

Fresno County Office of Education

1111 Van Ness Avenue
Fresno, California 93721



Application Packet for the Establishment of a Countywide Benefit Charter School

Submission Packet
to
Fresno County Office of Education



FRESNO COUNTY OFFICE OF EDUCATION

1111 Van Ness Avenue
Fresno, California 93721

Fiscal: Telephone (559)265-3021 Fax (559)237-3251
Curriculum/Instruction: (559)265-4036

Application Packet for the Establishment of a Countywide Benefit Charter School

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Application Packet for the Establishment of a
Countywide Benefit Charter School

REQUIRED FORMS



Form A	Notice of Intent to Submit a Countywide Benefit Charter School Petition
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



Fresno County Office of Education Fresno, California

Application Packet for the Establishment of a
Countywide Benefit Charter School

TIMELINE

Action	Timeline
1. Petitioner submits Form A: <i>Notice of Intent to Submit a Countywide Benefit Charter School Petition</i>	When petitioner determines that proposed charter school petition meets the definition of "countywide benefit".
2. Petitioner submits: <ul style="list-style-type: none">▪ Items listed in Section A on page 4 of this packet▪ <i>FCOE Charter Petition Review Matrix</i> indicating where each of the required elements can be located in the petition.	When petitioner determines that the required documents are completed as described.
3. Public hearing	60 days from receipt of complete application packet.
4. Decision by the Board of Education	90 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



Establishment of a Countywide Benefit Charter School

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 countywide benefit application packet is designed to give petitioners a clear outline of what FCOE considers to be a "reasonably comprehensive" charter petition.

A. Submitting the Application

Only complete application packets will be reviewed.

The charter 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 Submit a Countywide Benefit Charter Form A
School 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:

Richard A. Martin, Deputy Superintendent/CFO
Fresno County Office of Education
1111 Van Ness Avenue, 2nd Floor
Fresno, CA 93721



Establishment of a Countywide Benefit Charter School

Fresno County Office of Education

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 § 47605.6, the Fresno County Board of Education will make a final decision regarding the granting or denial of the charter petition. 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



Establishment of a Countywide Benefit Charter School

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 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
- Any other basis that the Board finds justifies the denial of the petition.

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

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

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

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



Applicant Information-ATTACH RESUME

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 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 petition and review process.

Signature

Applicant:	
Title:	Date:



Charter Information
CHARTER SCHOOL PETITION
Fresno County Office of Education

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

14. Provide a description of the School’s Philosophy:

15. Rationale for why this unique charter school cannot be authorized by a district:



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

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.

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



ASSURANCES

This form is intended to be signed by a duly authorized representative of the applicant and submitted with the Charter School Petition 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.² *[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



Charter Petition Review

PETITION FOR ESTABLISHMENT OF A COUNTYWIDE BENEFIT CHARTER SCHOOL
 Fresno County Office of Education

- Initial Petition
- Renewal Petition

Proposed Charter School	Petitioner Contact Information	Petition Review and Presentation Timelines (Office Use Only)		
Name of Proposed Charter School:	Name:	Petition Presented to Fresno County Office of Education	Public Hearing 60 days from receipt Date Due: Date Held:	Decision by Board of Education 90 days from receipt, may be extended by 30 days if agreed by petitioner(s) and FCOE Date Due: _____ <input type="checkbox"/> 30 day extension to: _____ Date Held: _____
	Phone:			
Location(s) of Proposed Charter School site(s): (District/Address)	Email:			
	Address:			
		Date:		

Area of Review	Name and Position of Reviewer	Date(s) of Review
General Petition Requirements		
Dispute Resolution		
Educational Program		
English Language Learner Services		
Fiscal Viability		
Governance		
Health and Safety		
Independent Study		
Personnel		
Special Education Services		
Student Discipline		
Other:		



Charter Petition Review
PETITION FOR ESTABLISHMENT OF A COUNTYWIDE BENEFIT CHARTER SCHOOL
 Fresno County Office of Education

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**PETITION FOR ESTABLISHMENT OF A COUNTYWIDE BENEFIT CHARTER SCHOOL
REVIEW MATRIX**

