



# AUTHORIZERS GUIDE

CHARTER PETITION EVALUATION MATRIX

# Forward

This document was created in partnership and support of the Charter Accountability and Resource Support Network (CARNet) Advisory Board: L. Karen Monroe, Alameda County Superintendent of Schools, CARNet; Wes Stewart, Executive Director, Association of California School Administrators (ACSA); Molly Magee-Hewitt, CAO/CEO, California Association of School Business Officials (CASBO); Dana Dean, Solano County Board of Education/Immediate Past-President, California County Board of Education (CCBE); Ted Alejandre, San Bernardino County Superintendent of Schools/President, California County Superintendents Educational Services Association (CCSESA); Vernon Billy, CEO/Executive Director, California School Boards Association (CSBA); and Michelle Giacomini, Deputy Executive Director, Fiscal Crisis and Management Assistance Team (FCMAT).

The goal of this project was to create a unique legally compliant evaluation tool that can be used by school districts and county offices uniformly across the state. It is our hope that as you use this tool you will find it invaluable in your charter authorizing practice.

A huge thanks & appreciation to the following agency representatives who served on the workgroup team:

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# Reviewing Charter School Petitions

## Guiding Principles

The Charter School Petition Evaluation Matrix was developed to align with the Education Code (EC), state regulations and other pertinent laws required for reviewing charter school petitions. The purpose of this tool is to help guide the reviewer through the charter school petition review process, helping to identify strengths and weaknesses of the charter school petition. Elements for a Countywide Charter (EC 47605.6) are organized in a different manner; however, the same criteria apply. Therefore you can use this same tool to review a county-wide charter school petition.

## State Guidance

The California Code of Regulations, Title 5, section 11967.5 provides the following guidance for reviewing a charter petition: *"The criteria are intended to require no charter provisions in excess of those that the State Board of Education believes necessary to determine whether each element specified in Education Code section 47605(b) has been satisfactorily addressed. Where the criteria call for judgments to be made, the judgments will be made in such a manner as to be reasonable, rational, and fair to the petitioners and other parties potentially affected by the chartering of the school ..."*

The California Code of Regulations, Title 5, section 11967.5.1(g) states that a "reasonably comprehensive" description shall include, but not be limited to, information that:

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

### Instructions To Charter School Petition Review Team / Evaluation Rubric

- 1. Identify your team**, if applicable. Determine who will be responsible for reviewing which sections of the charter petition document. Record team members' names on the Petition Review Team page to help track responsibilities.
- 2. Rate the charter school petition** in the various petition Elements and Supplemental sections of the Evaluation Matrix.
  - a. Mark either "met" or "not met" in the "Evaluation Standard Met" Column for each specific criteria. Criteria in **RED** indicates a description that is required under law to be included in the charter petition. Criteria in **BLACK** are descriptions that are strongly suggested to be included to ensure that the charter petition is reasonably comprehensive.
  - b. Use the state guidance and rating definitions below to guide your assessment.
  - c. At the end of each section, elaborate in the comment section in the areas you rated as "not met".
- 3. Analyze the results.** At the end of this process you will be able to determine whether the petition is reasonably comprehensive or if there are any identified Findings of Fact. This tool should be used as part of your final analysis and report to the district governing board.

#### **Evaluation Standard Met:**

The charter petition demonstrates solid preparation and grasp of key issues that indicates a reasonably comprehensive description. Overall the charter petition contains many characteristics of concise, specific and accurate information. The standard may be met if the charter petition requires additional, non-substantive elaboration in places.

#### **Evaluation Standard Not Met:**

The charter petition addresses some of the criteria, but lacks meaningful detail. The description requires important or key additional information in order to be reasonably comprehensive. It demonstrates lack of preparation, is unclear, uses generic information, or otherwise raises substantial concerns about the petitioner's understanding of the issue in concept. Additional substantive information would be required to determine the charter petitioner's ability to implement or meet the requirement in practice.

# The Petition Review Team

Identify your team and who will be responsible for reviewing which sections of the charter school petition document.

Area of Review (§47605(c))	Department Responsible	Name of Reviewer
A. Education Program		
B. Measurable Student Outcomes		
C. Student Progress Measurement		
D. Governance Structure		
E. Employee Qualifications		
F. Health and Safety		
G. Racial & Ethnic Balance		
H. Admissions Policies and Procedures		
I. Annual Financial Audits		
J. Suspension and Expulsion		
K. Staff Retirement System		
L. Attendance Alternatives		
M. Post-Employment Rights of Employees		
N. Dispute Resolution Process		
O. Closure Procedures		

## Supplemental Criteria

Areas of Review EC §47605(c), §47605(e), §47605(h), §47641(a), §47646	Department Responsible	Name of Reviewer
Financial/Administrative Plan		
Charter Management Organization (i.e. "entities managing charter schools")		
Facilities		
Impact Statement		
Community Impact		
Special Education		
Required Declarations/Affirmations		
Independent Study, if applicable		
Alternative Charter Schools, if applicable		

(apply district or county name or logo here)

# PETITIONER CERTIFICATION

*(must be completed and signed by petitioner)*

## Instructions to Lead Petitioner

1. Complete and review the Cover/Intake and Petitioner Certification forms
2. Insert the petition page numbers in the far right column of the 15 Element & Supplemental Criteria of the Evaluation Matrix. (entitled: "located on Page(s)")
3. Complete, sign and submit this Petitioner Certification page and forms with the charter petition

**Education Code §47605(a)(1):** 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. A charter school may propose to operate at multiple sites within the school district if each location is identified in the charter school petition. The petition may be submitted to the governing board of the school district for review after either of the following conditions is met:

(A) The petition is signed by a number of parents or 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

YES       NO

(B) 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 charter school during its first year of operation

YES       NO

**Education Code §47605(b):** A petition is deemed received by the governing board of the school district for purposes of commencing the timelines described in this subdivision on the day the petitioner submits a petition to the district office, along with a signed certification that the petitioner deems the petition to be complete.

