

Approved October 19, 2011

**GUIDELINES REGARDING CONSIDERATION
OF COUNTYWIDE CHARTER PETITIONS**

The following guidelines have been established by the Santa Clara County Board of Education (“Board”) to assist both the Board and charter petitioners in assessing whether a petition for a countywide charter has satisfied each of the legal requirements for approval. The Board reserves the right to consider additional criteria beyond those described in the guidelines below when considering whether a petition for a countywide charter should be granted.

- I. In order to approve a petition for a countywide charter, the Board must find that the charter school will benefit its target pupil population and that the petitioner has provided adequate justification for seeking countywide approval.**

Legal Standard:

“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.” Education Code § 47605.6(a)(1).

“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” Education Code § 47605.6(b).

Required Findings and Applicable Guidelines:

#	FINDING	GUIDELINES
1	The pupil population to be served by the charter school will benefit from the educational services to be provided by the school. Education Code § 47605.6(a)(1).	Petitioners are expected to satisfy EACH of the guidelines set forth below. A. The needs of English learners, students with special needs, and socioeconomically disadvantaged students attending the school will be met. B. The services offered are appropriate for the age, grade level of students to be served by the school.
2	The charter is consistent with sound educational practice. Education Code § 47605.6(b).	Petitioners are expected to satisfy EACH of the guidelines set forth below. A. Practices are adequately researched. B. Practices are innovative, but based on sound educational principles.

		<p>C. Practices meet at least one of the intentions of the Charter Schools Act as provided in Education Code Section 47601.</p> <p>D. Practices comply with the non-waived portions of California Education Code and State Board Title 5 Regulations.</p> <p>E. The charter school need not be designed or intended to meet the educational needs of every student who might possibly seek to enroll in order for the charter to be granted. <i>Cf.</i> 5 C.C.R. § 11967.5.1(a).</p>
3	<p>The charter has demonstrated that it cannot serve this pupil population as well by opening a charter school that operates only in one school district in the county. Education Code § 47605.6(a)(1).</p> <p>The Charter School has provided reasonable justification for why it could not be established by petition to a school district. Education Code § 47605.6(b).</p>	<p>Petitioners are expected to satisfy ONE of the guidelines set forth below.</p> <p>A. The charter school has demonstrated that an admissions policy giving preference to students from one district over another pursuant to Education Code section 47605(d)(2)(B) will undermine the charter school’s ability to serve the targeted pupil population (e.g. the charter school offers a highly specialized program for which insufficient numbers of targeted students reside within a single district).</p> <p>B. The charter school has demonstrated that unique factors and circumstances related to the charter school’s educational program can only be accomplished as a countywide charter and not as a district charter. In demonstrating the existence of these unique factors and circumstances, the charter school shall describe the specific benefits the charter school will offer to</p> <ol style="list-style-type: none"> (1) pupils, (2) the community in which the school will be located, (3) the county, and (4) the charter school itself, <p>by virtue of the fact that it will be a countywide rather than single-district charter school. <i>Cf.</i> 5 C.C.R. § 11967.6(b).</p> <p>Neither an administrative benefit to a charter operator, nor a desire by a charter operator to provide services in more than one district, shall be considered sufficient to justify approval a countywide charter. <i>Cf.</i> 5 C.C.R. § 11967.6(b).</p>

II. In order to approve a petition for a countywide charter, the Board must find that the petition contains the required number of signatures from interested parents or teachers.¹

Legal Standard:

“[A] petition may be submitted to the county board of education for review after either of the following condition are met: (A) The petition has been signed by a number of parents or guardians of 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 [or] (B) The petition has 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” Education Code § 47605.6 (a)(1); see also Education Code §47605.6(b)(3).

“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.” Education Code § 47605.6(a)(4).

Required Findings and Applicable Guidelines: Petitioners must satisfy *either* Finding 1 or Finding 2.