Requirement	Found on page:	Item No.	Evaluation Criteria	Evaluation		Education Code Reference (Considered by CDE to be minimum requirement)
				Meets or Exceeds required standard	Fails to meet required standard	
COE Countywide Charter Requirements		COE a.	The petition provides a description of the student population to be served by the charter school and why that population will benefit from those services.			47605.6 (a)(1) A county board of education may only approve a countywide charter if it finds, in addition to the other requirements of this section, that the educational services to be provided by the charter school will offer services to a pupil population that will benefit from those services and that cannot be served as well by a charter school that operates in only one school district in the county.
		COE b.	The petitioner provides clear evidence that the identified pupil population cannot be served as well by a charter school that operates in only one school district in the county.			
		COE c.	The petitioner provided reasonable justification for why the charter school, based on sound educational practice, could not be established in a school district rather than through a county office of education.			47605.6(b) A county board of education may grant a charter for the operation of a school under this part only if the board is satisfied that granting the charter is consistent with sound educational practice and that the charter school has reasonable justification for why it could not be established by petition to a school district pursuant to Section 47605.
		COE d.	The petitioner provides evidence that the districts in which the charter school would operate have been notified of the petitioner's intent to operate a charter school within the boundaries of the school district.			47605.6 (a)(1)(A)...each of the school districts where the charter school petitioner proposes to operate a facility has received at least 30 days notice of the petitioner's intent to operate a school pursuant to this section.
		COE e.	The petition acknowledges that should the charter be granted, any additional sites will require: <ul style="list-style-type: none"> • A request for a material revision to the charter • Notification of affected districts • Approval by the county board of education at a public meeting 			47605.6(a)(3) After receiving approval of its petition, a 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. The charter school shall also request a material revision of its charter by the county board of education that approved its charter and the county board shall consider whether to approve those additional locations at an open, public meeting, held no sooner than 30 days following notification of the school districts where the sites will be located. If approved, the location of the approved sites shall be a material revision of the school's approved charter.
		COE f.	The petition acknowledges that should the charter be granted the petitioner will provide written notice of the approval and a copy of the petition to: <ul style="list-style-type: none"> • The school districts within the county • The Superintendent of Public Instruction • The State Board of Education 			47605.6(j) Upon the approval of the petition by the county board of education, the petitioner or petitioners shall provide written notice of that approval, including a copy of the petition, to the school districts within the county, the Superintendent of Public Instruction and to the State Board of Education.
		COE g.	The petitioner provides the location of each proposed charter school facility.			47605.6(b)(5) The petition does not contain a reasonably comprehensive description of : (D) the location of each charter school facility that the petitioner proposes to operate.
		COE h.	Petition acknowledges that in a countywide charter school all teachers must be fully credentialed in the same manner as all other California public schools.			47605.6 (l) Teachers in charter schools shall be required to hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold. These documents shall be maintained on file at the charter school and shall be subject to periodic inspection by the chartering authority.

Area of Requirement	Found on page:	Item No.	Evaluation Guidance - (Provided for guidance purposes only- Primarily based on 5 CCR describing how the State Board will review a charter application - this is not a checklist of required items)	Evaluation		Education Code Reference (Required Elements)
				Meets or Exceeds required standard	Fails to meet required standard	
				47605.6 (b) The county board of education shall deny a petition for the establishment of a charter school if the board finds, one or more of the following:		
1 Petition Requirements		1a.	The petition has been signed by a number of parents or guardians equivalent to at least one-half of the number of pupils the charter estimated for year one.	1a or 1b		47605.6(b)(3) The petition does not contain the number of signatures required by subdivision (a). 47605.6(a)(1)(A) The petition has [not] been signed by a number of parents or guardians for pupils residing within the county that is equivalent to at least one-half of the number of pupils that the charter school estimates will enroll in the school for its first year of operation and each of the school districts where the charter school petitioner proposes to operate a facility has received at least 30 days notice of the petitioner's intent to operate a school pursuant to this section.
		OR	<i>1a. or 1b. - only one is required</i>			
		1b.	The petition has been signed by a number of teachers equivalent to at least one-half of the number of teachers estimated to be employed at the school during the first year of operation.			47605.6(a)(1)(B) The petition has [not] been signed by a number of teachers that is equivalent to at least one-half of the number of teachers that the charter school estimates will be employed at the school during its first year of operation and each of the school districts where the charter school petitioner proposes to operate a facility has received at least 30 days notice of the petitioner's intent to operate a charter school pursuant to this section.
		1c.	The petition includes a prominent statement that a signature on the petition means that the parent or guardian is meaningfully interested in having his or her child, or ward, attend the charter school, or in the case of a teacher's signature, means that the teacher is meaningfully interested in teaching at the charter school.			47605.6(a)(4) A petition shall include a prominent statement indicating that a signature on the petition means that the parent or guardian is meaningfully interested in having his or her child or ward attend the charter school, or in the case of a teacher's signature, means that the teacher is meaningfully interested in teaching at the charter school. The proposed charter shall be attached to the petition.
2 Affirmations		The petition contains the following affirmations:				The petition does not contain an affirmation of each of the conditions described in subdivision (d).
		2a.	1. Statements that the school will be nonsectarian in its programs, admission policies, employment practices, and all other operation, shall not charge tuition, and shall not discriminate against any pupil on the basis of ethnicity, national origin, gender, or disability.			47605.6(e)(1) In addition to any other requirement imposed under this part, a charter school shall be nonsectarian in its programs, admission policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against any pupil on the basis of ethnicity, national origin, gender, or disability.
		2b.	2. Statements that the charter school shall admit all pupils who wish to attend the school.			47605.6(e)(2)(A) A charter school shall admit all pupils who wish to attend the school. (B) However, if the number of pupils who wish to attend the charter school exceeds the school's capacity, attendance, except for existing pupils of the charter school, shall be determined by a public random drawing. Preference shall be extended to pupils currently attending the charter school and pupils who reside in the county except as provided for in Section 47614.5. Other preferences may be permitted by the chartering authority on an individual school basis and only if consistent with the law. (C) In the event of a drawing, the county board of education shall make reasonable efforts to accommodate the growth of the charter school and, in no event, shall take any action to impede the charter school from expanding enrollment to meet pupil demand.
		2c.	3. Statements that if the number of pupils who wish to attend the charter school exceeds the school's capacity, attendance, except for existing pupils of the charter school, shall be determined by a public random drawing as described in (B).			
		2d.	4. Statements that in the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the charter school and, in no event shall take any action to impede the charter school from expanding enrollment to meet pupil demand.			

