

# Fresno County Office of Education

1111 Van Ness Avenue  
Fresno, California 93721



## Charter School Petition Appeal

Submission Packet  
to  
Fresno County Office of Education

Charter Schools Unit  
Fresno County Office of Education



# FRESNO COUNTY OFFICE OF EDUCATION

1111 Van Ness Avenue

Fresno, California 93721

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## Charter School Petition Appeal Submission Packet

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## REQUIRED FORMS



Form A	Notice of Intent
Form B	Applicant Information
Form C	Charter Information
Form D	Request for Information from Prospective Charter School Board Members
Form E	Assurances

Electronic versions of the forms may be downloaded from  
[www.fcoe.org/charters](http://www.fcoe.org/charters)



# Fresno County Office of Education Fresno, California

## Charter School Petition Appeal Submission Packet

### T I M E L I N E

Action	Timeline
1. Petitioner submits Form A: <i>Notice of Intent to Appeal the Denial of Charter Petition</i>	Minimum of 180 days prior to expiration of current charter.
2. Petitioner submits: <ul style="list-style-type: none"><li>▪ Items listed in Section A on page 4 of this packet</li><li>▪ <b>FCOE Charter Petition Review Matrix</b> indicating where each of the required elements can be located in the petition.</li></ul>	Within 180 days of expiration of current charter
3. Petition is submitted to the Board of Education	First available meeting following the packet submission.
4. Public hearing	30 days from receipt of petition by Board of Education.
4. Decision by the Board of Education	60 days from receipt of petition by Board of Education.
5. Agreement by petitioner and FCOE that additional time is required ( <i>optional</i> )	30 day extension of timeline



# Charter School Petition Appeal Process

Fresno County Office of Education

The Board of Education and the staff of the Fresno County Office of Education (FCOE) view the responsibility to provide a quality education to all students in Fresno County as a serious undertaking. In that light, we are interested in authorizing only high quality charter schools that:

- Share our vision of equity and success for the students of Fresno County
- Implement innovative and effective approaches to educating students
- Implement effective instructional strategies to serve underperforming populations
- Narrow the achievement gap among students of various backgrounds
- Demonstrate fiscal viability
- Provide sound governance that is free of conflict of interest

The foundational document guiding all charter school operations is the petition. An approved petition is a performance contract between FCOE and the charter school. As such, terms of the contract must be delineated as clearly as possible, especially with regard to student performance measures. A comprehensive well-written petition provides clear operating procedures for the charter school and objective measures to which FCOE will hold the charter school accountable.

This Charter School petition appeal submission packet is designed to give petitioners a clear outline of what FCOE considers to be a “reasonably comprehensive” charter petition.

## A. Submitting the Charter School Petition Appeal

**Only complete submission packets will be reviewed.**

*The charter school petition appeal review timeline becomes effective after all of the following have been submitted. Please assemble fifteen (15) binders containing the following items with tabs separating each numbered requirement.*

- 1. Table of Contents
- 2. Notice of Intent to Appeal the Denial of a Charter School Form A  
Petition
- 3. Copy of Signature pages (50%) of either parents or teachers meaningfully interested
- 4. A signed certification that the petitioner(s) will comply with all applicable laws
- 5. One CD of the original Charter Petition, and supporting documents
- 6. FCOE Charter Review Matrix with page numbers identifying the location of required information indicated in the second column of the matrix
- 7. Required Forms:
  - Applicant Information for each Lead Petitioner* Form B
  - Applicant Information for School Director/Principal* Form B
  - Applicant Information for Financial Manager* Form B
  - Charter Information* Form C
  - Request for Information from Prospective Board Members* Form D
  - Assurances* Form E
- 8. Proposed budget (current year and subsequent three years)
- 9. Articles of Incorporation for the non-profit organization
- 10. By-laws for the non-profit organization
- 11. Resumes and credentials of all teachers

The above items must be delivered to:

Charter Schools Unit  
Fresno County Office of Education  
1111 Van Ness Avenue, 3<sup>rd</sup> Floor  
Fresno, CA 93721



## Charter School Petition Appeal Process

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### B. Petition Review

The petition for a charter school is reviewed utilizing the Fresno County Office of Education Charter Petition Review matrix presented as a part of this application packet.