**I hereby certify under the laws of the State of California and the United States that the foregoing petition and cover page(s) 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 of lead petitioner

\_\_\_\_\_ date

\_\_\_\_\_ name of district personnel receiving petition

\_\_\_\_\_ signature of district personnel receiving petition

\_\_\_\_\_ date received

## Petition Appeal Consideration & Acceptance E.C. §47605(k)(1)(A) (COE Office Use Only)

Petitioner submitted the charter school petition appeal to the county board of education within 30 days of denial by the governing board of the school district as required by law

YES       NO

The charter school petition appeal includes new information or changes to the original petition that was submitted to the district

YES       NO

***If yes, the petition will be immediately remanded back to the district***

This is a resubmission of the charter school's petition appeal. The school district governing board denied the petition after reconsideration of the petition's new or different material terms to its charter.

YES       NO       N/A

(apply district or county name or logo here)

## CHARTER SCHOOL PETITION EVALUATION MATRIX Intake Information/Cover Sheet

Petitioner Information	Petition Review and Presentation Timelines <i>(District Use Only)</i>		
<b>Name of Proposed Charter School:</b>	<input type="checkbox"/> INITIAL PETITION <input type="checkbox"/> PETITION ON APPEAL <input type="checkbox"/> RENEWAL		
	<i>District that Denied Petition (if on appeal):</i> <input style="width: 100%;" type="text"/>		
<b>Name &amp; Position of Lead Petitioner:</b>	<b>Petition Submitted</b> Date: <input style="width: 100%;" type="text"/>	<b>Public Hearing</b> Date Due: <input style="width: 100%;" type="text"/>	<b>Decision by Board</b> <i>(90 days from submission but may be extended 30 days if mutually agreed)</i>
<b>Phone and Email:</b>		Date Held: <input style="width: 100%;" type="text"/>	Date Due: <input style="width: 100%;" type="text"/>
<b>Address:</b>			Date of Board Decision: <input style="width: 100%;" type="text"/>
<b>Proposed Grade Span for 1st Year</b>	<b>Was an extension requested?</b> <input type="checkbox"/> YES <input type="checkbox"/> NO		

Facility Information			
<b>Facilities Have Been Secured (select yes or no)</b>	<input type="checkbox"/> YES (List proposed address below) <input type="checkbox"/> NO (List facilities being considered below)		
Proposed Facility Address	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
	<small>Street</small>	<small>City</small>	<small>State</small> <small>Zip Code</small>
Facilities Being Considered (include any Prop 39 Facility Requests being proposed)	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
	<small>Street</small>	<small>City</small>	<small>State</small> <small>Zip Code</small>
	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
	<small>Street</small>	<small>City</small>	<small>State</small> <small>Zip Code</small>

Related Business Organizations and Other Corporate Affiliations	
List all corporations or business entities related to the corporation proposed to operate the charter school and/or lead petitioner(s). Explain whether, and to what extent, those other entities will participate in operating the charter school (use additional pages if necessary)	
<b>Related or Affiliated Entity Name and Contact Information</b>	<b>Services to be Provided, if any</b>
<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>
<input style="width: 100%;" type="text"/>	<input style="width: 100%;" type="text"/>

Affiliated Schools and Prior Charter School Experience	
<b>Any past or current operational charter schools affiliated with proposed charter school?</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO
Name of affiliated school(s)	<input style="width: 100%;" type="text"/>
Mailing Address	<input style="width: 100%;" type="text"/>
	<small>Street</small> <small>City</small> <small>State</small> <small>Zip Code</small>
Name of Authorizing Agency & Contact Name	<input style="width: 100%;" type="text"/>
Authorizing Agency Contact Phone and email	<input style="width: 100%;" type="text"/>

Special Education - SELPA Information			
Has Charter School applied for or been approved as LEA member of SELPA?	<input type="checkbox"/> YES <input type="checkbox"/> NO		If YES, Provide LEA #, Name of SELPA & Contact
<input style="width: 100%;" type="text"/>			
If NO, explain intent for special education compliance as a charter school in the charter petition. <i>(See Supplemental Criteria section of the Evaluation Matrix)</i>			



# CHARTER SCHOOL PETITION EVALUATION MATRIX

Charter Petition Name: \_\_\_\_\_

## The 15 Charter Elements

Criteria in RED indicates a description that is required under law to be included in the charter petition.

Criteria in BLACK are descriptions strongly suggested to be included to ensure that the charter petition is reasonably comprehensive

### A. Description of Vision, Mission and Educational Program

Evaluation Criteria: <a href="#">E.C. §47605(c)(5)(A)</a> <b>THE PETITION DESCRIBES, AT MINIMUM</b>	Evaluation Standard Met		Located on Page(s)
	YES	NO	
<b>1. Targeted Student Populations and Community Need</b>			
a. students the charter school will attempt to educate and a demonstration of need for proposed educational program			
b. grade levels and number of students the charter school plans to serve			
c. a clear, concise school mission and vision statement that align with the target population			
d. the needs and challenges of the student groups to be served			
<b>2. Attendance</b>			
a. school year/academic calendar, number of school days and instructional minutes			
b. attendance expectations and requirements, including enrollment projections			
c. master/daily schedule and proposed bell schedule			
<b>3. What It Means to Be an Educated Person in the 21st Century</b>			
a. goals that are consistent with enabling all pupils to become or remain self-motivated, competent, lifelong learners			
b. list of academic skills and qualities important for an educated person			
c. list of general non-academic skills and qualities important for an educated person			
<b>4. How Learning Best Occurs/Instructional Design, including subgroup program (CCR §11967.5.1. (f)(C))</b>			
a. a framework for instructional design that is aligned with the needs of the students that the charter has identified as its target student population			
b. description of learning setting (e.g. site-based matriculation, independent study, tech-based)			
c. instructional approaches and strategies school will utilize that will enable the school's students, including subgroup populations such as English language learners (ELL), to master the content standards for the core curriculum areas adopted by the SBE			
d. process for developing or adopting curriculum and teaching methods			
e. how the charter school will identify and meet the needs of students with disabilities, ELLs, students achieving substantially above or below grade level expectations, and other special student populations - the description demonstrates understanding of the likely ELL population - includes sound approach to identify and meet the needs of subgroup populations			
f. special education plan including, but not limited to, the means by which the charter school will comply with the provisions of EC section 47641			
g. a plan for professional development that aligns with the charter school's proposed program			
<b>5. Materials, Including Technology</b>			
a. how staff's and students' technology resources are aligned to the instructional program and meet state assessment requirements			
b. what materials are available to students: student-to-computer ratio appears reasonable			
c. a description or plan for providing adaptive technology for SPED students			
d. Common Core technology standards, digital assessments, and professional learning			

