

**Initial Petition- Countywide
Staff Report
Altus Schools Riverside County
May 15, 2026**

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| Non-Profit Corporation: | Altus Schools Southern California |
| Proposed Resource Centers in District Boundaries: | Moreno Valley Unified School District Desert Sands Unified School District Menifee Union School District Perris Union High School District Perris Elementary School District Alvord Unified School District Jurupa Unified School District |
| Program Type: | Non-classroom Based |
| Proposed Grades Served: | 6-12 |
| Anticipated Enrollment: | 609 in 2026-27 |

I. Proposed Petition: Countywide

Altus Schools Southern California (“Petitioner” or “Nonprofit”) proposes to establish a new nonclassroom-based countywide benefit charter school by the name of Altus Schools Riverside County (“Charter School” or “ASRC”), to serve grades 6-12. ASRC proposes to operate resource centers throughout Riverside County, within the boundaries of the following school districts: Moreno Valley Unified School District, Desert Sands Unified School District, Menifee Union School District, Perris Union High School District, Perris Elementary School District, Alvord Unified School District and Jurupa Unified School District (the “Districts”). If the Petition is approved, Nonprofit will close Audeo Valley Charter School (“AVCS”) and Altus Schools Coachella Valley (“ASCV”). AVCS and ASCV students will be encouraged to enroll in the Charter School.

II. Proposed Options for Board Action

It is recommended that the Board take action to either grant or deny the proposed Charter Petition. The Board has the following options:

1. DENY the Petition and adopt, as findings of fact, the Proposed Findings identified in the Staff Report, concluding the Countywide Petition did not meet the requirements of Education Code Section 47605.6.
2. GRANT the Petition and reject the findings and determination in this Staff Report that the petition does not meet all of the required threshold findings required by Education Code Section 47605.6. The Petition shall be granted for a 5-year term, commencing July 1, 2026, and concluding June 30, 2031, provided that a Memorandum of Understanding between the Charter School and RCOE is signed prior to the commencement of the new term.

III. Legal Considerations and Procedural Background

Legal Considerations

The Charter Schools Act (“Act”) governs the creation of California charter schools and provides standards and criteria for reviewing a charter petition. An alternative pathway for submission of a petition is directly to a county board as a countywide benefit charter school, which bypasses a local school district. When California’s system of charter schools was first authorized by the Legislature in 1992, there was no option for county offices of education to authorize charter schools directly. Rather, charter schools were established by petitioning to a local school district.

It was not until a decade later, effective January 1, 2003, that countywide benefit charter schools were authorized by the California Legislature, via Assembly Bill (“A.B.”) 1994, which created Education Code section 47605.6. As intended by the Legislature, the Act reflects a preference for district authorized charter schools. For example, the Legislature explained when considering AB 1994 in 2002, that while the new law would authorize direct petitions to a county board of education, a “countywide charter can *only* be approved if [the county board of education] finds that the educational services to be provided by the charter school ... cannot be served as well by a charter school that operates in only one school district in the county;” and “*only if* the charter school has reasonable justification for why it could not be established by petition to a school district[,]” among other unique requirements. (A.B. 1994 Assem. Analysis, Aug. 28, 2002, emphasis added.)

Within this statutory and legislative framework, a countywide charter is a charter school that operates at one or more sites within the geographic boundaries of the county. The legal standards and criteria for a countywide charter petition are more stringent than the standards and criteria for other types of charter school petitions. For example, the legal premise for a

petition submitted to a district under Education Code 47605 is that a district “shall not deny” a petition unless it makes written factual findings. (Ed. Code, § 47605, subd. (c).) Whereas, the legal standard for a countywide charter petition submitted to the Board under Education Code 47605.6 is that the Board “shall deny” a petition if there are findings. (Ed. Code § 47605.6, subd. (b).)

A county board of education may approve a petition for a charter school that operates at one or more sites within the geographic boundaries of the county and provides instructional services not generally provided by the county office of education. A county board of education “shall deny” a petition for the establishment of a countywide charter school if the board finds one or more the evaluation criteria outlined in Education Code section 47605.6(a) and (b). If the Petition is denied, “the petitioner shall not elect to submit the petition” to the State Board. (Ed. Code § 47605.6, subd. (k).)