Area of Requirement	Found on page:	Item No.	Evaluation Guidance - (Provided for guidance purposes only- Primarily based on 5 CCR describing how the State Board will review a charter application - this is not a checklist of required items)	Evaluation		Education Code Reference (Required Elements)
				Meets or Exceeds required standard	Fails to meet required standard	
		2e.	5. Statements that 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 a transcript of grades or report card, and health info.			47605.6(d)(3) 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 a transcript of grades or report card, and health information.

Area of Requirement	Found on page:	Item No.	Evaluation Guidance - (Provided for guidance purposes only- Primarily based on 5 CCR describing how the State Board will review a charter application - this is not a checklist of required items)	Evaluation		Education Code Reference (Required Elements)
				Meets or Exceeds required standard	Fails to meet required standard	
3 Sound Educational Program			5 CCR 11967.5.1 (b) For purposes of Education Code section 47605(b) (1) a charter petition shall be "an unsound educational program" if it is either of the following:			47605.6(b)(1) The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.
		3a.	1. A program that involves activities that the Board of Education determines would present the likelihood of physical, educational, or psychological harm to the affected pupils. •Program does not involve the above activities			
		3b.	2. A program that the Board of Education determines not to be likely to be of educational benefit to the pupils who attend. •Petition provides sufficient detail to demonstrate how the proposed curriculum would support student mastery of the state content standards			
4 Successful Implementation			For purposes of EC 47605(b)(2) the Board shall take the following factors into consideration in determining whether charter petitioners are "demonstrably unlikely to successfully implement the program." [ref: 5 CCR 1167.5.1 (c)]			47605.6(b)(2) The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
		4a.	1. If the petitioners have a past history of involvement in charter schools or other education agencies (public or private), the history is one that the Board of Education regards as unsuccessful, e.g., the petitioners have 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 petitioner's control.			
		4b.	2. The petitioners are unfamiliar with the content of the petition or the requirements of law that would apply to the proposed charter school.			
			3. The petitioners have presented an unrealistic financial and operational plan for the proposed charter school. An unrealistic financial and operational plan is one to which any or all of the following applies: (A) In the area of administrative services, the charter or supporting documents do not adequately			
		4c.	1. Describe the 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, or a reasonable plan and time line to develop and assemble such practices and expertise.			
		4d.	2. For any contract services, describe criteria for the selection of a contractor or contractors that demonstrate necessary expertise and the procedure for selection of the contractor or contractors.			

Area of Requirement	Found on page:	Item No.	Evaluation Guidance - (Provided for guidance purposes only- Primarily based on 5 CCR describing how the State Board will review a charter application - this is not a checklist of required items)	Evaluation		Education Code Reference (Required Elements)
				Meets or Exceeds required standard	Fails to meet required standard	
			(B) In the area of financial administration, the charter or supporting documents include an adequate description of:			
		4e.	1. Include, at a minimum, the first-year operational budget, start-up costs, cash flow, and financial projections for the first three years.			

Area of Requirement	Found on page:	Item No.	Evaluation Guidance - (Provided for guidance purposes only- Primarily based on 5 CCR describing how the State Board will review a charter application - this is not a checklist of required items)	Evaluation		Education Code Reference (Required Elements)	
				Meets or Exceeds required standard	Fails to meet required standard		
4 Successful Implementation <i>continued</i>		4f.	2. Include in the operational budget 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.			47605.6(b)(2) The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition	
		4g.	3. Include budget notes that clearly describe assumptions on revenue estimates, including, but not limited to, the basis for average daily attendance estimates and staffing levels.				
		4h.	4. Present 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.				
		4i.	5. Demonstrate 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 schools or school districts of similar type, size, and location.				
		4j.	(C) In the area of insurance: The charter and supporting documents do not 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.				
		(D) In the area of facilities, the charter and supporting documents do not adequately:					
		4k.	1. Describe the types and potential location of facilities needed to operate the size and scope of educational program proposed in the charter.				
		4l.	2. 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.				
		4m.	3. Reflect 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 Education Code section 47614.				
		The petitioners personally lack the necessary background in the following areas critical the charter school's success, and they do not have a plan to secure the services of necessary background:					
		4n.	Description of background in curriculum, instruction, and assessment -or- a plan to secure the services of individuals who have the necessary background in these areas.				

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		40.	Description of background in finance and business management -or- a plan to secure the services of individuals who have the necessary background in these areas.			
		4p.	Petition includes a list of consultants whom the charter school has engaged, or proposes to engage, for the purpose of developing, operating and evaluating the charter school. Petition includes a thorough description of the qualifications of such consultants and adoption of conflict of interest for consultants.			