#	FINDING	GUIDELINES
1	The petition been signed by at least half the number of parents of one half the number of pupils that the charter school estimates will be enroll at the school during its first year of operation. Education Code §§ 47605.6 (a)(1), 47605.6(b)(3).	<p>Petitioners have satisfied EACH of the guidelines set forth below.</p> <p>A. The number of signatures equals or exceeds half the number of pupils that the charter school estimates will enroll in its first year of operation.</p> <p>B. The ages of the students, at the proposed time of opening, will be appropriate to the ages served by the charter school.</p> <p>C. There is a “prominent statement” indicating that each parent signing the petition (1) has read a summary of the petition that adequately and appropriately describes the education program set forth in the petition or has been read such a summary, and (2) is meaningfully interested in having his or her child attend the charter school.</p>

¹ The Guidelines regarding signatures by parents or teachers do not apply to signatures gathered before October 19, 2011, the date on which these Guidelines were adopted by the Board.

2	<p>The petition has been signed by at least half the number of teachers that the charter school estimates will be employed at the school during its first year of operation. Education Code §§ 47605.6(a)(1), 47605.6(b)(3).</p>	<p>Petitioners have satisfied EACH of the guidelines set forth below.</p> <ul style="list-style-type: none"> A. The number of signatures equals or exceeds half the number of teachers that the charter school estimates will be employed in its first year of operation. B. All teacher signatories have current, active credentials to teach core subjects. C. There is a “prominent statement” indicating that each teacher signing the petition (1) has read a summary of the petition that adequately and appropriately describes the education program set forth in the petition, and (2) is meaningfully interested in teaching at the charter school.
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III. The petitioner must provide notice to school districts where the charter school will operate a facility prior to submitting its petition.

Legal Standard:

“[E]ach of the school districts where the charter school petitioner proposes to operate a facility [must] receive[] at least 30 days notice of the petitioner’s intent to operate a school” within that district. Education Code § 47605.6(a)(1)(A)-(B).

Required Findings and Applicable Guidelines:

#	FINDING	GUIDELINES
1	<p>At least thirty (30) days prior to submission of the charter, the petitioner provided each school district in which it plans to operate a facility with notice of its intent to operate a school within that district.</p>	<p>Petitioners are expected to satisfy EACH of the guidelines set forth below.</p> <ul style="list-style-type: none"> A. Petitioner(s) provided written notice to the superintendent of each school district in which it plans to operate a facility. B. Notice was provided at least 30 days prior to the submission of the petition to the Board. C. Petitioners provided a copy of the charter petition to the superintendent of each district in which the petitioner plans to operate a facility on or before the date on which the petition was submitted to the Board. D. Petitioners provided the Board with a copy of the written notice(s) it provided to the superintendent(s) of the school district(s) in which it plans to operate a facility. E. Petitioners have provided the Board with written assurance that a copy of the petition was given to the superintendent of each school district in which it plans to operate a facility on or before the date on which the petition was submitted to the Board.

IV. **The Board must consider the level of support for the charter petition among teachers, parents, and school districts.**

Legal Standard:

The Board must “consider the level of support for the petition by teachers, parents or guardians, and the school districts where the charter school petitioner proposes to place school facilities.” Education Code § 47605.6(b).

Required Findings and Applicable Guidelines:

#	FINDING	GUIDELINES
1	There is support for the petition by teachers, parents or guardians, and/or the school districts where the charter school will be located.	At a minimum, the Board expects to receive testimony in support of the charter petition from one of the following groups. A. Teachers have provided written or oral testimony in support of the charter school. B. Parents have provided written or oral testimony in support of the charter school. C. School District leadership has provided written or oral testimony in support of the charter school.

V. **The Board must deny a countywide charter petition if it makes one or more of the following findings. (Education Code § 47605.6 (b)(1)-(5))**

Legal Standard:

“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:” Education Code § 47605.6 (b).

