



Los Angeles Unified School District

Administrative Procedures for Charter School Authorizing

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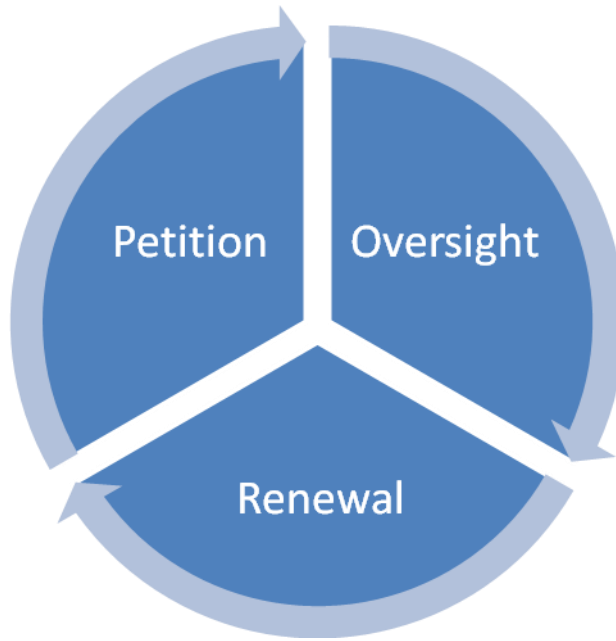
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INTRODUCTION

The purpose of charter school authorizing is to improve student achievement. A quality authorizer engages in responsible oversight of charter schools by ensuring that schools have both the autonomy to which they are entitled and the public accountability for which they are responsible.

National Association of Charter School Authorizers,
Principles and Standards of Quality Authorizing, 2009

The administrative procedures contained herein are designed to guide the work of the Charter Schools Division (CSD) of the Los Angeles Unified School District (LAUSD) and to give charter school governing boards, administrators, staff and the public a clear understanding of its authorizing practices. These practices support and promote charter schools as an integral partner in meeting the diverse educational needs and priorities of all students and families LAUSD has the privilege to serve.

Transparent and consistent authorizing promotes a rigorous and respectful relationship among charter school operators, advocates and authorizers. As the circular figure above illustrates, the three phases of authorization—petition, oversight and renewal—form a unified process. They coherently connect the petition for a new school, the review of the school’s performance during the life of its charter, the renewal decision and, ideally, the renewal of its charter.

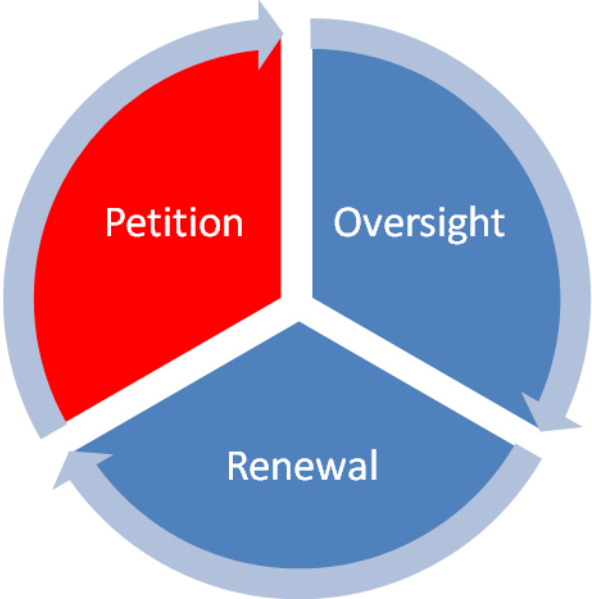
This document contains the administrative procedures that implement the Los Angeles Unified School District’s Policy for Charter School Authorizing, as previously approved by the Board of Education in January 2010. They are grounded in the Policy, aligned with the applicable California Educational Code

and informed by the National Association of Charter School Authorizers' *Principles & Standards for Quality Charter School Authorizing*.