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5 Education Program Description			5 CCR 1167.5 (f) For the purposes of Education code section 47605(b) (5) take the following factors into consideration in determining whether a charter petition does not contain a reasonably comprehensive description of each of the specific elements.			<p>47605.6(b)(5)(A)(i) A description of the educational program of the school, designed, among other things, to identify those pupils whom the 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.</p> <p>NOTE: Guidance only -5 CCR s 11967.5.1 (g) A "<u>reasonably comprehensive</u>" description, within the meaning of subdivision (f) of this section and Education Code section 47605(b)(5) shall include, but not be limited to, information that:</p> <p>(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:</p> <p>(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</p> <p><u>Reference Only: 60605 (B)</u> The state board shall adopt statewide performance standards in the core curriculum areas of reading, writing, mathematics, history/social science, and science based on the recommendations made by the Superintendent of Public Instruction and a contractor or contractors.</p>
			(1) The description of the education program of the school, as required by Education Code section 47605(b)(5)(A), at a minimum:			
		5a.	(A) Indicates the proposed charter school's target student population, including, at a minimum: (a) grade levels (b) approximate numbers of pupils (c) specific educational interests, backgrounds, or challenges			
		5b.	(B) 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 •Goals consistent with enabling pupils to become or remain self-motivated, competent, and lifelong learners			
		5c.	(C) Includes a framework for instructional design that is aligned with the needs of the pupils that the charter school has identified as its target student population			
		5d.	(D) Indicates the basic learning environment or environments, e.g.: • Site-based matriculation •Independent study •Community-based education •Technology-based education			
		5e.	(E) Indicates the instructional approach or approaches the charter school will utilize, including, but not limited to, the curriculum and teaching methods (or a process for developing the curriculum and teaching methods) that will: •Enable the school's pupils to master the content standards for the core curriculum areas adopted by the SBE pursuant to EC Section 60605 • Achieve the objectives specified in the charter			
	5f.	(F) Indicates how the charter school will identify and respond to the needs of pupils who are not achieving at or above expected levels.				

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		5g.	(G) Indicates how the charter school will identify and meet the needs of: <ul style="list-style-type: none"> •Students with disabilities •English learners •Students achieving substantially above or below grade level expectations •Other special student populations 			

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5 Educational Program Description <i>continued</i>			(H) Specifies the charter school's special education plan, including, but not limited to:			
		5h.	• The means by which the charter school will comply with the provisions of Education Code section <u>47641</u>			
		5i.	• The process to be used to identify students who qualify for special education programs and services.			
		5j.	• How the school will provide or access special education programs and services.			
		5k.	• The school's understanding of its responsibilities under law for special education pupils, and how the school intends to meet those responsibilities.			
<i>High School Requirements</i>		5l.	If serving high school students, describes how district/charter school informs parents about: <ul style="list-style-type: none"> •Transferability of courses to other public high schools; and • Eligibility of courses to meet college entrance requirements • Courses that are accredited by the Western Association of Schools and Colleges (WASC) may be considered transferable, and courses meeting the UC/CSU "a-g" admissions criteria may be considered to meet college entrance requirements) 			47605.6(b)(5)(A)(ii) If the proposed school will enroll high school pupils, a description of the manner in which the charter school will inform parents about the transferability of courses to other public high schools. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered to be transferable to other public high schools.
6 Measurable Pupil Outcomes			5 CCR 1167.5.1 (f) (2) Measurable pupil outcomes, as required by EC 47605(b)(5)(B)			47605.6(b)(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 school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school's educational program.
		6a.	(A) Specify skills, knowledge, and attitudes that reflect the school's educational objectives and can be assessed, at a minimum, by objective means that are frequent and sufficiently detailed enough to determine whether pupils are making satisfactory progress. It is intended that the frequency of objective means of measuring pupil outcomes vary according to such factors as: <ul style="list-style-type: none"> •Grade level •Subject matter •Outcome of previous objective measurements <i>To be sufficiently detailed, 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 groups of students.</i>			47605.6(b)(5)(B) The measurable pupil outcomes identified for use by the charter school Evaluation recorded on page 5.
		6b.	(B) Include the school's Academic Performance Index growth target, if applicable			
7			5 CCR 1167.5.1 (f) (3) The method by which pupil progress is to be measured as required by Education code section 47605(b)(5)(C), at a minimum:			
		7a.	(A) Utilizes a variety of assessment tools that are appropriate to the skills, knowledge, or attitudes being assessed, including, at a minimum, tools that employ objective means of assessment consistent with the measurable pupil outcomes			

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Pupil Progress Measurement		7b.	(B) Includes the annual assessment results from the Statewide Testing and Reporting (STAR) program			47605.6(b)(5)(C) The method by which pupil progress in meeting those pupil outcomes is to be measured.
		7c.	(C) Outlines a plan for collecting, analyzing, and reporting data on pupil achievement to school staff and to pupils' parents and guardians, and for utilizing the data continuously to monitor and improve the charter school's educational program			