A. “The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.” Education Code § 47605.6(b)(1).

Required Findings and Applicable Guidelines:

#	FINDING	GUIDELINES
1	The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.	The Board will make the relevant finding if ANY of the circumstances set forth below are present. A. A program that involves activities that the Board determines would present the likelihood of physical, educational, or psychological harm to the affected pupils. B. A program that the Board determines not to be likely to be of educational benefit to the pupils who attend. <i>Cf. 5 CCR § 11967.5.1(b)</i>

B. “The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.” Education Code § 47605.6(b)(2).

Required Findings and Applicable Guidelines:

#	FINDING	GUIDELINES
1	The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.	<p>The Board will make the relevant finding if ANY of the circumstances set forth in the guidelines are present.</p> <p>A. The petitioners have a history of involvement in charter schools or other education agencies (public or private) that the Board 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 petitioners’ control.</p> <p>B. The petitioners are unfamiliar, in the Board’s judgment, with the content of the petition or the requirements of law that would apply to the proposed charter school.</p> <p>C. The petitioners have presented an unrealistic financial or operational plan for the proposed charter school.</p> <p>D. The petitioners personally lack the necessary background in the following areas critical to the charter school’s success, and the petitioners do not have plan to secure the services of individuals who have the necessary background in these areas:</p> <ol style="list-style-type: none"> 1. Curriculum, instruction, and assessment. 2. Finance and business management. <p><i>Cf. 5 CCR § 11967.5.1(c)</i></p>

C. “The petition does not contain the number of parent or teacher signatures required by subdivision (a).” Education Code § 47605.6(b)(3).

See guidelines above.

D. The petition does not contain the required affirmations set forth in Education Code section 47605.6(d). Education Code §§ 47605.6(b)(4), 47605.6(d).

Required Findings and Applicable Guidelines:

#	FINDING	GUIDELINES
1	The petition does not contain an affirmation of each of the conditions described in Education Code § 47605.6(d).	<p>The petition must contain both required affirmations.</p> <p>A. The petition does not contain an affirmation that the charter school “shall meet all statewide standards and conduct the pupil assessments required pursuant to [Education Code] Section 60605 and any other statewide standards authorized in statute or pupil assessments applicable to pupils in non-</p>

	<p>charter public schools.”</p> <p>B. The petition does not contain an affirmation that the charter school “shall on a regular basis consult with their parents and teachers regarding the school’s educational programs.”</p>
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E. “The petition does not contain a reasonably comprehensive description of all of the following:” Education Code § 47605.6(b)(5).

Required Findings and Applicable Guidelines: Unless otherwise specified, petitioners are expected to satisfy EACH of the guidelines set forth below.

#	FINDING	GUIDELINES
1	<p>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. If the proposed charter school will enroll high school pupils, a description of the manner in which the charter school will inform parents regarding the transferability of courses to other public high schools. Education Code § 47605.6(b)(5)(A).</p>	<p>The description of the educational program of the school must, at minimum:</p> <p>A. Indicates the proposed charter school’s target student population, including, at a minimum, grade levels, approximate numbers of pupils, and specific educational interests, backgrounds, or challenges.</p> <p>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, and a goals consistent with enabling pupils to become or remain self-motivated, competent, and lifelong learners.</p> <p>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.</p> <p>D. Indicates the basic learning environment or environments (e.g. site-based matriculation, independent study, community-based education, technology-based education).</p> <p>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 curriculum content standards and to achieve the objectives specified in the charter.</p> <p>F. Indicates how the charter school will identify and respond to the needs of pupils who are not achieving at or above expected levels.</p> <p>G. Indicates how the charter school will meet the needs of students with disabilities, English learners, students achieving substantially above or below grade level</p>