The work of the Charter Schools Collaborative, a working team comprised of representatives from CSD and LAUSD staff, charter school operators, support organizations and researchers, informed the creation of these procedures. The group candidly discussed their issues and concerns, reviewed the policy to identify the key elements of high quality authorizing and used the list of those key elements to guide their work in developing possible procedures.

The Charter Schools Division's administrative procedures are consistent with the Los Angeles Unified School District's policy for charter school authorizing. The policy may be found online at <http://charterschools.lausd.net>.

NEW SCHOOL PETITIONS



Introduction to New School Petitions

The Administrative Procedures for New School Petitions is a guide for the Charter Schools Division (CSD) and potential petitioners for charter schools authorized by the Los Angeles Unified School District (LAUSD). The CSD, with input from the Charter Schools Collaborative, has designed these procedures to give charter school governing boards, administrators, staff and the public a clear understanding of the petition review process. It contains guidance for potential petitioners, establishing consistent steps, timeline benchmarks, and key dates in the petition review process. Furthermore, it clarifies the roles and responsibilities of CSD and the petitioner.

The charter petition is the proposal for a charter school and once approved by LAUSD’S Board of Education serves to delineate the charter school and LAUSD’s respective responsibilities in providing education and oversight. It provides detailed educational plans, including mission and vision, and student achievement goals, as well as fiscal, governance and operational policies and procedures. In conducting its review of a charter petition, CSD complies with the Charter Schools Act, codified under California Education Code §47600, et seq., which delineates requirements that charter authorizing entities are to follow in reviewing charter petitions. Accordingly, the division seeks to determine whether the charter petitions are reasonably comprehensive, educationally sound and likely to be

successfully implemented.¹ Based on its conclusion, CSD makes a recommendation to the Board of Education.

Charter Petition Review Process

This section describes each phase of the petition review process. Please see the following chart for a visual illustration of the petition review process. This section will establish consistent steps in the petition review process in order to determine the final recommendation to the Board and targeted days for completing each step. It will consider the track record of petitioners that have successful charter schools within LAUSD. The process supports the fulfillment of legal compliance while maintaining petitioners' ownership over the petition to demonstrate their capacity to successfully open a charter school and implement the charter.

Step 0: Prior to Petition Submission

CSD provides two sources of guidance for parties who wish to submit a charter school petition: (1) documents posted on the division's website and (2) orientation sessions. Documents posted on the division's website include the petition itself, as well as supporting documents such as Required Language² and Charter School Petition Review Form (which provides the standard for reasonably comprehensive.) The orientation sessions provide an overview of the petition and the review process.

Prior to submitting the petition, potential petitioners are requested to submit a letter of intent³ to apply for a charter school. Furthermore, they are strongly encouraged to take advantage of the resources that are available to them including successful charter schools, previously approved charters, and the various organizations that support charter school development. Note that elements of previously approved charters may not constitute established precedents; recently approved charters are more likely to offer successful models for current petitions. While previously approved charters can be a useful resource, submitted petitions should represent the work of the petitioners.

Once the CSD receives the letter of intent, the division will work with the petitioner to arrange for submission of the petition. Prior to submission, the petitioner should confirm that the petition is complete, as an incomplete petition cannot be reviewed or recommended.

Through the posted documents and orientation, CSD will provide guidance to facilitate the petition process and to clarify what is expected of a successful petition. However, beyond the Required Language provided, the content of the petition must be created by the petitioner. CSD uses the content of the petition to assess the likelihood that the proposed school will provide an educationally sound program for the target population within a fiscally sound, viable organization.

