals.

<p>1. Identifies those pupils whom the school is attempting to educate and their academic needs.</p> <ul style="list-style-type: none"> • Describes the target student population, including demographic groups and other characteristics of the students the charter school will attempt to educate. • Describes the academic needs of the student population it will attempt to educate. • Articulates a proposed educational program that aligns with the demonstrated need. • Provides data to support the need for a school that serves the target student population. • Provides grade levels and approximate number of pupils and specific educational interests, backgrounds or challenges.* 	Yes	No	Page
<p>2. Identifies what it means to be an “educated person” in the 21st century, and how learning best occurs.</p> <ul style="list-style-type: none"> • Includes a list of academic and non-academic research based skills and qualities important for an educated person. • Addresses college and career-readiness. • Specifies a clear, concise school mission statement with which all elements and programs of the school are in alignment and which conveys the petitioners’ definition of an “educated person” in the 21st century, belief of how learning best occurs.* 	Yes	No	Page

<p>3. Goals identified include the objective of enabling pupils to become self-motivated, competent and lifelong learners. Annual goals for all pupils and for each subgroup of pupils to be achieved in the state priorities that apply for the grade levels served by the charter school and specific annual action to achieve those goals.</p> <ul style="list-style-type: none"> • Provides goals that seem likely to enable students to become and remain self-motivated, competent, and lifelong learners. • Describes research-based strategies for achieving these goals that align with the mission. • Goals are SMART—Specific, Measurable, Achievable, Relevant, and Timebound. 	Yes	No	Page
<p>4. Describes the curricular and instructional design of the education program that aligns to state standards.</p> <ul style="list-style-type: none"> • Includes discussion of key educational theories and research that support the educational program design. • Provides research-based evidence to show how the design will successfully serve the target student population. • Describes instructional approaches and strategies that will enable the school’s students, including subgroup populations, to master the content standards for the core curriculum areas adopted by the SBE. • Indicates how the charter school will identify and respond to the needs of pupils who are not achieving at or above expected levels.* 	Yes	No	Page
<p>5. Description of the charter school’s curriculum.</p> <ul style="list-style-type: none"> • Provides a concise description of the curriculum that addresses all major subject areas. • Describes how the curriculum is research based and effective. • Describes innovative curricular components. • Describes intervention and enrichment programs. • Describes a curriculum that aligns with the mission and addresses the specific needs of the targeted student population. • Describes professional development needed to support the curriculum. 	Yes	No	Page
<p>6. High School Only – Manner in which the charter school will inform parents regarding the transferability of courses to other public high schools.</p> <ul style="list-style-type: none"> • Describes how transfer students’ transcripts will be assessed and a plan developed to enable them to meet graduation and college entrance requirements. 	Yes	No	Page
<p>7. High School Only – Manner in which the charter school will inform parents as to whether each individual course offered by the charter school meets college entrance requirements.</p> <ul style="list-style-type: none"> • Describes how the school will inform parents in the event that the school’s course offerings might preclude a student from meeting graduation and/or college entrance requirements if he or she transfers into or out of the school. 	Yes	No	Page
<p>8. How the school will identify, evaluate and serve students with disabilities.</p> <ul style="list-style-type: none"> • Identifies whether the charter will be a school of the county or its own LEA for the purpose of serving students with disabilities. • Describes how the school will evaluate and identify children with disabilities using valid assessment practices. 	Yes	No	Page