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8 Governance			5 CCR 1167.5.1(f)(4) The governance structure of the school, including, but not limited to, the process to be followed by the school to ensure parental involvement in supporting the school's effort on behalf of the school's pupils, as required by EC47605(b)(5)(D)			47605.6(b)(5)(E) The governance structure of the school, including, but not limited to, the process to be followed by the school to ensure parental involvement.
		8a.	(A) Includes evidence of the charter school's incorporation as a non-profit public benefit corporation, if applicable			
		8b.	(B) Includes evidence that the organizational technical designs of the governance structure reflect a seriousness of purpose necessary to ensure that: <ul style="list-style-type: none"> • The charter school will become and remain a viable enterprise • There will be active and effective representation of interested parties, including, but not limited to, parents (guardians) • The educational program will be successful 			
		8c.	The petition clearly delineates the roles and responsibilities of the governing body and the staff.			
9 Employee Qualifications		9a.	(A) Identify general qualifications for the various categories of employees the school anticipates (e.g., administrative, instructional, instructional support, non-instructional support). The qualifications shall be sufficient to ensure the health and safety of the school's faculty, staff, and pupils.			47605.6(b)(5)(F) The qualifications to be met by individuals to be employed by the school.
		9b.	(B) Identify those positions that the charter school regards as key in each category and specify the additional qualifications expected of individuals assigned to those positions.			
		9c.	(C) Specify that all requirements for employment set forth in applicable provisions of law will be met, including, but not limited to, credentials as necessary.			
10 Health and Safety			5 CCR 1167.5.1 (f) (6) The procedures that the school will follow to ensure the health and safety of pupils and staff, as required by Education code section 47605(b)(5)(F):			47605.6(b)(5)(G) The procedures that the school will follow to ensure the health and safety of pupils and staff. These procedures shall include the requirement that each employee of the school furnish the school with a criminal record summary as described in Section 44237.
		10a.	(A) Require that each employee of the school furnish the school with a criminal record summary as described in EC Section 44237			
		10b.	(B) Include the examination of faculty and staff for tuberculosis as described in EC Section 49406			
		10c.	(C) Require immunization of pupils as a condition of school attendance to the same extent as would apply if the pupils attended a non-charter public school			

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		10d.	(D) 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			

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11 Racial and Ethnic Balance		11a.	The petition includes a description of the ways in which the charter school will address efforts to achieve a racial and ethnic balance that is reflective of the general population within the district in which it proposes to be located.			47605.6(b)(5)(H) The means by which the school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted.
12 Admission Requirements		12a.	Petition describes the policies and procedures the school will develop and implement for the admission and enrollment of students.			47605.6(b)(5)(N) Admission requirements, of the charter school, if applicable
		12b.	Petition includes any proposed timetable or calendar of the school's implementation of the random lottery process as required by law.			
		12c.	Admissions policy includes a statement that no student "otherwise eligible" to enroll in the charter school will be denied enrollment due to a disability or the charter school's inability to provide necessary services.			
13 Annual Financial Audits		5 CCR 1167.5.1(f)(9) 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, as required by EC 47605(b)(5)(I), at a minimum:				47605.6(b)(5)(I) The manner in which annual, independent, financial audits shall be conducted, in accordance with regulations established by the State Board of Education, and the manner in which audit exceptions and deficiencies shall be resolved.
		13a.	Specify who is responsible for contracting and overseeing the independent audit.			
		13b.	Specify that the auditor will have experience in education finance.			
		13c.	Outline the process of providing audit reports to the Board of Education, California Department of Education, or other agency as the Board of Education may direct, and specifying the timeline in which audit exceptions will typically be addressed.			
		13d.	Indicate the process that the charter school's will follow to address any audit findings and/or resolve any audit exceptions.			
		5 CCR 1167.5.1(f)(10) The procedures by which pupils can be suspended or expelled, as required by Education code section 47605(b)(5)(J), at a minimum:				47605.6 (b)(5)(J) The procedures by which pupils can be suspended or expelled.

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14 Suspension and Expulsion Procedures		14a.	(A) Identify a preliminary list, subject to later revision pursuant to subparagraph (E), of the offenses for which students in the charter school must (where non-discretionary) and may (where discretionary) be suspended and, separately, the offenses for which students in the charter school must (where non-discretionary) or may (where discretionary) be expelled, providing evidence that the petitioners reviewed the offenses for which students must or may be suspended or expelled in non-charter public schools.			

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14 Suspension and Expulsion Procedures		14b.	(B) Identify the procedures by which pupils can be suspended or expelled.			47605.6 (b)(5)(J) The procedures by which pupils can be suspended or expelled.
		14c.	(C) Identify the procedures 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.			
		14d.	(D) Provide evidence that in preparing the lists of offenses specified in subparagraph (A) and the procedures specified in subparagraphs (B) and (C), 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 of the school's pupils and their parents (guardians).			
		14e.	(E) If not otherwise covered under subparagraphs (A), (B), (5), and (D): 1. Provides for due process for all pupils and demonstrates understanding of the rights of pupils with disabilities in regard to suspension and expulsion. 2. Outline how detailed policies and procedures regarding suspension and expulsion will be developed and periodically reviewed, including, but not limited to, periodic review and (as necessary) modification of the lists of offenses for which students are subject to suspension or expulsion			
15 STRS, PERS, and Social Security			5 CCR 1167.5.1(f)(11) The matter by which staff members of the charter schools will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security, as required by EC 47605(b)(5)(K), at a minimum:			47605.6(b)(5)(K) The manner by which staff members of the charter schools will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security.
		15a.	Specifies: • Positions to be covered under each system; and • Staff who will be responsible for ensuring that the appropriate arrangements for that coverage have been made			
			5 CCR 1167.5.1(F)(12) The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools, as required by Education Code section 47605(b)(5)(L), at a minimum:			

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16 Public School Attendance Alternatives		16a.	Specify that the parent or guardian of each pupil enrolled in the charter school shall be informed that the pupil has no right to admission in a particular school of any local education agency (or program of any local education agency) as a consequence of enrollment in the charter school, except to the extent that such a right is extended by the local education agency.			47605.6(b)(5)(O) The public school attendance alternatives for pupils residing within the county who choose not to attend the charter school.