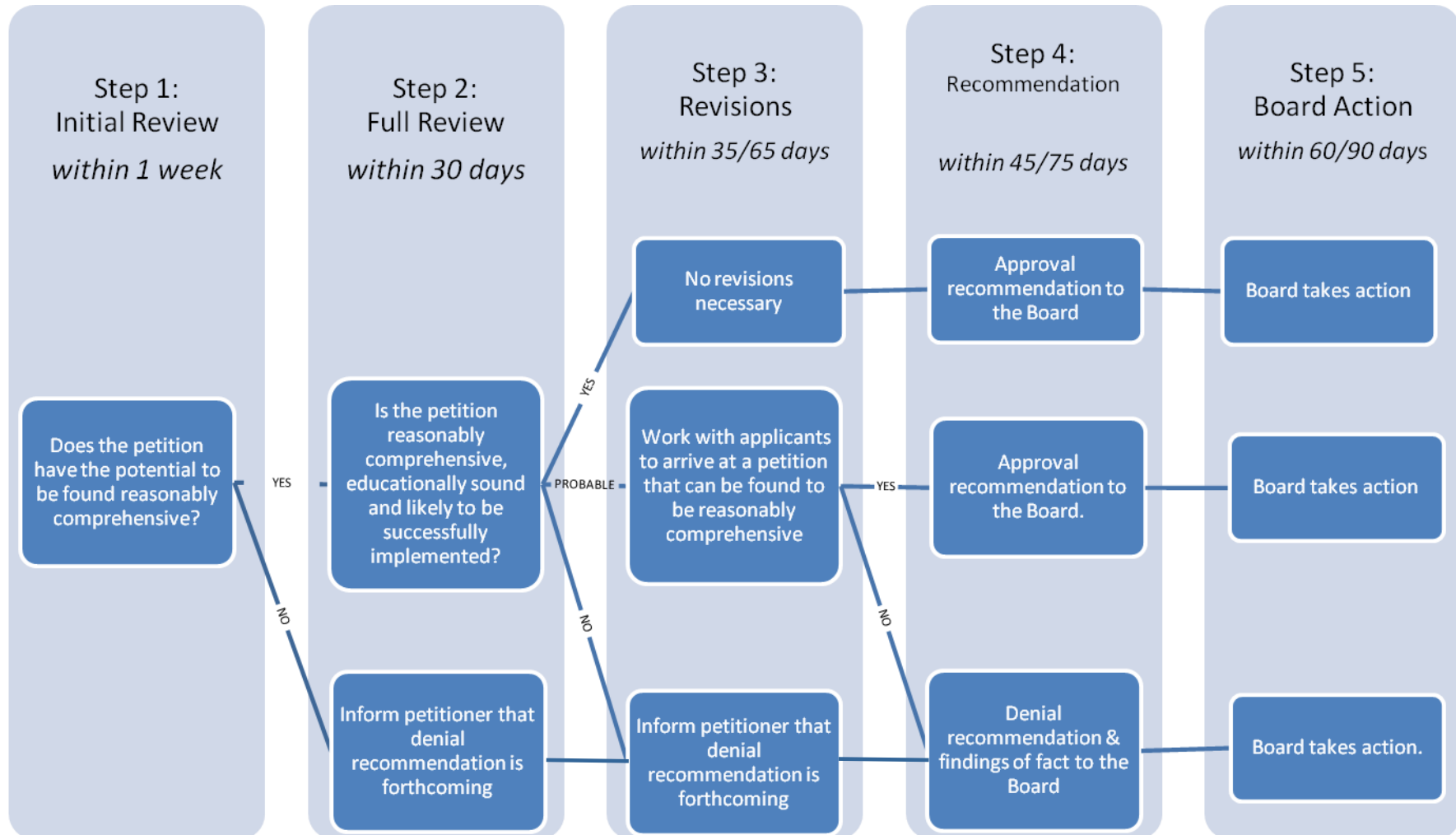
¹ Note that the basis for denial of a charter petition as specified in California Education Code § 47605(b) is "unsound educational program" or "demonstrably unlikely to successfully implement the program." Within this document, CSD has used "soundness of the educational program" and "likelihood of successful implementation" as descriptors of this standard.

² Note that when changes are proposed to Required Language, the Charter Schools Collaborative reviews the proposed changes and prior to adoption, they are submitted to the Superintendent for his/her review.

³ The letter of intent form is available on the CSD's website at <http://charterschools.lausd.net>.