<ul style="list-style-type: none"> • Describes how the identification process for English learners will rule out language development as a primary contributor to academic and/or behavioral difficulties. • Describes how the school will develop, review and revise IEPs. • Describes how IEPs for English learners with disabilities will be developed to support culturally and linguistically inclusive practices. • Describes appropriate staffing for providing special education services to the anticipated student population. • Describes how the school will modify the curriculum and instructional delivery to address the unique needs of students with disabilities. • Describes how the school will ensure the Least Restrictive Environment and provide a continuum of services. • Describes how the school will include children with disabilities in required assessments or develop alternate assessments. • Describes how curriculum and assessment decisions will be considered and monitored by IEP teams and staff. • The charter demonstrates an understanding of its responsibilities under law for special education pupils and how the school intends to meet those responsibilities.* 			
<p>9. Describes the process for identifying English learners, the educational program for English language acquisition, and how the school will provide English learners with meaningful access to the curriculum, monitor progress and reclassify.</p> <ul style="list-style-type: none"> • Describes how the school will, at or before the time of a student’s initial California enrollment, conduct, in writing, a home language survey (HLS) to identify whether the primary or native language of the student is a language other than English. 5 CCR § 11518.5(a) • Describes how the school will determine if the student is eligible for initial assessment if a parent or guardian HLS response indicates a primary or native language other than English, and if so, will promptly notify the parent or guardian, in writing, prior to the administration of the English Language Proficiency Assessments for California (ELPAC) initial assessment. 5 CCR § 11518.5(c) • Description demonstrates understanding of the likely English learner population, including subpopulations (e.g., newcomers, migrant students, long term English learners, English learners with disabilities). • Includes both integrated and designated English language development (ELD) in the school’s educational program. • Includes a comprehensive description of how the ELD program is designed to be based on sound educational theory, implemented effectively with sufficient resources and personnel, and evaluated for its effectiveness in having English learners overcome language barriers and meet the same academic goals set for all other students within a reasonable period of time. • Describes an instructional approach that is asset-based and responsive to different English learner characteristics and experiences. • Describes how English learners will be provided access to a full standards-based and relevant curriculum along with appropriate supports and services. • Instructional design and materials reflect high expectations and support high levels of language (English and other languages), literacy, and intellectual engagement. 	Yes	No	Page

<ul style="list-style-type: none"> • Ensures English learners have access to full range of instructional programs, including gifted and talented, Advanced Placement (AP), etc. • Describes evidence- and asset-based approaches for meeting the needs of English learners at all proficiency levels, including LTELs, and how the school will monitor the effectiveness of the supports provided. • Describes how the school will identify long term English learners (LTELs) and students at risk of becoming LTELs and monitor their progress in both English language proficiency and grade-level academic content. • Describes the school’s process and criteria for reclassifying a student from English learner to proficient in English meets state requirements per EC § 313(f). • Includes how the school will monitor the progress of reclassified students for a minimum of four years to ensure correct classification, placement, and additional academic support. • For a school site with 21 or more English learners, describes how it will meet state requirements for a functioning English Learner Advisory Committee (ELAC). 			
<p>10. Describes how the charter school will identify, meet the educational needs, and monitor progress of other subgroups (homeless, foster, ethnic subgroups, socio-economically disadvantaged, high-performing, at-promise).</p> <ul style="list-style-type: none"> • Describes how the school will meet state and federal requirements for identifying and meeting the needs of special student populations. • Describes specific strategies and services to addressing the needs of students in all of the identified subgroups. • Describes the assessments and other tools the school will use to monitor the progress of these student groups. 	Yes	No	Page

ELEMENT B: MEASURABLE PUPIL OUTCOMES **EC § 47605(c)(5)(B)**

The measurable pupil outcomes identified for use by the charter school. “Pupil outcomes,” for purposes of this part, means the extent to which all pupils of the charter school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the charter school’s educational program. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both schoolwide and for all pupil subgroups served by the charter school, as that term is defined in subdivision (a) of Section 52052. The pupil outcomes shall align with the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served by the charter school.

<p>1. Measurable student outcomes for all pupils and for each numerically significant subgroup, including specific assessment methods or tools listed for each outcome.</p> <ul style="list-style-type: none"> • Provides annual measurable goals and objectives for the school and for each numerically significant subgroup of pupils served for each of the eight state priorities. • Describes how pupil outcomes align with state priorities. • Provides goals that are appropriate, achievable and aligned to the school’s mission and instructional program. • Goals for English learner academic growth equal or exceed those for the expected growth of English proficient students. 	Yes	No	Page
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<ul style="list-style-type: none"> Objective means of measuring pupil outcomes must be capable of being used readily to evaluate the effectiveness of and to modify instruction for individual students and for groups of students.* 			
2. Specific annual actions designed to achieve the stated goals. <ul style="list-style-type: none"> Provides annual actions for each of the stated goal that are specific and there is a reasonable expectation they would achieve stated goals. 	Yes	No	Page
3. How pupil outcomes will address state content and performance standards in core academic areas. <ul style="list-style-type: none"> Explains alignment between pupil outcomes and state content and performance standards. 	Yes	No	Page
4. School-wide student performance goals students will achieve over a given period of time. <ul style="list-style-type: none"> Provides schoolwide goals and target dates for achievement, attendance, dropout, and graduation. Goals are SMART—Specific, Measurable, Achievable, Relevant, and Timebound. 	Yes	No	Page

ELEMENT C: MEASURABLE PUPIL PROGRESS

EC § 47605(c)(5)(C)

The method by which pupil progress in meeting those pupil outcomes is to be measured. To the extent practicable, the method for measuring pupil outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card.

