



Initial Charter Petition Countywide Review Rubric



Division of Leadership, Wellness, and Student Services
Charter Schools Unit

Initial Charter Petition
Countywide
Review Rubric

General Information

In accordance with Education Code Section 47605, a petition for the establishment of a charter school within a school district may be circulated by one or more persons seeking to establish the charter school. A petition for the establishment of a charter school shall identify a single charter school that will operate within the geographic boundaries of that school district. If the governing board of a school district denies a petition, the petitioner may elect to submit the petition for the establishment of a charter school to the county board of education. The petitioner shall submit the petition to the county board of education within 30 days of a denial by the governing board of the school district. At the same time, the petition is submitted to the county board of education, the petitioner shall also provide a copy of the petition to the school district.


School Information		Comments
Charter School		
Organization Details	To be Determined	
Lead Petitioner		
Phone		
email		
Submission (Petition)		
Certification of Submission	To be Determined	
Official Submission Date		
Anticipated Term	To be Determined	
School District	To be Determined	
Number of Locations	To be Determined	
Instructional Model	To be Determined	
Grade Levels Served Allowance	To be Determined	
Signatures Provided	To be Determined	
Submission (District Verification)		
Submitted within 30 Days of Denial	To be Determined	
Identical Document Submitted	To be Determined	
Initial Petition Review Process		


(SAMPLE) Initial Countywide Petition Review Rubric

Process Element	Status	Date(s)
Petition Review Initial Deadline	To be Determined	
RCBE Public Hearing Meeting	To be Determined	
Legal Counsel Review Deadline	To be Determined	

General Information

Capacity Interview	To be Determined	
Draft Staff Report Completion	To be Determined	
Review of Draft Staff Report	To be Determined	
Final Staff Report Posting	To be Determined	
RCBE Charter Subcommittee Meeting	To be Determined	
RCBE Decision Meeting	To be Determined	
Post-Decision (Approval)		
Process Element	Status	Date(s)
Drafting of Revised Memorandum of Understanding (MOU)	To be Determined	
Signing of the MOU	To be Determined	
Completion of Terms and Conditions in the MOU	To be Determined	
Upload the Charter Renewal Petition and MOU into Shared Drive and Google Folder	To be Determined	

 <p>Division of Leadership, Wellness, and Student Services Charter Schools Unit</p>	Initial Charter Petition (countywide)
Initial Petition Submission Certification Form	
Please complete the information, then sign and date below. This form may be provided to the Riverside County Office of Education as part of your initial charter petition submission to certify that the petition is deemed complete and start the petition review process timeline. An initial petition submission checklist has been provided for your consideration.	
Petitioner Pre-Submission Considerations	
<input type="checkbox"/>	Coordination of petition submission has been arranged with Riverside County Office of Education (RCOE) staff*
<input type="checkbox"/>	Each of the school districts where the charter school proposes to operate a facility has received at least 30 days' notice of the petitioner's intent to operate a charter school pursuant to EDC Section 47605.6
<input type="checkbox"/>	Documentation of the minimum signature requirement (50%) for meaningfully interested teachers or parents/guardians' signatures is included
<input type="checkbox"/>	Three hard copies and one digital copy are being provided for the review team*
<small>*Best practice, not required</small>	
Charter School and Petitioner Information	
Charter School	
Lead Petitioner	
Position of Lead Petitioner	
Contact Information- Phone	
Contact Information- Email	
Signature and Date	
I hereby certify under the laws of the State of California and the United States that the foregoing petition and the information included on this page are deemed complete, true, and correct. I understand and acknowledge that failure to provide accurate or complete information may subject the charter to revocation if later discovered and material to compliance with the Charter Schools Act.	
Name of Lead Petitioner	
Signature	
Date	
Verification of Initial Petition Submission (RCOE Office Use Only)	
Upon receipt of an Initial Charter School Petition, please fill out the information below, sign, and date. Contact Dr. Corey Loomis, Director, Charter Schools Unit, at cloomis@rcoe.us to coordinate the transfer of the submission.	
Name of RCOE Staff Receiving Submission	
Division/Unit	
Signature	
Date	

 Division of Leadership, Wellness, and Student Services Charter Schools Unit		Initial Charter Petition (Countywide) Review Rubric	
<p>In its review of the petition, RCOE will be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that the establishment of charter schools should be encouraged. The county board shall grant a charter for the operation of a school if it is satisfied that granting the charter is consistent with sound educational practice and with the interests of the community in which the school is proposing to locate. The academic needs of the pupils the school proposes to serve shall be considered.</p> <p>A county board of education may also approve a petition for the operation of a charter school that operates at one or more sites within the geographic boundaries of the county and that provides instructional services that are not generally provided by a county office of education. However, a county board of education may approve a countywide charter only 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. A petition for the establishment of a countywide charter school pursuant to this subdivision may be circulated throughout the county by any one or more persons seeking to establish the charter school. [EDC Section 47605.6(a)(1)]</p>			
Requirements for Approval			
Review/Findings: 47605.6(a)(1) The county board of education may approve a petition for the operation of a charter school that operates at one or more sites within the geographic boundaries of the county and that provides instructional services that are not generally provided by a county office of education. A county board of education may approve a countywide charter only if it finds 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. A county board of education may approve a countywide charter only if it finds 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.			
Finding	Education Code Section	Requirement	Notes
Under Review	47605.6(a)(1)	The charter school plans to operate at one or more sites within the geographic boundaries of the county	
Under Review	47605.6(a)(1)	The charter school plans to provide instructional services that are not generally provided by a county office of education	
Pupil Population focused: Who is being served and why a countywide is necessary?			
Under Review	47605.6(a)(1)	The educational services to be provided by the charter school will offer services to a pupil population that will benefit from those services	
Under Review	47605.6(a)(1)	The pupil population that will benefit from those services cannot be served as well by a charter school that operates in only one school district in the county.	
Authorizing Decision: Is granting this charter educationally and procedurally justified?			
Under Review	47605.6(b)	A county board of education may grant a charter for the operation of a charter school under this part only if it is satisfied that granting the charter is consistent with sound educational practice <ul style="list-style-type: none"> -Is the proposed grade span educationally coherent? -Is the model appropriate for the students served? -Is the expansion aligned with demonstrated need? -Does the proposal reflect best practice, not just compliance? -Is there anything else that will negatively impact students? 	
Under Review	47605.6(b)	A county board of education may grant a charter for the operation of a charter school under this part only if it is satisfied that the charter school has reasonable justification for why it could not be established by petition to a school district pursuant to Section 47605 <ul style="list-style-type: none"> -Why isn't a district petition viable? -What barrier actually exists? -Is county authorization being used as a substitute for district convenience or avoidance? 	

1.0 Document Review: Unsound Educational Program



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1.0 Petition Document Review: Unsound Educational Program

In its review of the petition, RCOE will be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that the establishment of charter schools should be encouraged. The county board shall grant a charter for the operation of a school if it is satisfied that granting the charter is consistent with sound educational practice and with the interests of the community in which the school is proposing to locate. The academic needs of the pupils the school proposes to serve shall be considered.

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Legal Requirements

Requirements for Denial

Review/Findings: 47605.6(b)(1) Administrative Criteria: CCR Tit.5 Section 11967.5.1(b)	The county board of education shall deny a petition for the establishment of a charter school if it finds the charter school presents an unsound educational program for the pupils to be enrolled in the charter school. An "unsound educational program" includes any of the following: (1) A program involving activities that are determined to present the likelihood of physical, educational, or psychological harm to students (2) A program that is determined not to be likely to provide educational benefit to the students who attend
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Finding(s)

Finding	Notes
Under Review	

2.0 Petitioner Review: Demonstrably Unlikely to Successfully Implement



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2.0 Petition Document Review: Demonstrably Unlikely to Successfully Implement

In its review of the petition, RCOE will be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that the establishment of charter schools should be encouraged. The county board shall grant a charter for the operation of a school if it is satisfied that granting the charter is consistent with sound educational practice and with the interests of the community in which the school is proposing to locate. The academic needs of the pupils the school proposes to serve shall be considered.

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Legal Requirements

Requirements for Denial

(SAMPLE) Initial Countywide Petition Review Rubric

Review/Findings: 47605.6(b)(2)	The county board of education shall deny a petition for the establishment of a charter school if it finds the petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
Administrative Criteria: CCR Tit.5 Section 11967.5.1(c)	The factors to be considered in determining whether charter petitioners are "demonstrably unlikely to implement the program" per the California Code of Regulations Title 5 are delineated in the following sections.

Finding(s)

The factors to be considered in determining whether charter petitioners are "demonstrably unlikely to implement the program" per the California Code of Regulations Title 5 are delineated in the following sections.

Status	CCR Title 5 Reference (Education Code, as applicable)	Area of Review	Required Description Per Administrative Criteria: CCR Tit.5 Section 11967.5.1(f)
Under Review	11967.5.1(c)(1)	Petitioner Capacity	The petitioners have a past history of involvement in charter schools or other education agencies that may be regarded as unsuccessful
Under Review	11967.5.1(c)(2)	Petitioner Capacity	The petitioners are unfamiliar with the content of the petition or any requirements of law that would apply to the charter school
Under Review	11967.5.1(c)(4)	Petitioner Capacity	The petitioners personally lack the necessary background in the following areas critical to the charter school's success, and the petitioners do not have a plan to secure the services of individuals who have the necessary background in these areas: (A) Curriculum, instruction, and assessment. (B) Finance and business management.
Under Review	EDC 47605(h)	Governance	One of the following is found to be true: (1) The petitioners have not provided the names and relevant qualifications of all persons whom the petitioners nominate to serve on the governing body of the charter school (2) The prospective board members lack qualifications deemed necessary to effectively govern a charter school (For a school which plans to be operated by, or as, a nonprofit public benefit corporation)
Under Review	11967.5.1(c)(3)(A)(1)	Fiscal	The petitioners have presented an unrealistic financial plan for the proposed charter school by not providing supporting documents to adequately describe the structure for providing administrative services to include, at minimum, the following to reflect an understanding of school business practices and expertise to carry out the necessary services: Personnel transactions, accounting, or payroll Administrative Services
Under Review	11967.5.1(c)(3)(A)(2)	Fiscal	The petitioners have presented an unrealistic financial plan for the proposed charter school by not providing supporting documents to adequately describe the criteria for the selection of any contractor or contractors that demonstrate necessary expertise or the procedure for selection of said contractors for any contract services
Under Review	11967.5.1(c)(3)(B)(1) EDC 47605(h)	Fiscal	The petitioners have not provided documents that adequately support any of the following: First-year operational budget, start-up costs, cash flow, or financial projections for the first three years Financial Plan
Under Review	11967.5.1(c)(3)(B)(2)	Fiscal	The petitioners have not included 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.
Under Review	11967.5.1(c)(3)(B)(3)	Fiscal	The petitioners have not included budget notes that clearly describe assumptions on revenue estimates, including, but not limited to, the basis for average daily attendance estimates and staffing levels.
Under Review	11967.5.1(c)(3)(B)(4)	Fiscal	The petitioners have not presented 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.
Under Review	11967.5.1(c)(3)(B)(5)	Fiscal	The petitioners have not demonstrated an understanding of the timing of the receipt of various revenues and their relative relationship to the 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.
Under Review	11967.5.1(c)(3)(C)	Insurance	The charter and supporting documents do not adequately provide for the acquisition of and budgeting for general liability, workers' compensation, and other necessary insurance of the type and in the amounts required for an enterprise of similar purpose and circumstance.

2.0 Petitioner Review: Demonstrably Unlikely to Successfully Implement

Under Review	11967.5.1(c)(3)(D)(1) EDC 47605(h)	Facilities	The petition does not adequately describe the types and potential location of facilities needed to operate the size and scope of the educational program proposed in the charter.
Under Review	11967.5.1(c)(3)(D)(2)	Facilities	The budget does not 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.

3.0 Community Interest Review: Signature Requirement



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3.0 Community Interest Review: Signature Requirement

In its review of the petition, RCOE will be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system, and that the establishment of charter schools should be encouraged. The county board shall grant a charter for the operation of a school if it is satisfied that granting the charter is consistent with sound educational practice and with the interests of the community in which the school is proposing to locate. The academic needs of the pupils the school proposes to serve shall be considered.

A county board of education may also approve a petition for the operation of a charter school that operates at one or more sites within the geographic boundaries of the county and that provides instructional services that are not generally provided by a county office of education. However, a county board of education may approve a countywide charter only 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.** A petition for the establishment of a countywide charter school pursuant to this subdivision may be circulated throughout the county by any one or more persons seeking to establish the charter school. [EDC Section 47605.6(a)(1)]

Legal Requirements

Requirements for Denial

<p>Review/Findings: 47605.6(b)(3) 47605.6(a)(1)(A)-(B) Administrative Criteria: CCR Tit.5 Section 11967.5.1(d)</p>	<p>The county board of education shall deny a petition for the establishment of a charter school if the petition does not contain the number of signatures required by subdivision (a), which requires either of the following: -The petition is signed by a number of parents/legal guardians of pupils that is equivalent to at least one-half of the number of pupils that the charter school estimates will enroll in the charter school for its first year of operation -The petition is 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 The petition shall include a prominent statement that a signature on the petition means that the parent/legal guardian or teacher are meaningfully interested. The proposed charter shall be attached to the petition when signatures are gathered.</p>
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Finding(s)

Determination	Notes
Under Review	

4.0 Document Review: Required Affirmations



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4.0 Petition Document Review: Required Affirmations

In its review of the petition, RCOE will be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that the establishment of charter schools should be encouraged. The county board shall grant a charter for the operation of a school if it is satisfied that granting the charter is consistent with sound educational practice and with the interests of the community in which the school is proposing to locate. The academic needs of the pupils the school proposes to serve shall be considered.

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Legal Requirements

(SAMPLE) Initial Countywide Petition Review Rubric

Requirements for Denial			
Review/Findings: 47605.6(b)(4)	The county board of education shall deny a petition for the establishment of a charter school if the petition does not contain an affirmation of each of the conditions described in subdivision (e).		
Administrative Criteria: CCR Tit.5 Section 11967.5.1(e)	The petition shall include a clear, unequivocal affirmation of each such condition, not a general statement of intention to comply. Neither the charter nor any of the supporting documents shall include any evidence that the charter will fail to comply with the conditions described in EDC 47605.6 (e).		
Finding(s)			
Status	Affirmation	Education Code Section	Comments/Notes
Under Review	Be non-sectarian in its programs, admissions policies, employment practices, and all other operations.	47605.6(e)(1)	
Under Review	Not charge tuition.	47605.6(e)(1)	
Under Review	Not discriminate on the basis of the characteristics listed in EDC Section 220 (actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, including immigration status, or association with an individual who has any of the aforementioned characteristics).	47605.6(e)(1)	
Under Review	Except as required by EDC Section 47605.6(e)(2), admission to the Charter School will not be determined according to the place of residence of the student or his or her parents or legal guardian within the State.	47605.6(e)(1)	
Under Review	Admit all students who wish to attend the Charter School.	47605.6(e)(2)(A)	
Under Review	Provide each application with an equal chance of admission through a public random drawing process, in the case that the Charter School receives a greater number of applications than there are spaces for students. Preference shall be extended to pupils currently attending the charter school and pupils who reside in the school district, except as provided for in Section 47614.5.	47605.6(e)(2)(B)	
Under Review	Each type of preference shall be approved by the chartering authority at a public hearing.	47605.6(e)(2)(B)(i)	
Under Review	Include preferences consistent with federal law, the California Constitution, and Section 200.	47605.6(d)(2)(B)(ii)	
Under Review	Not allow preferences to result in limiting enrollment access for pupils with disabilities, academically low-achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, or pupils who are economically disadvantaged, as determined by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation.	47605.6(e)(2)(B)(iii)	
Under Review	In accordance with Section 49011, not include mandatory parental volunteer hours in preferences as a criterion for admission or continued enrollment.	47605.6(e)(2)(B)(iv)	
Under Review	If a pupil is expelled or leaves the Charter School without graduating or completing the school year for any reason, the Charter School will notify the superintendent of the school district of the pupil's last known address within 30 days, and will, 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. (This only applies to pupils subject to compulsory full-time education pursuant to Section 48200)	47605.6(e)(3)	
Under Review	Not discourage a pupil from enrolling or seeking to enroll in the charter school for any reason, including, but not limited to, academic performance of the pupil or because the pupil exhibits any of the characteristics described in clause (iii) of subparagraph (B) of paragraph (2).	47605.6(e)(4)(A)	
Under Review	Not request a pupil's records or require a parent, guardian, or pupil to submit the pupil's records to the charter school before enrollment.	47605.6(e)(4)(B)	

4.0 Document Review: Required Affirmations

Under Review	Not encourage a pupil currently attending the charter school to disenroll from the charter school or transfer to another school for any reason, including, but not limited to, academic performance of the pupil or because the pupil exhibits any of the characteristics described in clause (iii) of subparagraph (B) of paragraph (2). (This shall not apply to actions taken by a school pursuant to the procedures described in EDC 47605.6(b)(5)(J).)	47605.6(e)(4)(C)	
Under Review	Shall post on the school's website the notice of the requirements of this paragraph as provided by the CDE, and will provide a parent or guardian, or a pupil if the pupil is 18 years or older, a copy of this notice at all of the following times: When a parent, guardian or pupil inquires about enrollment, before conducting a lottery and before disenrollment of a pupil.	47605.6(e)(4)(D)(i)-(iii)	



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4.0 Petition Document Review: Affirmations Requirement

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Legal Requirements

Requirements for Denial

Review/Findings: 47605.6(b)(5) Administrative Criteria: CCR Tit.5 Section 11967.5.1(g)	The county board of education shall deny a petition for the establishment of a charter school if it finds the petition does not contain reasonably comprehensive descriptions of each of the elements (A)-(P): For a description to be considered "reasonably comprehensive," it shall include information that: -Is substantive and provides elaboration (e.g., not a list) -Addresses all aspects of the elements, as applicable -Is specific to the proposed petition, not to charter schools in general -Describes, as applicable among different elements, how the charter school will: -Increase learning opportunities for its pupils, particularly those who are low-achieving -Provide parents, guardians, and pupils with expanded educational opportunities -Hold itself accountable for measurable, performance-based pupil outcomes -Provide vigorous competition with other public school options available to students, parents, and guardians
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Element A: Educational Program

EDC 47605.6(c)(5)(A)
 (i) The educational program of the charter school, designed, among other things, to identify those whom the charter school is attempting to educate, what it means to be an "educated person" in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners.
 (ii) The annual goals for the charter school for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals.
 (iii) If the proposed charter school will serve high school pupils, the manner in which the charter school will inform parents about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered transferable and courses approved by the University of California or the California State University as creditable under the "A to G" admissions criteria may be considered to meet college entrance requirements.

Status	Education Code Reference	CCR Title 5 Reference	Required Description Per Administrative Criteria: CCR Tit.5 Section 11967.5.1(f)
Under Review	47605.6(b)(5)(A)(i)	11967.5.1(f)(1)(A)	Includes target population: grade levels, enrollment, educational interests, backgrounds, and challenges.
Under Review	47605.6(b)(5)(A)(i)	11967.5.1(f)(1)(B)	Provides a clear, concise school mission statement with which all elements and programs of the school are in alignment. Statement shall convey the petitioners' definition of an educated person, belief for how learning best occurs, and goals consistent with enabling pupils to become or remain self-motivated, competent, and lifelong learners.
Under Review	47605.6(b)(5)(A)(i)	11967.5.1(f)(1)(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.
Under Review	47605.6(b)(5)(A)(i)	11967.5.1(f)(1)(D)	Indicates the basic learning environment: site-based matriculation, independent study, technology-based, hybrid, etc.
Under Review	47605.6(b)(5)(A)(i)	11967.5.1(f)(1)(E)	Provides for the instructional approach or approaches the charter school will utilize, including the curriculum and teaching methods that will enable the school's pupils to master the content standards adopted by the SBE and achieve the objectives specified in the charter.

Under Review	47605.6(b)(5)(A)(i)	11967.5.1(f)(1)(F)	Includes how the charter school will identify and respond to the needs of pupils who are not achieving at or above expected levels.
Under Review	47605.6(b)(5)(A)(i)	11967.5.1(f)(1)(G)	Indicates how the charter school will meet the needs of English Learners.

Under Review	47605.6(b)(5)(A)(i)	11967.5.1(f)(1)(G)	Indicates how the charter school will meet the needs of students performing substantially below grade level.
Under Review	47605.6(b)(5)(A)(i)	11967.5.1(f)(1)(G)	Indicates how the charter school will meet the needs of students performing substantially above grade level.
Under Review	47605.6(b)(5)(A)(i)	11967.5.1(f)(1)(G)	Indicates how the charter school will meet the needs of any other student populations specifically targeted in the petition.

Under Review	47605.6(b)(5)(A)(i)	11967.5.1(f)(1)(G) 11967.5.1(f)(1)(H)	Indicates how the charter school will meet the needs of students with disabilities. Specifies the school's special education plan: Identification of qualified students, provision of programs and services, the school's legal responsibilities for qualified students, and how the school intends to meet those responsibilities. Includes how the school will comply with EDC section 47641 as its own LEA for purposes of compliance with federal law and for eligibility for federal and state special education funds. To be considered an LEA for special education, the charter petition must provide verifiable, written assurances that the school will participate as an LEA in an SELPA approved by the State Board of Education.
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Under Review	47605.6(b)(5)(A)(ii)		Provides annual goals for the charter school to include: -The All Students group -Each subgroup identified (per Section 52052) -Include all 8 state priorities (per Section 52060) -Specific to grade levels served -Provide annual actions expected to achieve each goal
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Under Review	47605.6(b)(5)(A)(iii)		Indicates how the charter school will inform parents about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses meeting college entrance requirements are those that have been accredited by WASC or courses approved by either the UC or CSU under the "A to G" admissions criteria.
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Element B: Measurable Pupil Outcomes

EDC 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 charter school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the charter school's educational program. Pupil outcomes shall include outcomes that address increases in pupil academic achievement, both schoolwide and for all pupil subgroups served by the charter school, as that term is defined in subdivision (a) of Section 52052. The pupil outcomes shall align with the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served by the charter school.

Status	Education Code Reference	CCR Title 5 Reference	Required Description Per Administrative Criteria: CCR Tit.5 Section 11967.5.1(f)
Under Review	47605.6(b)(5)(B)		Pupil outcomes shall align with the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served by the charter school.

State Priorities			
Under Review	47605.6(b)(5)(B)	11967.5.1(f)(2)(A)	Measurable pupil outcomes are correlated to annual actions the school has included to ensure progress towards annual goals for individual students and groups of students. Specifies skills, knowledge, and attitudes that reflect the school's educational objectives that can be assessed by objective means which are frequent and sufficiently detailed enough to determine whether pupils are making satisfactory progress.
Under Review	47605.6(b)(5)(B)	11967.5.1(f)(2)(A)	Frequency of objective means of measuring pupil outcomes is varied appropriately according to specific factors such as grade level(s) and subject matter. Objective means of measuring pupil outcomes is capable of being used readily to evaluate the effectiveness of and to modify instruction for individual students and for groups of students.

Element C: Method of Measuring Pupil Progress

EDC 47605.6(b)(5)(C)
The method by which pupil progress in meeting those pupil outcomes is to be measured. To the extent practicable, the method for measuring pupil outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card.

Status	Education Code Reference	CCR Title 5 Reference	Required Description Per Administrative Criteria: CCR Tit.5 Section 11967.5.1(f)
Under Review	47605.6(b)(5)(C)	11967.5.1(f)(3)(A)	Describes the methods by which pupil progress is to be measured utilizes a variety of assessment tools appropriate to the skills, knowledge, or attitudes being assessed. Tools employ objective means of assessment for measurable pupil outcomes.
Under Review	47605.6(b)(5)(B)	11967.5.1(f)(3)(B)	In addition to local assessments for measuring individual students and student groups, annual state assessments appropriate to grade levels served are included.
Under Review	47605.6(b)(5)(B)	11967.5.1(f)(3)(C)	Provides a plan for collecting, analyzing, and reporting data on pupil achievement to school staff and pupil's parents/guardians. The plan includes how the school will utilize data to monitor and improve the charter school's educational program.

Element D: Facilities

EDC 47605.6(b)(5)(D)
The location of each charter school facility that the petitioner proposes to operate.

Status	Education Code Reference	CCR Title 5 Reference	Required Description Per Administrative Criteria: CCR Tit.5 Section 11967.5.1(f)
Under Review	47605.6(b)(5)(D)	N/A	Describes the location of each facility that the petitioner proposes to operate

Element E: Governance Structure

EDC 47605.6(b)(5)(E)
The governance structure of the charter school, including, but not limited to, the process to be followed by the charter school to ensure parental involvement

Status	Education Code Reference	CCR Title 5 Reference	Required Description Per Administrative Criteria: CCR Tit.5 Section 11967.5.1(f)
Under Review	47605.6(b)(5)(E)	11967.5.1(f)(4)(A)	Includes evidence of the charter school's incorporation as a non-profit public benefit corporation, if applicable.
Under Review	47605.6(b)(5)(E)	11967.5.1(f)(4)(B)(1)	Includes evidence that the organizational and technical designs of the governance structure reflects a seriousness of purpose necessary to ensure that the charter school will become and remain a viable enterprise.
Under Review	47605.6(b)(5)(E)	11967.5.1(f)(4)(B)(2)	Includes evidence that the organizational and technical designs of the governance structure reflects a seriousness of purpose necessary to ensure that there will be active and effective representation of interested parties, including, but not limited to, parents/guardians.
Under Review	47605.6(b)(5)(E)	11967.5.1(f)(4)(B)(3)	Includes evidence that the organizational and technical designs of the governance structure reflects a seriousness of purpose necessary to ensure that the educational program will be successful.