Petition Review Process Flowchart with Targeted Dates

This section will provide a visual representation of the consistent steps in the petition review process. Note that steps 3-5 contain targeted number of days for the step with and without a mutually agreed upon 30-day extension.



Step 1: Initial Review

The purpose of this step is to determine if the petition has the potential to be found reasonably comprehensive. CSD's determination should be completed *within 1 week* of submission.

During this step, CSD staff conducts an initial review of the charter petition. The sole purpose for this initial review is to determine if the petition has the *potential* to be found reasonably comprehensive, educationally sound and likely to be implemented successfully based on the criteria described more fully in Step 2: Full Review.

At least two CSD staff members conduct an initial review using a review form based on California Education Code §47605(b) and the corresponding California State Board of Education Regulations (CCR, Title 5, Section 11967.5.1 – *Criteria for the Review and Approval of Charter School Petitions by the State Board of Education*). The initial review focuses primarily on Elements 1-4 (Educational Program, Measurable Student Outcomes, Method by Which Student Outcomes Will Be Measured, and Governance) and the budget.

If CSD finds that the petition has the potential to be successful, the petition is passed to the next stage, Step 2: Full Review. Some petitioners may have already established a track record that indicates that their petition is likely to be reasonably comprehensive, educationally sound and successfully implemented. These charter school operators have a successful history of charter school operations within LAUSD, as documented by high student achievement results and strong past oversight records. In such cases, if the submitted petition proposes a replication of the charter school operator's current model, the petition is likely to merit a full review and will be passed to Step 2: Full Review

If one or more of the reviewers concludes that there is substantial evidence the petition is not reasonably comprehensive, a senior staff member conducts a second review of Elements 1-4 and consults with fiscal staff regarding the budget. If s/he concurs that there is sufficient fact-based evidence to merit a denial recommendation, CSD, in coordination with the Office of the General Counsel, reviews the entire petition, and prepares findings of fact to accompany the denial recommendation. The petitioner is informed of the decision and provided with the findings of fact.

Step 2: Full Review

The purpose of this step is to conduct all necessary analysis to determine if the petition is reasonably comprehensive, educationally sound, and likely to be successfully implemented. It should be completed *within 30 calendar days* of submission.

The full review is conducted by a team of CSD staff, including instructional and fiscal staff, as well as LAUSD'S legal counsel and additional district staff. It consists of an examination of Elements 1-16 of the petition, a fiscal review, a capacity interview and the due diligence background checks. CSD and LAUSD conduct the full review internally and do not provide any feedback to the petitioner during this phase of the review process. In this way, the petitioner receives a single set of feedback, rather than multiple

iterations. CSD compiles all relevant feedback and provides it to the petitioner in a single document. At that point Step 3: Revisions begins.

Petition: Elements 1-16

The petition consists of 16 elements required by California Education Code §47605(b) (5), which requires that a successful petition contain “reasonably comprehensive descriptions” of each element. CSD staff reviews and assesses whether the petition is reasonably comprehensive and educationally sound, and determines whether charter petitioners are “demonstrably unlikely to successfully implement the program.” Assessment is completed according to Petition Review form based on California Education Code §47605(b) and the corresponding California State Board of Education Regulations (CCR, Title 5, Section 11967.5.1 – *Criteria for the Review and Approval of Charter School Petitions by the State Board of Education*). For more information, please refer to Appendix A: Reasonably Comprehensive Petition, which contains the state board regulations.

CSD reviews Elements 5-16 in consultation with the Superintendent’s Advisory Council (SAC).⁴ SAC will provide CSD staff with the criteria used to assess Elements 5-16 and provide direction as to when CSD staff should request additional guidance from SAC. Based on the direction provided by the SAC members, CSD staff will review elements 5-16. When concerns emerge during the review, CSD will prepare a summary of the concerns. CSD will send the petition to each SAC member, along with a summary of concerns as appropriate to the SAC member’s area of purview. In order to meet its statutory deadlines, CSD will also provide a deadline for comments and certification of review. It is at the SAC member’s discretion if s/he wishes to review the petition section itself or the summary of issues prepared by CSD.