1. How the school will monitor and measure student progress toward mastery of state standards and other goals identified above. <ul style="list-style-type: none"> Assessment tools include all required state and federal assessment (SBAC, ELPAC, etc.) for purposes of accountability. At least one assessment method or tool listed for each of the exit assessments. Provides a variety of alternative assessment types, including those that employ objective means of assessment consistent with the measurable pupil outcomes. Chosen assessments or assessment types are appropriate for standards and skills the school seeks to measure. 	Yes	No	Page
2. A plan for collecting, analyzing/utilizing and reporting student/school performance to charter school staff and to students' parents and guardians, and for utilizing the data continuously to monitor and improve the charter school's educational. <ul style="list-style-type: none"> Provides plan that is thorough and addresses data collection, analysis, and communication to all stakeholder groups. Describes the role and use of data to inform curriculum, instruction, tiered intervention, and enrichment. Describes the role and use of data to monitor and improve the charter school's educational program and operations by the staff, school site leadership, executive leadership, and governing board. Describes the role and use of data to inform stakeholders of school's performance. Provides, to the extent practicable, the method for measuring pupil outcomes for state priorities consistent with the way information is reported on a school accountability report card (SARC).* 	Yes	No	Page

The governance structure of the school, including, but not limited to, the process to be followed by the school to ensure parental involvement.

<p>1. Names and relevant qualifications of all persons whom the petitioner nominates to serve on the governing body of the charter school.</p> <ul style="list-style-type: none"> • Provides a list of names and qualifications for board members consistent with the bylaws. • Board members have a range of experience aligned to the needs of the school. • Experience could include legal, financial, instructional, facilities, operations and nonprofit leadership. • Ensures members reflect the community. • There will be active and effective representation of interested parties, including, but not limited to parents (guardians).* 	<p>Yes</p>	<p>No</p>	<p>Page</p>
<p>2. Provides Articles of Incorporation.</p> <ul style="list-style-type: none"> • Includes evidence of the charter school’s incorporation as a nonprofit public benefit corporation, if applicable. 	<p>Yes</p>	<p>No</p>	<p>Page</p>
<p>3. Summarizes the policies listed below:</p> <ul style="list-style-type: none"> • Conflict of Interest Policy & Conflict of Interest Code (Must be a stand-alone document that meets the requirements of the California Political Reform Act, Government Code § 87100 et seq.). • Complaint Policy. • Policies and Internal Controls to Prevent Fraud, Embezzlement and Conflict of Interest. 	<p>Yes</p>	<p>No</p>	<p>Page</p>
<p>4. Summarizes the bylaws. Bylaws should include:</p> <ul style="list-style-type: none"> • Mission statement. • An indemnification statement, or statement that limits the personal liability of board members. • Compliance with the Brown Act, the California Public Records Act, the Political Reform Act, and Government Code section 1090. • The minimum and maximum number of board members, their terms and term limits, and the selection process. • Powers and duties of board members and officers. • Rules and procedures for holding meetings, voting, and minimum number of meetings per year. • Procedure for removing a board member or officer. • Description of committees and how committees may be created or dissolved. • How a special or emergency board meeting may be called. • How the bylaws can be changed. 	<p>Yes</p>	<p>No</p>	<p>Page</p>
<p>5. Delineation of roles and responsibilities of the governing board and staff.</p> <ul style="list-style-type: none"> • Includes an organizational chart. • Description should include a focus on student achievement, providing strategic direction, recruiting and managing an exceptional school leader, raising resources, engaging in financial oversight, ensuring the school meets all compliance 	<p>Yes</p>	<p>No</p>	<p>Page</p>

<p>expectations and requirements of the authorizer, and running board operations (including member recruitment, committees, and meeting schedules).</p> <ul style="list-style-type: none"> • Demonstrates understanding of their role as policymakers and not operational leaders. 			
<p>6. If applicable, a clear description of the flexibility and level of autonomy the charter school has from the charter management organization (CMO) over budget, expenditures, personnel and daily operations</p> <ul style="list-style-type: none"> • Proposed contract between the school and management organization is submitted with specific sections of the contract referenced that clearly describe the charter school’s level of autonomy with respect to budget, expenditures, personnel, and daily operations. 	Yes	No	Page
<p>7. Size/composition of board, board committees and/or advisory councils.</p> <ul style="list-style-type: none"> • Describes board committees and composition. Should include at least finance, academic, and governance committees. 	Yes	No	Page
<p>8. Method for selecting initial board members and election/appointment for board member replacement.</p> <ul style="list-style-type: none"> • Describes where/how vacant positions will be publicized. • Describes the selection process—i.e., initial resume review, interview with governance committee, etc. • Describes criteria for selecting board members that align to the needs of the school, including specific expertise and skills needed on the board. Criteria should include willingness and commitment to participate in board activities. Experience and expertise could include legal, financial, instructional, facilities, operations, and nonprofit leadership. 	Yes	No	Page
<p>9. All meetings of the school’s governing board shall be called, held and conducted in accordance with the terms and provisions of Education Code Section 47604.1 and shall comply with the Ralph M. Brown Act (“Brown Act”).</p>	Yes	No	Page