# CHARTER SCHOOL PETITION EVALUATION MATRIX

<b>6. Annual Goals</b>			
a. annual goals for all pupils and for each subgroup of pupils identified pursuant to section 52052 that apply to the grade levels served			
<u>b. goals tied to state priorities listed in EC section 52060(d) and LCAP, as appropriate</u> <u>- Additional priorities related to unique aspects of the proposed charter school program include goals and specific annual actions</u>			
c. specific annual actions designed to achieve the stated goals			
<b>7. Description Requirements for Charter Schools Serving High School Students</b>			
a. how parents will be informed about the transferability of courses to other public high schools			
b. how parents will be informed about the eligibility of courses to meet college entrance requirements			
c. how each student will receive information on how to complete and submit a FAFSA or California Dream Act Application at least once before the student enters grade 12			
d. how the exit outcomes will align to mission, curriculum and assessments			
e. affirmation that all students will have the opportunity to take courses that meet the 'A-G' requirements			
f. planned graduation requirements and WASC accreditation are defined			
<b>Comments by review team:</b>			
<b>B. Measurable Student Outcomes</b>			
<u>Evaluation Criteria: E.C. §47605(c)(5)(B)</u> <b>THE PETITION DESCRIBES, AT MINIMUM</b>	<b>Evaluation Standard Met</b>		<b>Located on Page(s)</b>
	<b>YES</b>	<b>NO</b>	
<u>1. Measurable pupil outcomes for all groups, i.e. specific assessment methods or tools listed for each exit outcome</u>			
<u>2. A description of how pupil outcomes align with the state priorities consistent with LCAP, as described in EC 52060(d), that apply for the grade levels served or the nature of the program</u>			
3. Specific annual actions designed to achieve the stated goals			
4. Additional school priorities related to unique aspects of the proposed charter school program, with goals and specific annual actions			
5. Description of how pupil outcomes will address state content and performance standards in core academic areas			
6. Description of how exit outcomes align to the mission and instructional design of the program			
7. Description or affirmation that "benchmark" skills and specific classroom-level skills will be developed			
8. School-wide student performance goals students will achieve over a given period of time, including projected attendance levels, dropout percentage, and graduation rate goals			
<b>Comments by review team:</b>			

Criteria in RED indicates a description that is required under law to be included in the charter petition  
 Criteria in BLACK is strongly suggested to be included to ensure that the petition is reasonably comprehensive

# CHARTER SCHOOL PETITION EVALUATION MATRIX

C. Student Progress Measurement			
<u>Evaluation Criteria: E.C. §47605(c)(5)(C.)</u> <b>THE PETITION DESCRIBES, AT MINIMUM</b>	Evaluation Standard Met		Located on Page(s)
	YES	NO	
1. Assessment tools that include all required state and federal assessment (SBAC, ELPAC, etc.) for purposes of accountability			
2. At least one assessment method or tool listed for each of the exit assessments			
3. A variety of alternative assessment tools, including tools that employ objective means of assessment consistent with the measurable pupil outcomes			
4. Chosen assessments are appropriate for standards and skills the charter school seeks to measure			
5. A plan for collecting, analyzing/utilizing and reporting student/school performance to charter school staff and to students' parents and guardians, and for utilizing the data continuously to monitor and improve the charter school's educational program			
<b>Comments by review team:</b>			

D. Governance Structure			
<u>Evaluation Criteria: E.C. §47605(c)(5)(D)</u> <b>THE PETITION DESCRIBES, AT MINIMUM</b>	Evaluation Standard Met		Located on Page(s)
	YES	NO	
1. Evidence of the charter school's incorporation as a nonprofit benefit corporation			
a. provides the names and relevant qualifications of all persons whom the petitioner nominates to serve on the governing body of the charter school.			
b. includes a set of bylaws and basic policies			
2. Evidence that the organizational technical designs of the governance structure reflect:			
- a seriousness of purpose to ensure that the charter will become and remain a viable enterprise			
- understanding and assurance of compliance with open meeting requirements			
3. Key features of governing structure including, but not limited to:			
a. delineation of roles and responsibilities of the governing board and staff			
b. a clear description of the flexibility and level of autonomy the charter school has from the charter management organization over budget, expenditures, personnel, and daily operations			
c. size/composition of board, board committees and/or advisory councils			
d. method for selecting initial board members and election/appointment for board member replacement			
4. A process for involvement or input of parents/guardians in the governance of the charter school including:			
a. a clear delineation of roles and responsibilities of parent councils, advisory committee or other supporting groups			
b. a description how it shall notify the parents and guardians of applicant pupils and currently enrolled pupils that parental involvement is not a requirement for acceptance to or continuation at, the charter school			
5. Specific policies and internal controls that will prevent fraud, embezzlement, and conflict of interest and ensures the implementation and monitoring of those policies			
6. A description and frequency of board trainings/workshops			
7. Other important legal or operational relationships between the charter school and granting agency			