Element F: Employee Qualifications			
EDC 47605.6(b)(5)(E) The qualifications to be met by individuals to be employed by the charter school.			
Status	Education Code Reference	CCR Title 5 Reference	Required Description Per Administrative Criteria: CCR Tit.5 Section 11967.5.1(f)
Under Review	47605.6(b)(5)(F)	11967.5.1(f)(5)(A)	Identifies general qualifications for the various categories of employees the school anticipates. Qualifications are sufficient to ensure the health and safety of the school's faculty, staff, and pupils.
Under Review	47605.6(b)(5)(F)	11967.5.1(f)(5)(B)	Identifies those positions that the charter school regards as key in each category and specify the additional qualifications expected of individuals assigned to those positions.
Under Review	47605.6(b)(5)(F)	11967.5.1(f)(5)(C)	Specifies that the requirements for employment set forth in applicable provisions of law will be met, including, but not limited to, credentials, as necessary.
Element G: Health and Safety			
EDC 47605.6(b)(5)(G) The procedures that the charter school will follow to ensure the health and safety of pupils and staff. These procedures shall require all of the following: (i) That each employee of the charter school furnish the charter school with a criminal record summary as described in Section 44237. (ii) For all schools, the development of a school safety plan, which shall include the safety topics listed in subparagraphs (A) to (M), inclusive, of paragraph (2) of subdivision (a) of Section 32282. For schools serving pupils in any of grades 7 to 12, inclusive, the development of a school safety plan shall also include the safety topic listed in subparagraph (N) of paragraph (2) of subdivision (a) of Section 32282. (iii) That the school safety plan be reviewed and updated by March 1 of every year by the charter school.			
Status	Education Code Reference	CCR Title 5 Reference	Required Description Per Administrative Criteria: CCR Tit.5 Section 11967.5.1(f)
Under Review	47605.6(b)(5)(G)(i)	11967.5.1(f)(6)(A)	Includes the procedures that the school will follow to ensure each employee of the school furnishes the school with a criminal record summary as described in EDC Section 44237.
Under Review	47605.6(b)(5)(G)	11967.5.1(f)(6)(B)	Includes the procedures that the school will follow to ensure the examination of faculty and staff for TB, as described in EDC Section 49406.
Under Review	47605.6(b)(5)(G)	11967.5.1(f)(6)(C)	Includes the procedures that the school will follow to meet the requirement of 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.
Under Review	47605.6(b)(5)(G)	11967.5.1(f)(6)(D)	Includes the procedures that the school will follow to provide for the screening of pupils' vision to the same extent as would be required if pupils attended a non-charter public school per EDC section 49452. Requirement: Must be conducted in grades K, 2, 5, and 8.
Under Review	47605.6(b)(5)(G)	11967.5.1(f)(6)(D)	Includes the procedures that the school will follow to provide for the screening of pupils' hearing to the same extent as would be required if pupils attended a non-charter public school, per EDC section 49452. Requirement: Must be conducted in grades K, 1, 2, 5, and 8.
Under Review	47605.6(b)(5)(G)	11967.5.1(f)(6)(D)	Includes the procedures that the school will follow to provide for the screening of pupils for scoliosis to the same extent as would be required if pupils attended a non-charter public school per EDC section 49452.5. Requirement: Must be conducted in grade 7 for females and grade 8 for males.
Under Review	47605.6(b)(5)(G)(ii)	Topics per EDC 32282	Includes the procedure the school plans to follow to develop a school safety plan and affirms the topics listed in EDC section 32282(a)(A)-(M) for grades TK-6 and (A)-(N) for grades 7-12. Provides an affirmation that the school safety plan will be reviewed and updated by March 1 of every year by the charter school.
Element H: Student Population Balance			
EDC 47605.6(b)(5)(H) The means by which the charter school will achieve a balance of racial and ethnic pupils, special education pupils, and English learner pupils, including redesignated fluent English proficient pupils, as defined by the evaluation rubrics in Section 52064.5, that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted. Upon renewal, for a charter school not deemed to be a local educational agency for purposes of special education pursuant to Section 47641, the chartering authority may consider the effect of school placements made by the chartering authority in providing a free and appropriate public education as required by the federal Individuals with Disabilities Education Act (Public Law 101-476), on the balance of pupils with disabilities at the charter school.			
Status	Education Code Reference	CCR Title 5 Reference	Required Description Per Administrative Criteria: CCR Tit.5 Section 11967.5.1(f)

Under Review	47605.6(b)(5)(H)	11967.5.1(f)(7)	Includes a plan for the school to reasonably achieve a balance of pupils reflective of the school community of the school district in which the school will reside for the following students: Racial groups, ethnic groups, special education students, English learners, and redesignated English learners. Plan acknowledges the student population of the district and specifically targets numerically significant student groups in the community. Consideration shall be made for the limitations on admissions to charter schools imposed by EDC section 47605.6(e), however preferences for admissions should align with the school's recruitment plan.
Element I: Annual Audit			
EDC 47605.6(b)(5)(I) The manner in which annual, independent financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the chartering authority.			
Status	Education Code Reference	CCR Title 5 Reference	Required Description Per Administrative Criteria: CCR Tit.5 Section 11967.5.1(f)
Under Review	47605.6(b)(5)(I)	11967.5.1(f)(9)(A)	Procedures for conducting the annual audit includes the person(s) responsible for contracting and overseeing the independent audit.
Under Review	47605.6(b)(5)(I)	11967.5.1(f)(9)(B)	Affirms that the selected auditor will have experience in education finance. Affirms that the auditor will be either a public accountant or a certified public accountant, licensed by the California Board of Accountancy, and selected from the State Controller's list. (EDC 41020(f))
Under Review	47605.6(b)(5)(I)	11967.5.1(f)(9)(C)	Outlines the process of providing audit reports to the authorizer, CDE, and any other agency required by law and includes a timeline for addressing audit exceptions.
Under Review	47605.6(b)(5)(I)	11967.5.1(f)(9)(D)	Indicates the process that the charter school will follow to address any audit findings and/or resolve any audit exceptions.
Element J: Suspension/Expulsion Procedures			
EDC 47605.6(b)(5)(J) The procedures by which pupils can be suspended or expelled from the charter school for disciplinary reasons or otherwise involuntarily removed from the charter school for any reason. These procedures, at a minimum, shall include an explanation of how the charter school will comply with federal and state constitutional procedural and substantive due process requirements that are consistent with all of the following:			
Status	Education Code Reference	CCR Title 5 Reference	Required Description Education Code Section 47605.6(J) Per Administrative Criteria: CCR Tit.5 Section 11967.5.1(f)
Under Review	47605.6(b)(5)(J)	11967.5.1(f)(10)(A)	Includes a list of non-discretionary offenses for which students must be suspended. Includes a list of discretionary offenses for which students may be suspended. Includes a list of non-discretionary offenses for which students must be expelled. Includes a list of discretionary offenses for which students may be expelled. Provides evidence that the petitioner(s) reviewed EDC sections 48900-48927 for which students must/may be suspended or expelled in non-charter public schools.
Under Review	47605.6(b)(5)(J)(i)	11967.5.1(f)(10)(B)-(C)	Describes the procedures by which pupils can be suspended if fewer than 10 days. Identifies the procedures by which parents, guardians*, and pupils will be informed about the reasons for suspension and of their due process rights. Includes either oral or written notice of the charges against the pupil. Includes an explanation of the evidence that supports the charges, if the pupil denies the charges. Includes an opportunity for the pupil to present their side of the story.
Under Review	47605.6(b)(5)(J)(ii)	11967.5.1(f)(10)(B)-(C)	Describes the procedures by which pupils can be suspended for 10 days or more. Identifies the procedures by which parents, guardians*, and pupils will be informed about the reasons for suspension and of their due process rights, requiring timely, written notice of the charges against the pupil and an explanation of the pupil's basic rights. Provides a hearing adjudicated by a neutral officer within a reasonable number of days, at which the pupil has a fair opportunity to present testimony, evidence, and witnesses, and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate.
Under Review	47605.6(b)(5)(J)(ii)	11967.5.1(f)(10)(B)-(C)	Describes the procedures by which pupils can be expelled. Identifies the procedures by which parents, guardians*, and pupils will be informed about the reasons for expulsion and of their due process rights, requiring timely, written notice of the charges against the pupil and an explanation of the pupil's basic rights. Provides a hearing adjudicated by a neutral officer within a reasonable number of days, at which the pupil has a fair opportunity to present testimony, evidence, and witnesses, and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate.
Under Review	47605.6(b)(5)(J)	11967.5.1(f)(10)(E)(1)	Demonstrates an understanding of the rights of pupils with disabilities in regard to suspension and expulsion.

Under Review	47605.6(b)(5)(J)(ii)	11967.5.1(f)(10)(E)(2)	Outlines how detailed suspension/expulsion policies and procedures will be periodically reviewed and modified. Include how the school will notify the authorizer of any potential changes to these policies and procedures to determine if a material revision to the petition is necessary.
Under Review	47605.6(b)(5)(J)		Describes the procedures by which pupils can be involuntarily removed from the charter school, including reasons for removal.

Under Review	47605.6(b)(5)(J)(iii)		<p>Contains a clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five schooldays before the effective date of the action.</p> <p>The written notice shall be in the native language of the pupil or the pupil's parent or guardian, or, if the pupil is a homeless child or youth, or a foster child or youth, in the native language of the homeless or foster child's educational rights holder.</p> <p>In the case of a foster child or youth, the written notice shall also be provided to the foster child's attorney and county social worker. If the pupil is an Indian child, as defined in Section 224.1 of the Welfare and Institutions Code, the written notice shall also be provided to the Indian child's tribal social worker and, if applicable, county social worker.</p> <p>The written notice shall inform the pupil, the pupil's parent or guardian, the homeless child's educational rights holder, the foster child's educational rights holder, attorney, and county social worker, or the Indian child's tribal social worker and, if applicable, county social worker of the right to initiate the procedures specified in clause (ii) before the effective date of the action.</p> <p>If the pupil's parent or guardian, the homeless child's educational rights holder, the foster child's educational rights holder, attorney, or county social worker, or the Indian child's tribal social worker or, if applicable, county social worker initiates the procedures specified in clause (ii), the pupil shall remain enrolled and shall not be removed until the charter school issues a final decision.</p> <p>For purposes of this clause, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions specified in clauses (i) and (ii).</p>
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*A foster child's educational rights holder, attorney, and county social worker and an Indian child's tribal social worker and, if applicable, county social worker shall have the same rights a parent or guardian of a child has to receive a suspension notice, expulsion notice, manifestation determination notice, involuntary transfer notice, and other documents and related information. EDC section 47605.6(b)(5)(J)(iv)

Element K: Staff Retirement System

EDC 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.

Status	Education Code Reference	CCR Title 5 Reference	Required Description Per Administrative Criteria: CCR Tit.5 Section 11967.5.1(f)
Under Review	47605.6(b)(5)(K)	11967.5.1(f)(11)	The petition specifies the positions to be covered under each retirement system: The State Teachers' Retirement System, the Public Employees' Retirement System, and/or federal social security.
Under Review	47605.6(b)(5)(K)	11967.5.1(f)(11)	The petition specifies the staff who will be responsible for ensuring that appropriate arrangements for each retirement coverage will be made.

Element L: Dispute Resolution

EDC 47605.6(b)(5)(L)

The procedures to be followed by the charter school and the chartering authority to resolve disputes relating to provisions of the charter.

Status	Education Code Reference	CCR Title 5 Reference	Required Description Per Administrative Criteria: CCR Tit.5 Section 11967.5.1(f)
Under Review	47605.6(b)(5)(L)	11967.5.1(f)(14)(A)	Includes specific provisions relating to dispute resolution between the charter school and the authorizer relating to provisions of the petition.
Under Review	47605.6(b)(5)(L)	11967.5.1(f)(14)(B)	Describes how the costs of the dispute resolution process, if needed, would be funded.
Under Review	47605.6(b)(5)(L)	11967.5.1(f)(14)(D)	Recognizes that if the substance of a dispute is a matter that could result in the taking of appropriate action, including, but not limited to, revocation of the charter in accordance with Education Code section 47604.5, the matter will be addressed at the RCBE's discretion in accordance with that provision of law and any regulations pertaining thereto.

Element M: Admission Policies and Procedures

EDC 47605.6(b)(5)(M)

Admission policies and procedures consistent with subdivision (e)

CCR Tit.5 Section 11967.5.1(f)(8)

Requirements shall be in compliance with the requirements of Education Code Section 47605.6(e) and any other applicable provision of law.

Status	CCR Title 5 Reference	Education Code Reference	Required Description Per Education Code Section 47605.6(e)
Under Review	11967.5.1(f)(8)	47605.6(e)(1)	The petition is nonsectarian in its admission policies and shall not discriminate based on the characteristics listed in Section 220.
Under Review	11967.5.1(f)(8)	47605.6(e)(1)	Admission is not determined according to the place of residence of the pupil or that of the parent or legal guardian, except to give preference to students who currently reside in the school district where the charter plans to locate. Additional allowances can be made for students per EDC Section 47614.5 if applying for the Charter School Facility Grant.

Under Review	11967.5.1(f)(8)	47605.6(e)(2)(A)	Reflects the affirmation that the charter school shall admit all pupils who wish to attend the charter school.
Under Review	11967.5.1(f)(8)	47605.6(e)(2)(B)	Describes the public random drawing process to be used if the number of pupils who wish to attend the charter school exceeds the charter school's capacity.
Under Review	11967.5.1(f)(8)	47605.6(e)(2)(B)	Preferences are extended to pupils currently attending the charter school and pupils who reside in the school district. Additional allowances can be made for students per EDC Section 47614.5 if applying for the Charter School Facility Grant.
Under Review	11967.5.1(f)(8)	47605.6(e)(2)(B)(ii)	Priority order of any preferences are provided and consistent with federal law, the California Constitution, and Section 200 (nondiscrimination). (Preferences will be considered approved by the chartering authority, as required by EDC Section 47605.6(e)(2)(B)(i), upon approval of the petition)
Under Review	11967.5.1(f)(8)	47605.6(e)(2)(B)(iii)	It appears preferences will not result in limiting enrollment access for pupils with disabilities, academically low-achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, or pupils who are economically disadvantaged, as determined by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation.
Under Review	11967.5.1(f)(8)	47605.6(e)(2)(B)(iv)	Preferences do not require mandatory parental volunteer hours as a criterion for admission or continued enrollment.
Under Review	11967.5.1(f)(8)	47605.6(e)(4)(B)	Application materials do not require a pupil's records or the submission of pupil records prior to formal enrollment.
Under Review	11967.5.1(f)(8)	47605.6(e)(4)(D)	The admissions process describes how the school will comply with notifying parents that a charter school shall not encourage a pupil currently attending the charter school to disenroll from the school or transfer to another school for any reason. (Other than the following: suspension, expulsion, or involuntary removals requiring due process.) The process includes notification on the school's website when a pupil inquires about enrollment, prior to conducting an enrollment lottery, and before disenrollment of a pupil.

Element N: Public School Attendance Alternatives

EDC 47605.6(b)(5)(N)
The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools.

Status	Education Code Reference	CCR Title 5 Reference	Required Description Per Administrative Criteria: CCR Tit.5 Section 11967.5.1(f)
Under Review	47605.6(b)(5)(N)	11967.5.1(f)(12)	The petition specifies 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 LEA, or program of any LEA, as a consequence of enrollment in the charter school, except to the extent that such a right is extended by the LEA. (Students enrolling in the charter school do not gain an advantage to enrollment to a district school or program due to enrollment in the charter, if they decide to disenroll from the charter school.)

Element O: County Employee Rights

EDC 47605.6(b)(5)(O)
The rights of an employee of the county office of education to be employed by the charter school, and any rights of return to the county office of education that an employee may have upon leaving the employment of the charter school.

Status	Education Code Reference	CCR Title 5 Reference	Required Description Per Administrative Criteria: CCR Tit.5 Section 11967.5.1(f)
Under Review	47605.6(b)(5)(O)	11967.5.1(f)(M)(A)	Describes any rights to employment for employees of the county office who leave to work in the charter school.
Under Review	47605.6(b)(5)(O)	11967.5.1(f)(M)(B)	Describes any rights of return to employment in the county office after employment in the charter school.
Under Review	47605.6(b)(5)(O)	11967.5.1(f)(M)(C)	Describes 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. Examples include transfer of sick leave or vacation time, retention of retirement benefits, seniority and tenure, and continuity of health benefits.

Element P: Closure Procedures

EDC 47605.6(b)(5)(P)
The procedures to be used if the charter school closes. The procedures shall ensure a final audit of the charter school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records.

Status	Education Code Reference	CCR Title 5 Reference	Required Description Per Administrative Criteria: CCR Tit.5 Section 11967.5.1(f)
Under Review	47605.6(b)(5)(P)	N/A	Includes a plan to ensure a final audit will be conducted to determine the disposition of all assets and liabilities of the charter school, including disposing of any net assets.
Under Review	47605.6(b)(5)(P)	N/A	Includes a plan for the maintenance and transfer of pupil records.

SAMPLE

6.0 Document Review: Exclusive Employer Declaration



Division of Leadership, Wellness, and Student Services
Charter Schools Unit

Initial Charter Petition
(Countywide)
Review Rubric

6.0 Petition Document Review: Exclusive Employer Declaration

In its review of the petition, RCOE will be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that the establishment of charter schools should be encouraged. The county board shall grant a charter for the operation of a school if it is satisfied that granting the charter is consistent with sound educational practice and with the interests of the community in which the school is proposing to locate. The academic needs of the pupils the school proposes to serve shall be considered.

A county board of education may also approve a petition for the operation of a charter school that operates at one or more sites within the geographic boundaries of the county and that provides instructional services that are not generally provided by a county office of education. However, a county board of education may approve a countywide charter only 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.** A petition for the establishment of a countywide charter school pursuant to this subdivision may be circulated throughout the county by any one or more persons seeking to establish the charter school. [EDC Section 47605.6(a)(1)]

Legal Requirements

Requirements for Denial

Review/Findings: 47605.6(c)(6)	The governing board of the [county office] shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings: The petition does not contain a declaration of whether or not the charter school shall be deemed the exclusive public employer of the employees of the charter school for purposes of Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code.
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The charter school must declare itself to be the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act, as the COE will not assume the role of employer for charter schools authorized by the Riverside County Board of Education.

Finding(s)

Area of Concern	Documentation	Concerns
Under Review		

7.0 Other Denial
Justification



Division of Leadership, Wellness, and Student Services
Charter Schools Unit

Initial Charter Petition
(Countywide)
Review Rubric

7.0 Impact Review: District Programs

In its review of the petition, RCOE will be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that the establishment of charter schools should be encouraged. The county board shall grant a charter for the operation of a school if it is satisfied that granting the charter is consistent with sound educational practice and with the interests of the community in which the school is proposing to locate. The academic needs of the pupils the school proposes to serve shall be considered.

A county board of education may also approve a petition for the operation of a charter school that operates at one or more sites within the geographic boundaries of the county, and that provides instructional services that are not generally provided by a county office of education. However, a county board of education may approve a countywide charter only 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.** A petition for the establishment of a countywide charter school pursuant to this subdivision may be circulated throughout the county by any one or more persons seeking to establish the charter school. [EDC Section 47605.6(a)(1)]

Legal Requirements

(Template) Initial Countywide Petition Review Rubric

Finding(s)		
Review/Findings: 47605.6(c)(7)	The county board of education shall deny a petition for the establishment of a charter school if it finds any other basis justifying denial.	
Finding(s) of Fact		
Area of Concern	Documentation	Concerns
Under Review		

SAMPLE



Initial Petition Appeal Review Rubric



Division of Leadership, Wellness, and Student Services
Charter Schools Unit

Initial Charter Petition
District Appeal
Review Rubric

General Information

In accordance with Education Code Section 47605, a petition for the establishment of a charter school within a school district may be circulated by one or more persons seeking to establish the charter school. A petition for the establishment of a charter school shall identify a single charter school that will operate within the geographic boundaries of that school district. If the governing board of a school district denies a petition, the petitioner may elect to submit the petition for the establishment of a charter school to the county board of education. The petitioner shall submit the petition to the county board of education within 30 days of a denial by the governing board of the school district. At the same time, the petition is submitted to the county board of education, the petitioner shall also provide a copy of the petition to the school district.

School Information		Comments
Charter School		
Organization Details	To be Determined	
Lead Petitioner		
Phone		
email		
Submission (Petition)		
Certification of Submission	To be Determined	
Official Submission Date		
Anticipated Term	To be Determined	
School District	To be Determined	
Number of Locations	To be Determined	
Instructional Model	To be Determined	
Grade Levels Served Allowance	To be Determined	
Signatures Provided	To be Determined	
Submission (District Verification)		
Submitted within 30 Days of Denial	To be Determined	
Identical Document Submitted	To be Determined	
Initial Petition Review Process		

(Template) Initial Petition _Appeal_ Review Rubric

Process Element	Status	Date(s)
Petition Review Initial Deadline	To be Determined	
RCBE Public Hearing Meeting	To be Determined	
Legal Counsel Review Deadline	To be Determined	

General Information

Capacity Interview	To be Determined	
Draft Staff Report Completion	To be Determined	
Review of Draft Staff Report	To be Determined	
Final Staff Report Posting	To be Determined	
RCBE Charter Subcommittee Meeting	To be Determined	
RCBE Decision Meeting	To be Determined	
Post-Decision (Approval)		
Process Element	Status	Date(s)
Drafting of Revised Memorandum of Understanding (MOU)	To be Determined	
Signing of the MOU	To be Determined	
Completion of Terms and Conditions in the MOU	To be Determined	
Upload the Charter Renewal Petition and MOU into Shared Drive and Google Folder	To be Determined	



Division of Leadership, Wellness, and Student Services
Charter Schools Unit

Initial Charter Petition
(on Appeal)

Initial Petition Submission Certification Form

Please complete the information, then sign and date below. This form may be provided to the Riverside County Office of Education as part of your initial charter petition submission to certify that the petition is deemed complete and start the petition review process timeline. An initial petition submission checklist has been provided for your consideration.

Petitioner Pre-Submission Considerations

- Coordination of petition submission has been arranged with Riverside County Office of Education (RCOE) staff*
- The petition being submitted is identical to the petition submitted to and denied by the district in which the school is proposing to operate
- This submission of this appeal to the county office is within 30-days of the denial decision by the district board
- Documentation of the minimum signature requirement (50%) for meaningfully interested teachers or parents/guardians' signatures is included
- Three hard copies and one digital copy are being provided for the review team*

*Best practice, not required

Charter School and Petitioner Information

Charter School	
Lead Petitioner	
Position of Lead Petitioner	
Contact Information- Phone	
Contact Information- Email	

Signature and Date

I hereby certify under the laws of the State of California and the United States that the foregoing petition and the information included on this page are deemed complete, true and correct. I understand and acknowledge that failure to provide accurate or complete information may subject the charter to revocation if later discovered and material to compliance with the Charter Schools Act.

Name of Lead Petitioner	
Signature	
Date	

Verification of Initial Petition Submission (RCOE Office Use Only)

Upon receipt of an Initial Charter School Petition, please fill out the information below, sign, and date. Contact Dr. Corey Loomis, Director, Charter Schools Unit, at cloomis@rcoe.us to coordinate the transfer of the submission.

Name of RCOE Staff Receiving Submission	
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(Template) Initial Petition _Appeal_Review Rubric

Division/Unit	
Signature	
Date	

1.0 Document Review: Unsound Educational Program



Division of Leadership, Wellness, and Student Services
Charter Schools Unit

Initial Charter Petition
(Appeal) Review Rubric

1.0 Petition Document Review: Unsound Educational Program

In its review of the petition, RCOE will be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that the establishment of charter schools should be encouraged. The county board shall grant a charter for the operation of a school if it is satisfied that granting the charter is consistent with sound educational practice and with the interests of the community in which the school is proposing to locate. The academic needs of the pupils the school proposes to serve shall be considered.

Legal Requirements


Requirements for Finding(s) of Fact

Review/Findings: 47605(c)(1) Administrative Criteria: CCR Tit.5 Section 11967.5.1(b)	The governing board of the [county office] shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings: The charter school presents an unsound educational program for the pupils to be enrolled in the charter school. An "unsound educational program" includes any of the following: (1) A program involving activities that are determined to present the likelihood of physical, educational, or psychological harm to students (2) A program that is determined not to be likely to provide educational benefit to the students who attend
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Finding(s) of Fact

Finding	Notes
Under Review	


2.0 Petitioner Review: Demonstrably Unlikely to Successfully Implement

 Division of Leadership, Wellness, and Student Services Charter Schools Unit		Initial Charter Petition (Appeal) Review Rubric	
2.0 Petition Document Review: Demonstrably Unlikely to Successfully Implement			
In its review of the petition, RCOE will be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that the establishment of charter schools should be encouraged. The county board shall grant a charter for the operation of a school if it is satisfied that granting the charter is consistent with sound educational practice and with the interests of the community in which the school is proposing to locate. The academic needs of the pupils the school proposes to serve shall be considered.			
Legal Requirements			
Requirements for Finding(s) of Fact			
Review/Findings: 47605(c)(2) Administrative Criteria: CCR Tit.5 Section 11967.5.1(c)	The governing board of the [county office] shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings: The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition. The factors to be considered in determining whether charter petitioners are "demonstrably unlikely to implement the program" per the California Code of Regulations Title 5 are delineated in the following sections.		
Finding(s) of Fact			
The factors to be considered in determining whether charter petitioners are "demonstrably unlikely to implement the program" per the California Code of Regulations Title 5 are delineated in the following sections.			
Status	CCR Title 5 Reference <small>(Education Code, as applicable)</small>	Area of Review	Required Description <small>Per Administrative Criteria: CCR Tit.5 Section 11967.5.1(f)</small>
Under Review	11967.5.1(c)(1)	Petitioner Capacity	The petitioners have a past history of involvement in charter schools or other education agencies that may be regarded as unsuccessful
Under Review	11967.5.1(c)(2)	Petitioner Capacity	The petitioners are unfamiliar with the content of the petition or any requirements of law that would apply to the charter school
Under Review	11967.5.1(c)(4)	Petitioner Capacity	The petitioners personally lack the necessary background in the following areas critical to the charter school's success, and the petitioners do not have a plan to secure the services of individuals who have the necessary background in these areas: (A) Curriculum, instruction, and assessment. (B) Finance and business management.
Under Review	EDC 47605(h)	Governance	One of the following is found to be true: (1) The petitioners have not provided the names and relevant qualifications of all persons whom the petitioners nominate to serve on the governing body of the charter school (2) The prospective board members lack qualifications deemed necessary to effectively govern a charter school <small>(For a school which plans to be operated by, or as, a nonprofit public benefit corporation)</small>
Under Review	11967.5.1(c)(3)(A)(1)	Fiscal	The petitioners have presented an unrealistic financial plan for the proposed charter school by not providing supporting documents to adequately describe the structure for providing administrative services, to include, at minimum, the following to reflect an understanding of school business practices and expertise to carry out the necessary services: Personnel transactions, accounting, or payroll Administrative Services
Under Review	11967.5.1(c)(3)(A)(2)	Fiscal	The petitioners have presented an unrealistic financial plan for the proposed charter school by not providing supporting documents to adequately describe the criteria for the selection of any contractor or contractors that demonstrate necessary expertise or the procedure for selection of said contractors for any contract services
Under Review	11967.5.1(c)(3)(B)(1) EDC 47605(h)	Fiscal	The petitioners have not provided documents that adequately support any of the following: First-year operational budget, start-up costs, cash flow, or financial projections for the first three years Financial Plan
Under Review	11967.5.1(c)(3)(B)(2)	Fiscal	The petitioners have not included 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.
Under Review	11967.5.1(c)(3)(B)(3)	Fiscal	The petitioners have not included budget notes that clearly describe assumptions on revenue estimates, including, but not limited to, the basis for average daily attendance estimates and staffing levels.
Under Review	11967.5.1(c)(3)(B)(4)	Fiscal	The petitioners have not presented 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.
Under Review	11967.5.1(c)(3)(B)(5)	Fiscal	The petitioners have not demonstrated an understanding of the timing of the receipt of various revenues and their relative relationship to the 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.