Procedural Background

The County Board is required to hold a public hearing within 60 days of receiving the petition to consider the level of community support. A final decision to grant or deny the charter petition must be made within 90 days of receipt, unless both parties agree to extend the timeline by up to 30 days. A staff report with all findings and recommendations must be published at least 15 days prior to the public hearing at which the decision is scheduled.

On March 6, 2026, Petitioner submitted a charter petition (“Petition” or “Charter Petition”) to the County Board to establish ASRC as a countywide charter school authorized by the County Board pursuant to Education Code section 47605.6. The Petition seeks a five-year term, from July 1, 2026, to June 30, 2031. If the Petition is granted, Nonprofit would close AVSC and ASCV – both charter schools currently authorized by the County Board.

The County Board held a public hearing on May 6, 2026 to consider the terms of the Petition and the level of support for the proposed Charter School by parents/guardians, teachers, and community members. The Board is required to take action to either grant or deny the Petition within 90 days of receipt, unless the parties agree to a 30-day extension. (Ed. Code, § 47605.6, subd. (b).) Board action is scheduled to take place at the Board meeting of June 3, 2026. Riverside County Office of Education (“RCOE”) staff and legal counsel (“Review Team”) reviewed the Petition and developed proposed findings of fact for consideration by the Board. This report and any other staff recommendations shall be published at least 15 days before the public hearing at which the Board will either grant or deny the charter. (Ed. Code, § 47605.6, subd. (b).)

IV. Board’s Authority

The Board is responsible for evaluating and making the final determination to approve or deny a charter school petition. In doing so, the Board has the authority to assess whether the findings

of fact presented in the staff report support approval or denial, in accordance with the criteria established in Education Code Section 47605.6.

V. Findings

The following findings are provided to assist the Board in its consideration of the petition submitted by Altus Schools Southern California. It is intended to capture the essential issues relevant to the Board’s decision regarding approval or denial.

This report offers a full explanation of the findings, including the reasoning, context, and information that informed the staff’s assessment.

Requirements for Countywide Benefit Petitions

Countywide Charter Threshold Findings

To approve a countywide charter petition, a county board of education must first make certain threshold findings unique to countywide charters. Specifically, a county board of education must deny a countywide charter ***unless it makes each of the following affirmative findings***, in addition to the other requirements of Education Code section 47605.6:

1. The petition clearly identify the pupil population the school is designated to service; AND the Petition must explain how the proposed educational program is specifically intended to meet the needs of a specific pupil population and provide educational benefit; **AND**
2. The petition must explain why these pupils cannot be served as well by a charter school that operates in only one school district in the county; **AND**
3. Granting the charter is consistent with sound educational practice; **AND**
4. The charter school has provided reasonable justification for why it could not be established by petition to a school district

The evidentiary record reflects that the Petition does not meet the statutory requirements for countywide authorization. The section below addresses the deficiencies related to the countywide threshold.

Threshold Findings: Altus Petition

1. Pupil Population / Educational Benefit Finding: Met

The Petition clearly identifies the pupil population the Charter School is designed to serve, including students who are credit deficient, disengaged from traditional school settings, or

in need of a flexible, nontraditional educational program. The Petition further describes an educational program specifically designed to address the needs of this population through independent study, personalized learning plans, flexible scheduling, and access to support services and workforce readiness opportunities.

Based on review of the Petition, the educational program is reasonably designed to provide educational benefit to the identified pupil population.

2. Students Cannot Be Served as Well in a Single District

Finding: Not Met

The Petition does not demonstrate that the identified pupil population cannot be served as well by a charter school operating in a single school district within the county.

A petition is only eligible for consideration as a countywide benefit as determined by meeting a distinct four-part affirmative threshold finding, discussed above. This narrow exception circumvents the authority of a local school district to provide primary consideration and oversight of the educational programs within their jurisdictions.

The Petitioner currently operates two charter schools using the same nonclassroom-based, resource center model under district-appeal county authorization, and has demonstrated the ability to serve the identified student population within that structure. The Petition does not provide evidence that district-level authorization has resulted in programmatic limitations, inconsistent implementation, or barriers to serving students effectively.