According to California Code of Regulations, 5 CCR s 11967.5.1 (g) A "reasonably comprehensive" description, within the meaning subdivision (f) of this section and Education Code section 47605(b)(5) shall include, but not be limited to, information that:

- (1) Is substantive and is not, for example, a listing of topics with little elaboration
- (2) For elements that have multiple aspects, addresses essentially all aspects of the elements, not just selected aspects
- (3) Is specific to the charter petition being proposed, not to charter schools, or charter petitions generally
- (4) Describes, as applicable among the different elements, how the charter school will:
  - (A) Improve pupil learning
  - (B) Increase learning opportunities for its pupils, particularly pupils who have been identified as academically low achieving
  - (C) Provide parents, guardians, and pupils with expanded educational opportunities
  - (D) Hold itself accountable for measurable, performance-based pupil outcomes
  - (E) Provide vigorous competition with other public school options available to parents, guardians, and students

The Fresno County Governing Board and the FCOE staff view 5 CCR s 11967.5.1 (g) as meaningful guidelines for reviewing charter applications and have incorporated this guidance into the Charter Petition Review matrix.

### C. Petition Team Capacity Interview

In addition to a review of the charter petition, the Charter Schools Review Team may hold an interview with the petitioner team and the Board of Directors to gauge the experience and expertise of its members in the areas of:

- Curriculum, instruction and assessment
- Finance and business operation
- School administration, including on-site leadership and on-site financial management
- School governance

If requested by FCOE, this interview is mandatory and must be attended by members of the petitioner team who have expertise in all of the above areas. If a Board of Directors has been identified, at least two members must attend.

### D. Fresno County Board of Education Approval Process

Within the guidelines delineated in Education Code § 47605, the Fresno County Board of Education will make a final decision regarding the granting or denial of the charter petition appeal. Petitions may be approved with conditions, including but not limited to the following:

- For a classroom-based program, that a site be secured with an appropriate Certificate of Occupancy 45 days prior to the opening of school



## Charter Appeal Process

Fresno County Office of Education

- That the school's student recruitment process not begin until the above condition has been met
- That a qualified principal be hired prior to the opening of the school and that the charter school notify Fresno County Office of Education's Charter Schools Unit 45 days prior to the opening of the school
- That the charter school and the Fresno County Office of Education ensure that all required Memorandums of Understanding (MOUs) have been addressed

The Board of Education will not deny a petition unless it makes written factual findings setting forth specific facts to support one or more of the following:

- The charter school presents an unsound educational program for students
- The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition
- The petition does not contain the required number of signatures
- The petition does not contain the necessary affirmations
- The petition does not contain reasonably comprehensive descriptions of the required elements for a charter school

If you have any questions about the application process, please do not hesitate to contact the Fresno County Office of Education, Charter Schools Unit.

Fiscal questions: Donna Ellis, District/Charter Business Analyst  
(559) 265-3021, Ext. 1-3301, [dellis@fcoe.org](mailto:dellis@fcoe.org)

Robert Nakamura, Senior Accountant  
(559) 265-3022, Ext. 1-3198, [rnakamura@fcoe.org](mailto:rnakamura@fcoe.org)

Program Interaction: Michele Cantwell-Copher, Ed.D.  
[mcopher@fcoe.org](mailto:mcopher@fcoe.org), (559) 265-4036



**Notice of Intent to Appeal the Denial of a Charter School Petition**  
Fresno County Office of Education

**Form A**

**CHARTER SCHOOL INFORMATION**

Name of proposed charter school: \_\_\_\_\_

General location (including district) of proposed school: \_\_\_\_\_

Projected grade levels: \_\_\_\_\_ Projected enrollment: \_\_\_\_\_ Goal date for opening school: \_\_\_\_\_

**LEAD PETITIONER INFORMATION**

Name of lead petitioner: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_

Daytime Phone Number(s): \_\_\_\_\_ or \_\_\_\_\_ FAX \_\_\_\_\_

Email address: \_\_\_\_\_

**LIST CHARTER DEVELOPMENT TEAM MEMBERS**

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Sponsoring District \_\_\_\_\_

Submitted to Sponsoring District as a  New Charter Petition  Renewal Petition

Denied by Sponsoring District on \_\_\_\_\_, 20\_\_\_\_.