		<p>expectations, and other special student populations.</p> <p>H. Specifies the charter school's special education plan, the process to be used to identify students who qualify for special education programs and services, how the school will provide or access special education programs and services, the school's understanding of its responsibilities under law for special education pupils, and how the school intends to meet those responsibilities.</p> <p><i>Cf. 5 CCR § 11967.5.1(f)(1)</i></p>
2	<p>The measureable 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. Education Code § 47605.6(b)(5)(B).</p>	<p>Measurable pupil outcomes, at a minimum:</p> <p>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 grade level, subject matter, the outcome of previous objective measurements, and information that may be collected from anecdotal sources. 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 for groups of students.</p> <p>B. Include the school's Academic Performance Index growth target, if applicable.</p> <p><i>Cf. 5 CCR § 11967.5.1(f)(2)</i></p>
3	<p>The method by which progress in meeting those outcomes is to be measured. Education Code § 47605.6(b)(5)(C).</p>	<p>The method by which pupil progress is to be measured, at a minimum:</p> <p>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 paragraph (2)(A) of subdivision (f) of this section.</p> <p>B. Includes the annual assessment results from the Statewide Testing and Reporting (STAR) program.</p> <p>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.</p>

		<i>Cf. 5 CCR § 11967.5.1(f)(3)</i>
4	“The location of each charter school facility that the petitioner proposes to operate” Education Code § 47605.6(b)(5)(D).	<p>The petition must contain a list setting forth each school the petitioner proposes to operate pursuant to the charter. This list shall include all of the following:</p> <ul style="list-style-type: none"> A. A timeline for the commencement of instruction at each school. Commencement of instruction must begin during the term of the charter. B. A description of the potential facilities to be used at each school. C. The approximate number of pupils that can safely be accommodated by each school facility. D. The location of each school. The petition must identify the location of the each school through one of the following descriptions: <ul style="list-style-type: none"> 1. The address of the school; 2. The school district in which the school will be located; or 3. An alternative description of the location of the school that identifies the location as within a two-mile radius of a specific address (e.g. “The charter school will be located within a two-mile radius of John Doe Elementary School”). <p>If the charter petition identifies the location of the school using one of the descriptors set forth in (D)(2) or (D)(3), above, the petition must contain a statement requiring petitioners to provide the Board, the superintendent of the district where the school will be located, and the surrounding community with notice of the specific address of the school as soon as petitioners identify the address or six months prior to commencement of instruction at the school, whichever is earlier.</p> <p><i>Cf. 5 CCR § 11967.6(a)(13)</i></p>
5	“The governance structure of the school, including parental involvement.” (Education Code § 47605.6(b)(5)(E)).	<p>The governance structure of the school, including, but not limited to, the process to be followed by the school to ensure parental involvement, must, at a minimum:</p> <ul style="list-style-type: none"> A. Include evidence of the charter school's incorporation as a non-profit public benefit corporation, if applicable. B. Include evidence that the organizational and technical designs of the governance structure reflect a seriousness of purpose necessary to ensure that:

		<ol style="list-style-type: none"> 1. The charter school will become and remain a viable enterprise. 2. There will be active and effective representation of interested parties, including, but not limited to parents (guardians). 3. The educational program will be successful. <p><i>Cf. 5 CCR § 11967.5.1(f)(4)</i></p>
6	<p>“The qualifications for employees of the school.” (Education Code § 47605.6(b)(5)(F)).</p>	<p>The description of the qualifications to be met by individuals to be employed by the school must, at a minimum:</p> <ol style="list-style-type: none"> 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. 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. C. Identify the special qualifications or skills necessary to meet the needs of the specific pupil population the school will serve, and identify the employees expected to possess those special qualifications and skills. D. Specify that the all requirements for employment set forth in applicable provisions of law will be met, including, but not limited to the credentialing requirement set forth in Education Code section 47605.6(1). <p><i>Cf. 5 CCR § 11967.5.1(f)(5)</i></p>
7	<p>The school’s health and safety procedures. These procedures shall require that each employee of the school furnish the school with a criminal record summary as described in Section 44237. (Education Code § 47605.6(b)(5)(G)).</p>	<p>The procedures that the school will follow to ensure the health and safety of pupils and staff must, at a minimum:</p> <ol style="list-style-type: none"> A. Require that each employee of the school furnish the school with a criminal record summary as described in Education Code section 44237. B. Include the examination of faculty and staff for tuberculosis as described in Education Code section 49406. 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. 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-