**Criteria in RED indicates a description that is required under law to be included in the charter petition**  
**Criteria in BLACK is strongly suggested to be included to ensure that the petition is reasonably comprehensive**

# CHARTER SCHOOL PETITION EVALUATION MATRIX

Comments by review team:

## E. Employee Qualifications

<a href="#">Evaluation Criteria: E.C. §47605(c)(5)(E)</a> <b>THE PETITION DESCRIBES, AT MINIMUM</b>	Evaluation Standard Met		Located on Page(s)
	YES	NO	
1. Core and college preparatory teachers, and affirms all teachers will hold appropriate Commission on Teacher Credentialing certificates (new in July 1, 2020)			
2. Those positions that the charter school regards as key, and specifies the additional qualifications expected of individuals assigned to those positions, their responsibilities and accountability			
3. General qualifications for the various categories of employees (e.g., other administrative, instructional support, non-instructional support). These qualifications shall be sufficient to ensure the health and safety of the charter school's faculty, staff, and students.			
4. A clear plan for recruitment, selection, development and evaluation of staff and charter school leader			
5. Roles and lines of authority for board and management positions			
6. Qualifications for non-core, non-college prep teaching positions staffed by non-certified teachers			
7. Proposed teacher to student ratio			

Comments by review team:

## F. Health and Safety Procedures

<a href="#">Evaluation Criteria: §47605(c)(5)(F)</a> <b>THE PETITION DESCRIBES, AT MINIMUM</b>	Evaluation Standard Met		Located on Page(s)
	YES	NO	
1. A comprehensive charter school safety plan and assurance that all charter school staff will be trained on this plan and that the plan will be updated annually			
2. Assurances that the charter school will require a criminal background clearance report, and proof of tuberculosis examination prior to employment			
3. Assurances that the charter school will adopt procedures to prevent acts of bullying and cyberbullying, and make the CDE online training module available to all employees who interact with students			
4. Affirmation that charter schools with grades 7-12 will adopt a suicide prevention policy			
5. Health and safety practices for students and staff			
a. references include health and safety related policies/procedures or the date by which they will be adopted and submitted to the authorizer			
7. Assurances on the compliance with ADA (Americans with Disabilities Act)			

Comments by review team:

# CHARTER SCHOOL PETITION EVALUATION MATRIX

G. Racial and Ethnic Balance			
<u>Evaluation Criteria: E.C. §47605(c)(5)(G)</u> <b>THE PETITION DESCRIBES, AT MINIMUM</b>	Evaluation Standard Met		Located on Page(s)
	YES	NO	
1. Specific practices/policies the charter school will design and implement to attract a diverse applicant pool/enrollment that is reflective of the general population, including special populations residing within the territorial jurisdiction of the district			
2. Practices and policies appear likely to achieve racial and ethnic balance			
3. The outreach strategies, identifying specifically who the targeted groups will be, including developed or planned benchmarks for achieving balance			
4. Types of supports that will be provided to maintain enrollment balance (counselors, support staff, medical-related staff, etc.)			
<b>Comments by review team:</b>			
H. Admissions Requirements, If Applicable			
<u>Evaluation Criteria: §47605(c)(5)(H)</u> <b>THE PETITION DESCRIBES, AT MINIMUM</b>	Evaluation Standard Met		Located on Page(s)
	YES	NO	
1. The following assurances: The charter school shall be nonsectarian in its programs, admission policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against a pupil on the basis of 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, equal rights, and opportunities in the educational institutions of the state			
2. A clear description of admission policies that meet the state and federal permissive preferences			
3. A clear description of how students in the community will be informed and given an equal opportunity to attend the charter school. All promotional material must clearly state the charter school will serve ALL students.			
4. Proposed admissions and enrollment requirements, process and timeline, and includes :			
a. information to be collected through the interest form, application form, and/or enrollment form			
b. assures enrollment preferences will not require mandatory parent volunteer hours as a criteria for admission			
5. Description of the public random drawing processes that coincide with state and federal laws			
6. Assurances that preferences, if given, are not likely to negatively impact the racial, ethnic and unduplicated balance the charter school strives to reflect			
<b>Comments by review team:</b>			

**Criteria in RED indicates a description that is required under law to be included in the charter petition**  
**Criteria in BLACK is strongly suggested to be included to ensure that the petition is reasonably comprehensive**

# CHARTER SCHOOL PETITION EVALUATION MATRIX

I. Annual Independent Financial Audits			
<a href="#">Evaluation Criteria: §47605(c)(5)(I)</a> <b>THE PETITION DESCRIBES, AT MINIMUM</b>	Evaluation Standard Met		Located on Page(s)
	YES	NO	
1. The manner in which the audit will be conducted			
2. Procedures to select and retain an independent auditor including: - qualifications that will be used for the selection of an independent auditor - assurance that the auditor will have experience in education finance			
3. Assurance that the annual audit will employ generally accepted accounting principles			
4. Scope and timing of audit, as well as distribution of completed audit to authorizer, county office, State Controller, California Department of Education, and/or other agencies required under law			
5. A process and timeline that the charter school will follow to address any audit findings and/or resolve audit exceptions			
6. Assurance that the charter school will satisfy any audit deficiencies to the satisfaction of the authorizer			
7. Who is responsible for contracting with and overseeing the independent audit			
<b>Comments by review team:</b>			
J. Suspension and Expulsion Procedures			
<a href="#">Evaluation Criteria: E.C. §47605(c)(5)(J)</a> <b>THE PETITION DESCRIBES, AT MINIMUM</b>	Evaluation Standard Met		Located on Page(s)
	YES	NO	
1. A process for suspensions of fewer than 10 days, including			
a. oral or written notice of the charges against the pupil			
b. if the pupil denies the charges, an explanation of the evidence that supports the charges			
c. how an opportunity will be provided for the pupil to present his/her rebuttal to the charges			
2. A process for suspensions of 10 days or more and all other expulsions for disciplinary reasons, including			
a. timely, written notice of the charges against the pupil and an explanation of the pupil's basic rights			
b. a process of hearing adjudicated by a neutral officer within a reasonable number of days, and at which the pupil has the right to bring legal counsel or an advocate			
3. 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 and that ensures the written notice shall be in the native language of the pupil or the pupil's parent or guardian			
4. Understanding of relevant laws protecting constitutional rights of students			
a. provides for due process for all students and demonstrates understanding of the rights of students with disabilities in regard to suspension, expulsion and involuntary dismissal			
b. explanation of how authorizer may be involved in disciplinary matters			
<b>Comments by review team:</b>			