Capacity Interview

The California Education Code requires charter authorizing entities to determine whether petitioners have the capacity to successfully implement the program set forth in the charter petition (§47605 (b)(2)). To this end, and as a best practice for high quality authorizing, CSD conducts a capacity interview as part of the petition process for proposed charter schools.

Once the petition has passed Step 1: Initial Review, CSD will schedule the capacity interview in a timely manner so that full review can be completed within 30 days of submission. (Note that petitioners should consider whether or not their team will be able to attend a capacity interview within 30 days prior to submitting a petition.) The capacity interview is led by a Senior Coordinator assisted by one or more members of his/her team and a fiscal representative from CSD.

During the interview, petitioners will have the opportunity to demonstrate their experience and expertise relating to matters set forth in their petition. The interview will include scenarios of hypothetical situations that could occur at a charter school. Such questions do not have a single correct

⁴ SAC is comprised of content experts from other offices that provide input for specific sections in the review process (i.e. suspensions/expulsions, insurance, etc.).

answer, but rather are designed to elicit opportunities for petitioners to demonstrate their capacity to lead and manage a charter school.

In determining who should attend, the petitioner should consider that this is a key component of demonstrating their capacity and use their own judgment to plan accordingly. The team should be comprised of members who are prepared to answer questions about the proposed program, including, but not limited to: school governance, mission and vision, instructional program, school operations, fiscal operations, student populations, student enrollment, assessment and data analysis.

CSD recommends that a majority of the members of the governing board for the proposed charter school and the following individuals be present at the capacity interview:

1. The lead petitioner(s)
2. The person(s) who will be responsible for day-to-day running of the school
3. The person(s) who will be responsible for day-to-day management of the school's finances
4. The principal (if one has been selected)
5. The educational leader of the school

Although a single person may fill more than one of the above roles, the principal and the financial person may not be the same in order to segregate duties and to mitigate potential conflicts of interest.

Based on the results of the interview and input from the interview team, the Senior Coordinator will make a determination regarding the capacity of the petitioner team to successfully implement the program set forth in the charter petition. If the capacity interview provides an affirmation of the petitioner team's capacity, the results become evidence in support of the petition.

If it is determined that the petitioner team lacks the capacity to successfully implement the plan set forth in the charter petition, the petition will be recommended for denial. CSD will incorporate evidence from the interview and submitted petition into the findings of fact, and submit to the Board with a denial recommendation.

CSD may determine that petitioners who are currently successful charter operators within LAUSD (and who propose the same governing board) may be excused from the capacity interview. In such cases, evidence in the form of student performance results (at the same grades as the proposed school) and previous oversight records for their other schools will serve as evidence of capacity.

Fiscal Review

CSD will conduct a review of the school's fiscal status and proposed operations as part of the full review. The petition is reviewed for fiscal impact, or the personnel and materials required to implement the proposed program (e.g. salaries, instructional supplies, equipment, facilities, maintenance of facilities, professional development, and contract services). Fiscal staff assesses whether the assumptions used both for revenue and expenditures are reasonable and realistic. Based on this assessment, the fiscal staff will examine current funds, three-year budget and three-year cash flows to determine if the school is likely to be financially viable.

Due Diligence

CSD works in consultation with the Office of the Inspector General (OIG) to exercise due diligence. As part of the petition, the lead petitioner(s), principal, and on-site financial manager submit questionnaires and resumes. In addition to examining the submitted documents, the OIG conducts background checks using public records to determine whether there is something in those records that would question their capacity to fulfill their role with regards to the proposed charter school. Ideally, due diligence is completed within the 30-day window for Full Review. However, if at any time during the petition review process due diligence reveals substantial concerns regarding the petitioners' capacity to lead a charter school, CSD is obligated to act on the information by means including, but not limited to: further inquiries, requests for additional information and interviews about the concerns.

Public Hearing

Each month, there will be a standing Board item, informing the Board of petitions under review and to allow for public comment. At this time, the school board will be able to "consider the level of support for the petition by teachers employed by the district, other employees of the district, and parents," as directed by Education Code §47605(b).