ELEMENT E: EMPLOYEE QUALIFICATIONS

EC § 47605(c)(5)(E)

The qualifications to be met by individuals to be employed by the charter school.

<p>1. The qualifications to be met by individuals to be employed by the charter school.</p> <ul style="list-style-type: none"> • Ensures all teachers hold appropriate Commission on Teacher Credentialing certificates prior to school opening or the charter school shall request an emergency permit or a waiver from the Commission on Teacher Credentialing for individuals in the same manner as a school district. • Ensures teachers assigned to provide ELD and instruction in subject matter courses for ELs must have the appropriate authorizations. 	Yes	No	Page
<p>2. General qualifications for the various categories of employees (e.g., other administrative, instructional support, non-instructional support). These qualifications shall be sufficient to ensure the health and safety of the charter school’s faculty, staff, and students.</p> <ul style="list-style-type: none"> • Provides list of all positions and positions align with budget and the size of the school. • Staffing is reasonable given the education program proposed. 	Yes	No	Page

<ul style="list-style-type: none"> • A job description for each key position. • Provides general qualifications for all categories of positions. • Qualifications seem reasonable to ensure the competence of the charter school’s faculty. 			
3. Identifies those positions that the charter school regards as key and specifies the additional qualifications expected of individuals assigned to those positions and their responsibilities. <ul style="list-style-type: none"> • Key positions align with the needs of the educational program. • Qualifications ensure that staff have the capacity to perform in their roles. 	Yes	No	Page

ELEMENT F: HEALTH AND SAFETY

EC § 47605(c)(5)(F)

The procedures that the charter school will follow to ensure the health and safety of pupils and staff. These procedures shall require all of the following:

- (i) That each employee of the charter school furnishes the charter school with a criminal record summary as described in Section 44237.*
- (ii) The development of a school safety plan, which shall include the safety topics listed in subparagraphs (A) to (J), inclusive, of paragraph (2) of subdivision (a) of Section 32282.*
- (iii) That the school safety plan be reviewed and updated by March 1 of every year by the charter school.*

1. The procedures that the charter school will follow to ensure the health and safety of pupil and staff. <ul style="list-style-type: none"> • That each employee of the charter school furnishes the charter school with a criminal record summary. • Include the risk assessment/examination of faculty and staff for tuberculosis as described in EC § 49406.* • Require immunizations of pupils as a condition of school attendance to the same extent as would apply if the pupils attended a non-charter public school.* • Provide for the screening of pupils’ vision and hearing and the screening of pupils for scoliosis to the same extent as would be required if the pupils attended a non-charter public school.* • The development of a school safety plan, which includes the safety topics listed in EC 32282. • That the school safety plan be reviewed and updated by March 1 of every year by the charter school. 	Yes	No	Page
2. The charter school will adopt procedures to prevent acts of bullying and cyberbullying, and make the CDE online training module available to all employees who interact with students.	Yes	No	Page
3. Affirmation that charter schools with grades K–12 will adopt a suicide prevention policy.	Yes	No	Page
4. Provides the title of the position to serve as the school’s Custodian of Records per California Department of Justice requirements.	Yes	No	Page
5. The content and process for developing a comprehensive charter school safety plan. References include safety-related policies/procedures or the date by which they will be	Yes	No	Page