Criteria in RED indicates a description that is required under law to be included in the charter petition

Criteria in BLACK is strongly suggested to be included to ensure that the petition is reasonably comprehensive

## CHARTER SCHOOL PETITION EVALUATION MATRIX

K. California State Teacher Retirement System			
<a href="#">Evaluation Criteria: E.C. §47605(c)(5)(K)</a> <b>THE PETITION DESCRIBES, AT MINIMUM</b>	Evaluation Standard Met		Located on Page(s)
	YES	NO	
1. A statement of what retirement options will be offered to employees			
a. STRS (if STRS, then all teachers must participate)			
b. PERS			
c. Social Security			
2. Whether retirement will be offered with language clearly reflecting one of the following choices for each retirement system - coverage will be offered to eligible employees - the charter school retains the option to elect the coverage at a future date - the charter school will not offer coverage			
3. Who is responsible for ensuring that the appropriate arrangements for coverage have been made			
<b>Comments by review team:</b>			
L. Public School Attendance Alternatives			
<a href="#">Evaluation Criteria: E.C. §47605(c)(5)(L)</a> <b>THE PETITION DESCRIBES, AT MINIMUM</b>	Evaluation Standard Met		Located on Page(s)
	YES	NO	
1. Attendance alternatives for students residing within the county who choose not to attend the charter school			
<b>Comments by review team:</b>			
M. Post-employment Rights of Employees			
<a href="#">Evaluation Criteria: E.C. §47605(c)(5)(M)</a> <b>THE PETITION DESCRIBES, AT MINIMUM</b>	Evaluation Standard Met		Located on Page(s)
	YES	NO	
1. School district employee's return employment rights, including			
a. whether, and how staff may resume employment within the district or authorizer			
b. the ability to transfer sick/vacation leave to and from charter and another LEA			
c. whether staff will continue to earn service credit (tenure) in district while employed at charter			
2. Whether collective bargaining contracts of charter authorizer will be a controlling document			
<b>Comments by review team:</b>			

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 Criteria in BLACK is strongly suggested to be included to ensure that the petition is reasonably comprehensive

# CHARTER SCHOOL PETITION EVALUATION MATRIX

N. Dispute Resolution Procedures			
<u>Evaluation Criteria: E.C. §47605(c)(5)(N)</u> <b>THE PETITION DESCRIBES, AT MINIMUM</b>	Evaluation Standard Met		Located on Page(s)
	YES	NO	
1. A process for the charter and the authorizer to settle disputes relating to the provisions of the charter			
2. The process by which charter will resolve internal complaints and disputes			
a. includes Uniform Complaint procedures and description of how this process is communicated to parents, staff, and the community			
3. Acknowledgement that except those disputes between the chartering authority and the charter school, all disputes involving the charter school shall be resolved by the charter school according to the charter school's own internal policies			
4. Statement that if any such dispute concerns facts or circumstances that may be cause for revocation of the charter, the authorizer shall not be obligated by the terms of the dispute resolution process as a precondition to revocation			
<b>Comments by review team:</b>			
O. Closure Procedures			
<u>Evaluation Criteria: E.C. §47605(c)(5)(O)</u> <b>THE PETITION DESCRIBES, AT MINIMUM</b>	Evaluation Standard Met		Located on Page(s)
	YES	NO	
1. The procedures to be used if the charter school closes, including:			
a. who is the responsible entity/person that will conduct closure-related activities			
b. process for submission of final financial reports, expenditure reports for entitlement grants, and the filing of any required final expenditure and performance reports			
2. The maintenance plan for pupil records and the manner in which parents/guardians may obtain copies of pupil records if the charter school closes, including how information will be preserved and transferred.			
3. A process of how charter will ensure a final audit of the charter school			
a. an assurance it will be conducted within six months of closure			
b. the disposition of the charter school's assets			
c. plans for disposing net assets			
4. The transfer and maintenance of personnel records in accordance with applicable law			
<b>Comments by review team:</b>			

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Criteria in BLACK is strongly suggested to be included to ensure that the petition is reasonably comprehensive



# CHARTER SCHOOL PETITION EVALUATION MATRIX

Charter Petition Name: \_\_\_\_\_

## Required Supplemental Criteria

**Criteria in RED indicates a description that is required under law to be included in the charter petition**

**Criteria in BLACK are strongly suggested to be included to ensure that the charter petition is reasonably comprehensive**