Education Code section 47605.6(a)(1) conditions countywide charter approval on a finding that the educational services to be provided by the charter school cannot be served as well by a charter school operating in only one school district in the county. The standard is evidentiary and directed at service delivery, not student population geography, enrollment demand, or anticipated mobility patterns. The petition record does not substantiate that standard.

The Petition Conflates Geographic Dispersion of Students With Service Delivery Requirements

The Petition's countywide benefit justification rests on the characterization that its target student population is geographically dispersed throughout Riverside County and experiences high rates of mobility, credit deficiency, English Learner stagnation, chronic absenteeism, and socio-emotional need. The Petition asserts that this population "requires a countywide system of access, continuity, and resource placement that

cannot be replicated through a single-district or multiple district-authorized charter structure without materially diminishing educational effectiveness."¹

This characterization does not satisfy the statutory standard. Education Code section 47605.6(a)(1) does not ask whether the student population is geographically dispersed. It asks whether the educational services themselves cannot be served as well within a single-district authorized structure. Geographic dispersion of a student population is not equivalent to evidence that the services provided to that population require countywide authorization to be delivered effectively. The Petition does not bridge this distinction. The evidentiary record presents student enrollment data by geography; it does not present documented evidence that the educational services: independent study, personalized learning plans, flexible scheduling, and intervention supports, are dependent upon or functionally require a countywide authorization structure.

The Petition's Own Enrollment Record Does Not Substantiate the Claimed Necessity

The Petition presents Figure 1, which documents students served across more than 40 cities and unincorporated communities in Riverside County over five consecutive school years under the Petitioner's existing county-authorized charter structure². Riverside County totals range from 645 to 693 students annually. This record substantiates that the Petitioner has delivered its educational services to a geographically dispersed, highly mobile student population across a broad geographic area under its existing authorization. The Petition's own submitted data does not support the claim that the existing authorization structure has materially diminished access, continuity, or educational effectiveness. It documents the opposite. The Petition does not explain how a consolidated countywide charter would produce service delivery outcomes that the existing structure has not already achieved.

The Petition's Characterization of Enrollment Disruption Risk Is Speculative

The Petition asserts that restricting ASRC to a single-district authorization "would foreseeably interrupt enrollment continuity, delay access to intensive interventions, and materially diminish educational outcomes for the highly mobile pupil population."³ These assertions are speculative. The petition record does not document any instance in which a single-district charter structure has interrupted enrollment continuity, delayed intervention access, or produced diminished outcomes for the identified student population. The Petitioner's AVCS performance data, submitted as part of the petition record, documents consistently high graduation rates, low dropout rates, and

¹ Pp. 22 of 190

² Pp. 10 of 190

³ Pp. 23 of 190

strong academic growth indicators over multiple years. The petition record does not attribute any programmatic limitation to the structure of charter authorization.

The "Middle School Crisis" Characterization Is Not Substantiated by the Evidentiary Record

At the May 6, 2026 public hearing, the Petitioner asserted that middle school engagement data demonstrate a countywide crisis warranting countywide intervention under Education Code § 47605.6(a)(1)⁴. The Petition and supporting record do not establish that threshold.

Section 47605.6(a)(1) requires the Petitioner to demonstrate that the charter school will serve pupils for whom comprehensive support cannot be provided through a school district or districts, or that the program will offer services not available through single-district authorization. The Petition supplies none of the predicate showings this standard contemplates: it cites no state-corroborated performance analysis, no county-level service gap analysis, and no data specific to the proposed middle school population that would establish a service delivery problem beyond the capacity of single-district authorization to address.

The public hearing presentation did not offer the evidentiary support § 47605.6(a)(1) contemplates. The percentages shown omitted independent analysis connecting those figures to a specific, documented service gap. Publicly available data on middle school dropout and disengagement across Riverside County, considered on their own, do not describe a systemic condition of the scope the Petitioner identifies, and the Petition does not supply the analysis that would bridge general countywide figures to the specific service deficiency the statute asks the Petitioner to establish.