		<p>charter public school. <i>Cf. 5 CCR § 11967.5.1(f)(6)</i></p>
8	<p>“The means by which the school will achieve a racial and ethnic balance among its pupils that is reflective of the territorial jurisdiction of the school district to which the petition is submitted – i.e. the county.” (Education Code § 47605.6(b)(5)(H)).</p>	<p>A. The petition contains a plan for achieving a racial and ethnic balance that reflects the demographics of the county. B. The petition contains a plan for monitoring and correcting ethnic imbalances in the school.</p>
9	<p>“The manner in which annual, independent, financial audits will be conducted as well as the manner in which exceptions and deficiencies shall be resolved.” (Education Code § 47605.6(b)(5)(I)).</p>	<p>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 must, at a minimum: A. Specify who is responsible for contracting and overseeing the independent audit. B. Specify that the auditor will have experience in education finance. C. Outline the process of providing audit reports to the Board and specifying the time line in which audit exceptions will typically be addressed. D. Indicate the process that the charter school will follow to address any audit findings and/or resolve any audit exceptions. <i>Cf. 5 CCR § 11967.5.1(f)(9)</i></p>
10	<p>“The procedures by which pupils can be suspended or expelled.” (Education Code § 47605.6(b)(5)(J)).</p>	<p>The procedures by which pupils can be suspended or expelled must, at a minimum: 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. B. Identify the procedures by which pupils can be suspended or expelled. C. Identify the procedures by which parents, guardians, and</p>

		<p>pupils will be informed about reasons for suspension or expulsion and of their due process rights in regard to suspension or expulsion.</p> <p>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 the school's pupils and their parents (guardians).</p> <p>E. If not otherwise covered under subparagraphs (A), (B), (C), and (D):</p> <ol style="list-style-type: none"> 1. Provide for due process for all pupils and demonstrate an 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. <p><i>Cf. 5 CCR § 11967.5.1(f)(10)</i></p>
11	<p>“The manner by which staff members will be covered by the State Teachers’ Retirement System, the Public Employees’ Retirement System, or federal Social Security.” (Education Code § 47605.6(b)(5)(K)).</p>	<p>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 must, at a minimum, specify the positions to be covered under each system and the staff who will be responsible for ensuring that appropriate arrangements for that coverage have been made.</p> <p><i>Cf. 5 CCR § 11967.5.1(f)(11)</i></p>
12	<p>“The procedures to resolve disputes relating to provisions of the charter.” (Education Code § 47605.6(b)(5)(L)).</p>	<p>Dispute resolution procedures must include appeal to the Board of disputes between the charter school and the County Office of Education.</p>
13	<p>“A declaration of whether or not the charter school shall be deemed the exclusive public school employer of its</p>	<p>The petition must declare whether or not the charter school shall be deemed the exclusive public school employer of its employees for purposes of the Educational Employment Relations Act.</p>

	employees for purposes of the Educational Employment Relations Act.” (Education Code § 47605.6(b)(5)(M)).	
14	Admission requirements of the charter school, if applicable. Education Code § 47605.6(b)(5)(N).	Admission requirements shall be in compliance with the requirements of Education Code section 47605.6(e) and any other applicable provision of law.
15	The public school attendance alternatives for pupils who choose not to attend the charter school. Education Code § 47605.6(b)(5)(O).	The public school attendance alternatives for pupils who choose not to attend charter schools must, at a minimum, specify that the parent or guardian of each pupil enrolled in the charter school shall be informed that the pupils 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. <i>Cf. 5 CCR § 11967.5.1(f)(12)</i>
16	A description of the rights of employees of the county office of education to be employed by the charter school and vice versa. Education Code § 47605.6(b)(5)(P).	At a minimum, the petition must specify that an employee of the charter school shall have the following rights: 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. 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. C. Any other rights upon leaving employment to work in the charter school and any rights to return to a previous employer after working in the charter school that the Board determines to be reasonable and not in conflict with any provisions of law that apply to the charter school or to the employer from which the employee comes to the charter school or to which the employee returns from the charter school. <i>Cf. 5 CCR § 11967.5.1(f)(13)</i>