Financial/Administrative Plan			
<a href="#">Evaluation Criteria: E.C. §47605(h)</a> The petition describes, at minimum	Evaluation Standard Met		Located on
	Yes	No	Page(s)
<b>1. A First Year Operational Budget</b>			
a. annual revenues and expenditures clearly identified by source			
b. revenue assumptions in alignment with applicable state and federal funding formulas			
c. expenditure assumptions that reflect the school design plan			
d. expenditure assumptions that reflect market costs			
e. revenues from grants or other proposed fundraising that are not critical to fiscal solvency			
f. minimum reserve level and projected positive ending fund balance (the larger of 3% of expenditures, or \$25,000)			
g. if expenditures exceed revenues in first year of operations, identifies sources of capital sufficient to cover deficits until the budget is projected to balance			
h. expenditures for property and liability insurance that name the district/authorizer as additional insured (and/or a hold harmless agreement)			
i. expenditures for reasonably expected legal services			
j. expenditures for special education excess costs consistent with current experiences in the school district/county office			
k. expenditures for facilities – if specific facilities not secured, reasonable projected cost			
l. expenditures for required student meals that meet federal nutritional requirements			
m. the alignment of LCAP expenditures with the charter’s budget			
<b>2. Financial Projections Include a Clear Description of Planning Assumptions</b>			
a. revenues and expenditures correlate with the number/types of students by grade level in budget			
b. expenditure assumptions correlate with the amount of staff in budget			
c. expenditure assumptions correlate with the facility needs in budget			
d. expenditure assumptions in alignment with overall school design plan			
e. revenues based on state and federal funding guidelines			
f. revenues based on reasonable potential growth in local, state and federal categories			
g. revenues based on reasonable student growth projections			
h. revenue from sources such as grants, loans, donations and other non-guaranteed funds not necessary for the charter to maintain fiscal solvency			
i. timeline for any referenced grant applications to be submitted and funded			
j. positive reserves are maintained in all three years			
k. fund balances are positive, or sources of supplemental working capital are identified			

# CHARTER SCHOOL PETITION EVALUATION MATRIX

Financial/Administrative Plan			
<a href="#">Evaluation Criteria: E.C. §47605(h)</a> <i>The petition describes, at minimum</i>	Evaluation Standard Met		Located on Page(s)
	Yes	No	
<b>3. Start-Up Costs</b>			
a. <span style="color: red;">reasonable allocation for all major start-up costs</span> including: - staffing - facilities - equipment and supplies - professional services (i.e. food services, etc.) - technology materials - assessment systems/materials - legal costs			
b. in alignment with overall school design plan			
c. potential funding sources			
d. timeline allows for grant applications and fundraising efforts to be completed in time, if included in start-up costs			
<b>4. Cash Flow Projections for First 3 Years</b>			
a. <span style="color: red;">monthly projection of revenue receipts in line with local/state/federal funding disbursements</span>			
b. expenditures projected by month and corresponds with typical/reasonable schedules			
c. balance sheet accounts projected by month			
d. show positive cash balance each month and/or identify sources of working capital			
<b>5. Structure for Administrative Services and Operations</b>			
a. outline or process for how personnel transactions will be conducted, (i.e. hiring, payroll, leaves and retirement)			
b. accounting and payroll processes that reflect an understanding of school business practices and expertise to carry out the necessary functions			
c. plan and timeline to develop and assemble school business practices and expertise			
d. explanation of how school intends to manage risk, including any policies and procedures			
d. if operated by a non-profit organization, affirms will provide additional 501(c)(3) fiscal reports			
Comments by review team:			

# CHARTER SCHOOL PETITION EVALUATION MATRIX

Charter Management Organization, i.e. Entities Managing Charter Schools			
<a href="#">Evaluation Criteria: E.C. §47605(h)</a> <i>The petition describes, at minimum</i>	Evaluation Standard Met		Located on Page(s)
	Yes	No	
<b style="color: red;">1. Name and relationship of CMO to charter school, including</b> - roles - responsibilities - payment structure - conditions for renewal/termination - investment disclosure			
2. CMO's role in the financial management of the charter and the associated internal controls			
3. Other schools and/or companies managed by the CMO			
4. CMO's history, philosophy, and past results operating other schools and/or companies			
5. CMO's Form 990s for up to prior three years			
6. Back office provider and description of support utilized by the charter			
7. Affirmation that the CMO/back office provider will provide timely submissions of calendar of due date items			
8. Affirmation that the CMO/back office provider will provide timely submissions of request for information items			
Comments by review team:			

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Criteria in BLACK suggested to be included to ensure that the petition is reasonably comprehensive

# CHARTER SCHOOL PETITION EVALUATION MATRIX

Facilities			
<a href="#">Evaluation Criteria: E.C. §47605(h)</a> <i>The petition describes, at minimum</i>	Evaluation Standard Met		Located on Page(s)
	Yes	No	
<b>1. Location of Facility</b>			
<span style="color: red;">a. the types and the location of the charter school facility that the petitioner proposes to operate, including</span> - size and resources - safety - educational suitability			
b. the address of the facility or a schedule for securing the facility, including the person responsible for securing the location			
c. assessment and analysis of anticipated facilities needs and viability of potential sites			
<b>2. Current and Projected Availability</b>			
a. current and projected availability of each charter school site, and schedule for securing the facility			
b. assurances of all legal compliance with health and safety, ADA, and applicable building codes			
c. adequate budget for anticipated costs, including renovation, rent, maintenance and utilities			
d. statement whether a request will be made for use of authorizer-owned facilities			
e. lease or occupation agreement for privately obtained facilities, and/or provides a copy of the lease agreement			
Comments by review team:			

# CHARTER SCHOOL PETITION EVALUATION MATRIX

Impact Statement			
<a href="#">Evaluation Criteria: E.C. §47605(h)</a> <i>The petition describes, at minimum</i>	Evaluation Standard Met		Located on Page(s)
	Yes	No	
1. Number of students anticipated to enroll			
2. Identification of whether charter will request to purchase support services from authorizer			
3. Affirmation there will be a Memorandum of Understanding between the authorizer and charter school			
4. Processes and policies between charter and authorizer			
a. includes process, activities and associated fees for oversight of charter			
b. includes processes, timelines, and evaluation criteria for annual review and site visits			
c. includes regular, ongoing fiscal and programmatic performance monitoring and reporting			
d. includes process, timelines and evaluation criteria for charter renewal			
e. outlines other important legal or operational relationships between authorizer and charter school			
5. Criteria and procedure for the selection of a contractor, if applicable, including - process for determining necessary expertise - selection of the contractor or contractors, if applicable			
6. Potential civil liability effects, if any, upon the school and the authorizer			
Community Impact			
<a href="#">Evaluation Criteria: E.C. §47605(c)(7)</a> <i>The petition describes, at minimum</i>	Evaluation Standard Met		Located on Page(s)
	Yes	No	
1. How the charter school will not substantially undermine existing school district services, academic offerings, or programmatic offerings			
2. Whether the charter school petition duplicates a program currently offered by the 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			
Comments by review team:			