<p>adopted and submitted to the authorizer. Briefly addresses each of the following topics:</p> <ul style="list-style-type: none"> • The stakeholders who will be involved in developing and/or providing input on the plan. Include administrators, local first responders, legal counsel, and experts in school safety. • Child abuse reporting procedures. • Administration of medication. • Nutritionally adequate meals. • Feminine Hygiene Products. • California Healthy Youth Act. • Disaster procedures, including earthquake preparedness, procedures for allowing school grounds to be used as a disaster shelter, and adaptations for pupils with disabilities in accordance with the federal Americans with Disabilities Act. • Policies for pupils who committed certain serious acts that would lead to suspension, expulsion, or mandatory expulsion recommendations. • Procedures to notify teachers of dangerous pupils. • A discrimination and harassment policy. • The provisions of any schoolwide dress code that prohibits pupils from wearing “gang-related apparel,” if the school has adopted that type of a dress code. • Procedures for safe ingress and egress of pupils, parents, and school employees to and from school. • A safe and orderly environment conducive to learning at the school. • Procedures for conducting tactical responses to criminal incidents. 			
<p>6. Assurances on compliance with ADA (Americans with Disabilities Act).</p>	<p>Yes</p>	<p>No</p>	<p>Page</p>

ELEMENT G: BALANCED ENROLLMENT **EC § 47605(c)(5)(G)**

The means by which the charter school will achieve a balance of racial and ethnic pupils, special education pupils, and English learner pupils, including redesignated fluent English proficient pupils, that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition was submitted.

<p>Specific practices/policies the charter school will design and implement to attract a diverse applicant pool/enrollment that is reflective of the general population, including special populations residing within the territorial jurisdiction of the district.</p> <ul style="list-style-type: none"> • Practices and policies appear likely to achieve racial and ethnic balance. • Practices and policies appear likely to achieve a balance of special education enrollment reflective of the district, including students with moderate to severe disabilities. • Practices and policies appear likely to achieve a balance of English learner enrollment reflective of the district. 	<p>Yes</p>	<p>No</p>	<p>Page</p>
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ELEMENT H: ADMISSION POLICY & PROCEDURES **EC § 47605(c)(5)(H) & 47605(e)**

<p>1. If the number of pupils who wish to attend the charter school exceeds the charter school's capacity, attendance, except for existing pupils of the charter school, shall be determined by a public random drawing.</p>	Yes	No	Page
<p>2. If a pupil is expelled or leaves the charter school without graduating or completing the school year for any reason, the charter school shall notify the superintendent of the school district of the pupil's last known address within 30 days and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including report cards or a transcript of grades, and health information.</p>	Yes	No	Page
<p>3. Charter school shall not discourage a pupil from enrolling or seeking to enroll in the charter school for any reason.</p>	Yes	No	Page
<p>4. Charter school shall not request a pupil's records or require a parent, guardian or pupil to submit a pupil's records to the charter school before enrollment.</p>	Yes	No	Page
<p>5. Charter school shall not encourage a student currently attending the charter school to disenroll from the charter school or transfer to another school for any reason.</p>	Yes	No	Page
<p>6. Provides a clear and comprehensive description of the admissions policies and process from recruitment through enrollment.</p> <ul style="list-style-type: none"> • Admissions processes are not likely to be a deterrent to low-income and other at-risk groups. 	Yes	No	Page
<p>7. The manner in which the charter school will conduct a public random drawing in the event that the number of students who wish to attend the school exceeds the school's capacity.</p> <ul style="list-style-type: none"> • Open enrollment period(s) or timeline, and related enrollment procedures • Method(s) that the school will use to communicate to all interested parties the timeline, rules, and procedures to be followed during the open enrollment and lottery processes • Method that the school will use to ensure lottery procedures are fairly executed and that interested parties may attend and observe • Date, time, and location for the lottery each year, if needed • Procedures that the school will follow to determine waiting list priorities based upon lottery results and to enroll students from the waiting list • Means by which the school will notify parents/guardians of students who have been offered a seat as a result of the lottery or from the waiting list, and the procedures and timelines under which parents/guardians must respond in order to secure admission • Method for documenting the fair execution of lottery and waitlist procedures 	Yes	No	Page
<p>8. A clear description of legally allowed preferences and priority order.</p> <ul style="list-style-type: none"> • Preferences shall be extended to pupils currently attending the charter school and pupils who reside in the district in which the school is authorized, and students who reside within the former attendance area of a charter school that was converted from an existing public school. • Charter schools located in the attendance area of a public elementary school in which 50% or more of the pupils are eligible for free or reduced-price meals may give a preference in admissions to pupils who are currently enrolled in that public school and to pupils who reside in the public-school attendance area where the charter 	Yes	No	Page