(Template) Initial Petition _Appeal_Review Rubric

Under Review	11967.5.1(c)(3)(C)	Insurance	The charter and supporting documents do not adequately provide for the acquisition of and budgeting for general liability, workers' compensation, and other necessary insurance of the type and in the amounts required for an enterprise of similar purpose and circumstance.
Under Review	11967.5.1(c)(3)(D)(1) EDC 47605(h)	Facilities	The petition does not adequately describe the types and potential location of facilities needed to operate the size and scope of educational program proposed in the charter.
Under Review	11967.5.1(c)(3)(D)(2)	Facilities	The budget does not 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.

3.0 Community Interest Review: Signature Requirement

 <div style="display: inline-block; vertical-align: middle;"> <p>Division of Leadership, Wellness, and Student Services Charter Schools Unit</p> </div> <div style="display: inline-block; vertical-align: middle; margin-left: 20px;"> <p>Initial Charter Petition (Appeal) Review Rubric</p> </div>	
3.0 Community Interest Review: Signature Requirement	
<p>In its review of the petition, RCOE will be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system, and that the establishment of charter schools should be encouraged. The county board shall grant a charter for the operation of a school if it is satisfied that granting the charter is consistent with sound educational practice and with the interests of the community in which the school is proposing to locate. The academic needs of the pupils the school proposes to serve shall be considered.</p>	
Legal Requirements	
Requirements for Finding(s) of Fact	
<p>Review/Findings: 47605(c)(3) 47605(a)(A)-(B) Administrative Criteria: CCR Tit.5 Section 11967.5.1(d)</p>	<p>The governing board of the [county office] shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings: The petition does not contain the number of signatures required by subdivision (a), which requires either of the following:</p> <ul style="list-style-type: none"> ● The petition is signed by a number of parents/legal guardians of pupils that is equivalent to at least one-half of the number of pupils that the charter school estimates will enroll in the charter school for its first year of operation ● The petition is 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 ● The petition shall include a prominent statement that a signature on the petition means that the parent/legal guardian or teacher are meaningfully interested. <p>The proposed charter shall be attached to the petition when signatures are gathered.</p>
Finding(s) of Fact	
Determination	Notes
Under Review	

4.0 Document Review: Required Affirmations

 Division of Leadership, Wellness, and Student Services Charter Schools Unit				Initial Charter Petition (Appeal) Review Rubric	
4.0 Petition Document Review: Required Affirmations					
In its review of the petition, RCOE will be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that the establishment of charter schools should be encouraged. The county board shall grant a charter for the operation of a school if it is satisfied that granting the charter is consistent with sound educational practice and with the interests of the community in which the school is proposing to locate. The academic needs of the pupils the school proposes to serve shall be considered.					
Legal Requirements					
Requirements for Finding(s) of Fact					
Review/Findings: 47605(c)(4) Administrative Criteria: CCR Tit.5 Section 11967.5.1(e)	The governing board of the [county office] shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings: The petition does not contain an affirmation of each of the conditions described in subdivision (e). The petition shall include a clear, unequivocal affirmation of each such condition, not a general statement of intention to comply. Neither the charter nor any of the supporting documents shall include any evidence that the charter will fail to comply with the conditions described in EDC 47605 (e).				
Finding(s) of Fact					
Status	Affirmation	Education Code Section	Comments/Notes		
Under Review	Be non-sectarian in its programs, admissions policies, employment practices, and all other operations.	47605(e)(1)			
Under Review	Not charge tuition.	47605(e)(1)			
Under Review	Not discriminate on the basis of the characteristics listed in EDC Section 220 (actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, including immigration status, or association with an individual who has any of the aforementioned characteristics).	47605(e)(1)			
Under Review	Except as required by EDC Section 47605(e)(2), admission to the Charter School will not be determined according to the place of residence of the student or his or her parents or legal guardian within the State.	47605(e)(1)			
Under Review	Admit all students who wish to attend the Charter School.	47605(e)(2)(A)			
Under Review	Provide each application with an equal chance of admission through a public random drawing process, in the case that the Charter School receives a greater number of applications than there are spaces for students. Preference shall be extended to pupils currently attending the charter school and pupils who reside in the school district, except as provided for in Section 47614.5.	47605(e)(2)(B)			
Under Review	Each type of preference shall be approved by the chartering authority at a public hearing.	47605(e)(2)(B)(i)			
Under Review	Include preferences consistent with federal law, the California Constitution, and Section 200.	47605(d)(2)(B)(ii)			
Under Review	Not allow preferences to result in limiting enrollment access for pupils with disabilities, academically low-achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, or pupils who are economically disadvantaged, as determined by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation.	47605(e)(2)(B)(iii)			
Under Review	In accordance with Section 49011, not include mandatory parental volunteer hours in preferences as a criterion for admission or continued enrollment.	47605(e)(2)(B)(iv)			
Under Review	If a pupil is expelled or leaves the Charter School without graduating or completing the school year for any reason, the Charter School will notify the superintendent of the school district of the pupil's last known address within 30 days, and will, 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. (This only applies to pupils subject to compulsory full-time education pursuant to Section 48200)	47605(e)(3)			
Under Review	Not discourage a pupil from enrolling or seeking to enroll in the charter school for any reason, including, but not limited to, academic performance of the pupil or because the pupil exhibits any of the characteristics described in clause (iii) of subparagraph (B) of paragraph (2).	47605(e)(4)(A)			
Under Review	Not request a pupil's records or require a parent, guardian, or pupil to submit the pupil's records to the charter school before enrollment.	47605(e)(4)(B)			

(Template) Initial Petition _Appeal_ Review Rubric

Under Review	Not encourage a pupil currently attending the charter school to disenroll from the charter school or transfer to another school for any reason, including, but not limited to, academic performance of the pupil or because the pupil exhibits any of the characteristics described in clause (iii) of subparagraph (B) of paragraph (2). (This shall not apply to actions taken by a school pursuant to the procedures described in EDC 47605(b)(5)(J).)	47605(e)(4)(C)	
Under Review	Shall post on the school's website the notice of the requirements of this paragraph as provided by the CDE, and will provide a parent or guardian, or a pupil if the pupil is 18 years or older, a copy of this notice at all of the following times: When a parent, guardian or pupil inquires about enrollment, before conducting a lottery and before disenrollment of a pupil.	47605(e)(4)(D)(i)-(iii)	

SAMPLE



Division of Leadership, Wellness, and Student Services
Charter Schools Unit

Initial Charter Petition (Appeal) Review Rubric

4.0 Petition Document Review: Affirmations Requirement

In its review of the petition, RCOE will be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that the establishment of charter schools should be encouraged. The county board shall grant a charter for the operation of a school if it is satisfied that granting the charter is consistent with sound educational practice and with the interests of the community in which the school is proposing to locate. The academic needs of the pupils the school proposes to serve shall be considered.

Legal Requirements

Requirements for Finding(s) of Fact

Review/Findings: 47605(c)(5) Administrative Criteria: CCR Tit.5 Section 11967.5.1(g)	The governing board of the [county office] shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings: The petition does not contain a reasonably comprehensive description of [elements A through O]. For a description to be considered "reasonably comprehensive," it shall include information that: <ul style="list-style-type: none"> ● Is substantive and provides elaboration (e.g., not a list) ● Addresses all aspects of the elements, as applicable ● Is specific to the proposed petition, not to charter schools in general ● Describes, as applicable among different elements, how the charter school will: <ul style="list-style-type: none"> ○ Increase learning opportunities for its pupils, particularly those who are low-achieving ○ Provide parents, guardians, and pupils with expanded educational opportunities ○ Hold itself accountable for measurable, performance-based pupil outcomes ○ Provide vigorous competition with other public school options available to students, parents, and guardians
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Element A: Educational Program

EDC 47605(c)(5)(A)
 (i) The educational program of the charter school, designed, among other things, to identify those whom the charter school is attempting to educate, what it means to be an "educated person" in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners.
 (ii) The annual goals for the charter school for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals.
 (iii) If the proposed charter school will serve high school pupils, the manner in which the charter school will inform parents about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by the charter school that is accredited by the Western Association of Schools and Colleges may be considered transferable, and courses approved by the University of California or the California State University as creditable under the "A to G" admissions criteria may be considered to meet college entrance requirements.

Status	Education Code Reference	CCR Title 5 Reference	Required Description Per Administrative Criteria: CCR Tit.5 Section 11967.5.1(f)
Under Review	47605(c)(5)(A)(i)	11967.5.1(f)(1)(A)	Includes target population: grade levels, enrollment, educational interests, backgrounds, and challenges.
Under Review	47605(c)(5)(A)(i)	11967.5.1(f)(1)(B)	Provides a clear, concise school mission statement with which all elements and programs of the school are in alignment. Statement shall convey the petitioners' definition of an educated person, belief for how learning best occurs, and goals consistent with enabling pupils to become or remain self-motivated, competent, and lifelong learners.
Under Review	47605(c)(5)(A)(i)	11967.5.1(f)(1)(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.
Under Review	47605(c)(5)(A)(i)	11967.5.1(f)(1)(D)	Indicates the basic learning environment: site-based matriculation, independent study, technology-based, hybrid, etc.
Under Review	47605(c)(5)(A)(i)	11967.5.1(f)(1)(E)	Provides for the instructional approach or approaches the charter school will utilize, including the curriculum and teaching methods that will enable the school's pupils to master the content standards adopted by the SBE and achieve the objectives specified in the charter.

Under Review	47605(c)(5)(A)(i)	11967.5.1(f)(1)(F)	Includes how the charter school will identify and respond to the needs of pupils who are not achieving at or above expected levels.
Under Review	47605(c)(5)(A)(i)	11967.5.1(f)(1)(G)	Indicates how the charter school will meet the needs of English Learners.
Under Review	47605(c)(5)(A)(i)	11967.5.1(f)(1)(G)	Indicates how the charter school will meet the needs of students performing substantially below grade level.

Under Review	47605(c)(5)(A)(i)	11967.5.1(f)(1)(G)	Indicates how the charter school will meet the needs of students performing substantially above grade level.
Under Review	47605(c)(5)(A)(i)	11967.5.1(f)(1)(G)	Indicates how the charter school will meet the needs of any other student populations specifically targeted in the petition.

Under Review	47605(c)(5)(A)(i)	11967.5.1(f)(1)(G) 11967.5.1(f)(1)(H)	Indicates how the charter school will meet the needs of students with disabilities. Specifies the school's special education plan: Identification of qualified students, provision of programs and services, the school's legal responsibilities for qualified students, and how the school intends to meet those responsibilities. Includes how the school will comply with EDC section 47641 as its own LEA for purposes of compliance with federal law and for eligibility for federal and state special education funds. To be considered an LEA for special education, the charter petition must provide verifiable, written assurances that the school will participate as an LEA in an SELPA approved by the State Board of Education.
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Under Review	47605(c)(5)(A)(ii)		Provides annual goals for the charter school to include: <ul style="list-style-type: none"> ● The All Students group ● Each subgroup identified (per Section 52052) ● Include all 8 state priorities (per Section 52060) ● Specific to grade levels served ● Provide annual actions expected to achieve each goal
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Under Review	47605(c)(5)(A)(iii)		Indicates how the charter school will inform parents about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses meeting college entrance requirements are those that have been accredited by WASC or courses approved by either the UC or CSU under the "A to G" admissions criteria.
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Element B: Measurable Pupil Outcomes

EDC 47605(c)(5)(B)
The measurable pupil outcomes identified for use by the charter school. "Pupil outcomes," for purposes of this part, means the extent to which all pupils of the charter school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the charter school's educational program. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both schoolwide and for all pupil subgroups served by the charter school, as that term is defined in subdivision (a) of Section 52052. The pupil outcomes shall align with the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served by the charter school.

Status	Education Code Reference	CCR Title 5 Reference	Required Description Per Administrative Criteria: CCR Tit.5 Section 11967.5.1(f)
Under Review	47605(c)(5)(B)		Pupil outcomes shall align with the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served by the charter school.

State Priorities			
Under Review	47605(c)(5)(B)	11967.5.1(f)(2)(A)	Measurable pupil outcomes are correlated to annual actions the school has included to ensure progress towards annual goals for individual students and groups of students. Specifies skills, knowledge, and attitudes that reflect the school's educational objectives that can be assessed by objective means which are frequent and sufficiently detailed enough to determine whether pupils are making satisfactory progress.
Under Review	47605(c)(5)(B)	11967.5.1(f)(2)(A)	Frequency of objective means of measuring pupil outcomes is varied appropriately according to specific factors such as grade level(s) and subject matter. Objective means of measuring pupil outcomes is capable of being used readily to evaluate the effectiveness of and to modify instruction for individual students and for groups of students.
Element C: Method of Measuring Pupil Progress			
EDC 47605(c)(5)(C) The method by which pupil progress in meeting those pupil outcomes is to be measured. To the extent practicable, the method for measuring pupil outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card.			
Status	Education Code Reference	CCR Title 5 Reference	Required Description Per Administrative Criteria: CCR Tit.5 Section 11967.5.1(f)
Under Review	47605(c)(5)(C)	11967.5.1(f)(3)(A)	Describes the methods by which pupil progress is to be measured, utilizing a variety of assessment tools appropriate to the skills, knowledge, or attitudes being assessed. Tools employ objective means of assessment for measurable pupil outcomes.
Under Review	47605(c)(5)(B)	11967.5.1(f)(3)(B)	In addition to local assessments for measuring individual students and student groups, annual state assessments appropriate to grade levels served are included.
Under Review	47605(c)(5)(B)	11967.5.1(f)(3)(C)	Provides a plan for collecting, analyzing, and reporting data on pupil achievement to school staff and pupils parents/guardians. The plan includes how the school will utilize data to monitor and improve the charter school's educational program.
Element D: Governance Structure			
EDC 47605(c)(5)(D) The governance structure of the charter school, including, but not limited to, the process to be followed by the charter school to ensure parental involvement			
Status	Education Code Reference	CCR Title 5 Reference	Required Description Per Administrative Criteria: CCR Tit.5 Section 11967.5.1(f)
Under Review	47605(c)(5)(D)	11967.5.1(f)(4)(A)	Includes evidence of the charter school's incorporation as a non-profit public benefit corporation, if applicable.
Under Review	47605(c)(5)(D)	11967.5.1(f)(4)(B)(1)	Includes evidence that the organizational and technical designs of the governance structure reflects a seriousness of purpose necessary to ensure that the charter school will become and remain a viable enterprise.
Under Review	47605(c)(5)(D)	11967.5.1(f)(4)(B)(2)	Includes evidence that the organizational and technical designs of the governance structure reflects a seriousness of purpose necessary to ensure that there will be active and effective representation of interested parties, including, but not limited to, parents/guardians.
Under Review	47605(c)(5)(D)	11967.5.1(f)(4)(B)(3)	Includes evidence that the organizational and technical designs of the governance structure reflects a seriousness of purpose necessary to ensure that the educational program will be successful.
Element E: Employee Qualifications			
EDC 47605(c)(5)(E) The qualifications to be met by individuals to be employed by the charter school.			
Status	Education Code Reference	CCR Title 5 Reference	Required Description Per Administrative Criteria: CCR Tit.5 Section 11967.5.1(f)
Under Review	47605(c)(5)(E)	11967.5.1(f)(5)(A)	Identifies general qualifications for the various categories of employees that the school anticipates. Qualifications are sufficient to ensure the health and safety of the school's faculty, staff, and pupils.

Under Review	47605(c)(5)(E)	11967.5.1(f)(5)(B)	Identifies those positions that the charter school regards as key in each category and specifies the additional qualifications expected of individuals assigned to those positions.
Under Review	47605(c)(5)(E)	11967.5.1(f)(5)(C)	Specifies that the requirements for employment set forth in applicable provisions of law will be met, including, but not limited to, credentials, as necessary.
Element F: Health and Safety			
EDC 47605(c)(5)(F) The procedures that the charter school will follow to ensure the health and safety of pupils and staff. These procedures shall require all of the following:			
(i) That each employee of the charter school furnish the charter school with a criminal record summary as described in Section 44237.			
(ii) For all schools, the development of a school safety plan, which shall include the safety topics listed in subparagraphs (A) to (M), inclusive, of paragraph (2) of subdivision (a) of Section 32282. For schools serving pupils in any of grades 7 to 12, inclusive, the development of a school safety plan shall also include the safety topic listed in subparagraph (N) of paragraph (2) of subdivision (a) of Section 32282.			
(iii) That the school safety plan be reviewed and updated by March 1 of every year by the charter school.			
Status	Education Code Reference	CCR Title 5 Reference	Required Description Per Administrative Criteria: CCR Tit.5 Section 11967.5.1(f)
Under Review	47605(c)(5)(F)(i)	11967.5.1(f)(6)(A)	Includes the procedures that the school will follow to ensure each employee of the school furnishes the school with a criminal record summary as described in EDC Section 44237.
Under Review	47605(c)(5)(F)	11967.5.1(f)(6)(B)	Includes the procedures that the school will follow to ensure the examination of faculty and staff for TB as described in EDC Section 49406.
Under Review	47605(c)(5)(F)	11967.5.1(f)(6)(C)	Includes the procedures that the school will follow to meet the requirement of 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.
Under Review	47605(c)(5)(F)	11967.5.1(f)(6)(D)	Includes the procedures that the school will follow to provide for the screening of pupils' vision to the same extent as would be required if pupils attended a non-charter public school per EDC section 49452. Requirement: Must be conducted in grades K, 2, 5, and 8.
Under Review	47605(c)(5)(F)	11967.5.1(f)(6)(D)	Includes the procedures that the school will follow to provide for the screening of pupils' hearing to the same extent as would be required if pupils attended a non-charter public school, per EDC section 49452. Requirement: Must be conducted in grades K, 1, 2, 5, and 8.
Under Review	47605(c)(5)(F)	11967.5.1(f)(6)(D)	Includes the procedures that the school will follow to provide for the screening of pupils for scoliosis to the same extent as would be required if pupils attended a non-charter public school per EDC section 49452.5. Requirement: Must be conducted in grade 7 for females and grade 8 for males.
Under Review	47605(c)(5)(F)(ii)	Topics per EDC 32282	Includes the procedure the school plans to follow to develop a school safety plan and affirms the topics listed in EDC section 32282(a)(A)-(M) for grades TK-6 and (A)-(N) for grades 7-12. Provides an affirmation that the school safety plan will be reviewed and updated by March 1 of every year by the charter school.
Element G: Student Population Balance			
EDC 47605(c)(5)(G) The means by which the charter school will achieve a balance of racial and ethnic pupils, special education pupils, and English learner pupils, including redesignated fluent English proficient pupils, as defined by the evaluation rubrics in Section 52064.5, that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted. Upon renewal, for a charter school not deemed to be a local educational agency for purposes of special education pursuant to Section 47641, the chartering authority may consider the effect of school placements made by the chartering authority in providing a free and appropriate public education as required by the federal Individuals with Disabilities Education Act (Public Law 101-476), on the balance of pupils with disabilities at the charter school.			
Status	Education Code Reference	CCR Title 5 Reference	Required Description Per Administrative Criteria: CCR Tit.5 Section 11967.5.1(f)
Under Review	47605(c)(5)(G)	11967.5.1(f)(7)	Includes a plan for the school to reasonably achieve a balance of pupils reflective of the school community of the school district in which the school will reside for the following students: Racial groups, ethnic groups, special education students, English learners, and redesignated English learners. The plan acknowledges the student population of the district and specifically targets numerically significant student groups in the community. Consideration shall be made for the limitations on admissions to charter schools imposed by EDC section 47605(e); preferences for admissions should align with the school's recruitment plan.
Element H: Admission Policies and Procedures			

EDC 47605(c)(5)(H) Admission policies and procedures consistent with subdivision (e)			
CCR Tit.5 Section 11967.5.1(f)(8) Requirements shall be in compliance with he requirements of Education Code Section 47605(e) and any other applicable provision of law.			
Status	CCR Title 5 Reference	Education Code Reference	Required Description Per Education Code Section 47605(e)
Under Review	11967.5.1(f)(8)	47605(e)(1)	The petition is nonsectarian in its admission policies and shall not discriminate based on the characteristics listed in Section 220.
Under Review	11967.5.1(f)(8)	47605(e)(1)	Admission is not determined according to the place of residence of the pupil or that of the parent or legal guardian, except to give preference to students who currently reside in the school district where the charter plans to locate. Additional allowances can be made for students per EDC Section 47614.5 if applying for the Charter School Facility Grant.
Under Review	11967.5.1(f)(8)	47605(e)(2)(A)	Reflects the affirmation that the charter school shall admit all pupils who wish to attend the charter school.
Under Review	11967.5.1(f)(8)	47605(e)(2)(B)	Describes the public random drawing process to be used if the number of pupils who wish to attend the charter school exceeds the charter school's capacity.
Under Review	11967.5.1(f)(8)	47605(e)(2)(B)	Preferences are extended to pupils currently attending the charter school and pupils who reside in the school district. Additional allowances can be made for students per EDC Section 47614.5 if applying for the Charter School Facility Grant.
Under Review	11967.5.1(f)(8)	47605(e)(2)(B)(ii)	Priority order of any preferences is provided and consistent with federal law, the California Constitution, and Section 200 (nondiscrimination). (Preferences will be considered approved by the chartering authority, as required by EDC Section 47605(e)(2)(B)(i), upon approval of the petition)
Under Review	11967.5.1(f)(8)	47605(e)(2)(B)(iii)	It appears preferences will not result in limiting enrollment access for pupils with disabilities, academically low-achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, or pupils who are economically disadvantaged, as determined by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation.
Under Review	11967.5.1(f)(8)	47605(e)(2)(B)(iv)	Preferences do not require mandatory parental volunteer hours as a criterion for admission or continued enrollment.
Under Review	11967.5.1(f)(8)	47605(e)(4)(B)	Application materials do not require a pupil's records or require the submission of pupil records prior to formal enrollment.
Under Review	11967.5.1(f)(8)	47605(e)(4)(D)	The admissions process describes how the school will comply with notifying parents that a charter school shall not encourage a pupil currently attending the charter school to disenroll from the school or transfer to another school for any reason. (Other than the following: suspension, expulsion, or involuntary removals requiring due process.) The process includes notification on the school's website when a pupil inquires about enrollment, prior to conducting an enrollment lottery, and before disenrollment of a pupil.
Element I: Annual Audit			
EDC 47605(c)(5)(I) The manner in which annual, independent financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the chartering authority.			
Status	Education Code Reference	CCR Title 5 Reference	Required Description Per Administrative Criteria: CCR Tit.5 Section 11967.5.1(f)
Under Review	47605(c)(5)(I)	11967.5.1(f)(9)(A)	Procedures for conducting the annual audit include the person(s) responsible for contracting and overseeing the independent audit.
Under Review	47605(c)(5)(I)	11967.5.1(f)(9)(B)	Affirms that the selected auditor will have experience in education finance. Affirms that the auditor will be either a public accountant or a certified public accountant, licensed by the California Board of Accountancy, and selected from the State Controller's list. (EDC 41020(f))
Under Review	47605(c)(5)(I)	11967.5.1(f)(9)(C)	Outlines the process of providing audit reports to the authorizer, CDE, and any other agency required by law and includes a timeline for addressing audit exceptions.
Under Review	47605(c)(5)(I)	11967.5.1(f)(9)(D)	Indicates the process that the charter school will follow to address any audit findings and/or resolve any audit exceptions.