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# CHARTER SCHOOL PETITION EVALUATION MATRIX

<b>Special Education</b>			
<u>Evaluation Criteria: E.C. §47641(a) and E.C. §47646</u> <i>The petition describes, at minimum</i>	Evaluation Standard Met		Located on Page(s)
	Yes	No	
1. The school's special education structure (3 options) a. charter school will be an independent LEA for special education purposes, or b. charter school will be a school within the district, or c. the charter school will be a SELPA			
2. How special education services will be provided consistent with SELPA Plan and/or policies and procedures. a. includes a fiscal allocation plan in alignment with the SELPA the charter plans to join			
3. Affirmation that the charter school will assume full responsibility for appropriate accommodations to address the needs of any student			
4. Acknowledgment that the charter is responsible for providing special education, instruction and related services to the students enrolled in the school regardless of students' district of residence			
5. The process for notifying district of residence and authorizing LEA when a special education student enrolls, becomes eligible, ineligible and/or leaves the charter			
6. The transition to and from a district when a student with an IEP enrolls in or transfers out of the charter			
7. Evidence that the school has consulted with a SELPA, such as a letter from SELPA confirming receipt of application			
8. Includes the following assurances			
a. the charter will comply with all provisions of IDEA			
b. no student will be denied admission based on disability or lack of available services			
c. a Student Study Team process will be implemented			
d. any student potentially in need of Section 504 services will receive such services			
<b>If the charter will not be an independent LEA</b>			
1. Clarifies in charter petition or a Memorandum of Understanding the responsibilities of each party for service delivery, including Referral, Assessment, Instruction, Due Process, Agreements describing allocation of actual excess costs			
2. An assertion that the charter will be fiscally responsible for its fair share of any encroachment on general funds			
<b>If the charter school is an independent LEA within a SELPA</b>			
1. Notifies SELPA Director of intent to participate prior to February 1 of the preceding school year			
2. Includes current operating budget in accordance with E.C. §42130 and E.C. §42131			
3. Understands that the charter school is fiscally responsible for fair share of any encroachment on general funds			
4. Asserts responsibility for any legal fees relating to the application and assurances process			
5. Demonstrates it is located within SELPA's geographical boundaries			
6. Asserts all instruction will be in a safe environment			
7. Affirms the terms of the Agreement will be met regarding the organization, implementation, administration and operation of the SELPA			

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Criteria in BLACK suggested to be included to ensure that the petition is reasonably comprehensive

# CHARTER SCHOOL PETITION EVALUATION MATRIX

Comments by review team:

## Required Declaration

<a href="#">Evaluation Criteria: E.C. §47605(c)(6)</a> <i>The petition describes, at minimum</i>	Evaluation Standard Met		Located on Page(s)
	Yes	No	
1. 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.			

## Required Affirmations

<a href="#">Evaluation Criteria: E.C. §47605(e)</a> <i>The petition describes, at minimum</i>	Evaluation Standard Met		Located on Page(s)
	Yes	No	
1. Affirmation that the school will be nonsectarian in its - programs - admission policies - employment practices - and all other operations			
2. Affirmation that the school shall not charge tuition			
3. Affirmation that the school shall not discriminate against any pupil on the basis of 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 California Penal Code			
4. Affirmation that the admission to a charter school shall not be determined according to the place of residence of the pupil, or of the pupil's parent or legal guardian, within this state, except that an existing public school converting partially or entirely to a charter school under this part shall adopt and maintain a policy giving admission preference to pupils who reside within the former attendance area of that public school			
<u>5. Affirmation that the charter school shall admit all pupils who wish to attend the charter school.</u>			
6. Affirmation that the school will comply with federal, state and local laws as required for charter schools			

Comments by review team:

# CHARTER SCHOOL PETITION EVALUATION MATRIX

## Alternative Education Charter School Criteria

For Alternative Education Charter Schools, If Applicable			
<a href="#">Evaluation Criteria: E.C. §58500 - 58512</a> <i>The petition describes, at minimum</i>	Evaluation Standard Met		Located on
	Yes	No	Page(s)
1. Acknowledgement that the charter school will maintain an unduplicated count of at least 70% of the school's total enrollment composed of the required high-risk student groups			
2. Assurance that the school will maintain documentation that 70% of students will be reflected on Part 1 of their DASS Participation Form			
4. Clearly articulated mission and purpose to recruit and educate high-risk students			
5. Performance plan that include specific measures and goals for success, including one or two attainable norm references and/or verifiable alternative measures that support the school's mission and vision			
6. Required assurances			
a. the school will maintain documentation that 70% of students will be reflected on Part 1 of their DASS Participation Form, as defined in item 1, above			
b. when applying for other alternative school status, ONLY the school's current enrollment will be used (in accordance with the DASS Eligibility Criteria and examples) to determine a school's percentage of high-risk student for DASS eligibility.			
Comments by review team:			

**RED: REQUIRED to be included in charter petition**  
 All other sections are strongly suggested to ensure that charter elements are reasonably comprehensive