Through the analysis above, CSD determines if the petition is reasonably comprehensive, educationally sound, and likely to be successfully implemented. Based on the answer, the division assigns the petition to one of the following three categories:

- If YES, it is reasonably comprehensive, educationally sound and likely to be successfully implemented, CSD prepares an approval recommendation and sends the petition to Step 4: Recommendation.
- If PROBABLE, the division has determined that with some modifications the petition would be reasonably comprehensive, educationally sound, and likely to be successfully implemented. The description of the academic program, fiscal planning and governance appear to be strong but leaves the reviewer with some questions and concerns that need to be addressed before a finding of reasonably comprehensive can be made and an approval recommendation can be made to the Board. As such, it is sent to Step 3: Revisions.
- If NO, the petition is *not* reasonably comprehensive, educationally sound, and/or likely to be successfully implemented, CSD prepares a denial recommendation and findings of fact, and sends the petition to Step 4: Recommendation.

Step 3: Revisions

The purpose of this step is to work in collaboration with petitioners to arrive at a petition that can be recommended for approval to the Board as reasonably comprehensive, educationally sound and likely to be successfully implemented. It should be completed within 35 calendar days or 65 calendar days if the petitioner and CSD mutually agree to a 30-day extension.

When a petition is deemed to be close to reasonably comprehensive, educationally sound and likely to succeed, it is recommended for revisions. In this case, the description of the academic program, fiscal

planning and governance appear to be strong but leaves the reader with some questions and concerns that need to be addressed before a finding of reasonably comprehensive can be made and an approval recommendation can be made to the Board. When the concerns are minimal issues within a petition that is fundamentally strong, that petition represents a potential partner in advancing LAUSD's mission to provide high quality educational opportunities for the students it serves. CSD provides feedback to the petitioner in the form of comments and questions, and works with the petitioner to resolve the remaining issues.

CSD will use the "comment" function in Word to insert its comments and questions in the petition. In the case of discrepancies between the petition and Required Language, division staff may note the missing language or suggest deletions within a comment. CSD will limit its use of suggested language to conflicts with Required Language or expeditious, narrow solutions. Throughout the review process, CSD will provide feedback in such a way that the petitioner retains authorship and ownership over the charter petition. In its feedback to petitioners, CSD will clarify which terms and provisions have no room for flexibility. For example, while a certain number of instructional minutes are required by the Charter Schools Act, the schedule of the school day is at the discretion of the potential charter school operator.

CSD will compile all relevant feedback and provide it to the petitioner in a single document. CSD will send the annotated document to the petitioner and make staff available to discuss comments and concerns in more detail, as necessary. Any sections that do not contain comments and questions are satisfactory. The petitioner should not modify these sections of the document without specifically noting it. The division will use the "compare" function to confirm that original, approved sections remain unaltered.

Along with the annotated petition, the division will provide a deadline for submitting revisions in order to meet the statutory timeline. In order to meet the 60-day timeline, CSD must submit a board report with either an approval recommendation or a denial recommendation accompanied by findings of fact, two weeks prior to the Board meeting. If the petitioner does not submit a reasonably comprehensive petition within 35 days, the process will continue down one of two possible paths: (1) CSD and the petitioner mutually agree to 30-day extension or (2) CSD prepares to submit a denial recommendation and findings of fact.

For schools that enter the revision stage, CSD will request that the petitioner agree to the 30-day extension of timeline (90 days total) to allow both parties to come to a resolution regarding the CSD's remaining concerns. If the necessary revisions cannot be completed within the 60 calendar day timeline and the petitioner does not agree to the 30-day extension, CSD will be obliged to submit a denial recommendation to the Board.

Successful resolution of the remaining requirements will lead to a finding that the petition is reasonably comprehensive, educationally sound and likely to be successfully implemented. An approval recommendation will then be submitted to the Board.

Step 4: Recommendation

The purpose of this step is to provide a recommendation to the Board based on the CSD's evaluation and should be completed within *45 calendar days* or *75 calendar days* if the 30-day extension was mutually agreed upon.