(Attach any correspondence from sponsoring district related to the denial.)

\_\_\_\_\_

**CERTIFICATION**

I/we certify that we are interested in appealing the denial of the charter school petition for the \_\_\_\_\_ Charter School.

Print Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_





**Applicant Information-ATTACH RESUME**  
**CHARTER SCHOOL PETITION APPEAL**  
*Fresno County Office of Education*

**Form B**

Applicant's Position with Charter School <input type="checkbox"/> Lead Petitioner <input type="checkbox"/> Director/Principal <input type="checkbox"/> On-Site Financial Manager		
Name of Applicant (First/Middle/Last)		
Other Names Used (i.e. Maiden/Former Married)		
Current Address		
City	State	Zip

**Background Information**  
**Include this information in the attached resume:**

- Education History
- Employment History – If applicable, include previous experience with Charter Schools
- Professional Licenses/Credentials
- Professional Affiliations (Corporate Positions, Board Positions, etc)
- Fictitious Business Name Affiliations
- Professional References
- If applicable – Arrests and/or Convictions

**Proposed (Appeal) Charter School**

Charter School Name:		
Address (if available):		
City:	State:	Zip:
Legal Entity Behind Charter School (if available)		
Other Charter Schools with which Affiliated (prior and current):		
Location of Other Charter Schools:		

**Authorization to release Information**

My signature affirms that all information on this application is true to the best of my knowledge. Further, I authorize all employers, institutions, government agencies and persons named as references to release information for use in establishing my qualifications and credentials for this position: This authorization:

- Removes all liability from those who provide information and verification in response to any information I have stated in applying on behalf of the above referenced Charter School.
- Releases the Fresno County Office of Education and any agent acting on its behalf from any and all liability of whatever nature in requesting or using such information to assess my candidacy on behalf of the above referenced Charter School.
- Is valid during my entire candidacy and during any resulting period of employment with the above referenced Charter School.
- Is an indication of my knowledge and understanding that the information provided in this application will be used to examine my background and my knowing and voluntary agreement to the background information being publicly disclosed as part of the charter/appeal petition and review process.

**Signature**

Applicant:	
Title:	Date:



**Charter Information**  
**CHARTER SCHOOL PETITION APPEAL**  
*Fresno County Office of Education*

This page is to be submitted with your final charter petition. The information you supply will be incorporated into the Board Report that will be submitted to the Fresno County Board of Education on your behalf. Use additional pages as needed to provide the following information:

1. Name of organization or individuals applying for charter: \_\_\_\_\_

\_\_\_\_\_

2. Grade levels to be served by the proposed charter school: \_\_\_\_\_

3. Number of students proposed to be served: \_\_\_\_\_

4. Location address or target districts: \_\_\_\_\_

5. Proposed instructional setting(s): \_\_\_\_\_

6. Facility status and location(s): \_\_\_\_\_

7. Board of Directors: (list):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. 3-5 top leaders and their positions:  
Leader Position

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9. Are there any "sister" charters? \_\_\_Yes \_\_\_No  
If yes, indicate location: \_\_\_\_\_

\_\_\_\_\_

10. Provide information on any management company with which your charter school will contract. Use additional pages, if necessary.

Name and Contact Information for Management Company: Service to be provided:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

11. Provide a description of the Instructional Philosophy:



**Charter Information**  
**CHARTER SCHOOL PETITION APPEAL**  
*Fresno County Office of Education*

12. Describe the innovative elements of your charter that could be considered to be “best practices” and could be replicated by other schools:

13. Per Education Code Section 47607J(b), a charter may only be renewed when one of the following requirements is met:

1. Attainment of the API growth target in the prior year or in two of the last three years
2. API (state) rank of 4 or above in the prior year or in two of the last three years
3. API (comparable schools) rank of 4 or above in the prior year or in two of the last three years
4. A positive determination by the chartering authority regarding the comparative academic performance of the charter school
5. Qualification by the charter school for the Alternative School Accountability Model (see California Code of Regulations, Title 5, Sections 1068-1074)

Please describe how your charter satisfies this requirement and attach supporting documentation.