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17 Post-Employment Rights of Employees			5 CCR 1167.5.1(F)(13) A description of the rights of any employees of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school, as required by EC 47605(b)(5)(M), at a minimum, specifies that an employee of the charter school shall have the following rights:			47605.6(b)(5)(P) A description of the rights of any employee of the county office of education upon leaving the employment of the county office of education to be employed by the charter school, and a description of any right of return to the county office of education that an employee may have upon leaving the employ of the charter school.
		17a.	(A) Any rights upon leaving the employment of a local education agency to work in the charter school that the local education agency may specify.			
		17b.	(B) Any rights of return to employment in a local education agency after employment in the charter school as the local education agency may specify.			
18 Dispute Resolution Procedures			5 CCR 1167.5.1(f)(14) The procedures to be followed by the charter school and the entity granting the charter, as required by Education Code section 47605(b)(5)(N) at a minimum:			47605(b)(5)(L) The procedures to be followed by the charter school and the county board of education to resolve disputes relating to provisions of the charter.
		18a.	Describe how the costs of the dispute resolution process, if needed, would be funded.			
		18b.	Petition describes the procedures to be followed by the charter school and the LEA to resolve disputes relating to provisions of the charter.			
		18c.	Petition acknowledges that should the LEA determine in writing that the violation or issue in question constitutes a severe and imminent threat to the health or safety of the pupils, it shall not be bound by any portion of the dispute resolution process and may commence revocation proceeding immediately or take other action as it deems necessary.			
		18d.	Petition acknowledges that the except those disputes between the LEA and the School, all disputes involving the school shall be resolved by the school according to the school's own internal policies.			
19 Exclusive Public School Employer		19a.	The petition includes a declaration of whether or not the charter school shall be deemed the exclusive public school employer for the purposes of the Educational Employment Relations Act (Gov. Code § 3540)			47605.6(b)(5)(M) A declaration whether or not the charter school shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act (Chapter 10.7 [commencing with Section 3540] of Division 4 of Title 1 of the Government Code).
20 Closure Procedures		20a.	Description of closing procedures ensures a final audit to determine the disposition of all assets and the liabilities of the charter school.			47605.6(b)(5)(Q) A description of the procedures to be used if the charter school closes. The procedures shall ensure a final audit of the 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 public records.
		20b.	Description of closing procedures includes plans for disposing of any net assets.			

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		20c.	Description of closing procedures includes plans for maintenance and transfer of students records.			

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Additional Education Code Requirements						
21 Private School Restrictions		21a.	The petition does not represent a conversion of a private school to a charter school.			47602(b) No charter shall be granted under this part that authorizes the conversion of any private school to a charter school. No charter school shall receive any public funds for a pupil if the pupil also attends a private school that charges the pupil's family for tuition.
		21b.	The petition does not allow concurrent enrollment in a private school.			47602(b) "No charter shall receive any public funds for a pupil if the pupil also attends a private school that charges the pupil's family for tuition."
22 Public School Conversion		22a.	Petition identifies whether or not the proposed charter school is a conversion of a public school.			47605(B)(2) A petition that proposes to convert an existing public school to a charter school that would not be eligible for a loan pursuant to subdivision (b) of Section 41365 may be circulated by any one or more persons seeking to establish the charter school. The petition may be submitted to the governing board of the school district for review after the petition has been signed by not less than 50 percent of the permanent status teachers currently employed at the public school to be converted.
23 Standards, Assessments, and Parent Consultation		23a.	The petition describes how the school will meet all statewide standards and ensure that the requirements of education code are addressed in the STAR and CAHSEE testing and in other statewide standards authorized in statute or pupil assessments applicable to pupils in other public schools.			47605.6(d)(1) Charter schools shall meet all statewide standards and conduct the pupil assessment required pursuant to Sections 60605 and any other statewide standards authorized in statute or pupil assessments applicable to pupils in noncharter public schools.
		23b.	The petition provides a plan for how the school will consult with their parents and teachers regarding the school's educational programs on a regular basis.			47605.6(d)(2) Charter schools shall on a regular basis consult with their parents and teachers regarding the school's educational programs.
24 Effects on Authorizer		24a.	The petition identifies any potential civil liability effects upon the school and the authorizing LEA.			47605.6(h) The county board of education shall require that the petitioner or petitioners provide information regarding the proposed operation and potential effects of the school, including, but not limited to, the facilities to be utilized by the school, the manner in which administrative services of the school are to be provided, and potential civil liability effects, if any, upon the school, any school district where the charter school may operate and upon the county board of education. The petitioner or petitioners shall also be required to 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.
		24b.	Petition identifies whether or not the proposed charter school intends to enter into a contract with an education management organization (EMO), and includes a clear delineation of the respective roles and responsibilities of the governing board and the EMO.			
			Cross reference with 4d, 4e, 4f, 4g, 4l			

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25 Teacher Credentialing		25a.	Petition specifies that teachers will be required to hold a CCTC certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold...It is the intent of the Legislature that charter schools be given flexibility with regard to noncore, noncollege preparatory courses.			47605.6(l) Teachers in charter schools shall be required to hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold. These documents shall be maintained on file at the charter school and shall be subject to periodic inspection by the chartering authority.
		25b.	Petition identifies/defines core courses.			