<p>school is located.</p> <ul style="list-style-type: none"> Charter schools may give preferences to siblings of pupils admitted or attending the charter school and children of the charter school’s teachers, staff, and founders identified in the initial charter. Preferences shall be extended to pupils currently attending the charter school and pupils who reside in the school district. Additional preferences are consistent with federal law, the California Constitution, and EC § 200. Priority order of preferences is determined in the charter petition and shall not result in limiting enrollment access for pupils with disabilities, academically low-achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, or pupils who are economically disadvantaged, as determined by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation. Preferences shall not require mandatory parental volunteer hours as a criterion for admission or continued enrollment. 			
<p>9. Assurance that the school shall not discourage a student from enrolling or seeking to enroll in the charter school for any reason, including, but not limited to, academic performance or any characteristics of the student listed under EC § 47605(e)(2)(B)(iii).</p> <ul style="list-style-type: none"> The school shall not request a student’s records, including an IEP, or require a parent, guardian, or student to submit the student’s records to the school before enrollment. 	Yes	No	Page
<p>10. Assurance that the school will provide parents, guardians and pupils with the CDE Complaint Notice and Form at times specified in EC § 47605(e)(4).</p> <ul style="list-style-type: none"> Describes policies that provide for distribution of the Complaint Notice and Form to a parent or guardian, or student 18 years of age or older, when inquiring about enrollment, before conducting an enrollment lottery, and before disenrollment of a student. CDE Charter School Complaint Notice and Form is posted on school website. 	Yes	No	Page

ELEMENT I: ANNUAL FINANCIAL AUDITS

EC § 47605(c)(5)(I)

The manner in which annual, independent financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the chartering authority.

<p>1. Provides the position responsible for facilitating the annual audit process in conjunction with the school’s board.</p>	Yes	No	Page
<p>2. Assurance that the annual audit will employ generally accepted accounting principles.</p>	Yes	No	Page
<p>3. The process and timeline that the charter school will employ to conduct the audit.</p>	Yes	No	Page
<p>4. The process for addressing and resolving any deficiencies, findings, material weaknesses, or audit exceptions.</p>	Yes	No	Page
<p>5. The process and timeline for distribution of completed audit to authorizer, county office, State Controller, California Department of Education, and other agencies required under law.</p>	Yes	No	Page

6. An assurance that the charter school will satisfy any audit deficiencies to the satisfaction of the authorizer.	Yes	No	Page
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ELEMENT J: SUSPENSION AND EXPULSION **EC § 47605(c)(5)(J)**

The procedures by which pupils can be suspended or expelled from the charter school for disciplinary reasons or otherwise involuntarily removed from the charter school for any reason. These procedures, at a minimum, shall include an explanation of how the charter school will comply with federal and state constitutional procedural and substantive due process requirements that is consistent with all of the following:

(i) For suspensions of fewer than 10 days, provide oral or written notice of the charges against the pupil and, if the pupil denies the charges, an explanation of the evidence that supports the charges and an opportunity for the pupil to present the pupil's side of the story.

(ii) For suspensions of 10 days or more and all other expulsions for disciplinary reasons, both of the following:

(I) Provide timely, written notice of the charges against the pupil and an explanation of the pupil's basic rights.

(II) Provide a hearing adjudicated by a neutral officer within a reasonable number of days at which the pupil has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate.

(iii) Contain a clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the pupil or the pupil's parent or guardian or, if the pupil is a foster child or youth or a homeless child or youth, the pupil's educational rights holder, and shall inform the pupil, the pupil's parent or guardian, or the pupil's educational rights holder of the right to initiate the procedures specified in clause (ii) before the effective date of the action. If the pupil's parent, guardian, or educational rights holder initiates the procedures specified in clause (ii), the pupil shall remain enrolled and shall not be removed until the charter school issues a final decision. For purposes of this clause, 'involuntarily removed' includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions specified in clauses (i) & (ii).

<p>1. The school's student discipline procedures.</p> <ul style="list-style-type: none"> Includes a written student discipline policy that incorporates a student code of conduct and due process safeguards. The student code of conduct clearly defines student behavior infractions and provides a tiered system of related consequences. Describes the school's discipline philosophy and how it aligns with the school's mission and professional development. Addresses positive behavior support, tiered behavior interventions, and alternatives to suspension. Addresses how the school will involve the school community (i.e., parents, families, teachers, and staff) in developing the school's discipline procedures. Specifies when the school will engage parents/families in the discipline process, and maintains discipline documentation materials and communications with the student's parent/guardian. 	Yes	No	Page
<p>2. All offenses for which students must be suspended (i.e., non-discretionary suspension), may be suspended (i.e., discretionary suspension), and when in-school vs. out-of-school suspension will be used.</p> <ul style="list-style-type: none"> Provides list of offenses for all three categories of suspension. 	Yes	No	Page