Element J: Suspension/Expulsion Procedures			
EDC 47605(c)(5)(J) The procedures by which pupils can be suspended or expelled from the charter school for disciplinary reasons or otherwise involuntarily removed from the charter school for any reason. These procedures, at a minimum, shall include an explanation of how the charter school will comply with federal and state constitutional procedural and substantive due process requirements that are consistent with all of the following:			
Status	Education Code Reference	CCR Title 5 Reference	Required Description Education Code Section 47605(J) Per Administrative Criteria: CCR Tit.5 Section 11967.5.1(f)
Under Review	47605(c)(5)(J)	11967.5.1(f)(10)(A)	Includes a list of non-discretionary offenses for which students must be suspended. Includes a list of discretionary offenses for which students may be suspended. Includes a list of non-discretionary offenses for which students must be expelled. Includes a list of discretionary offenses for which students may be expelled. Provides evidence that the petitioner(s) reviewed EDC sections 48900-48927 for which students must/may be suspended or expelled in non-charter public schools.
Under Review	47605(c)(5)(J)(i)	11967.5.1(f)(10)(B)-(C)	Describes the procedures by which pupils can be suspended for fewer than 10 days. Identifies the procedures by which parents, guardians*, and pupils will be informed about the reasons for suspension and of their due process rights. Includes either oral or written notice of the charges against the pupil. Includes an explanation of the evidence that supports the charges, if the pupil denies the charges. Includes an opportunity for the pupil to present their side of the story.
Under Review	47605(c)(5)(J)(ii)	11967.5.1(f)(10)(B)-(C)	Describes the procedures by which pupils can be suspended for 10 days or more. Identifies the procedures by which parents, guardians*, and pupils will be informed about the reasons for suspension and of their due process rights, requiring timely, written notice of the charges against the pupil and an explanation of the pupil's basic rights. Provides a hearing adjudicated by a neutral officer within a reasonable number of days, at which the pupil has a fair opportunity to present testimony, evidence, and witnesses, and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate.
Under Review	47605(c)(5)(J)(ii)	11967.5.1(f)(10)(B)-(C)	Describes the procedures by which pupils can be expelled. Identifies the procedures by which parents, guardians*, and pupils will be informed about the reasons for expulsion and of their due process rights, requiring timely, written notice of the charges against the pupil and an explanation of the pupil's basic rights. Provides a hearing adjudicated by a neutral officer within a reasonable number of days, at which the pupil has a fair opportunity to present testimony, evidence, and witnesses, and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate.
Under Review	47605(c)(5)(J)	11967.5.1(f)(10)(E)(1)	Demonstrates an understanding of the rights of pupils with disabilities in regard to suspension and expulsion.
Under Review	47605(c)(5)(J)(iii)	11967.5.1(f)(10)(E)(2)	Outlines how detailed suspension/expulsion policies and procedures will be periodically reviewed and modified. Include how the school will notify the authorizer of any potential changes to these policies and procedures to determine if a material revision to the petition is necessary.
Under Review	47605(c)(5)(J)		Describes the procedures by which pupils can be involuntarily removed from the charter school, including reasons for removal.
Under Review	47605(c)(5)(J)(iii)		Contains a clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the pupil or the pupil's parent or guardian, or, if the pupil is a homeless child or youth, or a foster child or youth, in the native language of the homeless or foster child's educational rights holder. In the case of a foster child or youth, the written notice shall also be provided to the foster child's attorney and county social worker. If the pupil is an Indian child, as defined in Section 224.1 of the Welfare and Institutions Code, the written notice shall also be provided to the Indian child's tribal social worker and, if applicable, county social worker. The written notice shall inform the pupil, the pupil's parent or guardian, the homeless child's educational rights holder, the foster child's educational rights holder, attorney, and county social worker, or the Indian child's tribal social worker and, if applicable, county social worker of the right to initiate the procedures specified in clause (ii) before the effective date of the action. If the pupil's parent or guardian, the homeless child's educational rights holder, the foster child's educational rights holder, attorney, or county social worker, or the Indian child's tribal social worker and, if applicable, county social worker initiates the procedures specified in clause (ii), the pupil shall remain enrolled and shall not be removed until the charter school issues a final decision. For purposes of this clause, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions specified in clauses (i) and (ii).
*A foster child's educational rights holder, attorney, and county social worker and an Indian child's tribal social worker and, if applicable, county social worker shall have the same rights a parent or guardian of a child has to receive a suspension notice, expulsion notice, manifestation determination notice, involuntary transfer notice, and other documents and related information. EDC section 47605(c)(5)(J)(iv)			

Element K: Staff Retirement System			
EDC 47605(c)(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.			
Status	Education Code Reference	CCR Title 5 Reference	Required Description Per Administrative Criteria: CCR Tit.5 Section 11967.5.1(f)
Under Review	47605(c)(5)(K)	11967.5.1(f)(11)	The petition specifies the positions to be covered under each retirement system: The State Teachers' Retirement System, the Public Employees' Retirement System, and/or federal social security.
Under Review	47605(c)(5)(K)	11967.5.1(f)(11)	The petition specifies the staff who will be responsible for ensuring that appropriate arrangements for each retirement coverage will be made.
Element L: Public School Attendance Alternatives			
EDC 47605(c)(5)(L) The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools.			
Status	Education Code Reference	CCR Title 5 Reference	Required Description Per Administrative Criteria: CCR Tit.5 Section 11967.5.1(f)
Under Review	47605(c)(5)(L)	11967.5.1(f)(12)	The petition specifies 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 LEA, or program of any LEA, as a consequence of enrollment in the charter school, except to the extent that such a right is extended by the LEA. (Students enrolling in the charter school do not gain an advantage to enrollment to a district school or program due to enrollment in the charter, if they decide to disenroll from the charter school.)
Element M: District Employee Rights			
EDC 47605(c)(5)(M) The rights of an employee of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school.			
Status	Education Code Reference	CCR Title 5 Reference	Required Description Per Administrative Criteria: CCR Tit.5 Section 11967.5.1(f)
Under Review	47605(c)(5)(M)	11967.5.1(f)(M)(A)	Describes any rights to employment for employees of the school district who leave the district to work in the charter school.
Under Review	47605(c)(5)(M)	11967.5.1(f)(M)(B)	Describes any rights of return to employment in the school district after employment in the charter school.
Under Review	47605(c)(5)(M)	11967.5.1(f)(M)(C)	Describes 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. Examples include transfer of sick leave or vacation time, retention of retirement benefits, seniority and tenure, and continuity of health benefits.
Element N: Dispute Resolution			
EDC 47605(c)(5)(N) The procedures to be followed by the charter school and the chartering authority to resolve disputes relating to provisions of the charter.			
Status	Education Code Reference	CCR Title 5 Reference	Required Description Per Administrative Criteria: CCR Tit.5 Section 11967.5.1(f)
Under Review	47605(c)(5)(N)	11967.5.1(f)(14)(A)	Includes specific provisions relating to dispute resolution between the charter school and the authorizer relating to provisions of the petition.
Under Review	47605(c)(5)(N)	11967.5.1(f)(14)(B)	Describes how the costs of the dispute resolution process, if needed, would be funded.
Under Review	47605(c)(5)(N)	11967.5.1(f)(14)(D)	Recognizes that if the substance of a dispute is a matter that could result in the taking of appropriate action, including, but not limited to, revocation of the charter in accordance with Education Code section 47604.5, the matter will be addressed at the RCBE's discretion in accordance with that provision of law and any regulations pertaining thereto.
Element O: Closure Procedures			
EDC 47605(c)(5)(O) The procedures to be used if the charter school closes. The procedures shall ensure a final audit of the charter school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records.			
Status	Education Code Reference	CCR Title 5 Reference	Required Description Per Administrative Criteria: CCR Tit.5 Section 11967.5.1(f)
Under Review	47605(c)(5)(O)	N/A	Includes a plan to ensure a final audit will be conducted to determine the disposition of all assets and liabilities of the charter school, including disposing of any net assets.
Under Review	47605(c)(5)(O)	N/A	Includes a plan for the maintenance and transfer of pupil records.

6.0 Document Review: Exclusive Employer Declaration



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6.0 Petition Document Review: Exclusive Employer Declaration

In its review of the petition, RCOE will be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that the establishment of charter schools should be encouraged. The county board shall grant a charter for the operation of a school if it is satisfied that granting the charter is consistent with sound educational practice and with the interests of the community in which the school is proposing to locate. The academic needs of the pupils the school proposes to serve shall be considered.

Legal Requirements

Requirements for Finding(s) of Fact

Review/Findings: 47605(c)(6)	<p>The governing board of the [county office] shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings: The petition does not contain a declaration of whether or not the charter school shall be deemed the exclusive public employer of the employees of the charter school for purposes of Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code.</p> <p>The charter school must declare itself to be the exclusive public-school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act, as the COE will not assume the role of employer for charter schools authorized by the Riverside County Board of Education.</p>
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Finding(s) of Fact

Area of Concern	Documentation	Concerns
Under Review		



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7.0 Impact Review: District Programs

In its review of the petition, RCOE will be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that the establishment of charter schools should be encouraged. The county board shall grant a charter for the operation of a school if it is satisfied that granting the charter is consistent with sound educational practice and with the interests of the community in which the school is proposing to locate. The academic needs of the pupils the school proposes to serve shall be considered.

Legal Requirements

Requirements for Finding(s) of Fact

Review/Findings: 47605(c)(7)	<p>The governing board of the [county office] shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings: The charter school is demonstrably unlikely to serve the interests of the entire community in which the school is proposing to locate.</p> <p>Analysis of this finding shall include consideration of the fiscal impact of the proposed charter school. A written factual finding under this paragraph shall detail specific facts and circumstances that analyze and consider the following factors:</p> <p>(A) The extent to which the proposed charter school would substantially undermine existing services, academic offerings, or programmatic offerings.</p> <p>(B) Whether the proposed charter school would duplicate a program currently offered within the school district and the existing program has sufficient capacity for the pupils proposed to be served within reasonable proximity to where the charter school intends to locate.</p>
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Finding(s) of Fact

Area of Concern	Documentation	Concerns
Under Review		



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Charter Schools Unit

Initial Charter Petition
(Appeal) Review Rubric

8.0 Impact Review: District Fiscal Status

In its review of the petition, RCOE will be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that the establishment of charter schools should be encouraged. The county board shall grant a charter for the operation of a school if it is satisfied that granting the charter is consistent with sound educational practice and with the interests of the community in which the school is proposing to locate. The academic needs of the pupils the school proposes to serve shall be considered.

Legal Requirements

Requirements for Finding(s) of Fact

Review/Findings: 47605(c)(8)	<p>The governing board of the [county office] shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings: The school district is not positioned to absorb the fiscal impact of the proposed charter school.</p> <p>A school district satisfies this paragraph if any of the following is true:</p> <p>(A) The district has a qualified interim certification pursuant to Section 42131, and the county superintendent of schools, in consultation with the County Office Fiscal Crisis and Management Assistance Team, certifies that approving the charter school would result in the school district having a negative interim certification pursuant to Section 42131</p> <p>(B) The district has a negative interim certification pursuant to Section 42131</p> <p>(C) The district is under state receivership.</p> <p>Charter schools proposed in a school district satisfying one of these conditions shall be subject to a rebuttable presumption of denial.</p>
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Finding(s) of Fact

Area of Concern	Documentation	Concerns
Under Review		

General Renewal Requirements: All Charter Schools		
47607(a)(2)	Authorizer Authority	The chartering authority may either grant or deny subsequent renewals.
47607(a)(3)	Material Revisions	Material revisions presented concurrently with a renewal petition are required to go through a separate, distinct approval process, governed by Section 47605.
47607(a)(4)	Renewal Petition Non-Allowable Reasons for Denial	The following findings for denial of an initial petition [Per Section 47605(c)(7)-(8)] are not allowable as denial reasons for the renewal of an existing charter school: (7) Demonstrably unlikely to serve the interests of the entire community in which the school is proposing to locate (8) The school district is not positioned to absorb the fiscal impact of the proposed charter school However, they may be used to deny a proposed expansion constituting a material revision, limited to the impact of the revision
47607(b)	Governing Standards for Reviews	Renewals are to be governed by the standards and criteria described in Section 47605 and are required to include: (1) Reasonably comprehensive descriptions of any new legal requirements of charter schools enacted into law after the last approval of the charter petition (2) Update requirements are not limited to new legal requirements
CCR Title 5 Section 11967.5.1(g)(1)-(4)	"Reasonably Comprehensive"	For a description to be considered "reasonably comprehensive," it must: (1) Be substantive, not a list (2) Address all aspects of each element (3) Be specific to this charter (not generalized) (4) Describes how the school will: (A) Improve student learning (B) Increase learning opportunities for students (C) Provide expanded educational opportunities (D) Hold itself accountable for measurable, performance-based pupil outcomes (E) Provide vigorous competition with other public-school options
47607(c)(1)	Performance Review	The chartering authority is required to consider the performance of charter schools on the state and local indicators included in the California Dashboard as a criterion for determining whether to grant a charter renewal.
47607(c)(3)	Measurements of Academic Performance	Measurements of academic performance are defined as indicators included on the CA Dashboard that are based on statewide assessments in the California Assessment of Student Performance and Progress system (CAASPP), the English Language Proficiency Assessments for California (ELPAC), and the college and career readiness indicator (CCI); Current state academic performance indicators are the following: English Language Arts, Mathematics, English Language Progress Indicator, and College and Career Indicator.
47607(c)(4)	Subgroup/Student Group	A subgroup is defined as a numerically significant student group. Numerically significant is defined as at least 30 students. Numerically significant students who are foster youth, homeless youth, or long-term English learners are considered at least 15 students.
47607(c)(6)	Verifiable Data	The authorizer is required to consider verifiable data related to the dashboard indicators (Currently CAASPP) for the most recently completed academic year before renewal if the following occurs: (1) Dashboard indicators for the most recent year are not yet available at the time of renewal (2) The verifiable data is provided by the charter school

 Division of Leadership, Wellness, and Student Services Charter Schools Unit		Charter Petition Renewal Legal Index Part II: Distinct Legal Requirements for School Types and Tiers
High Tier Renewal		
47607(c)(2)(A)(i)(ii)	Authorizer Requirement to Approve Renewal	The chartering authority is required to approve the renewal of a charter school that meets either of the following: (1) High Tier Non-Performance Qualification Criterion 1 and High Tier Performance Evaluation Criterion 1 (2) High Tier Non-Performance Qualification Criterion 2 and High Tier Performance Evaluation Criterion 2
47607(c)(5)	High Tier Non-Performance Qualification Criterion 1	For a charter school to be considered for High Tier review under High Tier Performance Evaluation Criterion 1, the charter school must meet the following: (1) The school has schoolwide performance levels on at least two measurements of academic performance per year (2) In each of the two years immediately preceding the renewal decision
47607(c)(2)(A)(i)	High Tier Performance Evaluation Criterion 1	For a charter school to be considered for High Tier review under criterion 1, the charter school must meet both of the following: (1) The charter school has received either blue or green performance levels schoolwide on all of the state indicators on the CA Dashboard (2) For the two consecutive years immediately preceding renewal
47607(c)(5)	High Tier Non-Performance Qualification Criterion 2	For a charter school to be considered for High Tier Evaluation under High Tier Performance Evaluation Criterion 2, the charter school must meet the following: (1) The school has performance levels on at least two measurements of academic performance (2) For at least two subgroups per year (3) In each of the two years immediately preceding the renewal decision <small>(Note: Student groups do not have to be the same over the two years)</small>
47607(c)(2)(A)(ii)	High Tier Performance Evaluation Criterion 2	For a charter school to be considered for High Tier review under criterion 2, the charter school must meet both of the following: (1) The charter school has performance levels schoolwide that are the same or higher than the state average for the two consecutive years immediately preceding renewal (2) For academic indicators, ELA, Math, ELPI, CCI, the following must be true: (a) 50% or more of student groups that are performing below the state average in each respective year (b) Have received performance levels higher than the state average for the respective student groups (c) For the two consecutive years immediately preceding renewal <small>(Note: Student groups do not have to be the same over the two years)</small>
47607(c)(2)(C)	Technical Assistance	A school that is eligible for Technical Assistance is disqualified from High Tier renewal.
47607(c)(2)(D)	Low Tier Concurrent	A school whose performance qualifies it for Low Tier is disqualified from High Tier renewal.
47607(c)(2)(E)	Renewal Petition Term	The chartering authority may grant a charter school approved for High Tier renewal a term between 5-7 years.
47607(c)(2)(F)	Document Requirements	A charter school qualified as High Tier is only required to update its petition according to the following: (1) Include a reasonably comprehensive description of any new requirement of charter schools enacted into law after its current petition was approved. (2) Update, as necessary, to reflect the current program offered by the charter.
Dashboard Alternative Status Schools (DASS) Renewal		
47607(c)(7)	Renewal Tiers	Schools that qualify as DASS are exempt from the renewal standards that apply to renewal tiers.
	DASS School Performance Review	The chartering authority is required to consider the performance of schools that qualify as DASS according to the following: (1) Performance on the state and local indicators (2) Performance on alternative metrics applicable to the school/based on the students served

	Alternative Metrics	The chartering authority is required to meet with the charter school during the first year of the petition term to discuss alternative metrics that may be considered for renewal. The authorizer is then required to notify the school of the metrics that will be used within 30 days of this meeting.
	Denial Reasons for School Performance	The chartering authority may deny the renewal of a DASS school if, supported by findings of fact, it determines that closure is in the best interest of students.

Low Tier Renewal		
47607.2(a)(1)(A)-(B)	Authorizer Requirement to Deny Renewal	The chartering authority is required to deny the renewal of a charter school that meets either of the following: (1) Low Tier Non-Performance Qualification Criterion 1 and Low Tier Performance Evaluation Criterion 1 (2) Low Tier Non-Performance Qualification Criterion 2 and Low Tier Performance Evaluation Criterion 2
47607(c)(5)	Low Tier Non-Performance Qualification Criterion 1	For a charter school to be considered for Low Tier Evaluation under Low Tier Performance Evaluation Criterion 2, the charter school must meet the following: (1) The school has performance levels on at least two measurements of academic performance (2) For at least two subgroups per year (3) In each of the two years immediately preceding the renewal decision
47607.2(a)(1)(A)	Low Tier Performance Evaluation Criterion 1	(Note: Student groups do not have to be the same over the two years) For a charter school to be considered for Low Tier review under criterion 1, the charter school must meet both of the following: (1) The charter school received either red or orange performance levels schoolwide on all of the state indicators on the CA Dashboard (2) For the two consecutive years immediately preceding renewal
47607(c)(5)	Low Tier Non-Performance Qualification Criterion 2	For a charter school to be considered for Low Tier Evaluation under Low Tier Performance Evaluation Criterion 2, the charter school must meet the following: The school has performance levels on at least two measurements of academic performance for at least two subgroups per year in each of the two years immediately preceding the renewal decision (Note: Student groups do not have to be the same over the two years)
47607.2(a)(1)(B)	Low Tier Performance Evaluation Criterion 2	For a charter school to be considered for Low Tier review under criterion 2, the charter school must meet both of the following: (1) The charter school has performance levels schoolwide that are the same or lower than the state average for the two consecutive years immediately preceding renewal (2) For academic indicators, ELA, Math, ELP, CCI, the following must be true: (a) 50% or more of student groups that are performing below the state average in each respective year (b) Have received performance levels lower than the state average for the respective student groups (c) For the two consecutive years immediately preceding renewal (Note: Student groups do not have to be the same over the two years)
47607.2(a)(4)(A)-(B)	Requirement to Consider for Potential Renewal	The chartering authority is required to consider all of the following for a charter school that qualifies as Low Tier: (1) Whether the charter school is currently taking meaningful steps to address the underlying cause(s) of low performance (2) Whether those steps are or will be reflected in a written plan adopted by the governing body of the charter school (3) Whether there is clear and convincing evidence showing either of the following: (a) The school achieved measurable increases in academic achievement (one year's progress for each year in school) (b) The school achieved strong postsecondary outcomes (college enrollment, persistence, and completion rates equal to those of similar students)
47607.2(a)(4)	Approval Reasons for School Performance	The chartering authority may renew a Low Tier charter school if it makes both of the following written findings of fact: (1) The charter school is currently taking meaningful steps to address the underlying cause(s) of low performance, and those steps are or will be reflected in a written plan adopted by the governing body of the charter school (2) There is clear and convincing evidence showing either of the following: (a) The school achieved measurable increases in academic achievement (one year's progress for each year in school) (b) The school achieved strong postsecondary outcomes (college enrollment, persistence, and completion rates equal to those of similar students)
47607.2(a)(4)(C)	Verified Data	Verified data must be used to demonstrate clear and convincing evidence of measurable increases in academic achievement or strong postsecondary outcomes.
Generally Accepted Legal Maxim	Clear and Convincing	Generally understood means something is highly likely to be true, based on a solid analysis, whereas most questions and concerns have been answered and/or settled.
47607.2(c)	Verified Data Requirements	Verified data allowable for renewal is defined by the following: (1) Data derived from nationally recognized, valid, peer-reviewed, and reliable sources that are externally produced (2) The State Board of Education will establish criteria to define this data and identify an approval list of reliable assessments to be used (3) Only sources on the list may be used as verified data

47607.2(a)(5)	Verified Data Expiration	The requirement for an authorizer to consider verified data during the renewal process for Low Tier charter schools expires on June 30, 2025.
47607.2(a)(6)	Renewal Petition Term	The chartering authority may grant a two-year term if approving a Low Tier school.
Middle Tier Renewal		
47607.2(b)(1)	Middle Tier Qualification	Non-DASS charter schools that do not qualify for either High or Low Tier renewals will be considered under the criteria in this section of the education code.
47607.2(b)(1)-(2)	Middle Tier Dashboard Review	The chartering authority is required to consider the California Dashboard performance for schools that qualify as Middle Tier according to the following: (1) Schoolwide and student group performance on the state and local indicators (2) Greater weight must be placed on the school's performance on measurements of academic performance (ELA, Math, ELPI, CCI)
47607.2(b)(3)(A)-(B)	Middle Tier Additional Review Requirements	The chartering authority is required to consider all of the following for a charter school that qualifies as Middle Tier: (1) Clear and convincing evidence showing either of the following: (a) The school achieved measurable increases in academic achievement (one year's progress for each year in school) (b) The school achieved strong postsecondary outcomes (college enrollment, persistence, and completion rates equal to those of similar students)
47607.2(b)(4)	Verified Data	Verified data must be used to demonstrate clear and convincing evidence of measurable increases in academic achievement or strong postsecondary outcomes.
Generally Accepted Legal Maxim	Clear and Convincing	Generally understood means something is highly likely to be true, based on a solid analysis, whereas most questions and concerns have been answered and/or settled.
47607.2(c)	Verified Data Requirements	Verified data allowable for renewal is defined by the following: (1) Data derived from nationally recognized, valid, peer-reviewed, and reliable sources that are externally produced (2) The State Board of Education will establish criteria to define this data and identify an approval list of reliable assessments to be used (3) Only sources on the list may be used as verified data
47607.2(b)(5)	Verified Data Expiration	The requirement for an authorizer to consider verified data during the renewal process for Middle Tier charter schools expires on January 1, 2026.
47607.2(b)(6)	Denial Reasons for School Performance	The chartering authority may deny renewal of a Middle Tier charter school if it makes all of the following written findings of fact: (1) The charter school has failed to meet or make sufficient progress toward meeting standards that provide a benefit to students (2) Closure of the school is in the best interest of students (3) The decision to deny renewal provided greater weight to performance on measurements of academic performance
47607.2(b)(7)	Renewal Petition Term	The chartering authority is required to grant a five-year term when approving a Middle Tier school.

Legal Index Part III: Enrollment, Fiscal, and Gov

Student Enrollment Patterns		
47607(d)(1)	Aggregate Data Request	The California Department of Education (CDE) is required to provide the charter authorizer aggregate data reflecting student enrollment patterns at the charter school under the following conditions: (1) The authorizer submits a request to the department (2) The request is made at the conclusion of the year immediately preceding the final year of the charter school term
47607(d)(1)(A)	Aggregate Data Provided	The CDE will provide the charter authorizer with the cumulative enrollment for each school year of the charter school term. Cumulative enrollment is considered the total number of students, disaggregated by race, ethnicity, and subgroups, who enrolled in the school at any time during the school year.
47607(d)(1)(B)	Aggregate Data Provided	For each school year of the term, the CDE will provide the percentage of students enrolled at any point between the beginning of the school year and census day who were not enrolled at the conclusion of that year, along with the average results on statewide CAASPP results for any students who were enrolled in the school in the year prior.
47607(d)(1)(C)	Aggregate Data Provided	For each school year of the term, the CDE will provide the percentage of students enrolled the prior year who were not enrolled as of census day for the school year, along with the average results on the statewide CAASPP results for these students. (This does not include students who matriculated due to being in the highest grade level offered.)
47607(d)(2)	Petition Review Requirements	The chartering authority is required to do all of the following for charter schools when determining whether to grant renewal, regardless of school type or tier qualification: (1) Review enrollment data (as described above) provided by the CDE upon request by the chartering authority (2) Review any data provided by the CDE (3) Review any substantiated complaints against a charter school regarding non-compliance with Education Code Section 47605(c)(J): Suspension, Expulsion, and Involuntary Removal
47607(d)(3)	Potential Findings	The chartering authority may make a finding that the charter school is not serving all students who wish to attend and is required to specifically identify the evidence to support such a finding.
47607(e)	Reason for Denial	For any charter school, regardless of school type or tier qualification, the chartering authority may deny renewal upon a finding that the school is demonstrably unlikely to successfully implement the program set forth in the petition due to not serving all pupils who wish to attend, as documented by the data detailed in EDC 47607(d).
47607(e)	Due Process Prior to Not Serving All Students Denial	The chartering authority is required to provide a charter school due process prior to any renewal decision for denial due to the school not serving all students who wish to attend. Due process requires the following: (1) The authorizer must provide the charter school with at least 30 days' notice of the alleged violation (2) The authorizer must provide the charter school with a reasonable opportunity to both draft a corrective action plan and cure the violation
47607(e)(1)-(2)	Findings of Fact: Denial for Not Serving All Students	The chartering authority is required to have determined one of the following findings if deciding to deny the renewal of a charter school for being demonstrably unlikely to successfully implement the program set forth in the petition due to not serving all students who wish to attend: (1) The corrective action proposed by the charter school has been unsuccessful (2) The violations are sufficiently severe and pervasive as to render a corrective action plan unviable
Fiscal and Governance Factors		
47604.32(a)(4)	Fiscal Oversight Responsibility	The chartering authority is required to monitor the fiscal condition of a charter school under its authority. This is an ongoing responsibility throughout the term of the charter.
47604(d)	Governance Oversight Responsibility	A chartering authority that grants a charter to a school operated by a non-profit benefit corporation is relieved of any debts or obligations of the school or for claims arising from acts, errors, or omissions performed by the school only under the condition that the authorizer complied with all legally required oversight responsibilities, not limited to those outlined in the Education Code.

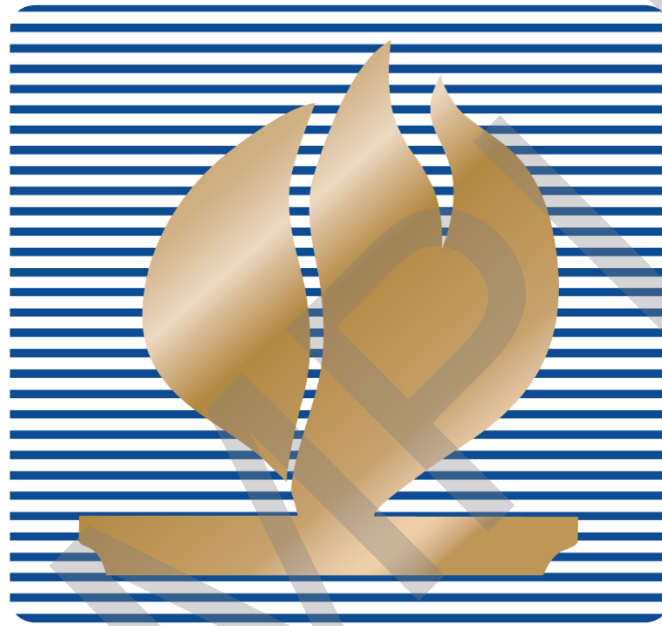
(Template) Initial Petition _Appeal_ Review Rubric

47607(e)	Fiscal or Governance Reason for Denial	For any charter school, regardless of school type or tier qualification, the chartering authority may deny renewal upon a finding that the school is demonstrably unlikely to successfully implement the program set forth in the petition due to substantial fiscal or governance factors.
47607(e)	Due Process Prior to Fiscal or Governance Denial	The chartering authority is required to provide a charter school due process prior to any renewal decision for denial due to fiscal or governance inviability. Due process requires the following: (1) The authorizer must provide the charter school with at least 30 days' notice of the alleged violation (2) The authorizer must provide the charter school with a reasonable opportunity to both draft a corrective action plan and cure the violation

Legal Index Part III: Enrollment, Fiscal, and Gov

47607(e)(1)-(2)	Findings of Fact: Denial for Fiscal or Governance Inviability	The chartering authority is required to have determined one of the following findings if deciding to deny the renewal of a charter school for being demonstrably unlikely to successfully implement the program set forth in the petition due to substantial fiscal or governance factors: (1) The corrective action proposed by the charter school has been unsuccessful (2) The violations are sufficiently severe and pervasive as to render a corrective action plan unviable
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SAMPLE



**RIVERSIDE COUNTY
OFFICE OF EDUCATION**

Renewal Petition Review Rubric



Division of Leadership, Wellness, and Student Services
Charter Schools Unit

Charter Petition
Renewal Review Rubric

General Information

According to Education Code Section 47607, the Riverside County Board of Education (RCBE) may grant renewal to charter schools under its authority. The Riverside County Office of Education (RCOE) staff will facilitate the Petition Renewal Process, which officially starts upon submission of the Renewal Petition along with a signed Certification of Submission to RCOE. The Renewal Process includes a review of the updated petition, charter school performance data, and student enrollment patterns for the school over the course of its current term. Based on this review, a Staff Report will be drafted to document any relevant findings from the review and shared with the charter school. Once finalized, the final Staff Report will be presented to the RCBE for consideration in determining whether or not to grant renewal to the charter school petition.