The Petition Does Not Identify Specific Educational Services Requiring Countywide Scope

The statute's reference to "educational services" is distinct from a general educational program. The Petition describes a program model, nonclassroom-based independent study, personalized learning plans, flexible scheduling, and career pathway access. It does not identify specific educational services within that program that are functionally dependent on countywide authorization for effective delivery. The petition record does not substantiate that any specific service component cannot be delivered within a single-district authorized structure.

Proposed Locations Incongruent With Stated Need

⁴ Petitioner's May 6, 2026 Presentation, slide 10

The review analyzed attendance areas associated with the proposed resource center locations and compared them to publicly available indicators including chronic absenteeism and graduation rates. This analysis found that the proposed locations are generally situated within moderate-to-high-performing attendance areas rather than the highest-need attendance areas identified within the petition districts⁵. While this observation is not independently dispositive of the statutory threshold under Education Code section 47605.6(a)(1), it does not materially support the Petition’s assertion that the proposed countywide structure and site placement are necessary to effectively serve the identified pupil population.

The petition record does not substantiate that the educational services described could not be established and maintained within a single authorizing district. The threshold is not met.

3. Sound Educational Practice

Finding: Met

The Petition describes an educational program that is consistent with sound educational practice, including the use of individualized instruction, standards-based curriculum, ongoing assessment, and targeted support for students who are credit deficient or at risk of not graduating. The program includes components such as personalized learning plans, flexible pacing, and workforce readiness opportunities designed to meet the needs of the identified pupil population.

Based on review of the Petition, the proposed program is reasonably comprehensive and consistent with sound educational practice.

4. Reasonable Justification for the Inability to be Established by a Local District

Finding: Not Met

The Petition does not provide a reasonable justification for why the Charter School could not be established by petition to a school district pursuant to Education Code section 47605.

The Petitioner currently operates charter schools serving the same student population under the same instructional model and has not identified any new or changed circumstances that would prevent the continued operation or expansion of a charter school serving this population through district-level authorization as required under Education Code section 47605.6(b).

⁵ See Attachment A: *Graduation Rate and Attendance Area Comparison* and Attachment B: *Chronic Absenteeism and Attendance Area Comparison*

Education Code section 47605.6(b) requires that the charter school has provided reasonable justification for why it could not be established by petition to a school district pursuant to Education Code section 47605. The petition record does not substantiate that standard.

The Petition Does Not Document an Attempt to Establish the Program Through District Authorization

The petition record does not reflect any attempt by the Petitioner to establish the proposed program through a district petition under Education Code section 47605, nor does it document any circumstance that would render such an attempt unavailing. The absence of a documented attempt, or documented evidence that such an attempt would be legally or operationally precluded, does not constitute reasonable justification under the statute. The statutory standard requires more than an assertion that countywide authorization is preferred or structurally advantageous.

The Moratorium Expiration Removes the Previously Applicable Barrier

Prior to the expiration of the moratorium on non-classroom-based independent study charters under Education Code section 47612.7, this instructional model could not be authorized by a school district. That barrier no longer exists. AVCS and ASCV were authorized by the County Board as continuing charters during the moratorium period, a pathway that reflected the legal constraints of that period, not a determination that district authorization was structurally inadequate for this model. The expiration of the moratorium restores district authorization as a legally available pathway. The Petition does not acknowledge this changed legal landscape and does not explain why district-level authorization is now structurally inadequate for the proposed program in the absence of the moratorium.

The Petition's Structural Necessity Claims Are Not Substantiated by the Evidentiary Record

The Petition asserts that requiring separate district authorizations "would create structural barriers that would divide separate services across separate authorizations, disrupt student continuity, and impair ASRC's ability to deliver a coherent countywide flex-based instructional model."⁶ The petition record does not document any such barriers. The Petition does not identify a single legal, operational, or programmatic barrier that district authorization would impose on the proposed program that is not equally present under the existing county-authorized structure. The assertion that separate district authorizations would undermine program coherence is speculative and is not corroborated by documented evidence in the petition record.

⁶ Pp. 23 of 190

Asserted Organizational Preferences Do Not Constitute Statutory Justification

The Petition asserts that countywide authorization would provide greater operational consistency, flexibility in siting resource centers, and streamlined governance under a single authorizer. These assertions characterize countywide authorization as organizationally preferable. They do not constitute justification that the program could not be established through district authorization, as the statute requires. The distinction between organizational preference and demonstrated inability is dispositive. The petition record does not substantiate the latter.