<ul style="list-style-type: none"> If these lists of offenses are not aligned with the lists of offenses set forth in EC § 48900, explains the rationale for the difference(s) and how the lists provide adequate safety for students, staff, and visitors to the school and serve the best interests of students. 			
<p>3. A process for suspensions, including, oral or written notice of the charges against the pupil; if the pupil denies the charges, an explanation of the evidence that supports the charges; and how an opportunity will be provided for the pupil to present his/her rebuttal to the charges.</p> <ul style="list-style-type: none"> Establishes a clear and lawful process for conducting disciplinary hearings. Describes a process that addresses all three components. Requires written communication to the student’s parent/guardian after disciplinary hearings that specifies the consequences. Identifies a procedure by which parents, guardians, and pupils will be informed about reasons for suspension or expulsion and of their due process rights in regard to suspension or expulsion.* 	Yes	No	Page
<p>4. All offenses for which students must be expelled (i.e., non-discretionary expulsion), may be expelled (i.e., discretionary expulsion), and when in-school vs. out-of-school expulsion will be used.</p> <ul style="list-style-type: none"> Provides list of offenses for all three categories of suspension. If these lists of offenses are not aligned with the lists of offenses set forth in EC § 48900, explains the rationale for the difference(s) and how the lists provide adequate safety for students, staff, and visitors to the school and serve the best interests of students. Provide evidence that in preparing the lists for offenses specified and the procedures specified, the petitioners reviewed the lists of offenses and procedures that apply to students attending non-charter public schools, and provide evidence that the charter petitioners believe their proposed lists of offenses and procedures provide adequate safety for students, staff and visitors to the school and serve the best interests for the school’s pupils and their parents (guardians).* 	Yes	No	Page
<p>5. A process for expulsions, including, timely, written notice of the charges against the pupil and an explanation of the pupil’s basic rights; and a process of hearing adjudicated by a neutral officer within a reasonable number of days, and at which the pupil has the right to bring legal counsel or an advocate.</p> <ul style="list-style-type: none"> Establishes a clear and lawful process for conducting disciplinary hearings. Describes a process that addresses these components. Requires written communication to the student’s parent/guardian after disciplinary hearings that specifies the consequences. 	Yes	No	Page
<p>6. A clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice and that ensures the written notice shall be in the native language of the pupil or the pupil’s parent or guardian.</p> <ul style="list-style-type: none"> No pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice and that ensures the written notice shall be in the native language of the pupil or the pupil’s parent or guardian. 	Yes	No	Page

<ul style="list-style-type: none"> There will be a hearing adjudicated by a neutral officer within a reasonable number of days at which the student has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the student has the right to bring legal counsel or an advocate. 			
7. Understanding of relevant laws protecting constitutional rights of students. <ul style="list-style-type: none"> Provides for due process for all students. Demonstrates understanding of the rights of students with disabilities in regard to suspension, expulsion and involuntary dismissal. Outlines how detailed policies and procedures regarding suspension and expulsion will be developed and periodically reviewed, including, but not limited to, periodic review (as necessary) and modification of the list of offenses for which students are subject to suspension or expulsion. 	Yes	No	Page

ELEMENT K: EMPLOYEE RETIREMENT SYSTEMS **EC § 47605(c)(5)(K)**

The manner by which staff members of the charter school will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security.

1. A statement of what retirement options will be offered to employees <ul style="list-style-type: none"> Identifies the retirement options that will be provided with language clearly reflecting one of the following choices for each retirement system: <ul style="list-style-type: none"> coverage will be offered to eligible employees; the charter school retains the option to elect the coverage at a future date; and the charter school will not offer coverage. Specifies the positions to be covered under each system.* 	Yes	No	Page
2. Position responsible for ensuring that appropriate arrangements for coverage are made.	Yes	No	Page

ELEMENT L: ATTENDANCE ALTERNATIVES **EC § 47605(c)(5)(L)**

The public-school attendance alternatives for pupils residing within the school district who choose not to attend the charter school. <ul style="list-style-type: none"> Provides a list of the attendance alternatives for students residing within the school district who choose not to attend the charter school. Addresses how parents and students will be informed of their public school attendance alternatives. 	Yes	No	Page
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ELEMENT M: EMPLOYEE RIGHTS **EC § 47605(c)(5)(M)**

The rights of an employee of the school district upon leaving the employment of the school district to work in a charter school, and any rights of return to the school district after employment at a charter school. <ul style="list-style-type: none"> Any other rights upon leaving employment to work in the charter school and any rights to return to a previous employer after working in the charter school that the OCBE determines to be reasonable and not in conflict with any provisions of law that apply to the charter school or to the employer from which the employee comes to the charter school or to which the employee returns from the charter school.* 	Yes	No	Page
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ELEMENT N: DISPUTE RESOLUTION**EC § 47605(c)(5)(N)**

The procedures to be followed by the charter school and the county board of education to resolve disputes relating to provisions of the charter.