(A) School Information		Comments
Charter School	To be Determined	
Lead Petitioner		
Petition Expiration Date		
Type of Review	To be Determined	
(B) Submission (Document)		
Renewal Petition Review Year		
Certification of Submission	To be Determined	
Official Submission Date		
(C) Submission (Data)		
Verifiable Data	To be Determined	
Verified Data Academic Growth (AG) Postsecondary Outcomes (PSO)	TBD: Academic Growth (AG)	
	TBD: Postsecondary Outcomes (PSO)	
Local Data Export Completion	To Be Determined	
(D) Renewal Process		
Process Element	Status	Date(s)
Pre-Submission Meeting	To be Determined	
RCBE Public Hearing Meeting	To be Determined	
RCOE Staff Review Completion	To be Determined	

Ready for Attorney Review	To be Determined	
Check-In Meeting	To be Determined	
Draft Staff Report Attorney Completion	To be Determined	
Draft Staff Report Review Meeting	To be Determined	

General Information

Staff Report Completion	To be Determined	
Staff Report Posting	To be Determined	
RCBE Charter Subcommittee Meeting	To be Determined	
RCBE Decision Meeting	To be Determined	
(E) Post-Decision Meeting (Approval)		
Process Element	Status	Date(s)
Drafting of Revised Memorandum of Understanding (MOU)	To be Determined Upon Approval	
Finalization of the MOU	To be Determined Upon Approval	
Completion of Terms and Conditions in the MOU	To be Determined Upon Approval	
Upload the Charter Renewal Petition and MOU into the Shared Drive and Google Folder	To be Determined Upon Approval	
(F) Post-Decision Meeting (Denial)		
Process Element	Status	Date(s)
Initial Meeting to Coordinate Closure Proceedings	To be Determined Upon Denial	
Closure Process	To be Determined Upon Denial	



Division of Leadership, Wellness, and Student Services
Charter Schools Unit

Charter Petition Renewal

Petition Submission Certification Form

Please complete the information, then sign and date below. This form may be provided to the Riverside County Office of Education as part of your renewal submission to certify that the petition is deemed complete and start the renewal petition process timeline*. A renewal petition submission checklist has been provided for your consideration.

Petitioner Pre-Submission Considerations

- Coordination of petition submission has been arranged with Riverside County Office of Education (RCOE) staff
- The school has confirmed its renewal tier qualification on the CDE list, if applicable
- The renewal petition includes all requirements for the school's qualified tier or school type
- Any required data and related analysis have been included for consideration
- Any discretionary data and related analysis have been provided for consideration
- The renewal petition includes any new legal requirements imposed since its last approval
- Updates have been made to the petition to reflect the school's current program
- Revisions made to the petition do not require a Material Revision
- Any revisions that may be considered material were discussed/cleared with the RCOE Staff
- All revisions to the petition are documented by "strike-out" and "red-line" text
- If the petition includes material changes, a separate, material revision petition is being submitted concurrently

Charter School and Petitioner Information

Charter School	
Date of Petition Expiration	
Current Renewal Tier or DASS	
Lead Petitioner	
Position of Lead Petitioner	
Contact Information- Phone	
Contact Information- Email	

Signature and Date

I hereby certify under the laws of the State of California and the United States that the foregoing petition and the information included on this page are deemed complete, true, and correct. I understand and acknowledge that failure to provide accurate or complete information may subject the charter to revocation if later discovered and material to compliance with the Charter Schools Act.

Name of Lead Petitioner	
Signature	
Date	

Verification of Renewal Petition Submission (RCOE Office Use Only)

Upon receipt of a Charter School Renewal Petition, please fill out the information below, sign, and date. Contact Dr. Corey Loomis, Director, Charter Schools Unit, at cloomis@rcoe.us to coordinate the transfer of the submission.

Name of RCOE Staff Receiving Submission	
-----------------------------------------	--

Division/Unit	
Signature	
Date	

1.0 Document Review:
Elements



Division of Leadership, Wellness, and Student Services
Charter Schools Unit

Charter Petition
Renewal Review Rubric

1.0 Renewal Petition Document

RCOE will conduct a review aligned with California Education Code as part of the renewal process, to include a review of the updated petition, charter school performance data, and student enrollment patterns for the school over the course of its current term. Based on this review, a staff report will be drafted to document any relevant findings for each distinct section of the review to be presented to the RCBE for consideration in determining whether or not to grant renewal to the charter school petition. This section includes documentation for any findings and/or recommendations as a result of the **Petition Document Review**.

(A) Document Updates- Legal Requirements

Initial Review	Renewal Petition Requirements	Potential Response(s) in Staff Report
Review 47607(b) CCR Tit.5 Section 11967.5.1(g) Findings 47605(c)(5)	The Petition has been updated to include reasonably comprehensive descriptions for any new legal requirements imposed since its last update "Reasonably comprehensive" descriptions MUST: (1) Be substantive, not a list (2) Address all aspects of each element (3) Be specific to this charter (not generalized) (4) Describes how the school will: (A) Improve student learning (B) Increase learning opportunities for students (C) Provide expanded educational opportunities (D) Hold itself accountable for measurable, performance- based pupil outcomes (E) Provide vigorous competition with other public-school options	The Petition does not contain a reasonably comprehensive description of this new requirement; therefore, the board may do one of the following: (1) Adopt the finding of fact and deny renewal of the Petition (2) Adopt the finding of fact, and require the Petition to be updated to provide a reasonably comprehensive description of the element to the satisfaction of Staff as part of the Memorandum of Understanding (MOU) (3) Do not adopt the finding of fact, and approve the renewal of the Petition

Elements Requiring Review

Status	Element	Notes
Description Not Comprehensive	To Be Determined	

Potential Finding(s) of Fact

Page Numbers	Element	Evidence/Concerns
	To Be Determined	

(B) Document Updates- Current Program


Initial Review	Renewal Petition Requirements	Potential Response(s) in Staff Report
Review 47607(b) 47607(c)(2)(F) Findings 47605(c)(5)	The Petition has been updated to include, but not be limited to , reasonably comprehensive descriptions for any new legal requirements imposed since its last update Consider whether the Petition has been updated to reflect the current program offered by the charter school, including all required elements	"The Petition does not contain a reasonably comprehensive description of this requirement, therefore the board may do one of the following: (1) Adopt the finding of fact and deny renewal of the Petition (2) Adopt the finding of fact, and require the Petition to be updated to provide a reasonably comprehensive description of the element to the satisfaction of the Staff as part of the Memorandum of Understanding (MOU) (3) Do not adopt the finding of fact, and approve the renewal of the Petition." Recommendation that the board move to require updates to reflect the current program, be made to the satisfaction of the staff, as part of the MOU

Elements/Sections Requiring Review

Page Numbers	Element/Section	Evidence/Concerns

Under Review	To Be Determined	
Potential Finding(s) of Fact		
Page Numbers	Element/Section	Evidence/Concerns
(C) Non-Material Revisions		
Under Review	Renewal Petition Requirements	Potential Response(s) in Staff Report
Review 47607(a)(3)	Consider proposed changes to ensure all revisions are non-material	Recommendation that the board move to have any revisions determined to be material removed from the Renewal Petition as part of its decision
Potential Finding(s) of Fact		
Page Numbers	Element/Section	Evidence/Concerns

1.0 Document Review: Required Affirmations

		<p align="center">Charter Renewal Petition Review Rubric</p>	
1.0 Petition Document Review: Required Affirmations			
<p>In its review of the petition, RCOE will be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that the establishment of charter schools should be encouraged. The county board shall grant a charter for the operation of a school if it is satisfied that granting the charter is consistent with sound educational practice and with the interests of the community in which the school is proposing to locate. The academic needs of the pupils the school proposes to serve shall be considered.</p>			
Legal Requirements			
Requirements for Finding(s) of Fact			
Review/Findings: 47605(c)(4) Administrative Criteria: CCR Tit.5 Section 11967.5.1(e)	<p>The governing board of the [county office] shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings: The petition does not contain an affirmation of each of the conditions described in subdivision (e).</p> <p>The petition shall include a clear, unequivocal affirmation of each such condition, not a general statement of intention to comply.</p> <p>Neither the charter nor any of the supporting documents shall include any evidence that the charter will fail to comply with the conditions described in EDC 47605 (e).</p>		
Finding(s) of Fact			
Status	Affirmation	Education Code Section	Comments/Notes
Under Review	Be non-sectarian in its programs, admissions policies, employment practices, and all other operations.	47605(e)(1)	
Under Review	Not charge tuition.	47605(e)(1)	
Under Review	Not discriminate on the basis of the characteristics listed in EDC Section 220 (actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, including immigration status, or association with an individual who has any of the aforementioned characteristics).	47605(e)(1)	
Under Review	Except as required by EDC Section 47605(e)(2), admission to the Charter School will not be determined according to the place of residence of the student or his or her parents or legal guardian within the State.	47605(e)(1)	
Under Review	Admit all students who wish to attend the Charter School.	47605(e)(2)(A)	
Under Review	Provide each application with an equal chance of admission through a public random drawing process, in the case that the Charter School receives a greater number of applications than there are spaces for students. Preference shall be extended to pupils currently attending the charter school and pupils who reside in the school district, except as provided for in Section 47614.5.	47605(e)(2)(B)	
Under Review	Each type of preference shall be approved by the chartering authority at a public hearing.	47605(e)(2)(B)(i)	
Under Review	Include preferences consistent with federal law, the California Constitution, and Section 200.	47605(d)(2)(B)(ii)	

Under Review	Not allow preferences to result in limiting enrollment access for pupils with disabilities, academically low-achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, or pupils who are economically disadvantaged, as determined by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation.	47605(e)(2)(B)(iii)	
Under Review	In accordance with Section 49011, not include mandatory parental volunteer hours in preferences as a criterion for admission or continued enrollment.	47605(e)(2)(B)(iv)	
Under Review	If a pupil is expelled or leaves the Charter School without graduating or completing the school year for any reason, the Charter School will notify the superintendent of the school district of the pupil's last known address within 30 days, and will, 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. (This only applies to pupils subject to compulsory full-time education pursuant to Section 48200)	47605(e)(3)	
Under Review	Not discourage a pupil from enrolling or seeking to enroll in the charter school for any reason, including, but not limited to, academic performance of the pupil or because the pupil exhibits any of the characteristics described in clause (iii) of subparagraph (B) of paragraph (2).	47605(e)(4)(A)	
Under Review	Not request a pupil's records or require a parent, guardian, or pupil to submit the pupil's records to the charter school before enrollment.	47605(e)(4)(B)	
Under Review	Not encourage a pupil currently attending the charter school to disenroll from the charter school or transfer to another school for any reason, including, but not limited to, academic performance of the pupil or because the pupil exhibits any of the characteristics described in clause (iii) of subparagraph (B) of paragraph (2). (This shall not apply to actions taken by a school pursuant to the procedures described in EDC 47605(b)(5)(I).)	47605(e)(4)(C)	
Under Review	Shall post on the school's website the notice of the requirements of this paragraph as provided by the CDE, and will provide a parent or guardian, or a pupil if the pupil is 18 years or older, a copy of this notice at all of the following times: When a parent, guardian or pupil inquires about enrollment, before conducting a lottery and before disenrollment of a pupil.	47605(e)(4)(D)(i)-(iii)	

2.0 Performance (High Tier)



Division of Leadership, Wellness, and Student Services
Charter Schools Unit

Charter Petition
Renewal Review
Rubric

2.0 School Performance Review (High Tier)


A review of schoolwide and student group performance data will be conducted. The analysis will include all evidence required by the education code, as well as any provided by the charter school, and inform the drafting of a staff report to the RCBE. This section includes documentation for any findings and/or recommendations as a result of the **School Performance Review for High Tier Qualified Schools**. The chartering authority **shall not deny** the charter petition for **School Performance** for a school that qualifies as High Tier.

(A) Dashboard Indicators

Under Review	Performance Review Requirements	Potential Response(s) in Staff Report
Review 47607(c)(1)	Consider the charter school's performance on state and local dashboard indicators for every available year of its operation, to include schoolwide and student group outcomes	Recommendation that the board consider the number of years to grant the charter (5-7 years) based on the analysis provided Recommendation that the charter school provides staff with a Growth Plan for any schoolwide and/or student group performance indicators deemed areas of concern
Potential Concerns/of Concern		
Dashboard Indicator	Students/Groups	Evidence/Concerns How has the school performed over time?

Under Review	Under Review	
(B) Verifiable Data		
Under Review	Performance Review Requirements (Required if school provides data)	Potential Response(s) in Staff Report
Review 47607(c)(6)	Consider verifiable data (CAASPP) provided by the charter school for its most recent academic year	Recommendation that the board consider the number of years to grant the charter (5-7 years) based on the analysis provided Recommendation that the charter school provide staff with a Growth Plan for any schoolwide and/or student group performance indicators deemed areas of concern
Potential Concerns/Areas of Concern		
Performance Area	Students/Groups	Evidence/Concerns How has the school performed over time?
Under Review	Under Review	

2.0 Data Analysis Summary (High Tier)

 <p>Division of Leadership, Wellness, and Student Services Charter Schools Unit</p>		<p>Charter Petition Renewal Review Rubric</p>
Data Analysis Summary-High Tier		
<p>This section includes a summary of and documentation for any evidence resulting from the consideration of data and/or data analysis for schools qualified for High Tier review. Both schoolwide and student group performance data will be considered. The chartering authority shall not deny a charter petition as a result of the School Performance Review for High Tier Schools. The analysis will include all evidence required by the education code, as well as any provided by the charter school, and will inform any recommendations to be included in the staff report provided to the RCBE. Guiding questions for each area of analysis should include:</p> <ol style="list-style-type: none"> 1) How are students performing schoolwide? 2) How are each of the school's student groups performing? 3) How has the school performed over time? 4) How have cohorts of students performed over time? 		
(A) Dashboard Indicators		
Under Review	Performance Review Requirements	47607(c)(1)

Consider the charter school's performance on state and local dashboard indicators for every available year of its operation, to include schoolwide and student group outcomes, providing greater weight to indicators of academic performance


Area(s) of Concern		
Dashboard Indicator	Students/Groups	Evidence/Concerns How has the school performed over time?
Under Review	Under Review	

(B) Verifiable Data		
Under Review	Performance Review Requirement	47607(c)(6)

Consider verifiable data (CAASPP) provided by the charter school for its most recent academic year


Area(s) of Concern		
Performance Area	Students/Groups	Evidence/Concerns How has the school performed over time?
Under Review	Under Review	

2.0 Performance (DASS)

 <div style="display: inline-block; vertical-align: middle;"> <p>Division of Leadership, Wellness, and Student Services Charter Schools Unit</p> </div> <div style="display: inline-block; vertical-align: middle; margin-left: 20px;"> <p>Charter Petition Renewal Review Rubric</p> </div>		
2.0 School Performance Review (DASS)		
<p>A review of schoolwide and student group performance data will be conducted. The analysis will include all evidence required by the education code, as well as any provided by the charter school, and inform the drafting of a staff report to the RCBE. This section includes documentation for any findings and/or recommendations as a result of the School Performance Review for Dashboard Alternative School Status (DASS) Schools. The chartering authority may deny the charter petition for School Performance for a school operating under Dashboard Alternative School Status (DASS) only upon making written findings supported by facts.</p>		
(A) Dashboard Indicators		
Under Review	Performance Review Requirements	Potential Response(s) in Staff Report
Review 47607(c)(1)	Consider the charter school's performance on state and local dashboard indicators for every available year of its operation, to include schoolwide and student group outcomes	Recommendation that the charter school provide staff with a Growth Plan for any schoolwide and/or student group performance indicators deemed areas of concern
Areas of Concern		
Dashboard Indicator	Students/Groups	Evidence/Concerns How has the school performed over time?
Under Review	Under Review	
(B) Verifiable Data		
Under Review	Performance Review Requirements (Required if school provides data)	Potential Response(s) in Staff Report


Review 47607(c)(6)	Consider verifiable data (CAASPP) provided by the charter school for its most recent academic year	Recommendation that the charter school provide staff with a Growth Plan for any schoolwide and/or student group performance deemed areas of concern
Areas of Concern		
Dashboard Indicator	Students/Groups	Evidence/Concerns How has the school performed over time?
Under Review	Under Review	
(C) Alternative Metrics		
Under Review	Performance Review Requirement	Potential Response(s) in Staff Report
Review/Findings 47607(c)(7)	Consider the charter school's performance using alternative metrics agreed upon by both the authorizer and the charter school	<p>Closure of the charter school is in the best interest of students. The board may choose to do one of the following:</p> <p>(1) Adopt the finding of fact and deny renewal of the Petition</p> <p>(2) Adopt the finding of fact, and require the Petition to be updated to provide a reasonably comprehensive description of the element to the satisfaction of Staff as part of the Memorandum of Understanding (MOU)</p> <p>(3) Do not adopt the finding of fact, and approve the renewal of the Petition</p> <p>Recommendation that the charter school provide staff with a Growth Plan for any schoolwide and/or student group performance deemed areas of concern</p>
Finding(s) of Fact/Areas of Concern		
Dashboard Indicator	Students/Groups	Evidence/Concerns How has the school performed over time?
Under Review	Under Review	

2.0 Data Analysis Summary (DASS)

 <p>Division of Leadership, Wellness, and Student Services Charter Schools Unit</p> <p>EDWIN GOMEZ, Ed.D. County Superintendent of Schools</p>	<p>Charter Petition Renewal Review Rubric</p>
Data Analysis Summary-DASS	
<p>This section includes a summary of and documentation for any evidence resulting from the consideration of data and/or data analysis for schools qualified as DASS. Both schoolwide and student group performance data will be considered. The chartering authority may deny renewal of a charter petition for a school qualified as DASS for School Performance if specific findings of fact are found to support such action. The analysis will include all evidence required by the education code, as well as any provided by the charter school, and inform any recommendations to be included in the staff report provided to the RCBE. Guiding questions for each area of analysis should include:</p> <ol style="list-style-type: none"> 1) How are students performing schoolwide? 2) How are each of the school's student groups performing? 3) How has the school performed over time? 4) How have cohorts of students performed over time? 	
(A) Dashboard Indicators	
Under Review	Performance Review Requirements
	47607(c)(1)

Consider the charter school's performance on state and local dashboard indicators for every available year of its operation, to include schoolwide and student group outcomes, providing greater weight to indicators of academic performance		
Area(s) of Concern		
Dashboard Indicator	Students/Groups	Evidence/Concerns How has the school performed over time?
Under Review	Under Review	
(B) Verifiable Data		
Under Review	Performance Review Requirement	47607(c)(6)
Consider verifiable data (CAASPP) provided by the charter school for its most recent academic year		
Area(s) of Concern		
Dashboard Indicator	Students/Groups	Evidence/Concerns How has the school performed over time?
Under Review	Under Review	
(C) Alternative Metrics		
Under Review	Performance Review Requirement	47607(c)(7)
Consider the charter school's performance using alternative metrics agreed upon by both the authorizer and the charter school		
Area(s) of Concern		
Dashboard Indicator	Students/Groups	Evidence/Concerns How has the school performed over time? How have cohorts of students performed over time?
Under Review	Under Review	

2.0 Performance (Middle Tier)

 <div style="display: inline-block; vertical-align: middle;"> <p>Division of Leadership, Wellness, and Student Services Charter Schools Unit</p> </div> <div style="display: inline-block; vertical-align: middle; margin-left: 20px;"> <p>Charter Petition Renewal Review Rubric</p> </div>		
2.0 School Performance Review (Middle Tier)		
<p>A review of schoolwide and student group performance data will be conducted. The analysis will include all evidence required by the education code, as well as any provided by the charter school, and inform the drafting of a staff report to the RCBE. This section includes documentation for any findings and/or recommendations as a result of the School Performance Review for Middle Tier Schools. Unless specific findings of fact are found to support such action, the chartering authority shall not deny the charter petition for School Performance for a school that qualifies as Middle Tier.</p>		
(A) Dashboard Indicators		
Under Review	Performance Review Requirements	Potential Response(s) in Staff Report

Review 47607.2(b)(1)-(2) Findings 47607.2(b)	Consider the charter school's performance on state and local dashboard indicators for every available year of its operation, to include schoolwide and student group outcomes, providing greater weight to indicators of academic performance.	The charter school has failed to meet or make sufficient progress towards standards , therefore closure is determined to be in the best interest of students . The board may choose to do one of the following: (1) Adopt the finding of fact and deny renewal of the Petition (2) Adopt the finding of fact, and require the Petition to provide staff with a Growth Plan for any schoolwide and/or student group performance indicators that led to this finding as part of the Memorandum of Understanding (MOU) (3) Do not adopt the finding of fact, and approve the renewal of the Petition Recommendation that the charter school provide staff with a Growth Plan for any schoolwide and/or student group performance indicators deemed areas of concern
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Areas of Concern

Dashboard Indicator	Students/Groups	Evidence/Concerns How has the school performed over time?
Under Review	Under Review	

(B) Verifiable Data

Under Review	Performance Review Requirements (Required if school provides data)	Potential Response(s) in Staff Report
Review 47607(c)(6) Findings 47607.2(b)	Consider verifiable data (CAASPP) provided by the charter school for its most recent academic year	The charter school has failed to meet or make sufficient progress towards standards , therefore closure is determined to be in the best interest of students . The board may choose to do one of the following: (1) Adopt the finding of fact and deny renewal of the Petition (2) Adopt the finding of fact, and require the Petition to provide staff with a Growth Plan for any schoolwide and/or student group performance indicators that led to this finding as part of the Memorandum of Understanding (MOU) (3) Do not adopt the finding of fact, and approve the renewal of the Petition Recommendation that the charter school provide staff with a Growth Plan for any schoolwide and/or student group performance deemed areas of concern

Areas of Concern

Performance Area	Students/Groups	Evidence/Concerns How has the school performed over time?
Under Review	Under Review	

(C) Verified Data

Under Review	Performance Review Requirement	Potential Response(s) in Staff Report

2.0 Performance (Middle Tier)

Review 47607.2(b)(3)-(5) Findings 47607.2(b)	Consider clear and convincing evidence, demonstrated using verified data, showing either of the following: Measurable increases in academic achievement (a year's progress for each year in school) Strong postsecondary outcomes (College enrollment, persistence, and completion rates equal to similar peers)	The charter school has failed to meet or make sufficient progress towards standards , therefore closure is determined to be in the best interest of students . The board may choose to do one of the following: (1) Adopt the finding of fact and deny renewal of the Petition (2) Adopt the finding of fact, and require the Petition to provide staff with a Growth Plan for any schoolwide and/or student group performance indicators that led to this finding as part of the Memorandum of Understanding (MOU) (3) Do not adopt the finding of fact, and approve the renewal of the Petition Recommendation that the charter school provide staff with a Growth Plan for any schoolwide and/or student group performance deemed areas of concern
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Finding(s) of Fact/Areas of Concern

Performance Area	Students/Groups	Evidence/Concerns How has the school performed over time? How have cohorts of students performed over time?
Under Review	Under Review	


(D) Non-Verified Data

To Be Determined	Data Review Requirement	Potential Response(s) in Staff Report
Review 47607 & 47607.2	There is no legal requirement for the school to submit data that is not included on the list of verified data, nor is there a requirement for an authorizer to review or consider any data other than dashboard, verifiable, or verified data. There is no requirement in law that forbids the consideration of additional data for the performance review of a charter school during the renewal process.	There will be no findings in the staff report related to additional data presented by the charter school. This data may be considered as a supplementary support of any dashboard, verifiable, or verified data that is submitted for the performance review.

Non-Verified Data Information

Performance Area	Students/Groups	Comments
Under Review	Under Review	

2.0 Data Analysis Summary (Middle Tier)

	<p>Division of Leadership, Wellness, and Student Services Charter Schools Unit</p>	<p>Charter Petition Renewal Review Rubric</p>
Data Analysis Summary-Middle Tier		

This section includes a summary of and documentation for any evidence resulting from the consideration of data and/or data analysis for schools qualified for Middle Tier review. Both schoolwide and student group performance data will be considered. If specific findings of fact are found to support such action, the chartering authority may deny a charter petition for School Performance for a school that qualifies as Middle Tier. The analysis will include all evidence required by the education code as well as any provided by the charter school and inform any findings to be included in the staff report provided to the RCBE. Guiding questions for each area of analysis should include:

- 1) How are students performing schoolwide?
- 2) How are each of the school's student groups performing?
- 3) How has the school performed over time?
- 4) How have cohorts of students performed over time?

(A) Dashboard Indicators

Under Review	Performance Review Requirements	47607.2(b)(1)-(2)
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Consider the charter school's performance on state and local dashboard indicators for every available year of its operation, to include schoolwide and student group outcomes, providing greater weight to indicators of academic performance

Area(s) of Concern		
Dashboard Indicator	Students/Groups	Evidence/Concerns
Under Review	Under Review	

(B) Verifiable Data

Under Review	Performance Review Requirements (Required if school provides data)	47607(c)(6)
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Consider verifiable data (CAASPP) provided by the charter school for its most recent academic year

Area(s) of Concern		
Performance Area	Students/Groups	Evidence/Concerns
Under Review	Under Review	

(C) Verified Data


Under Review	Performance Review Requirement	47607.2(b)(3)-(5)
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Consider clear and convincing evidence, demonstrated using verified data, showing **either** of the following:

Data Source: Academic Growth	Measurable increases in academic achievement (a year's progress for each year in school)
Data Source: Postsecondary Outcomes	Strong postsecondary outcomes (College enrollment, persistence, and completion rates equal to similar peers)

Area(s) of Concern		
Performance Area	Students/Groups	Evidence/Concerns How has the school performed over time? How have cohorts of students performed over time?
Under Review	Under Review	

2.0 Performance (Low Tier)

 <p>Division of Leadership, Wellness, and Student Services Charter Schools Unit</p>	<p>Charter Petition Renewal Review Rubric</p>
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2.0 School Performance Review (Low Tier)

A review of schoolwide and student group performance data will be conducted. The analysis will include all evidence required by the education code as well as any provided by the charter school and inform the drafting of a staff report to the RCBE. This section includes documentation for any findings and/or recommendations as a result of the **School Performance Review for Low Tier Schools**. Unless specific findings of fact are found to support such action, the chartering authority **shall not renew** a charter petition **due to School Performance** for a school that qualifies as Low Tier.