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26 Transmission of Audit Report		26a.	Petition provides detailed information regarding the provisions of the annual audit.			47605.6(m) A charter school shall transmit a copy of its annual, independent, financial audit report for the preceding fiscal year, as described in subparagraph (l) of paragraph (5) of subdivision (b), to the county office of education, the Controller, and the State Department of Education by December 15 of each year. This subdivision does not apply if the audit of the charter school is encompassed in the audit of the chartering entity pursuant to Section 41020.	
27 Special Education		27a.	The petition provides that all eligible students enrolled in the charter school will receive appropriate special education services in accordance with applicable state and federal law and the SELPA Local Plan for Special Education.			56145. Individuals with exceptional needs attending charter schools pursuant to Part 26.8 (commencing with Section 47600) shall be served in the same manner as individuals with exceptional needs are served in other public schools. 47605.6(b)(1) The charter presents an unsound educational program for the pupils to be enrolled in the charter school. NOTE: Guidance only - 5 CCR s 11967.5.1 (g) A "reasonably comprehensive" description, within the meaning of 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	
		27b.	The petition provides that no student "otherwise eligible to enroll in the charter school" will be denied enrollment due to a disability or to the charter school's inability to provide necessary services.				
		27c.	The petition provides that the staff members providing special education services are appropriately credentialed.				
		27d.	The petition provides that any facility used by the charter school does not present physical barriers that would limit an eligible student's full participation in the educational and extracurricular programs.				
		27e.	The petition identifies whether or not the school is an LEA for special education purposes.				
		27f.	The petition provides that the charter school will assume full responsibility for appropriate accommodation to address the needs of any student.				
		27g.	The petition acknowledges the responsibility of the charter school to provide special education, instruction and related services to the students enrolled in the school regardless of students' district of residence.				
		The petition includes a reasonably comprehensive description of:					
		27h.	• Specialized instruction and services available at the school				
		27i.	• The provision of Designated Instruction and Services (DIS)				
	27j.	• Special transportation, when appropriate					
	27k.	• Procedures for ensuring that students are referred, assessed and served in a timely manner - Including a description of SST process					

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				Meets or Exceeds required standard	Fails to meet required standard	
		271.	<ul style="list-style-type: none"> The dispute resolution procedures that will apply to any disputes between educational entities, including the SELPA and LEA, regarding the provision of special education services in the charter school 			(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

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Requirements in Section 28 apply to petitions proposing to utilize a non-classroom based instructional strategy in the charter school.							
28 Independent Study		28a.	The petition verifies that the K-12 public school guidelines for independent study will be evident in the annual audit.			47612.5(b) Notwithstanding any other provision of law and except to the extent inconsistent with this section and Section 47634.2, a charter school that provides independent study shall comply with Article 5.5 (commencing with Section 51745) of Chapter 5 of Part 28 and implementing regulations adopted there-under.	
		28b.	The petition states that it will meet the requirement related to the ratio of ADA to FTE certificated employees as prescribed under education code.			In a charter school, for the purposes of Education Code section 51745.6, the ratio of average daily attendance for independent study pupils to full-time equivalent (FTE) certificated employees responsible for independent study shall not exceed a pupil-teacher ratio of 25:1 or the ratio of pupils to full-time equivalent certificated employees for all other educational programs operated by the largest unified school district, as measured by average daily attendance, as reported at the second principal apportionment in the prior year, in the county or counties in which the charter school operates. Units of average daily attendance for independent study that are ineligible for apportionment as provided in subdivision (b) of Education Code section 51745.6 shall also be ineligible for funding pursuant to Chapter 6 (commencing with section 47630) of Part 26.8 of the Education Code. For purposes of this section, a "full-time certificated employee" means an employee who is required to work a minimum six-hour day and 175 days per fiscal year. Part-time positions shall generate a partial FTE on a proportional basis. (CCR Title 5 11704)	
		The petition includes written policies required for eligibility to receive apportionments for independent study:					51747 ...shall not be eligible to receive apportionments for independent study by pupils, regardless of age, unless it has adopted written policies, and has implemented those policies, pursuant to rules and regulations adopted by the Superintendent of Public Instruction, that include, but are not limited to, all of the following:
		28c.	1. The maximum length of time, by grade level and type of program that may elapse between the time an independent study assignment is made and the date by which the pupil must complete the assigned work.			51747 (a) The maximum length of time, by grade level and type of program, that may elapse between the time an independent study assignment is made and the date by which the pupil must complete the assigned work.	
		28d.	2. The number of missed assignments that will be allowed before an evaluation is conducted to determine whether it is in the best interests of the pupil to remain in independent study, or whether he or she should return to the regular school program.			51747 (b) The number of missed assignments that will be allowed before an evaluation is conducted to determine whether it is in the best interests of the pupil to remain in independent study, or whether he or she should return to the regular school program. A written record of the findings of any evaluation made pursuant to this subdivision shall be treated as a mandatory interim pupil record. The record shall be maintained for a period of three years from the date of the evaluation and, if the pupil transfers to another California public school, the record shall be forwarded to that school.	