The petition record does not substantiate that the charter school could not be established through district-level authorization. The threshold is not met.

Statutory Basis for Denial

Upon meeting the aforementioned Countywide Threshold Findings, the Board must satisfy the additional criteria listed below. The County Board **shall deny** a petition for the establishment of a countywide charter school if it finds one or more of the following:

California’s Charter Schools Act (“Act”) governs the creation of charter schools within the state, and provides standards and criteria for reviewing a charter petition. Countywide benefit charter schools are charter schools that operate at one or more sites within the geographic boundaries of the county in which it is approved, and provide instructional services that are not typically provided by a county office of education. (Ed. Code, § 47605.6, subd. (a)(1).)

While the Act signifies legislative intent to encourage the approval of *district-approved* charter schools, the encouragement is not extended to countywide charters schools. The criteria and legal standards to approve a countywide charter petition are more strict. For example, the legal standard for a petition submitted to a school district under Education Code 47605 is that a district “shall not deny” a petition unless it makes certain written factual findings. (Ed. Code, § 47605(c).) Whereas the legal standard for a petition submitted under Education Code 47605.6 is that the county board of education “shall deny” a petition if there are any findings. (Ed. Code, § 47605.6(b).) Per the Education Code, “‘shall’ is mandatory” language. (Ed. Code, § 75.⁷)

⁷ See also, e.g., *People v. Billy* (2024) 107 Cal.App.5th 246, 259 [use of the term “shall” in a statute is mandatory]; *People v. Standish* (2006) 38 Cal.4th 858, 869 [use of “shall” in a statute is interpreted as mandatory and not permissive].

More specifically, a county board of education may only approve a countywide charter school if it is satisfied that the charter presents a sound educational practice, and contains reasonable justification as to why it could not be authorized by a school district. (Ed. Code, § 47605.6, subd. (b).) The county board of education must find that the charter school’s proposed educational services will be offered to a pupil population who will benefit from those services, and who cannot be served as well by a charter school operating in only one district in the county. (Ed. Code, § 47605.6, subd. (a)(1).) Additionally, a county board “shall deny” a petition establishing a countywide charter school if it finds one or more of the following, pursuant to Education Code section 47605.6, subdivision (b):

1. The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.
2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
3. The petition does not contain the required number of signatures.
4. The petition does not contain an affirmation of each of the conditions described in Education Code section 47605.6(e).
5. The petition does not contain reasonably comprehensive descriptions of all of the following:
 - a. Educational program, including annual goals for all pupils and pupil subgroups, and actions to achieve those goals
 - b. Measurable pupil outcomes identified for use by the charter school, aligned with the state priorities
 - c. Method by which pupil progress in meeting outcomes is to be measured
 - d. Location of each charter school facility that the petitioner proposes to operate
 - e. Governance structure, including process to ensure parental involvement
 - f. Employee qualifications
 - g. Health and safety procedures
 - h. Means to achieve a balance of racial and ethnic pupils, special education pupils, and English learner pupils that is reflective of the general population residing within the territorial jurisdiction of the county
 - i. Manner for conducting annual, independent financial audits
 - j. Suspension and expulsion procedures

- k. Retirement systems
 - l. Dispute resolution procedures
 - m. Admission policies and procedures
 - n. Public school attendance alternatives within the county
 - o. Employee return rights
 - p. School closure procedures
6. The petition does not include a declaration of whether the charter school shall be deemed the exclusive public school employer of its employees under the Educational Employment Relations Act.
 7. Any other basis that the county board of education finds justifies the denial of the petition.

(Ed. Code, § 47605.6(b).)

Notably, the seventh reason a county board of education may deny a countywide charter petition is unique. County boards of education are, therefore, granted very broad discretion to deny a countywide benefit charter petition, and may consider community impact, fiscal impact, or any other factor that may affect approval or denial.

Statutory Findings: Altus Petition

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| I. Descriptions Not Reasonably Comprehensive |
| No Findings Determined. |

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| II. Unsound Education Program |
| No Findings Determined. |

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| III. Demonstrably Unlikely to Successfully Implement Program |
| No Findings Determined. |

IV. Does Not Include Signatures

No Findings Determined.