<p>1. A process for the charter school and the authorizer to settle disputes relating to the provisions of the charter</p> <ul style="list-style-type: none"> • If the authorizer does have a dispute resolution policy, the petition describes how the school will follow it. • If the authorizer does not have a dispute resolution policy, the petition describes a process for the school and the authorizer to settle disputes relating to the provisions of the charter. • Includes any specific provisions relating to dispute resolution that the OCBE determines necessary and appropriate in recognition of the fact that the OCBE is not a local district.* • Describes the cost of the dispute resolution process, if needed, would be funded.* • Recognize that, because it is not a local district, the OCBE may choose to resolve a dispute directly instead of pursuing the dispute resolution process specified in the charter, provided that if the OCBE intends to resolve a dispute directly instead of pursuing the dispute resolution process specified in the charter, it must first hold a public hearing to consider arguments for and against the direct resolution of the dispute instead of pursuing the dispute resolution process specified in the charter.* 	Yes	No	Page
<p>2. Acknowledgement that except those disputes between the chartering authority and the charter school, all disputes involving the charter school shall be resolved by the charter school according to the charter school's own internal policies</p>	Yes	No	Page
<p>3. Statement that if any such dispute concerns facts or circumstances that may be cause for revocation of the charter, the authorizer shall not be obligated by the terms of the dispute resolution process as a precondition to revocation.</p>	Yes	No	Page

ELEMENT O: CLOSURE PROCEDURES**EC § 47605(c)(5)(O)**

The procedures to be used if the charter school closes. The procedures shall ensure a final audit of the charter school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records.

<p>The procedures to be used if the charter school closes.</p> <ul style="list-style-type: none"> • The position responsible for conducting closure-related activities. • Process for submission of final financial reports, expenditure reports for entitlement grants, and the filing of any required final expenditure and performance reports. • The maintenance plan for pupil records and the manner in which parents/guardians may obtain copies of pupil records if the charter school closes, including how information will be preserved and transferred. • A process for ensuring a final audit of the charter school, including the disposition of the charter school's assets, plans for disposing net assets, and the transfer and maintenance of personnel records in accordance with applicable law. <ul style="list-style-type: none"> ○ Audit includes an accounting of all financial assets, including cash and accounts receivable and an inventory of property, equipment, and other items of material 	Yes	No	Page
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<p>value.*</p> <ul style="list-style-type: none"> ○ Audit includes an accounting of the liabilities, including accounts payable and any reduction in apportionments as a result of audit findings or their investigations, loans, and unpaid staff compensation.* ○ Audit includes an assessment of the disposition of any restricted funds received by or due to the charter school.* ● An assurance the audit will be conducted within six months of closure. ● Disposal of any net assets remaining after all liabilities of the charter school have been paid or otherwise addressed, including but not limited to, the following:* <ul style="list-style-type: none"> ○ The return of any grant funds and restricted categorical funds to their source in accordance with the terms of the grant or state and federal law, as appropriate, which may include submission of final expenditure reports for entitlement grants and the filing of any required Final Expenditure Report and Final Performance Reports.* ○ The return of any donated materials and property in accordance with any conditions established when the donation of such materials or property was accepted.* ● Notification of closure of the charter school to parents (guardians) of pupils, the county office of education, the special education local plan areas in which the school participates, the retirement systems in which the school’s employees participate (e.g., Public Employees’ Retirement System, State Teachers’ Retirement System, and federal social security), and the California Department of Education, providing at least the following:* <ul style="list-style-type: none"> ○ Effective date of closure.* ○ Name of and contact information for the person(s) to whom reasonable inquiries may be made regarding the closure.* ○ The pupils’ school districts of residence.* ○ The manner in which parents (guardians) may obtain copies of pupil records, including specific information on completed courses and credits that meet graduation requirements.* ● Provision of a list of pupils in each grade level and the classes they have completed, together with information on the pupils’ district of residence, to the responsible entity designated.* ● Completion and filing of any annual reports required.* ● Identification of funding for the closure activities identified above.* 			
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