(A) Meaningful Steps to Address/Verified Data

Under Review	Performance Review Requirements	Potential Response(s) in Staff Report
Review/Findings 47607.2(a)(4)(A)-(C)	<p>Consider both of the following:</p> <p>(1) The charter school is taking meaningful steps to address the underlying cause(s) of low performance</p> <p>(2) Verified data demonstrates either of the following:</p> <p>Measurable increases in academic achievement (a year's progress for each year in school)</p> <p>Strong postsecondary outcomes (College enrollment, persistence, and completion rates equal to similar peers)</p>	<p>The charter school is taking meaningful steps to address the underlying causes of low performance, and there is clear and convincing evidence showing the school either achieved measurable increases in academic achievement or strong postsecondary outcomes. The board may choose to do one of the following:</p> <p>(1) Adopt the finding of fact and approve renewal of the Petition on the condition that the charter school provide a plan to reflect the meaningful steps they are taking to address the underlying cause(s) of low performance</p> <p>(2) Do not adopt the findings of fact, and deny renewal of the Petition</p>

Potential Finding(s) of Fact for Approval

Performance Area	Students/Groups	Evidence of Achievement How has the school performed over time? How have cohorts of students performed over time?
Under Review	Under Review	

(B) Verifiable Data

Under Review	Performance Review Requirements (Required if school provides data)	Potential Response(s) in Staff Report
Review 47607(c)(6)	Consider verifiable data (CAASPP) provided by the charter school for its most recent academic year	Acknowledgment for any schoolwide and/or student group performance deemed areas of growth that may have contributed to the school being identified as Low Tier

Areas of Growth

Performance Area	Students/Groups	Evidence of Achievement How has the school performed over time?
Under Review	Under Review	

2.0 Data Analysis Summary (Low Tier)



Data Analysis Summary-Low Tier

This section includes a summary of and documentation for any evidence resulting from the consideration of data and/or data analysis for schools qualified for Low Tier review. Unless specific findings of fact are found to support such action, the chartering authority shall not renew a charter petition due to School Performance for a school that qualifies as Low Tier. Both schoolwide and student group performance data will be considered. The analysis will include all evidence required by the education code, as well as any provided by the charter school. Guiding questions for each area of analysis should include:

- 1) How are students performing schoolwide?
- 2) How are each of the school's student groups performing?
- 3) How has the school performed over time?
- 4) How have cohorts of students performed over time?

(A) Meaningful Steps to Address

Under Review	Performance Review Requirements	47607.2(a)(4)(A)-(C)
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The charter school is taking meaningful steps to address the underlying cause(s) of low performance

Area(s) of Low Performance

Dashboard Indicator	Students/Groups	Evidence of Meaningful Steps to Address
Under Review	Under Review	

(B) Verified Data

Under Review	Performance Review Requirement	47607.2(a)(4)(A)-(C)
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Verified data demonstrates **either** of the following:

Data Source: Academic Growth	Measurable increases in academic achievement (a year's progress for each year in school)
Data Source: Postsecondary Outcomes	Strong postsecondary outcomes (College enrollment, persistence, and completion rates equal to similar peers)

Area(s) of Growth

Performance Area	Students/Groups	Evidence of Achievement How has the school performed over time? How have cohorts of students performed over time?
Under Review	Under Review	

(C) Verifiable Data

Under Review	Performance Review Requirements (Required if school provides data)	47607(c)(6)
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Consider verifiable data (CAASPP) provided by the charter school for its most recent academic year

Area(s) of Growth

Performance Area	Students/Groups	Evidence of Achievement How has the school performed over time?

2.0 Data Analysis Summary (Low Tier)

Under Review	Under Review	
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SAMPLE

3.0 Student Enrollment Patterns



Division of Leadership, Wellness, and Student Services
Charter Schools Unit

Charter Petition Renewal Review Rubric

3.0 Student Enrollment Patterns

As part of the determination for granting a charter renewal petition, the chartering authority is required to conduct a **review of student enrollment pattern data** at the time of renewal for any school, regardless of renewal tier status or school type. This section includes documentation for any findings and/or recommendations as a result of the **Student Enrollment Patterns Review**.

(A) Substantial Complaints

Under Review	Renewal Petition Requirements	Potential Response(s) in Staff Report
Review 47607(d)(2) Findings 47607(d)(3)	Consider any substantial complaints of noncompliance pertaining to petition Element J: Suspension, Expulsion, and Involuntary Removal, from EDC Section 47605	The charter school is not serving all students who wish to attend ; therefore the board may do one of the following: (1) Adopt the finding of fact and deny renewal of the Petition (2) Do not adopt the finding of fact, and approve the renewal of the Petition
Finding(s) of Fact		
Date of Complaint	Source	Details

(B) Enrollment Data (Requested)


Under Review	Renewal Petition Requirements (Required if Authorizer Requests Data)	Potential Response(s) in Staff Report
Review 47607(d)(1)-(2) Findings 47607(d)(3)	Consider any cumulative enrollment data for each school year of the charter school's term, provided by the CDE in response to an authorizer request for information (See education code for a description of data to be provided)	The charter school is not serving all students who wish to attend ; therefore the board may do one of the following: (1) Adopt the finding of fact and deny renewal of the Petition (2) Do not adopt the finding of fact, and approve the renewal of the Petition
Finding(s) of Fact		
School Year	Enrollment/Assessment Information	Concerns

(C) Enrollment Data (Provided w/o Request)

Under Review	Renewal Petition Requirements	Potential Response(s) in Staff Report
Review 47607(d)(2) Findings 47607(d)(3)	Consider any enrollment data provided by the CDE (non-requested)	The charter school is not serving all students who wish to attend ; therefore the board may do one of the following: (1) Adopt the finding of fact and deny renewal of the Petition (2) Do not adopt the finding of fact, and approve the renewal of the Petition
Finding(s) of Fact		
School Year	Enrollment/Assessment Information	Concerns


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4.0 Operational Concerns

	Division of Leadership, Wellness, and Student Services Charter Schools Unit	Charter Petition Renewal Review Rubric
Operational Concerns		
<p>The chartering authority may deny renewal of a charter renewal petition for any school, regardless of renewal tier status or school type, due to substantial fiscal or governance factors. This section includes documentation for any findings and/or recommendations related to these factors. Charter school fiscal and governance viability is part of a chartering authority's ongoing oversight responsibilities, therefore there is no mandate for a specific review at the time of petition renewal. There are due process guarantees for schools struggling in these areas at the time of renewal that must be followed if the chartering authority expects to include findings of fact for denial in the staff report.</p>		
(A) Fiscal Viability		
Under Review	Authorizing Oversight Responsibility	Potential Response(s) in Staff Report
Review-Ongoing 47604.32(a)(4) Findings 47607(e)(1)-(2)	Monitor the fiscal condition of the charter school	<p>The charter school is demonstrably unlikely to successfully implement the program set forth in the petition due to its proposed corrective action being unsuccessful, therefore the board may do one of the following:</p> <ul style="list-style-type: none"> (1) Adopt the finding of fact and deny renewal of the Petition (2) Do not adopt the finding of fact, and approve the renewal of the Petition <p>The charter school is demonstrably unlikely to successfully implement the program set forth in the petition due to its violations being severe and pervasive, rendering a corrective plan unviable, therefore the board may do one of the following:</p> <ul style="list-style-type: none"> (1) Adopt the finding of fact and deny renewal of the Petition (2) Do not adopt the finding of fact, and approve the renewal of the Petition
Finding(s) of Fact		
Date of Notice to School (Minimum 30 days prior to Final Staff Report)	Violation/Concern	Outcome of Reasonable Opportunity to Cure
(B) Governance Viability		
Under Review	Authorizing Oversight Responsibility	Potential Response(s) in Staff Report

Review-Ongoing Findings 47607(e)(1)-(2)	Monitor the governance condition of the charter school	<p>The charter school is demonstrably unlikely to successfully implement the program set forth in the petition due to its proposed corrective action being unsuccessful, therefore the board may do one of the following:</p> <p>(1) Adopt the finding of fact and deny renewal of the Petition (2) Do not adopt the finding of fact, and approve the renewal of the Petition</p> <p>The charter school is demonstrably unlikely to successfully implement the program set forth in the petition due to its violations being severe and pervasive, rendering a corrective plan unviable, therefore the board may do one of the following:</p> <p>(1) Adopt the finding of fact and deny renewal of the Petition (2) Do not adopt the finding of fact, and approve the renewal of the Petition</p>
Finding(s) of Fact		
Date of Notice to School (Minimum 30 days prior to Final Staff Report)	Violation/Concern	Outcome of Reasonable Opportunity to Cure

Legal Index Part I: General Guidance

 Division of Leadership, Wellness, and Student Services Charter Schools Unit		Charter Petition Renewal Legal Index Part I: General Guidance for All Charter Schools
General Renewal Requirements: All Charter Schools		
47607(a)(2)	Authorizer Authority	The chartering authority may either grant or deny subsequent renewals.
47607(a)(3)	Material Revisions	Material revisions presented concurrently with a renewal petition are required to go through a separate, distinct approval process, governed by Section 47605.
47607(a)(4)	Renewal Petition Non-Allowable Reasons for Denial	<p>The following findings for denial of an initial petition [Per Section 47605(c)(7)-(8)] are not allowable as denial reasons for the renewal of an existing charter school:</p> <p>(7) Demonstrably unlikely to serve the interests of the entire community in which the school is proposing to locate</p> <p>(8) The school district is not positioned to absorb the fiscal impact of the proposed charter school</p> <p>However, they may be used to deny a proposed expansion constituting a material revision, limited to the impact of the revision</p>
47607(b)	Governing Standards for Reviews	<p>Renewals are to be governed by the standards and criteria described in Section 47605 and are required to include:</p> <p>(1) Reasonably comprehensive descriptions of any new legal requirements of charter schools enacted into law after the last approval of the charter petition (2) Update requirements are not limited to new legal requirements</p>
CCR Title 5 Section 11967.5.1(g)(1)-(4)	"Reasonably Comprehensive"	<p>For a description to be considered "reasonably comprehensive," it must:</p> <p>(1) Be substantive, not a list (2) Address all aspects of each element (3) Be specific to this charter (not generalized) (4) Describes how the school will: (A) Improve student learning (B) Increase learning opportunities for students (C) Provide expanded educational opportunities (D) Hold itself accountable for measurable, performance- based pupil outcomes (E) Provide vigorous competition with other public-school options</p>
47607(c)(1)	Performance Review	The chartering authority is required to consider the performance of charter schools on the state and local indicators included in the California Dashboard as a criterion for determining whether to grant a charter renewal.

47607(c)(3)	Measurements of Academic Performance	<p>Measurements of academic performance is defined as indicators included on the CA Dashboard that are based on statewide assessments in the California Assessment of Student Performance and Progress system (CAASPP), the English Language Proficiency Assessments for California (ELPAC), and the college and career readiness indicator (CCI);</p> <p>Current state academic performance indicators are the following: English Language Arts, Mathematics, English Language Progress Indicator, and College and Career Indicator.</p>
47607(c)(4)	Subgroup/Student Group	<p>Subgroup is defined as a numerically significant student group; Numerically significant is defined as at least 30 students;</p> <p>Numerically significant students who are foster youth, homeless youth, or long-term English learners is considered at least 15 students.</p>
47607(c)(6)	Verifiable Data	<p>The authorizer is required to consider verifiable data related to the dashboard indicators (Currently CAASPP) for the most recently completed academic year before renewal if the following occurs:</p> <p>(1) Dashboard indicators for the most recent year are not yet available at the time of renewal (2) The verifiable data is provided by the charter school</p>

SAMPLE



High Tier Renewal

47607(c)(2)(A)(i)(ii)	Authorizer Requirement to Approve Renewal	The chartering authority is required to approve the renewal of a charter school that meets either of the following: (1) High Tier Non-Performance Qualification Criterion 1 and High Tier Performance Evaluation Criterion 1 (2) High Tier Non-Performance Qualification Criterion 2 and High Tier Performance Evaluation Criterion 2
47607(c)(5)	High Tier Non-Performance Qualification Criterion 1	For a charter school to be considered for High Tier review under High Tier Performance Evaluation Criterion 1, the charter school must meet the following: (1) The school has schoolwide performance levels on at least two measurements of academic performance per year (2) In each of the two years immediately preceding the renewal decision
47607(c)(2)(A)(i)	High Tier Performance Evaluation Criterion 1	For a charter school to be considered for High Tier review under criterion 1, the charter school must meet both of the following: (1) The charter school has received either blue or green performance levels schoolwide on all of the state indicators on the CA Dashboard (2) For the two consecutive years immediately preceding renewal
47607(c)(5)	High Tier Non-Performance Qualification Criterion 2	For a charter school to be considered for High Tier Evaluation under High Tier Performance Evaluation Criterion 2, the charter school must meet the following: (1) The school has performance levels on at least two measurements of academic performance (2) For at least two subgroups per year (3) In each of the two years immediately preceding the renewal decision (Note: Student groups do not have to be the same over the two years)
47607(c)(2)(A)(ii)	High Tier Performance Evaluation Criterion 2	For a charter school to be considered for High Tier review under criterion 2, the charter school must meet both of the following: (1) The charter school has performance levels schoolwide that are the same or higher than the state average for the two consecutive years immediately preceding renewal. (2) For academic indicators, ELA, Math, ELP, CCI, the following must be true: (A) 50% or more student groups that are performing below the state average in each respective year (B) Have received performance levels higher than the state average in each respective year (C) For the two consecutive years immediately preceding renewal (Note: Student groups do not have to be the same over the two years)
47607(c)(2)(C)	Technical Assistance	A school that is eligible for Technical Assistance is disqualified from High Tier renewal.
47607(c)(2)(D)	Low Tier Concurrent	A school whose performance qualifies it for Low Tier is disqualified from High Tier renewal.
47607(c)(2)(E)	Renewal Petition Term	The chartering authority may grant a charter school approved for High Tier renewal a term between 5-7 years.
47607(c)(2)(F)	Document Requirements	A charter school qualified as High Tier is only required to update its petition according to the following: (1) Include a reasonably comprehensive description of any new requirement of charter schools enacted into law after its current petition was approved. (2) Update, as necessary, to reflect the current program offered by the charter.

Dashboard Alternative Status Schools (DASS) Renewal

47607(c)(7)	Renewal Tiers	Schools that qualify as DASS are exempt from the renewal standards that apply to renewal tiers.
	DASS School Performance Review	The chartering authority is required to consider the performance for schools that qualify as DASS according to the following: (1) Performance on the state and local indicators (2) Performance on alternative metrics applicable to the school/based on the students served
	Alternative Metrics	The chartering authority is required to meet with the charter school during the first year of the petition term to discuss alternative metrics that may be considered for renewal. The authorizer is then required to notify the school of the metrics that will be used within 30 days of this meeting.

	Denial Reasons for School Performance	The chartering authority may deny the renewal of a DASS school if, supported by findings of fact, it determines that closure is in the best interest of students.
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Low Tier Renewal

47607.2(a)(1)(A)-(B)	Authorizer Requirement to Deny Renewal	The chartering authority is required to deny the renewal of a charter school that meets either of the following: (1) Low Tier Non-Performance Qualification Criterion 1 and Low Tier Performance Evaluation Criterion 1 (2) Low Tier Non-Performance Qualification Criterion 2 and Low Tier Performance Evaluation Criterion 2
47607(c)(5)	Low Tier Non-Performance Qualification Criterion 1	For a charter school to be considered for Low Tier Evaluation under Low Tier Performance Evaluation Criterion 2, the charter school must meet the following: (1) The school has performance levels on at least two measurements of academic performance (2) For at least two subgroups per year (3) In each of the two years immediately preceding the renewal decision
47607.2(a)(1)(A)	Low Tier Performance Evaluation Criterion 1	For a charter school to be considered for Low Tier review under criterion 1, the charter school must meet both of the following: (1) The charter school received either red or orange performance levels schoolwide on all of the state indicators on the CA Dashboard (2) For the two consecutive years immediately preceding renewal <small>(Note: Student groups do not have to be the same over the two years)</small>
47607(c)(5)	Low Tier Non-Performance Qualification Criterion 2	For a charter school to be considered for Low Tier Evaluation under Low Tier Performance Evaluation Criterion 2, the charter school must meet the following: The school has performance levels on at least two measurements of academic performance for at least two subgroups per year in each of the two years immediately preceding the renewal decision <small>(Note: Student groups do not have to be the same over the two years)</small>
47607.2(a)(1)(B)	Low Tier Performance Evaluation Criterion 2	For a charter school to be considered for Low Tier review under criterion 2, the charter school must meet both of the following: (1) The charter school has performance levels schoolwide that are the same or lower than the state average for the two consecutive years immediately preceding renewal (2) For academic indicators, ELA, Math, ELPI, CCI, the following must be true: (A) 50% or more of student groups that are performing below the state average in each respective year (B) Have received performance levels lower than the state average for the respective student groups (C) For the two consecutive years immediately preceding renewal <small>(Note: Student groups do not have to be the same over the two years)</small>
47607.2(a)(4)(A)-(B)	Requirement to Consider for Potential Renewal	The chartering authority is required to consider all of the following for a charter school that qualifies as Low Tier: (1) Whether the charter school is currently taking meaningful steps to address the underlying cause(s) of low performance (2) Whether those steps are or will be reflected in a written plan adopted by the governing body of the charter school (3) Whether there is clear and convincing evidence showing either of the following: (a) The school achieved measurable increases in academic achievement (one year's progress for each year in school) (b) The school achieved strong postsecondary outcomes (college enrollment, persistence, and completion rates equal to similar students)
47607.2(a)(4)	Approval Reasons for School Performance	The chartering authority may renew a Low Tier charter school if it makes both of the following written findings of fact: (1) The charter school is currently taking meaningful steps to address the underlying cause(s) of low performance, and those steps are or will be reflected in a written plan adopted by the governing body of the charter school (2) There is clear and convincing evidence showing either of the following: (A) The school achieved measurable increases in academic achievement (one year's progress for each year in school) (B) The school achieved strong postsecondary outcomes (college enrollment, persistence, and completion rates equal to similar students)
47607.2(a)(4)(C)	Verified Data	Verified data must be used to demonstrate clear and convincing evidence of measurable increases in academic achievement or strong postsecondary outcomes.
Generally Accepted Legal Maxim	Clear and Convincing	Generally understood means something is highly likely to be true, based on a solid analysis, whereas most questions and concerns have been answered and/or settled.
47607.2(c)	Verified Data Requirements	Verified data allowable for renewal is defined by the following: (1) Data derived from nationally recognized, valid, peer-reviewed, and reliable sources that are externally produced (2) The State Board of Education will establish criteria to define this data and identify an approval list of reliable assessments to be used (3) Only sources on the list may be used as verified data
47607.2(a)(5)	Verified Data Expiration	The requirement for an authorizer to consider verified data during the renewal process for Low Tier charter schools expires on June 30, 2025.
47607.2(a)(6)	Renewal Petition Term	The chartering authority may grant a two-year term if approving a Low Tier school.

Middle Tier Renewal

47607.2(b)(1)	Middle Tier Qualification	Non-DASS charter schools that do not qualify for either High or Low Tier renewals will be considered under the criteria in this section of the education code.
47607.2(b)(1)-(2)	Middle Tier Dashboard Review	The chartering authority is required to consider the California Dashboard performance for schools that qualify as Middle Tier according to the following: (1) Schoolwide and student group performance on the state and local indicators (2) Greater weight must be placed on the school's performance on measurements of academic performance (ELA, Math, ELPI, CCI)
47607.2(b)(3)(A)-(B)	Middle Tier Additional Review Requirements	The chartering authority is required to consider all of the following for a charter school that qualifies as Middle Tier: (1) Clear and convincing evidence showing either of the following: (A)The school achieved measurable increases in academic achievement (one year's progress for each year in school) (B)The school achieved strong postsecondary outcomes (college enrollment, persistence, and completion rates equal to similar students)
47607.2(b)(4)	Verified Data	Verified data must be used to demonstrate clear and convincing evidence of measurable increases in academic achievement or strong postsecondary outcomes.
Generally Accepted Legal Maxim	Clear and Convincing	Generally understood means something is highly likely to be true, based on a solid analysis, whereas most questions and concerns have been answered and/or settled.
47607.2(c)	Verified Data Requirements	Verified data allowable for renewal is defined by the following: (1) Data derived from nationally recognized, valid, peer-reviewed, and reliable sources that are externally produced (2) The State Board of Education will establish criteria to define this data and identify an approval list of reliable assessments to be used (3) Only sources on the list may be used as verified data
47607.2(b)(5)	Verified Data Expiration	The requirement for an authorizer to consider verified data during the renewal process for Middle Tier charter schools expires on January 1, 2026.
47607.2(b)(6)	Denial Reasons for School Performance	The chartering authority may deny renewal of a Middle Tier charter school if it makes all of the following written findings of fact: (1) The charter school has failed to meet or make sufficient progress toward meeting standards that provide a benefit to students (2) Closure of the school is in the best interest of students (3) The decision to deny renewal provided greater weight to performance on measurements of academic performance
47607.2(b)(7)	Renewal Petition Term	The chartering authority is required to grant a five-year term when approving a Middle Tier school.

Legal Index Part III: Enrollment, Fiscal, and Gov



Division of Leadership, Wellness, and Student Services
Charter Schools Unit

Charter Petition Renewal
Legal Index
Part III: Enrollment, Fiscal, and Governance

Student Enrollment Patterns

47607(d)(1)	Aggregate Data Request	The California Department of Education (CDE) is required to provide the charter authorizer aggregate data reflecting student enrollment patterns at the charter school under the following conditions: (1) The authorizer submits a request to the department (2) The request is made at the conclusion of the year immediately preceding the final year of the charter school term
47607(d)(1)(A)	Aggregate Data Provided	The CDE will provide the charter authorizer with the cumulative enrollment for each school year of the charter school term. Cumulative enrollment is considered the total number of students, disaggregated by race, ethnicity, and subgroups, who enrolled in the school at any time during the school year.
47607(d)(1)(B)	Aggregate Data Provided	For each school year of the term, the CDE will provide the percentage of students enrolled at any point between the beginning of the school year and census day who were not enrolled at the conclusion of that year, along with the average results on statewide CAASPP results for any students who were enrolled in the school in the year prior.
47607(d)(1)(C)	Aggregate Data Provided	For each school year of the term, the CDE will provide the percentage of students enrolled the prior year who were not enrolled as of census day for the school year, along with the average results on the statewide CAASPP results for these students. (This does not include students who matriculated due to being in the highest grade level offered.)
47607(d)(2)	Petition Review Requirements	The chartering authority is required to do all of the following for charter schools when determining whether to grant renewal, regardless of school type or tier qualification: (1) Review enrollment data (as described above) provided by the CDE upon request by the chartering authority (2) Review any data provided by the CDE (3) Review any substantiated complaints against a charter school regarding non-compliance with Education Code Section 47605(c)(J): Suspension, Expulsion, and Involuntary Removal
47607(d)(3)	Potential Findings	The chartering authority may make a finding that the charter school is not serving all students who wish to attend and is required to specifically identify the evidence to support such a finding.
47607(e)	Reason for Denial	For any charter school, regardless of school type or tier qualification, the chartering authority may deny renewal upon a finding that the school is demonstrably unlikely to successfully implement the program set forth in the petition due to not serving all pupils who wish to attend, as documented by the data detailed in EDC 47607(d).
47607(e)	Due Process Prior to Not Serving All Students Denial	The chartering authority is required to provide a charter school due process prior to any renewal decision for denial due to the school not serving all students who wish to attend. Due process requires the following: (1) The authorizer must provide the charter school with at least 30 days' notice of the alleged violation (2) The authorizer must provide the charter school with a reasonable opportunity to both draft a corrective action plan and cure the violation
47607(e)(1)-(2)	Findings of Fact: Denial for Not Serving All Students	The chartering authority is required to have determined one of the following findings if deciding to deny the renewal of a charter school for being demonstrably unlikely to successfully implement the program set forth in the petition due to not serving all students who wish to attend: (1) The corrective action proposed by the charter school has been unsuccessful (2) The violations are sufficiently severe and pervasive as to render a corrective action plan unviable

Fiscal and Governance Factors

47604.32(a)(4)	Fiscal Oversight Responsibility	The chartering authority is required to monitor the fiscal condition of a charter school under its authority. This is an ongoing responsibility throughout the charter's term.
47604(d)	Governance Oversight Responsibility	A chartering authority that grants a charter to a school operated by a non-profit benefit corporation is relieved of any debts or obligations of the school or for claims arising from acts, errors, or omissions performed by the school only under the condition that the authorizer complied with all legally required oversight responsibilities, not limited to those outlined in the Education Code.

47607(e)	Fiscal or Governance Reason for Denial	For any charter school, regardless of school type or tier qualification, the chartering authority may deny renewal upon a finding that the school is demonstrably unlikely to successfully implement the program set forth in the petition due to substantial fiscal or governance factors.
47607(e)	Due Process Prior to Fiscal or Governance Denial	<p>The chartering authority is required to provide a charter school due process prior to any renewal decision for denial due to fiscal or governance inviability. Due process requires the following:</p> <p>(1) The authorizer must provide the charter school with at least 30 days' notice of the alleged violation</p> <p>(2) The authorizer must provide the charter school with a reasonable opportunity to both draft a corrective action plan and cure the violation</p>

Legal Index Part III: Enrollment, Fiscal, and Gov

47607(e)(1)-(2)	Findings of Fact: Denial for Fiscal or Governance Inviability	<p>The chartering authority is required to have determined one of the following findings if deciding to deny the renewal of a charter school for being demonstrably unlikely to successfully implement the program set forth in the petition due to substantial fiscal or governance factors:</p> <p>(1) The corrective action proposed by the charter school has been unsuccessful</p> <p>(2) The violations are sufficiently severe and pervasive as to render a corrective action plan unviable</p>
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SAMPLE



Material Revision Petition Review Rubric



Division of Leadership, Wellness, and Student Services
Charter Schools Unit

Material Revision
Petition Review Rubric

General Information

In accordance with Education Code Section 47605(a)(4), after receiving approval of its petition, a charter school that proposes to expand operations to one or more additional sites or grade levels shall request a material revision to its charter and shall notify the chartering authority of those additional locations or grade levels. The chartering authority shall consider whether to approve those additional locations or grade levels at an open, public meeting. If the additional locations or grade levels are approved pursuant to the standards and criteria described in subdivision (c), they shall be a material revision to the charter school's charter.