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		3.	The requirement that a current written agreement for each pupil will be maintained in file in, at a minimum, the following areas:			51747 (c) A requirement that a current written agreement for each independent study pupil shall be maintained on file including, but not limited to, all of the following:

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28 Independent Study <i>continued</i>		28e.	a. The manner, time, frequency, and place for submitting a pupil's assignments and for reporting his or her progress			(1) The manner, time, frequency, and place for submitting a pupil's assignments and for reporting his or her progress.
		28f.	b. The objectives and methods of study for the pupil's work, and the methods utilized to evaluate that work			(2) The objectives and methods of study for the pupil's work, and the methods utilized to evaluate that work.
		28g.	c. The specific resources, including materials and personnel that will be made available to the pupil			(3) The specific resources, including materials and personnel, that will be made available to the pupil.
		28h.	d. A statement of the policies adopted pursuant to subdivisions (a) and (b) regarding the maximum length of time allowed between the assignment and the completion of a pupil's assigned work, and the number of missed assignments allowed prior to an evaluation of whether or not the pupil should be allowed to continue in independent study			(4) A statement of the policies adopted pursuant to subdivisions (a) and (b) regarding the maximum length of time allowed between the assignment and the completion of a pupil's assigned work, and the number of missed assignments allowed prior to an evaluation of whether or not the pupil should be allowed to continue in independent study.
		28i.	e. The duration of the independent study agreement, including the beginning and ending dates for the pupil's participation in independent study under the agreement. No independent study agreement shall be valid for any period longer than one semester, or one-half year for a school on a year-round calendar.			(5) The duration of the independent study agreement, including the beginning and ending dates for the pupil's participation in independent study under the agreement. No independent study agreement shall be valid for any period longer than one semester, or one-half year for a school on a year-round calendar.
		28j.	f. A statement of the number of course credits, or, for the elementary grades, other measures of academic accomplishment appropriate to the agreement, to be earned by the pupil upon completion			(6) A statement of the number of course credits or, for the elementary grades, other measures of academic accomplishment appropriate to the agreement, to be earned by the pupil upon completion.
		28k.	g. The inclusion of a statement in each independent study agreement that independent study is an optional educational alternative in which no pupil may be required to participate			(7) The inclusion of a statement in each independent study agreement that independent study is an optional educational alternative in which no pupil may be required to participate. In the case of a pupil who is referred or assigned to any school, class, or program pursuant to Section 48915 or 48917, the agreement also shall include the statement that instruction may be provided to the pupil through independent study only if the pupil is offered the alternative of classroom instruction.
		28l.	h. Agreement signed, prior to the commencement of independent study, by the pupil , the pupil's parent, legal guardian, or caregiver , if the pupil is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of independent study, and all persons who have direct responsibility for providing assistance to the pupil .			(8) Each written agreement shall be signed, prior to the commencement of independent study, by the pupil, the pupil's parent, legal guardian, or caregiver, if the pupil is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of independent study, and all persons who have direct responsibility for providing assistance to the pupil. For purposes of this paragraph "caregiver" means a person who has met the requirements of Part 1.5 (commencing with Section 6550) of the Family Code.
		28m.	Petition acknowledges that independent study will be supervised by an appropriately credentialed teacher.			51747.5 (a) The independent study by each pupil or student shall be coordinated, evaluated, and, notwithstanding subdivision (a) of Section 46300, shall be under the general supervision of an employee of the school district or county office of education who possesses a valid certification document pursuant to Section 44865 or an emergency credential pursuant to Section 44300, registered as required by law.

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		28n.	Petition acknowledges that school may claim apportionment credit for independent study only to the extent of the time value of pupil or student work products, as personally judged in each instance by a certified teacher.			51747.5 (b) School districts and county offices of education may claim apportionment credit for independent study only to the extent of the time value of pupil or student work products, as personally judged in each instance by a certified teacher.
29 English Learners		29a.	Petition provides that all eligible students enrolled in the charter school will receive appropriate English Learner services in accordance with applicable state and federal law.			47605.6(b)(1) The charter presents an unsound educational program for the pupils to e enrolled in the charter school. 47605.6 (b)(5) The petition does not contain reasonably comprehensive descriptions of all of the following: (A) (i) A description of the educational program of the school...(in this case the educational program for English Language Learners)
		29b.	The petition provides that the staff members providing English Learner services are appropriately credentialed.			
		29c.	The petition describes the manner in which students are identified as requiring English Learner services.			
		29d.	The petition describes the program placement options for students identified as requiring English Learner services.			
		29e.	The petition acknowledges the responsibility of the charter school to provide access to grade-level core curriculum for English Learners. Check for references to the use of the California English-language Development Standards.			
		29f.	Petition references curriculum and materials that will be utilized in the instruction of English Learners.			
		29g.	Petition describes the process for reclassification of English Learners.			
		29h.	Petition describes how reclassified English Learners will be monitored.			