17	A description of the procedures to be used if the charter school closes. Education Code § 47605.6(b)(5)(Q).	These procedures must, at a minimum, include: A. Full accounting for all ending balance funds. B. Placement options for students. C. A distribution of assets or dissolution of assets plan consistent with state and federal regulations relative to state and federal grants. D. Use of a State-Controller-approved firm completing final audit. E. Staff rights for reemployment. F. Notification of retirement systems for certificated and classified employees.
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VI. The Board may deny a petition for countywide charter on any other basis that the board finds justifies the denial of the petition. (Education Code § 47605.6(b)(6)).

VII. The Board will require charter petitioners to provide it with all information it must consider in deciding to grant or deny the petition. (Education Code § 47605.6(h)).

Legal Standard:

“The county board of education shall require that the petition or petitioners provide information regarding . . .”

Required Information and Applicable Guidelines: Petitioners are expected to provide ALL of the information described in the guidelines set forth below in the charter petition.

#	Required Information	GUIDELINES
1	“[T]he proposed operation and potential effects of the school, including, but not limited to, the facilities to be utilized by the school.” Education Code § 47605.6(h).	A. Describe the types and potential location of facilities needed to operate the size and scope of educational program proposed in the charter. B. 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. C. Describe the financing plan for acquisition, construction, 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. D. Describe any plans to access local school bond or parcel tax proceeds.
2	“[T]he manner in which administrative services of the school are to be provided.” (Education Code § 47605.6(h)).	A. 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

		<p>to carry out the necessary administrative services, or a reasonable plan and time line to develop and assemble such practices and expertise.</p> <p>B. 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.</p> <p><i>Cf. 5 CCR § 11967.5.1(c)(3)(A)</i></p>
3	<p>The “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.” (Education Code § 47605.6(h)).</p>	<p>The petition and supporting documents must provide for the acquisition of and budgeting for general liability, workers compensations, and other necessary insurance (e.g. construction) of the type and in the amounts required for an enterprise of similar purpose and circumstance.</p> <p><i>Cf. 5 CCR § 11967.5.1(c)(3)(C)</i></p>
4	<p>“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.” (Education Code § 47605.6(h)).</p>	<p>These statements must include, at a minimum:</p> <p>A. The first-year operational budget, start-up costs, and cash flow, and financial projections for the first three years.</p> <p>B. 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.</p> <p>C. Budget notes that clearly describe assumptions on revenue estimates, including, but not limited to, the basis for average daily attendance estimates and staffing levels.</p> <p>D. 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.</p> <p>E. 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.</p> <p><i>Cf. 5 CCR § 11967.5.1(c)(3)(B)</i></p>

VIII. Preference for Schools Serving Low-Achieving Pupils (Education Code § 47605.6(i))

Legal Standard:

“In reviewing petitions for the establishment of charter schools within the county, the county board of education shall give preference to petitions that demonstrate the capability to provide comprehensive learning experiences to pupils identified by the petitioner or petitioners as academically low-achieving pursuant to the standards established by the State Department of Education under section 54032.” Education Code § 47605.6(i).

Basis for Preference and Applicable Guidelines: Petitioners are expected to satisfy ALL of the guidelines set forth below in order to receive the preference.

#	BASIS FOR PREFERENCE	GUIDELINES
1	The petition demonstrates the capability to provide comprehensive learning experiences to academically low-achieving pupils.	A. The educational program will serve the needs of low-achieving pupils. B. The methods for recruiting and admitting students will result in admission of significant numbers of low-achieving pupils. C. Students with special needs are welcomed and will be represented in numbers comparable to those present at non-charter schools.