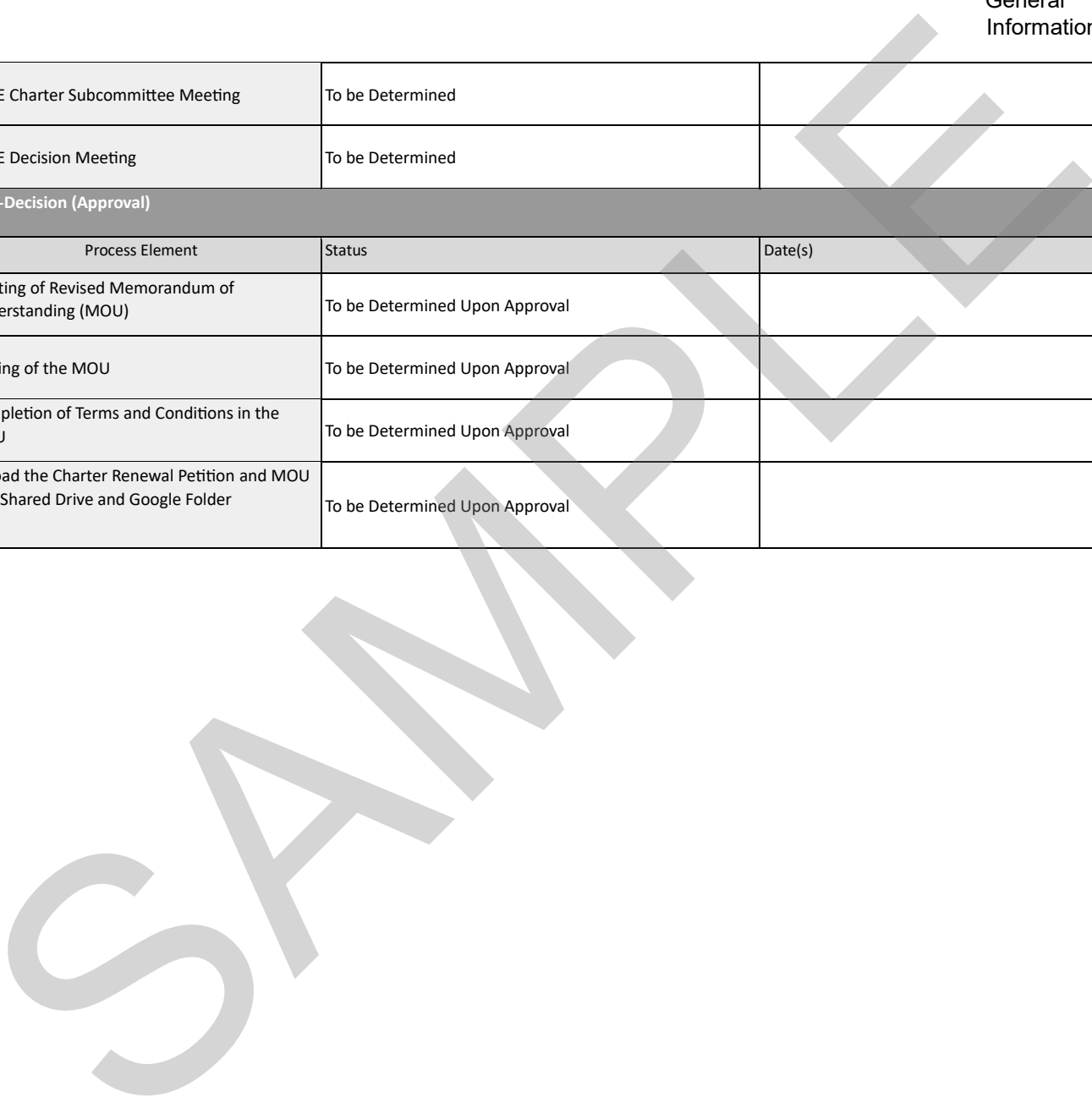
School Information		Comments
Charter School		
Lead Petitioner		
Phone		
email		
Submission (Petition)		
Certification of Submission	To be Determined	
Official Submission Date		
Planned Revision(s)	To be Determined	
Grade Level(s) Considered <small>(Grade Level Expansion Only)</small>	To be Determined	
Grade Levels Served Allowance <small>(Grade Level Expansion Only)</small>	To be Determined	
School District <small>(Additional Site Only)</small>	To be Determined	
Number of Locations <small>(Additional Site Only)</small>	To be Determined	
Material Revision Petition Review Process		
Process Element	Status	Date(s)
RCBE Public Hearing Meeting	To be Determined	
RCOE Staff Review Completion	To be Determined	
Capacity Interview	To be Determined	
Ready for Attorney Review	To be Determined	
Draft Staff Report Attorney Completion	To be Determined	


(SAMPLE) Material Revision Review Rubric

Draft Staff Report Review Meeting	To be Determined	
Staff Report Completion	To be Determined	
Staff Report Posting	To be Determined	

General Information

RCBE Charter Subcommittee Meeting	To be Determined	
RCBE Decision Meeting	To be Determined	
Post-Decision (Approval)		
Process Element	Status	Date(s)
Drafting of Revised Memorandum of Understanding (MOU)	To be Determined Upon Approval	
Signing of the MOU	To be Determined Upon Approval	
Completion of Terms and Conditions in the MOU	To be Determined Upon Approval	
Upload the Charter Renewal Petition and MOU into Shared Drive and Google Folder	To be Determined Upon Approval	



 Division of Leadership, Wellness, and Student Services Charter Schools Unit		Material Revision Petition Review Rubric	
Initial Petition Submission Certification Form			
Please complete the information, then sign and date below. This form may be provided to the Riverside County Office of Education as part of your initial charter petition submission to certify that the petition is deemed complete and start the petition review process timeline. An initial petition submission checklist has been provided for your consideration.			
Petitioner Pre-Submission Considerations			
<input type="checkbox"/> Coordination of petition submission has been arranged with Riverside County Office of Education (RCOE) staff*			
<input type="checkbox"/> Three hard copies and one digital copy are being provided for the review team*			
<small>*Best practice, not required</small>			
Charter School and Petitioner Information			
Charter School			
Lead Petitioner			
Position of Lead Petitioner			
Contact Information- Phone			
Contact Information- Email			
Signature and Date			
I hereby certify under the laws of the State of California and the United States that the foregoing petition and the information included on this page are deemed complete, true, and correct. I understand and acknowledge that failure to provide accurate or complete information may subject the charter to revocation if later discovered and material to compliance with the Charter Schools Act.			
Name of Lead Petitioner			
Signature			
Date			
Verification of Initial Petition Submission (RCOE Office Use Only)			
Upon receipt of an Initial Charter School Petition, please fill out the information below, sign, and date. Contact Dr. Corey Loomis, Director, Charter Schools Unit, at cloomis@rcoe.us to coordinate the transfer of the submission.			
Name of RCOE Staff Receiving Submission			
Division/Unit			
Signature			
Date			

1.0 Document Review: Unsound Educational Program



1.0 Petition Document Review: Unsound Educational Program

In its review of the petition, RCOE will be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that the establishment of charter schools should be encouraged. The county board shall grant a charter for the operation of a school if it is satisfied that granting the charter is consistent with sound educational practice and with the interests of the community in which the school is proposing to locate. The academic needs of the pupils the school proposes to serve shall be considered.

Legal Requirements


Requirements for Finding(s) of Fact

<p>Review/Findings: 47605(c)(1) Administrative Criteria: CCR Tit.5 Section 11967.5.1(b)</p>	<p>The governing board of the [county office] shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings: The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.</p> <p>An "unsound educational program" includes any of the following:</p> <ul style="list-style-type: none"> (1) A program involving activities that are determined to present the likelihood of physical, educational, or psychological harm to students (2) A program that is determined not to be likely to provide educational benefit to the students who attend
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Potential Finding(s) of Fact

Potential Finding	Notes
Under Review	


2.0 Petitioner Review: Demonstrably Unlikely to Successfully Implement

 Division of Leadership, Wellness, and Student Services Charter Schools Unit		Material Revision Petition Review Rubric	
2.0 Petition Document Review: Demonstrably Unlikely to Successfully Implement			
In its review of the petition, RCOE will be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that the establishment of charter schools should be encouraged. The county board shall grant a charter for the operation of a school if it is satisfied that granting the charter is consistent with sound educational practice and with the interests of the community in which the school is proposing to locate. The academic needs of the pupils the school proposes to serve shall be considered.			
Legal Requirements			
Requirements for Finding(s) of Fact			
Review/Findings: 47605(c)(2) Administrative Criteria: CCR Tit.5 Section 11967.5.1(c)	The governing board of the [county office] shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings: The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition. The factors to be considered in determining whether charter petitioners are "demonstrably unlikely to implement the program" per the California Code of Regulations Title 5 are delineated in the following sections.		
Potential Finding(s) of Fact			
The factors to be considered in determining whether charter petitioners are "demonstrably unlikely to implement the program" per the California Code of Regulations Title 5 are delineated in the following sections.			
Status	CCR Title 5 Reference <small>(Education Code, as applicable)</small>	Area of Review	Required Description <small>Per Administrative Criteria: CCR Tit.5 Section 11967.5.1(f)</small>
Under Review	11967.5.1(c)(1)	Petitioner Capacity	The petitioners have a past history of involvement in charter schools or other education agencies that may be regarded as unsuccessful
Under Review	11967.5.1(c)(2)	Petitioner Capacity	The petitioners are unfamiliar with the content of the petition or any requirements of law that would apply to the charter school
Under Review	11967.5.1(c)(4)	Petitioner Capacity	The petitioners personally lack the necessary background in the following areas critical to the charter school's success, and the petitioners do not have a plan to secure the services of individuals who have the necessary background in these areas: (A) Curriculum, instruction, and assessment. (B) Finance and business management.
Under Review	EDC 47605(h)	Governance	One of the following is found to be true: (1) The petitioners have not provided the names and relevant qualifications of all persons whom the petitioners nominate to serve on the governing body of the charter school (2) The prospective board members lack qualifications deemed necessary to effectively govern a charter school <small>(For a school which plans to be operated by, or as, a nonprofit public benefit corporation)</small>
Under Review	11967.5.1(c)(3)(A)(1)	Fiscal	The petitioners have presented an unrealistic financial plan for the proposed charter school by not providing supporting documents to adequately describe the structure for providing administrative services, to include, at minimum, the following to reflect an understanding of school business practices and expertise to carry out the necessary services: Personnel transactions, accounting, or payroll
Under Review	11967.5.1(c)(3)(A)(2)	Fiscal	Administrative Services The petitioners have presented an unrealistic financial plan for the proposed charter school by not providing supporting documents to adequately describe the criteria for the selection of any contractor or contractors that demonstrate necessary expertise or the procedure for selection of said contractors for any contract services
Under Review	11967.5.1(c)(3)(B)(1) EDC 47605(h)	Fiscal	The petitioners have not provided documents that adequately support any of the following: First-year operational budget, start-up costs, cash flow, or financial projections for the first three years Financial Plan
Under Review	11967.5.1(c)(3)(B)(2)	Fiscal	The petitioners have not included 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.
Under Review	11967.5.1(c)(3)(B)(3)	Fiscal	The petitioners have not included budget notes that clearly describe assumptions on revenue estimates, including, but not limited to, the basis for average daily attendance estimates and staffing levels.
Under Review	11967.5.1(c)(3)(B)(4)	Fiscal	The petitioners have not presented 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.
Under Review	11967.5.1(c)(3)(B)(5)	Fiscal	The petitioners have not demonstrated an understanding of the timing of the receipt of various revenues and their relative relationship to the 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.


(SAMPLE) Material Revision Review Rubric

Under Review	11967.5.1(c)(3)(C)	Insurance	The charter and supporting documents do not adequately provide for the acquisition of and budgeting for general liability, workers' compensation, and other necessary insurance of the type and in the amounts required for an enterprise of similar purpose and circumstance.
Under Review	11967.5.1(c)(3)(D)(1) EDC 47605(h)	Facilities	The petition does not adequately describe the types and potential location of facilities needed to operate the size and scope of the educational program proposed in the charter.
Under Review	11967.5.1(c)(3)(D)(2)	Facilities	The budget does not 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.

3.0 Community Interest Review: Signature Requirement

 <p>Division of Leadership, Wellness, and Student Services Charter Schools Unit</p>		<p>Material Revision Petition Review Rubric</p>	
<p>3.0 Community Interest Review: Signature Requirement</p>			
<p>In its review of the petition, RCOE will be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that the establishment of charter schools should be encouraged. The county board shall grant a charter for the operation of a school if it is satisfied that granting the charter is consistent with sound educational practice and with the interests of the community in which the school is proposing to locate. The academic needs of the pupils the school proposes to serve shall be considered.</p>			
<p>Legal Requirements</p>			
<p>Requirements for Finding(s) of Fact</p>			
<p>Review/Findings: 47605(c)(3) 47605(a)(A)-(B) Administrative Criteria: CCR Tit.5 Section 11967.5.1(d)</p>	<p>The governing board of the [county office] shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings: The petition does not contain the number of signatures required by subdivision (a), which requires either of the following:</p> <ul style="list-style-type: none"> • The petition is signed by a number of parents/legal guardians of pupils that is equivalent to at least one-half of the number of pupils that the charter school estimates will enroll in the charter school for its first year of operation. • The petition is 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. • The petition shall include a prominent statement that a signature on the petition means that the parent/legal guardian or teacher are meaningfully interested. • The proposed charter shall be attached to the petition when signatures are gathered. <p>Material revisions for expansion, either for new grade levels or additional sites, should include documented support from the school community. Although the education code does not explicitly require signatures, it is considered best practice for a charter school to demonstrate community support as part of its material revision. Other forms of documented support will be considered as a substitute for signatures.</p>		
<p>Potential Finding(s) of Fact</p>			
<p>Determination</p>	<p>Notes</p>		
<p>Under Review</p>			


4.0 Document Review: Required Affirmations

		Material Revision Petition Review Rubric	
4.0 Petition Document Review: Required Affirmations			
In its review of the petition, RCOE will be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that the establishment of charter schools should be encouraged. The county board shall grant a charter for the operation of a school if it is satisfied that granting the charter is consistent with sound educational practice and with the interests of the community in which the school is proposing to locate. The academic needs of the pupils the school proposes to serve shall be considered.			
Legal Requirements			
Requirements for Finding(s) of Fact			
Review/Findings: 47605(c)(4) Administrative Criteria: CCR Tit.5 Section 11967.5.1(e)	The governing board of the [county office] shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings: The petition does not contain an affirmation of each of the conditions described in subdivision (e). The petition shall include a clear, unequivocal affirmation of each such condition, not a general statement of intention to comply. Neither the charter nor any of the supporting documents shall include any evidence that the charter will fail to comply with the conditions described in EDC 47605 (e).		
Potential Finding(s) of Fact			
Status	Affirmation	Education Code Section	Comments/Notes
Under Review	Be non-sectarian in its programs, admissions policies, employment practices, and all other operations.	47605(e)(1)	
Under Review	Not charge tuition.	47605(e)(1)	
Under Review	Not discriminate on the basis of the characteristics listed in EDC Section 220 (actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, including immigration status, or association with an individual who has any of the aforementioned characteristics).	47605(e)(1)	
Under Review	Except as required by EDC Section 47605(e)(2), admission to the Charter School will not be determined according to the place of residence of the student or his or her parents or legal guardian within the State.	47605(e)(1)	
Under Review	Admit all students who wish to attend the Charter School.	47605(e)(2)(A)	
Under Review	Provide each application with equal chance of admission through a public random drawing process, in the case that the Charter School receives a greater number of applications than there are spaces for students. Preference shall be extended to pupils currently attending the charter school and pupils who reside in the school district except as provided for in Section 47614.5.	47605(e)(2)(B)	
Under Review	Each type of preference shall be approved by the chartering authority at a public hearing.	47605(e)(2)(B)(i)	
Under Review	Include preferences consistent with federal law, the California Constitution, and Section 200.	47605(d)(2)(B)(ii)	
Under Review	Not allow preferences to result in limiting enrollment access for pupils with disabilities, academically low-achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, or pupils who are economically disadvantaged, as determined by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation.	47605(e)(2)(B)(iii)	
Under Review	In accordance with Section 49011, not include mandatory parental volunteer hours in preferences as a criterion for admission or continued enrollment.	47605(e)(2)(B)(iv)	
Under Review	If a pupil is expelled or leaves the Charter School without graduating or completing the school year for any reason, the Charter School will notify the superintendent of the school district of the pupil's last known address within 30 days, and will, 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. (This only applies to pupils subject to compulsory full-time education pursuant to Section 48200)	47605(e)(3)	
Under Review	Not discourage a pupil from enrolling or seeking to enroll in the charter school for any reason, including, but not limited to, academic performance of the pupil or because the pupil exhibits any of the characteristics described in clause (iii) of subparagraph (B) of paragraph (2).	47605(e)(4)(A)	
Under Review	Not request a pupil's records or require a parent, guardian, or pupil to submit the pupil's records to the charter school before enrollment.	47605(e)(4)(B)	

(SAMPLE) Material Revision Review Rubric

Under Review	Not encourage a pupil currently attending the charter school to disenroll from the charter school or transfer to another school for any reason, including, but not limited to, academic performance of the pupil or because the pupil exhibits any of the characteristics described in clause (iii) of subparagraph (B) of paragraph (2). (This shall not apply to actions taken by a school pursuant to the procedures described in EDC 47605(b)(5)(J).)	47605(e)(4)(C)	
Under Review	Shall post on the school's website the notice of the requirements of this paragraph as provided by the CDE, and will provide a parent or guardian, or a pupil if the pupil is 18 years or older, a copy of this notice at all of the following times: When a parent, guardian or pupil inquires about enrollment, before conducting a lottery and before disenrollment of a pupil.	47605(e)(4)(D)(i)-(iii)	

SAMPLE

 <p>Division of Leadership, Wellness, and Student Services Charter Schools Unit</p>		<p>Material Revision Petition Review Rubric</p>	
<p>4.0 Petition Document Review: Affirmations Requirement</p>			
<p>In its review of the petition, RCOE will be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that the establishment of charter schools should be encouraged. The county board shall grant a charter for the operation of a school if it is satisfied that granting the charter is consistent with sound educational practice and with the interests of the community in which the school is proposing to locate. The academic needs of the pupils the school proposes to serve shall be considered.</p>			
<p>Legal Requirements</p>			
<p>Requirements for Finding(s) of Fact</p>			
<p>Review/Findings: 47605(c)(5) Administrative Criteria: CCR Tit.5 Section 11967.5.1(g)</p>	<p>The governing board of the [county office] shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings: The petition does not contain a reasonably comprehensive description of [elements A through O].</p> <p>For a description to be considered "reasonably comprehensive," it shall include information that:</p> <ul style="list-style-type: none"> -Is substantive and provides elaboration (e.g., not a list) -Addresses all aspects of the elements, as applicable -Is specific to the proposed petition, not to charter schools in general -Describes, as applicable among different elements, how the charter school will: <ul style="list-style-type: none"> -Increase learning opportunities for its pupils, particularly those who are low-achieving -Provide parents, guardians, and pupils with expanded educational opportunities -Hold itself accountable for measurable, performance-based pupil outcomes -Provide vigorous competition with other public school options available to students, parents, and guardians 		
<p>Element A: Educational Program</p>			
<p>EDC 47605(c)(5)(A) (i) The educational program of the charter school, designed, among other things, to identify those whom the charter school is attempting to educate, what it means to be an "educated person" in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners. (ii) The annual goals for the charter school for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals. (iii) If the proposed charter school will serve high school pupils, the manner in which the charter school will inform parents about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered transferable and courses approved by the University of California or the California State University as creditable under the "A to G" admissions criteria may be considered to meet college entrance requirements.</p>			
Status	Education Code Reference	CCR Title 5 Reference	Required Description Per Administrative Criteria: CCR Tit.5 Section 11967.5.1(f)
Under Review	47605(c)(5)(A)(i)	11967.5.1(f)(1)(A)	Includes target population: grade levels, enrollment, educational interests, backgrounds, and challenges.
Under Review	47605(c)(5)(A)(i)	11967.5.1(f)(1)(B)	Provides a clear, concise school mission statement with which all elements and programs of the school are in alignment. Statement shall convey the petitioners' definition of an educated person, belief for how learning best occurs, and goals consistent with enabling pupils to become or remain self-motivated, competent, and lifelong learners.
Under Review	47605(c)(5)(A)(i)	11967.5.1(f)(1)(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.
Under Review	47605(c)(5)(A)(i)	11967.5.1(f)(1)(D)	Indicates the basic learning environment: site-based matriculation, independent study, technology-based, hybrid, etc.
Under Review	47605(c)(5)(A)(i)	11967.5.1(f)(1)(E)	Provides for the instructional approach or approaches the charter school will utilize, including the curriculum and teaching methods that will enable the school's pupils to master the content standards adopted by the SBE and achieve the objectives specified in the charter.

Under Review	47605(c)(5)(A)(i)	11967.5.1(f)(1)(F)	Includes how the charter school will identify and respond to the needs of pupils who are not achieving at or above expected levels.
Under Review	47605(c)(5)(A)(i)	11967.5.1(f)(1)(G)	Indicates how the charter school will meet the needs of English Learners.
Under Review	47605(c)(5)(A)(i)	11967.5.1(f)(1)(G)	Indicates how the charter school will meet the needs of students performing substantially below grade level.

Under Review	47605(c)(5)(A)(i)	11967.5.1(f)(1)(G)	Indicates how the charter school will meet the needs of students performing substantially above grade level.
Under Review	47605(c)(5)(A)(i)	11967.5.1(f)(1)(G)	Indicates how the charter school will meet the needs of any other student populations specifically targeted in the petition.

Under Review	47605(c)(5)(A)(i)	11967.5.1(f)(1)(G) 11967.5.1(f)(1)(H)	Indicates how the charter school will meet the needs of students with disabilities. Specifies the school's special education plan: Identification of qualified students, provision of programs and services, the school's legal responsibilities for qualified students, and how the school intends to meet those responsibilities. Includes how the school will comply with EDC section 47641 as its own LEA for purposes of compliance with federal law and for eligibility for federal and state special education funds. To be considered an LEA for special education, the charter petition must provide verifiable, written assurances that the school will participate as an LEA in an SELPA approved by the State Board of Education.
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Under Review	47605(c)(5)(A)(ii)		Provides annual goals for the charter school to include: -The All Students group -Each subgroup identified (per Section 52052) -Include all 8 state priorities (per Section 52060) -Specific to grade levels served -Provide annual actions expected to achieve each goal
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Under Review	47605(c)(5)(A)(iii)		Indicates how the charter school will inform parents about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses meeting college entrance requirements are those that have been accredited by WASC or courses approved by either the UC or CSU under the "A to G" admissions criteria.
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Element B: Measurable Pupil Outcomes

EDC 47605(c)(5)(B)
The measurable pupil outcomes identified for use by the charter school. "Pupil outcomes," for purposes of this part, means the extent to which all pupils of the charter school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the charter school's educational program. Pupil outcomes shall include outcomes that address increases in pupil academic achievement, both schoolwide and for all pupil subgroups served by the charter school, as that term is defined in subdivision (a) of Section 52052. The pupil outcomes shall align with the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served by the charter school.

Status	Education Code Reference	CCR Title 5 Reference	Required Description Per Administrative Criteria: CCR Tit.5 Section 11967.5.1(f)
Under Review	47605(c)(5)(B)		Pupil outcomes shall align with the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served by the charter school.
	State Priorities		


Under Review	47605(c)(5)(B)	11967.5.1(f)(2)(A)	Measurable pupil outcomes are correlated to annual actions the school has included to ensure progress towards annual goals for individual students and groups of students. Specifies skills, knowledge, and attitudes that reflect the school's educational objectives that can be assessed by objective means which are frequent and sufficiently detailed enough to determine whether pupils are making satisfactory progress.
Under Review	47605(c)(5)(B)	11967.5.1(f)(2)(A)	Frequency of objective means of measuring pupil outcomes is varied appropriately according to specific factors such as grade level(s) and subject matter. Objective means of measuring pupil outcomes is capable of being used readily to evaluate the effectiveness of and to modify instruction for individual students and for groups of students.
Element C: Method of Measuring Pupil Progress			
EDC 47605(c)(5)(C) The method by which pupil progress in meeting those pupil outcomes is to be measured. To the extent practicable, the method for measuring pupil outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card.			
Status	Education Code Reference	CCR Title 5 Reference	Required Description Per Administrative Criteria: CCR Tit.5 Section 11967.5.1(f)
Under Review	47605(c)(5)(C)	11967.5.1(f)(3)(A)	Describes the methods by which pupil progress is to be measured, utilizing a variety of assessment tools appropriate to the skills, knowledge, or attitudes being assessed. Tools employ objective means of assessment for measurable pupil outcomes.
Under Review	47605(c)(5)(B)	11967.5.1(f)(3)(B)	In addition to local assessments for measuring individual students and student groups, annual state assessments appropriate to grade levels served are included.
Under Review	47605(c)(5)(B)	11967.5.1(f)(3)(C)	Provides a plan for collecting, analyzing, and reporting data on pupil achievement to school staff and pupil's parents/guardians. Plan includes how the school will utilize data to monitor and improve the charter school's educational program.
Element D: Governance Structure			
EDC 47605(c)(5)(D) The governance structure of the charter school, including, but not limited to, the process to be followed by the charter school to ensure parental involvement			
Status	Education Code Reference	CCR Title 5 Reference	Required Description Per Administrative Criteria: CCR Tit.5 Section 11967.5.1(f)
Under Review	47605(c)(5)(C)	11967.5.1(f)(4)(A)	Includes evidence of the charter school's incorporation as a non-profit public benefit corporation, if applicable.
Under Review	47605(c)(5)(C)	11967.5.1(f)(4)(B)(1)	Includes evidence that the organizational and technical designs of the governance structure reflects a seriousness of purpose necessary to ensure that the charter school will become and remain a viable enterprise.
Under Review	47605(c)(5)(C)	11967.5.1(f)(4)(B)(2)	Includes evidence that the organizational and technical designs of the governance structure reflects a seriousness of purpose necessary to ensure that there will be active and effective representation of interested parties, including, but not limited to, parents/guardians.
Under Review	47605(c)(5)(C)	11967.5.1(f)(4)(B)(3)	Includes evidence that the organizational and technical designs of the governance structure reflects a seriousness of purpose necessary to ensure that the educational program will be successful.
Element E: Employee Qualifications			
EDC 47605(c)(5)(E) The qualifications to be met by individuals to be employed by the charter school.			
Status	Education Code Reference	CCR Title 5 Reference	Required Description Per Administrative Criteria: CCR Tit.5 Section 11967.5.1(f)
Under Review	47605(c)(5)(E)	11967.5.1(f)(5)(A)	Identifies general qualifications for the various categories of employees that the school anticipates. Qualifications are sufficient to ensure the health and safety of the school's faculty, staff, and pupils.