**REQUEST FOR INFORMATION FROM  
PROSPECTIVE CHARTER SCHOOL BOARD MEMBERS  
CHARTER SCHOOL PETITION APPEAL**

As you are already aware, serving on a public charter school board is a position of great trust and responsibility. As a board member of a public school, you are not only ultimately responsible for the education of all students enrolled in the school, but also entrusted with the obligation to see that the public monies which are given to the charter school are legally and wisely spent.

By providing the requested information, prospective board members will assist the Board of Education in determining if the application demonstrates that the school will be run in a financially, organizationally and educationally sound manner.

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**Background**

Will you will be at least eighteen years old by January 1 of the year in which you plan to serve as a board member for the charter school?  Yes  No

**Using this "Form D" as a cover sheet, submit typed responses to the inquiries on this page:**

1. Indicate how you became aware of the proposed charter school and the opportunity to serve as a member of its board if it is chartered, including who invited you, if applicable, to sit on the board.
2. Explain why you wish to serve on the board.
3. Please indicate if you have previously served on a board of a school district or a not-for-profit corporation (including the board of a non-public school) and describe any relevant experience.
4. Describe your understanding of the appropriate role of a public charter school board member.
5. Indicate specifically the knowledge and experience that you would bring to the board.

\_\_\_\_\_  
Name (please print)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



## Charter School Petition Appeal Submission Packet ASSURANCES

This form is intended to be signed by a duly authorized representative of the applicant and submitted with the Charter School Petition Appeal Submission Packet.

As the authorized representative of the applicant, I hereby certify that the information submitted in this application for a charter for \_\_\_\_\_ (name of school) to be located at \_\_\_\_\_ is true to the best of my knowledge and belief; I also certify that this application does not constitute the conversion of a private school to the status of a public charter school; and further I understand that if awarded a charter, the school;

1. Will meet all statewide standards and conduct the student assessments required, pursuant to Education Code §60605, and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools. *[Ref. California Education Code §47605(c)(1)]*
2. Will/will not (**circle one**) be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Act (Chapter 10.7 (commencing with §3540) of Division 4 of Title 4 of Title 1 of the Government Code.<sup>2</sup> *[Ref. California Education Code §47605(b)(5)(O)]*
3. Will be nonsectarian in its programs, admissions policies, employment practices, and all other operations. *[Ref. California Education Code §47605(d)(1)]*
4. Will not charge tuition. *[Ref. California Education Code §47605(d)(1)]*
5. Will admit all students who wish to attend the school, and who submit a timely application, unless the school receives a greater number of applications than there are spaces for students, in which case each applicant will be given equal chance of admission through a random lottery process. *[Ref. California Education Code §47605(d)(2)(B)]*
6. Will not discriminate against any student on the basis of ethnic background, national origin, gender, or disability. *[Ref. California Education Code §47605(d)(1)]*
7. Will adhere to all provisions of federal law relating to students with disabilities, including the IDEA, Section 504 of the Rehabilitation Act of 1974, and Title II of the Americans with Disabilities Act of 1990, that are applicable to it.
8. Will meet all requirements for employment set forth in applicable provisions of law, including, but not limited to credentials, as necessary. *[Ref. Criteria for Review, §11967.5.1(f)(5)]*
9. Will ensure that teachers in the school hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools are required to hold. As allowed by

statute, flexibility will be given to non-core, non-college preparatory teachers. *[Ref. California Education Code §47605(l)]*

10. Will at all times maintain all necessary and appropriate insurance coverage.
11. Will follow any and all other federal, state, and local laws and regulations that pertain to the applicant or the operation of the charter school.

\_\_\_\_\_  
Name of Authorized Representative (please print)

\_\_\_\_\_  
Signature of Authorized Representative

\_\_\_\_\_  
Date