# CHARTER SCHOOL PETITION EVALUATION MATRIX

## Independent Study Supplemental Criteria

<b>Independent Study/Non-Classroom based Instruction - For Renewals Only</b> (There is a 2-year moratorium on the approval of new petitions effective January 1, 2020 to January 1, 2022)			
<u>Evaluation Criteria: E.C. §51745</u> <i>The petition describes, at minimum</i>	Evaluation Standard Met		Located on Page(s)
	Yes	No	
1. an assurance that the K-12 public school guidelines for independent study will be evident in the annual audit per Education Code 47612.5(b)			
2. an assurance that the charter will meet the requirement related to the ratio of ADA to FTE certificated employees as prescribed under Education Code 51745.6(a)			
3. an acknowledgement that independent study will be supervised by an appropriately credentialed teacher per EC 51747.5(a)			
4. an acknowledgement that the charter may claim apportionment credit for independent study only to the extent of the time value of pupil or student work products, as personally judged in each instance by a certified teacher per EC 51747.5(b)			
5. the maximum length of time, by grade level and type of program, that may elapse between the time an independent study assignment is made and the date by which the pupil must complete the assigned work			
6. the number of missed assignments that will be allowed before an evaluation is conducted to determine whether it is in the best interest of the pupil to remain in independent study, or whether he/she should return to a regular school program			
7. an assurance that each written agreement shall be signed, prior to the commencement of independent study, by the pupil, the pupil's parent, legal guardian, or caregiver, if the pupil is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of independent study, and all persons who have direct responsibility for providing assistance to the pupil			
8. a description of how the required Written Agreement for each pupil will be processed and maintained, including at a minimum the following:			
a. The manner, time, frequency, and place for submitting a pupil's assignments and for reporting his/her progress			
b. The objectives and methods of study for the pupil's work, and the methods utilized to evaluate that work			
c. The specific resources, including materials and personnel that will be made available to the pupil			
d. A statement of the policies adopted pursuant to subdivisions (a) and (b) regarding the maximum length of time allowed between the assignment and the completion of a pupil's assigned work, and the number of missed assignments allowed prior to an evaluation of whether or not the pupil should be allowed to continue in independent study			
e. The duration of the independent study agreement, including the beginning and ending dates for the pupil's participation in independent study under the agreement. No independent study agreement shall be valid for any period longer than one semester, or one-half year for a school on a year-round calendar			
f. A statement of the number of course credits, or, for elementary grades, other measures of academic accomplishment appropriate to the agreement, to be earned by the pupil upon completion			
g. The inclusion of a statement in each independent study agreement that independent study is an optional educational alternative in which no pupil may be required to participate			

RED: REQUIRED to be included in charter petition

All other sections are strongly suggested to ensure that charter elements are reasonably comprehensive

# Charter School Petition Review Findings of Fact - July 1, 2020

## Education Code 47605(c)

In reviewing petitions for the establishment of charter schools pursuant to this section, the chartering authority shall 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 governing board of the school district shall grant a charter for the operation of a school under this part 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 governing board of the school district shall consider the academic needs of the pupils the school proposes to serve. The governing board of the school district 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:

- (1) The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.
- (2) The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
- (3) The petition does not contain the number of signatures required by subdivision (a).
- (4) The petition does not contain an affirmation of each of the conditions described in subdivision (e).
- (5) The petition does not contain reasonably comprehensive descriptions of all of the following: [A-O requirements]
- (6) 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.
- (7) The charter school is demonstrably unlikely to serve the interests of the entire community in which the school is proposing to locate. 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:
  - (A) The extent to which the proposed charter school would substantially undermine existing services, academic offerings, or programmatic offerings.
  - (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.
- (8) The school district is not positioned to absorb the fiscal impact of the proposed charter school. A school district satisfies this paragraph if it has a qualified interim certification pursuant to Section 1240 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 1240, has a negative interim certification pursuant to Section 1240, or is under state receivership. Charter schools proposed in a school district satisfying one of these conditions shall be subject to a rebuttable presumption of denial.

## GLOSSARY

NAME	DEFINITION
ADA	average daily attendance OR americans with disabilities act
affiliated school(s)	current or past charter schools that are connected, in any way, to a proposed charter school petition
affirmation	confirmation or declared statement that something is true
authorizer	governing board of a school district or county office of education that approves a charter petition
authorizing agency	district our county office of education that provides the day to day oversight and monitoring of an approved charter school
charter	approved charter school petition
charter governing board	governing body responsible for making leadership decisions regarding the charter school's educational, management, and financial operations
charter management organization	organization that operates multiple charter schools in one or more school district
charter school petition	document that is submitted to a district or county office for the operation of a public charter school
corporate affiliations	person that is connected with other charter schools or organizations that provide services to charter schools
E.C.	education code
ELL	english language learner
evaluation criteria	benchmark against which conformance, performance, and suitability of a plan, as well as of risk-reward ratio, is measured
evaluation matrix	tool/method used to objectively evaluate a number of options against a number of criteria
evaluation rubric aka rating definitions	scoring guide used to define the expectation of a quality response to the petition evaluation criteria
evaluation standard	how the quality of an evaluation will be judged
findings of fact	specific facts that support one or more underlying reasons for the denial of a charter school petition under consideration

# GLOSSARY

NAME	DEFINITION
initial petition	submission of a new charter school petition to a district or county office for consideration of opening a charter school
LEA	local educational agency
lead petitioner	person who is the main contact for the submission of a charter petition to a school district or county
MOU	memorandum of understanding is a document that describes the broad outlines of an agreement. MOUs communicate the mutually accepted expectations of all of the parties involved.
petition appeal	submission of a charter school petition to a county office or state board of education that was initially submitted and denied by a district
petition review team	district or county office staff or consultant, with expertise in various areas of K-12 education, assigned to review a charter school petition
petitioner	person or persons submitting an application, or "petition" to open a public charter school
renewal petition	submission of documents as required by law to renew an existing charter school
SBE	state board of education
SELPA	special education local plan area
SPED	special education