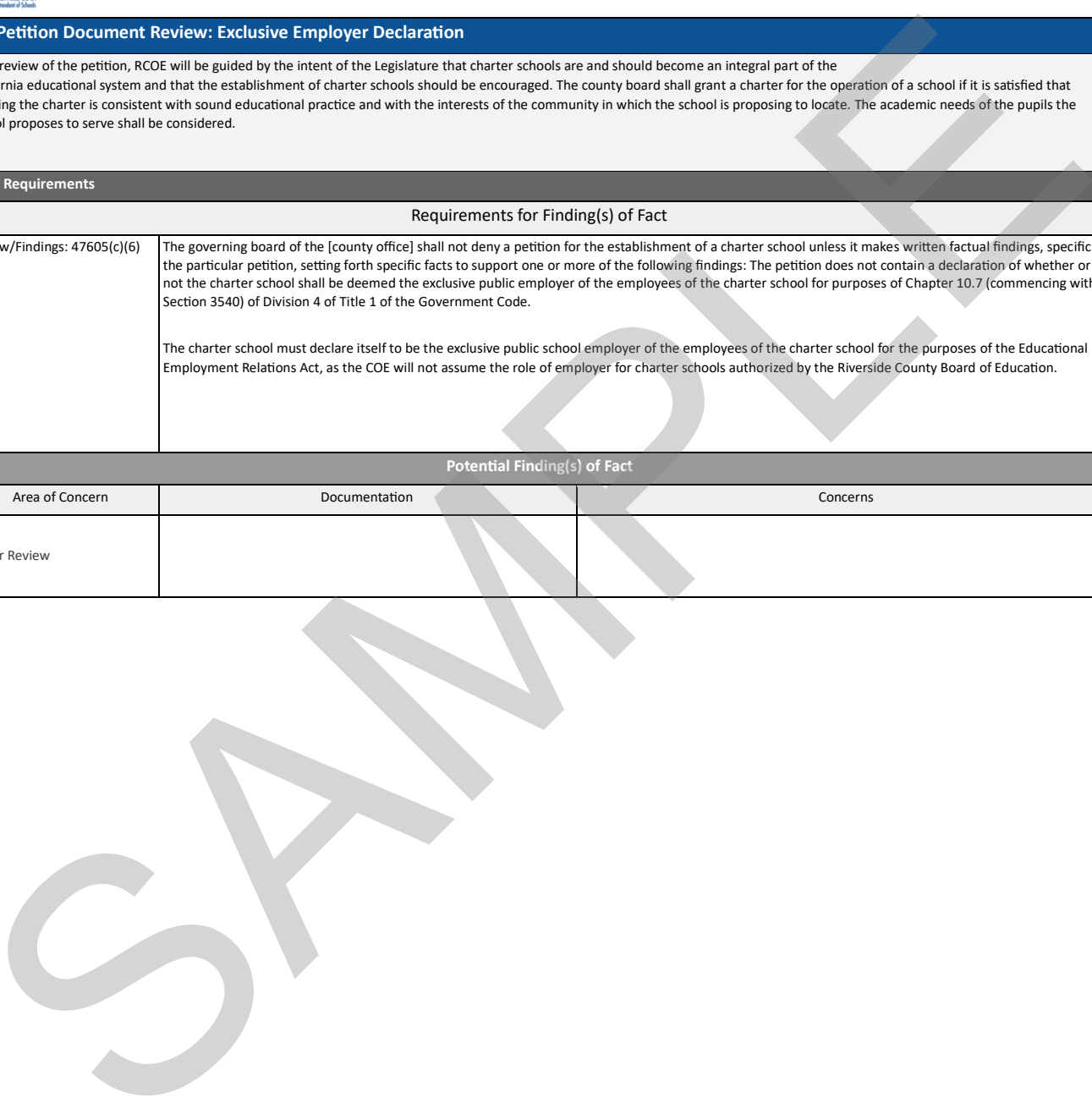
Under Review	47605(c)(5)(E)	11967.5.1(f)(5)(B)	Identifies those positions that the charter school regards as key in each category and specify the additional qualifications expected of individuals assigned to those positions.
Under Review	47605(c)(5)(E)	11967.5.1(f)(5)(C)	Specifies that the requirements for employment set forth in applicable provisions of law will be met including, but not limited to credentials, as necessary.
Element F: Health and Safety			
<p>EDC 47605(c)(5)(F)</p> <p>The procedures that the charter school will follow to ensure the health and safety of pupils and staff. These procedures shall require all of the following:</p> <p>(i) That each employee of the charter school furnish the charter school with a criminal record summary as described in Section 44237.</p> <p>(ii) For all schools, the development of a school safety plan, which shall include the safety topics listed in subparagraphs (A) to (M), inclusive, of paragraph (2) of subdivision (a) of Section 32282. For schools serving pupils in any of grades 7 to 12, inclusive, the development of a school safety plan shall also include the safety topic listed in subparagraph (N) of paragraph (2) of subdivision (a) of Section 32282.</p> <p>(iii) That the school safety plan be reviewed and updated by March 1 of every year by the charter school.</p>			
			Required Description Per Administrative Criteria: CCR Tit.5 Section 11967.5.1(f)
Under Review	47605(c)(5)(F)(i)	11967.5.1(f)(6)(A)	Includes the procedures that the school will follow to ensure each employee of the school furnishes the school with a criminal record summary as described in EDC Section 44237.
Under Review	47605(c)(5)(F)	11967.5.1(f)(6)(B)	Includes the procedures that the school will follow to ensure the examination of faculty and staff for TB as described in EDC Section 49406.
Under Review	47605(c)(5)(F)	11967.5.1(f)(6)(C)	Includes the procedures that the school will follow to meet the requirement of 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.
Under Review	47605(c)(5)(F)	11967.5.1(f)(6)(D)	Includes the procedures that the school will follow to provide for the screening of pupils' vision to the same extent as would be required if pupils attended a non-charter public school per EDC section 49452. Requirement: Must be conducted in grades K, 2, 5, and 8.
Under Review	47605(c)(5)(F)	11967.5.1(f)(6)(D)	Includes the procedures that the school will follow to provide for the screening of pupils' hearing to the same extent as would be required if pupils attended a non-charter public school per EDC section 49452. Requirement: Must be conducted in grades K, 1, 2, 5, and 8.
Under Review	47605(c)(5)(F)	11967.5.1(f)(6)(D)	Includes the procedures that the school will follow to provide for the screening of pupils for scoliosis to the same extent as would be required if pupils attended a non-charter public school per EDC section 49452.5. Requirement: Must be conducted in grade 7 for females and grade 8 for males.
Under Review	47605(c)(5)(F)(ii)	Topics per EDC 32282	Includes the procedure the school plans to follow to develop a school safety plan and affirms the topics listed in EDC section 32282(a)(A)-(M) for grades TK-6 and (A)-(N) for grades 7-12. Provides an affirmation that the school safety plan will be reviewed and updated by March 1 of every year by the charter school.
Element G: Student Population Balance			
<p>EDC 47605(c)(5)(G)</p> <p>The means by which the charter school will achieve a balance of racial and ethnic pupils, special education pupils, and English learner pupils, including redesignated fluent English proficient pupils, as defined by the evaluation rubrics in Section 52064.5, that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted. Upon renewal, for a charter school not deemed to be a local educational agency for purposes of special education pursuant to Section 47641, the chartering authority may consider the effect of school placements made by the chartering authority in providing a free and appropriate public education as required by the federal Individuals with Disabilities Education Act (Public Law 101-476), on the balance of pupils with disabilities at the charter school.</p>			
			Required Description Per Administrative Criteria: CCR Tit.5 Section 11967.5.1(f)
Under Review	47605(c)(5)(G)	11967.5.1(f)(7)	Includes a plan for the school to reasonably achieve a balance of pupils reflective of the school community of the school district in which the school will reside for the following students: Racial groups, ethnic groups, special education students, English learners, and redesignated English learners. Plan acknowledges the student population of the district and specifically targets numerically significant student groups in the community. Consideration shall be made for the limitations on admissions to charter schools imposed by EDC section 47605(e), however preferences for admissions should align with the school's recruitment plan.
Element H: Admission Policies and Procedures			


EDC 47605(c)(5)(H) Admission policies and procedures consistent with subdivision (e)			
CCR Tit.5 Section 11967.5.1(f)(8) Requirements shall be in compliance with he requirements of Education Code Section 47605(e) and any other applicable provision of law.			
Status	CCR Title 5 Reference	Education Code Reference	Required Description Per Education Code Section 47605(e)
Under Review	11967.5.1(f)(8)	47605(e)(1)	The petition is nonsectarian in its admission policies and shall not discriminate based on the characteristics listed in Section 220.
Under Review	11967.5.1(f)(8)	47605(e)(1)	Admission is not determined according to the place of residence of the pupil or that of the parent or legal guardian, except to give preference to students who currently reside in the school district where the charter plans to locate. Additional allowances can be made for students per EDC Section 47614.5 if applying for the Charter School Facility Grant.
Under Review	11967.5.1(f)(8)	47605(e)(2)(A)	Reflects the affirmation that the charter school shall admit all pupils who wish to attend the charter school.
Under Review	11967.5.1(f)(8)	47605(e)(2)(B)	Describes the public random drawing process to be used if the number of pupils who wish to attend the charter school exceeds the charter school's capacity.
Under Review	11967.5.1(f)(8)	47605(e)(2)(B)	Preferences are extended to pupils currently attending the charter school and pupils who reside in the school district. Additional allowances can be made for students per EDC Section 47614.5 if applying for the Charter School Facility Grant.
Under Review	11967.5.1(f)(8)	47605(e)(2)(B)(ii)	Priority order of any preferences is provided and consistent with federal law, the California Constitution, and Section 200 (nondiscrimination). <small>(Preferences will be considered approved by the chartering authority, as required by EDC Section 47605(e)(2)(B)(i), upon approval of the petition)</small>
Under Review	11967.5.1(f)(8)	47605(e)(2)(B)(iii)	It appears preferences will not result in limiting enrollment access for pupils with disabilities, academically low-achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, or pupils who are economically disadvantaged, as determined by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation.
Under Review	11967.5.1(f)(8)	47605(e)(2)(B)(iv)	Preferences do not require mandatory parental volunteer hours as a criterion for admission or continued enrollment.
Under Review	11967.5.1(f)(8)	47605(e)(4)(B)	Application materials do not require a pupil's records or require the submission of pupil records prior to formal enrollment.
Under Review	11967.5.1(f)(8)	47605(e)(4)(D)	The admissions process describes how the school will comply with notifying parents that a charter school shall not encourage a pupil currently attending the charter school to disenroll from the school or transfer to another school for any reason. (Other than the following: suspension, expulsion, or involuntary removals requiring due process.) The process includes notification on the school's website when a pupil inquires about enrollment, prior to conducting an enrollment lottery, and before disenrollment of a pupil.
Element I: Annual Audit			
EDC 47605(c)(5)(I) The manner in which annual, independent financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the chartering authority.			
Status	Education Code Reference	CCR Title 5 Reference	Required Description Per Administrative Criteria: CCR Tit.5 Section 11967.5.1(f)
Under Review	47605(c)(5)(I)	11967.5.1(f)(9)(A)	Procedures for conducting the annual audit includes the person(s) responsible for contracting and overseeing the independent audit.
Under Review	47605(c)(5)(I)	11967.5.1(f)(9)(B)	Affirms that the selected auditor will have experience in education finance. Affirms that the auditor will be either a public accountant or a certified public accountant, licensed by the California Board of Accountancy, and selected from the State Controller's list. (EDC 41020(f))
Under Review	47605(c)(5)(I)	11967.5.1(f)(9)(C)	Outlines the process of providing audit reports to the authorizer, CDE, and any other agency required by law and includes a timeline for addressing audit exceptions.
Under Review	47605(c)(5)(I)	11967.5.1(f)(9)(D)	Indicates the process that the charter school will follow to address any audit findings and/or resolve any audit exceptions.


Element J: Suspension/Expulsion Procedures			
EDC 47605(c)(5)(J) The procedures by which pupils can be suspended or expelled from the charter school for disciplinary reasons or otherwise involuntarily removed from the charter school for any reason. These procedures, at a minimum, shall include an explanation of how the charter school will comply with federal and state constitutional procedural and substantive due process requirements that are consistent with all of the following:			
Status	Education Code Reference	CCR Title 5 Reference	Required Description Education Code Section 47605(J) Per Administrative Criteria: CCR Tit.5 Section 11967.5.1(f)
Under Review	47605(c)(5)(J)	11967.5.1(f)(10)(A)	Includes a list of non-discretionary offenses for which students must be suspended. Includes a list of discretionary offenses for which students may be suspended. Includes a list of non-discretionary offenses for which students must be expelled. Includes a list of discretionary offenses for which students may be expelled. Provides evidence that the petitioner(s) reviewed EDC sections 48900-48927 for which students must/may be suspended or expelled in non-charter public schools.
Under Review	47605(c)(5)(J)(i)	11967.5.1(f)(10)(B)-(C)	Describes the procedures by which pupils can be suspended if fewer than 10 days. Identifies the procedures by which parents, guardians*, and pupils will be informed about the reasons for suspension and of their due process rights. Includes either oral or written notice of the charges against the pupil. Includes an explanation of the evidence that supports the charges, if the pupil denies the charges. Includes an opportunity for the pupil to present their side of the story.
Under Review	47605(c)(5)(J)(ii)	11967.5.1(f)(10)(B)-(C)	Describes the procedures by which pupils can be suspended for 10 days or more. Identifies the procedures by which parents, guardians*, and pupils will be informed about the reasons for suspension and of their due process rights, requiring timely, written notice of the charges against the pupil and an explanation of the pupil's basic rights. Provides a hearing adjudicated by a neutral officer within a reasonable number of days, at which the pupil has a fair opportunity to present testimony, evidence, and witnesses, and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate.
Under Review	47605(c)(5)(J)(ii)	11967.5.1(f)(10)(B)-(C)	Describes the procedures by which pupils can be expelled. Identifies the procedures by which parents, guardians*, and pupils will be informed about the reasons for expulsion and of their due process rights, requiring timely, written notice of the charges against the pupil and an explanation of the pupil's basic rights. Provides a hearing adjudicated by a neutral officer within a reasonable number of days, at which the pupil has a fair opportunity to present testimony, evidence, and witnesses, and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate.
Under Review	47605(c)(5)(J)	11967.5.1(f)(10)(E)(1)	Demonstrates an understanding of the rights of pupils with disabilities in regard to suspension and expulsion.
Under Review	47605(c)(5)(J)(iii)	11967.5.1(f)(10)(E)(2)	Outlines how detailed suspension/expulsion policies and procedures will be periodically reviewed and modified. Include how the school will notify the authorizer of any potential changes to these policies and procedures to determine if a material revision to the petition is necessary.
*A foster child's educational rights holder, attorney, and county social worker, and an Indian child's tribal social worker and, if applicable, county social worker shall have the same rights a parent or guardian of a child has to receive a suspension notice, expulsion notice, manifestation determination notice, involuntary transfer notice, and other documents and related information. EDC section 47605(c)(5)(J)(iv)			
Element K: Staff Retirement System			
EDC 47605(c)(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.			
Status	Education Code Reference	CCR Title 5 Reference	Required Description Per Administrative Criteria: CCR Tit.5 Section 11967.5.1(f)
Under Review	47605(c)(5)(K)	11967.5.1(f)(11)	The petition specifies the positions to be covered under each retirement system: The State Teachers' Retirement System, the Public Employees' Retirement System, and/or federal social security.
Under Review	47605(c)(5)(K)	11967.5.1(f)(11)	The petition specifies the staff who will be responsible for ensuring that appropriate arrangements for each retirement coverage will be made.
Element L: Public School Attendance Alternatives			
EDC 47605(c)(5)(L) The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools.			
Status	Education Code Reference	CCR Title 5 Reference	Required Description Per Administrative Criteria: CCR Tit.5 Section 11967.5.1(f)
Under Review	47605(c)(5)(L)	11967.5.1(f)(12)	The petition specifies 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 LEA, or program of any LEA, as a consequence of enrollment in the charter school, except to the extent that such a right is extended by the LEA. (Students enrolling in the charter school do not gain an advantage to enrollment to a district school or program due to enrollment in the charter, if they decide to disenroll from the charter school.)


Element M: District Employee Rights			
EDC 47605(c)(5)(M) The rights of an employee of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school.			
Status	Education Code Reference	CCR Title 5 Reference	Required Description Per Administrative Criteria: CCR Tit.5 Section 11967.5.1(f)
Under Review	47605(c)(5)(M)	11967.5.1(f)(M)(A)	Describes any rights to employment for employees of the school district who leave the district to work in the charter school.
Under Review	47605(c)(5)(M)	11967.5.1(f)(M)(B)	Describes any rights of return to employment in the school district after employment in the charter school.
Under Review	47605(c)(5)(M)	11967.5.1(f)(M)(C)	Describes 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. Examples include transfer of sick leave or vacation time, retention of retirement benefits, seniority and tenure, and continuity of health benefits.
Element N: Dispute Resolution			
EDC 47605(c)(5)(N) The procedures to be followed by the charter school and the chartering authority to resolve disputes relating to provisions of the charter.			
Status	Education Code Reference	CCR Title 5 Reference	Required Description Per Administrative Criteria: CCR Tit.5 Section 11967.5.1(f)
Under Review	47605(c)(5)(N)	11967.5.1(f)(14)(A)	Includes specific provisions relating to dispute resolution between the charter school and the authorizer relating to provisions of the petition.
Under Review	47605(c)(5)(N)	11967.5.1(f)(14)(B)	Describes how the costs of the dispute resolution process, if needed, would be funded.
Under Review	47605(c)(5)(N)	11967.5.1(f)(14)(D)	Recognizes that if the substance of a dispute is a matter that could result in the taking of appropriate action, including, but not limited to, revocation of the charter in accordance with Education Code section 47604.5, the matter will be addressed at the RCBE's discretion in accordance with that provision of law and any regulations pertaining thereto.
Element O: Closure Procedures			
EDC 47605(c)(5)(O) The procedures to be used if the charter school closes. The procedures shall ensure a final audit of the charter school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records.			
Status	Education Code Reference	CCR Title 5 Reference	Required Description Per Administrative Criteria: CCR Tit.5 Section 11967.5.1(f)
Under Review	47605(c)(5)(O)	N/A	Includes a plan to ensure a final audit will be conducted to determine the disposition of all assets and liabilities of the charter school, including disposing of any net assets.
Under Review	47605(c)(5)(O)	N/A	Includes a plan for the maintenance and transfer of pupil records.

 <div style="display: inline-block; vertical-align: middle;"> <p>Division of Leadership, Wellness, and Student Services Charter Schools Unit</p> </div> <div style="display: inline-block; vertical-align: middle; margin-left: 20px;"> <p>Material Revision Petition Review Rubric</p> </div>		
6.0 Petition Document Review: Exclusive Employer Declaration		
<p>In its review of the petition, RCOE will be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that the establishment of charter schools should be encouraged. The county board shall grant a charter for the operation of a school if it is satisfied that granting the charter is consistent with sound educational practice and with the interests of the community in which the school is proposing to locate. The academic needs of the pupils the school proposes to serve shall be considered.</p>		
Legal Requirements		
Requirements for Finding(s) of Fact		
<p>Review/Findings: 47605(c)(6)</p>	<p>The governing board of the [county office] shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings: The petition does not contain a declaration of whether or not the charter school shall be deemed the exclusive public employer of the employees of the charter school for purposes of Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code.</p> <p>The charter school must declare itself to be the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act, as the COE will not assume the role of employer for charter schools authorized by the Riverside County Board of Education.</p>	
Potential Finding(s) of Fact		
Area of Concern	Documentation	Concerns
Under Review		




 <div style="display: inline-block; vertical-align: middle;"> <p>Division of Leadership, Wellness, and Student Services Charter Schools Unit</p> </div> <div style="display: inline-block; vertical-align: middle; margin-left: 20px;"> <p>Material Revision Petition Review Rubric</p> </div>		
7.0 Impact Review: District Programs		
<p>In its review of the petition, RCOE will be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that the establishment of charter schools should be encouraged. The county board shall grant a charter for the operation of a school if it is satisfied that granting the charter is consistent with sound educational practice and with the interests of the community in which the school is proposing to locate. The academic needs of the pupils the school proposes to serve shall be considered.</p>		
Legal Requirements		
Requirements for Finding(s) of Fact		
<p>Review/Findings: 47605(c)(7)</p>	<p>The governing board of the [county office] shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings: The charter school is demonstrably unlikely to serve the interests of the entire community in which the school is proposing to locate.</p> <p>Analysis of this finding shall include consideration of the fiscal impact of the proposed charter school. A written factual finding under this paragraph shall detail specific facts and circumstances that analyze and consider the following factors:</p> <p>(A) The extent to which the proposed charter school would substantially undermine existing services, academic offerings, or programmatic offerings.</p> <p>(B) Whether the proposed charter school would duplicate a program currently offered within the school district, and whether the existing program has sufficient capacity for the pupils proposed to be served within a reasonable proximity to where the charter school intends to locate.</p>	
Potential Finding(s) of Fact		
Area of Concern	Documentation	Concerns
Under Review		

 <div style="display: inline-block; vertical-align: middle;"> <p>Division of Leadership, Wellness, and Student Services Charter Schools Unit</p> </div> <div style="display: inline-block; vertical-align: middle; margin-left: 20px;"> <p>Material Revision Petition Review Rubric</p> </div>		
8.0 Impact Review: District Fiscal Status		
<p>In its review of the petition, RCOE will be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that the establishment of charter schools should be encouraged. The county board shall grant a charter for the operation of a school if it is satisfied that granting the charter is consistent with sound educational practice and with the interests of the community in which the school is proposing to locate. The academic needs of the pupils the school proposes to serve shall be considered.</p>		
Legal Requirements		
Requirements for Finding(s) of Fact		
Review/Findings: 47605(c)(8)	<p>The governing board of the [county office] shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings: The school district is not positioned to absorb the fiscal impact of the proposed charter school.</p> <p>A school district satisfies this paragraph if any of the following is true:</p> <p>(A) The district has a qualified interim certification pursuant to Section 42131, and the county superintendent of schools, in consultation with the County Office Fiscal Crisis and Management Assistance Team, certifies that approving the charter school would result in the school district having a negative interim certification pursuant to Section 42131.</p> <p>(B) The district has a negative interim certification pursuant to Section 42131.</p> <p>(C) The district is under state receivership.</p> <p>Charter schools proposed in a school district satisfying one of these conditions shall be subject to a rebuttable presumption of denial.</p>	
Potential Finding(s) of Fact		
Area of Concern	Documentation	Concerns
Under Review		

 Division of Leadership, Wellness, and Student Services Charter Schools Unit		Charter Petition Material Revisions Legal Index General Guidance for All Charter Schools	
Material Revision Requirements: All Charter Schools			
47605(a)(4)	Qualified Revisions	After receiving approval of its petition, a charter school that proposes to expand operations to one or more additional sites or grade levels shall request a material revision to its charter and shall notify the chartering authority of those additional locations or grade levels.	
47607(a)(3)	At Time of Renewal	Material revisions presented concurrently with a renewal petition are required to undergo a separate, distinct approval process governed by Section 47605.	
47607(a)(3)	Approval	A material revision of the provisions of a charter petition may be made only with the approval of the chartering authority.	
47607(a)(3)	Standards of Review	A material revision of a charter is governed by the standards and criteria described in Section 47605.	
47607(a)(4)	Denial Reasons: 47605(c)(7)-(8)	The following findings for denial of an initial petition [Per Section 47605(c)(7)-(8)] are allowable as denial reasons for a material revision of an existing charter school that proposes to expand; however, these denial reasons are limited to the impact of the proposed revision: (7) Demonstrably unlikely to serve the interests of the entire community in which the school is proposing to locate (8) The school district is not positioned to absorb the fiscal impact of the proposed charter school	
47607(b)	Governing Standards for Reviews	Material Revisions are to be governed by the standards and criteria described in Section 47605 and are required to include: (1) Reasonably comprehensive descriptions of any new legal requirements of charter schools enacted into law after the last approval of the charter petition (2) Update requirements are not limited to new legal requirements	
CCR Title 5 Section 11967.5.1(g)(1)-(4)	"Reasonably Comprehensive"	For a description to be considered "reasonably comprehensive," it must: (1) Be substantive, not a list (2) Address all aspects of each element (3) Be specific to this charter (not generalized) (4) Describes how the school will: (A) Improve student learning (B) Increase learning opportunities for students (C) Provide expanded educational opportunities (D) Hold itself accountable for measurable, performance-based pupil outcomes (E) Provide vigorous competition with other public-school options	

RCBE
Policies

 Division of Leadership, Wellness, and Student Services Charter Schools Unit		Charter Petition: Material Revisions Riverside County Board of Education	
Summary Board Policy			
47605(a)(4)	Qualified Revisions	After receiving approval of its petition, a charter school that proposes to expand operations to one or more additional sites or grade levels shall request a material revision to its charter and shall notify the chartering authority of those additional locations or grade levels.	
47607(a)(3)	At Time of Renewal	Material revisions presented concurrently with a renewal petition are required to go through a separate, distinct approval process, governed by Section 47605.	

(Template) Material Revision Review Rubric

47607(a)(3)	Approval	A material revision of the provisions of a charter petition may be made only with the approval of the chartering authority.
47607(a)(3)	Standards of Review	A material revision of a charter is governed by the standards and criteria described in Section 47605.
47607(a)(4)	Denial Reasons: 47605(c)(7)-(8)	The following findings for denial of an initial petition [Per Section 47605(c)(7)-(8)] are allowable as denial reasons for a material revision of an existing charter school that proposes to expand; however, these denial reasons are limited to the impact of the proposed revision: (7) Demonstrably unlikely to serve the interests of the entire community in which the school is proposing to locate (8) The school district is not positioned to absorb the fiscal impact of the proposed charter school
47607(b)	Governing Standards for Reviews	Material Revisions are to be governed by the standards and criteria described in Section 47605 and are required to include: (1) Reasonably comprehensive descriptions of any new legal requirements of charter schools enacted into law after the last approval of the charter petition (2) Update requirements are not limited to new legal requirements
CCR Title 5 Section 11967.5.1(g)(1)-(4)	"Reasonably Comprehensive"	For a description to be considered "reasonably comprehensive," it must: (1) Be substantive, not a list (2) Address all aspects of each element (3) Be specific to this charter (not generalized) (4) Describes how the school will: (A) Improve student learning (B) Increase learning opportunities for students (C) Provide expanded educational opportunities (D) Hold itself accountable for measurable, performance-based pupil outcomes (E) Provide vigorous competition with other public-school options