V. Does Not Include Affirmations

No Findings Determined.

VI. Employer Declaration Not Provided

No Findings Determined.

VII. Any Other Basis

No Findings Determined.

APPENDIX

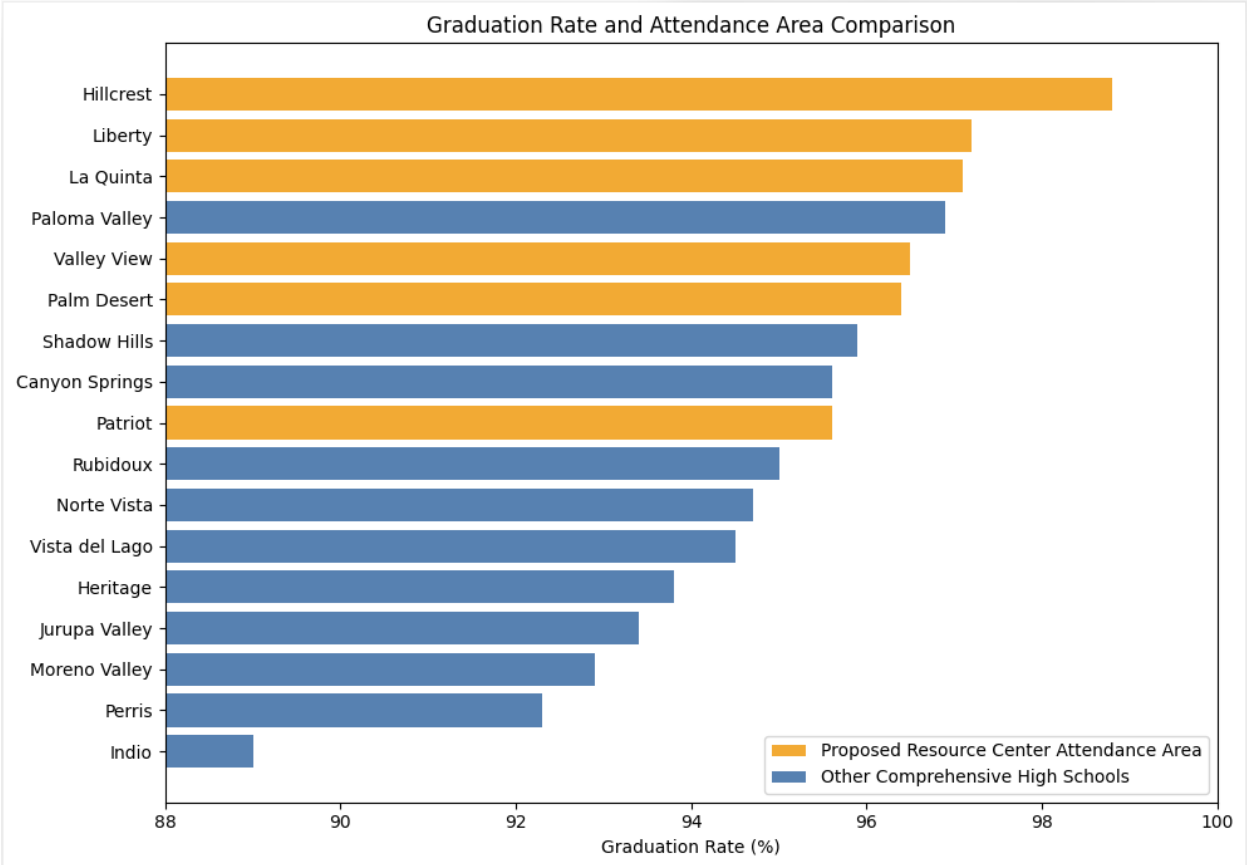
ATTACHMENT A

A.1 Graduation Rate Comparison- Site Locations Highlighted.....15

ATTACHMENT B

B.1 Middle School Chronic Absenteeism- Site Locations Highlighted.....16

ATTACHMENT A



ATTACHMENT B

Chronic Absenteeism and Attendance Area Comparison