Based on the analysis conducted as described above, CSD submits a recommendation for approval or denial to the Board of Education. Denial recommendations are supported by written findings of fact.

Step 5: Board Action

The purpose of this step is for the LAUSD Board of Education to make a decision regarding the charter petition and should be completed within *60 calendar days* or *90 calendar days* if the 30-day extension was mutually agreed upon.

The Board of Education makes a final decision regarding the charter petition which it may either approve or deny. Based on the recommendation of the CSD and the guidelines delineated in Education Code §47605, the Board takes action. The Board of Education may deny a petition for a new school if they find that:

1. the charter school will provide an *unsound educational program* for students during the term of its charter;
2. the charter school is 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 the necessary affirmation set forth in the Charter Schools Act; or
5. the petition does not contain reasonably comprehensive descriptions of the sixteen required elements set forth in the Charter Schools Act.

The Board of Education shall not deny a charter petition unless it makes written factual findings setting forth specific facts to support one or more of the above five findings, pursuant to Education Code Section §47605(b).

Should the petitioner's charter petition be denied, the charter school has the right to appeal to the Los Angeles County Board of Education within 30 days following the final decision by the LAUSD Board of Education. The CSD will work with the Los Angeles County Office of Education to ensure that all necessary documentation (including Findings of Fact and Confirmation of Denial) is delivered in a timely manner. Should the petition be denied by the county; the petitioner has the right to appeal to the California State Board of Education.

Roles and Responsibilities

This section describes the roles and responsibilities of each party as they pertain to the petition review process. Please see the following chart for responsibilities at each stage of the petition review process.

Charter School: Prior to submission, the petitioner should become familiar with the expectations for a successful petition. The role of the petitioner during the petition process is to submit a complete petition based on their educational and organizational design. During the review process, the petitioner participates in the capacity interview, and responds to CSD questions and comments in order to arrive at a petition that is reasonably comprehensive, educationally sound and likely to be implemented successfully.

Charter Schools Division: The role of the Charter Schools Division is to analyze the charter school petition to determine if it is reasonably comprehensive, educationally sound and likely to be successfully implemented. It reviews the petition in consultation with the Superintendent's Advisory Council (SAC) and conducts due diligence in consultation with the Office of the Inspector General (OIG). When the full review indicates that the petition is strong but needs revisions to be found reasonably comprehensive, the division provides feedback to the petitioner in the form of comments and questions to guide the petitioner in arriving at a petition that is reasonably comprehensive, educationally sound and likely to be successfully implemented. CSD regards petitioners as potential partners in providing high quality educational opportunities to LAUSD students. When a petition appears to propose an educationally strong program within a viable organization, the division will work with petitioners to resolve other issues to the mutual satisfaction of the District and petitioners.

Since one of the original goals of the Charter Schools Act is to "encourage of the use of different and innovative teaching methods," the CSD will encourage and learn from innovative practices. It is the responsibility of the Division to focus on the quality of the educational program, the school's capacity to implement it and, if chartered, the student achievement outcomes that it produces, rather than its fidelity to a traditional approach. The CSD authorizes and reviews schools with diverse missions, designs and programs. For example, a charter school may be established in conjunction with a charter management organization or as a group of concerned educators. It may identify "at-risk" students by eligibility for free or reduced price lunch and/or students who live within the zone of a failing school. The school may outline its curriculum as textbook or trade book based. The CSD has no institutional preference in this regard. Instead it strives to authorize schools that provide high quality educational opportunities. The CSD will provide professional development to division staff to develop the capacity to evaluate schools that use a variety of educational approaches by assessing outcomes, soundness of the educational program and capacity to implement.

Board of Education: The Board of Education reviews the recommendation of the Charter Schools Division/Superintendent and either approves or denies the petition at a public hearing and, if denying a charter petition, adopts the written findings of fact in accordance with Education Code Section §47605(b).

Roles and Responsibilities at Each Step of the Petition Review Process

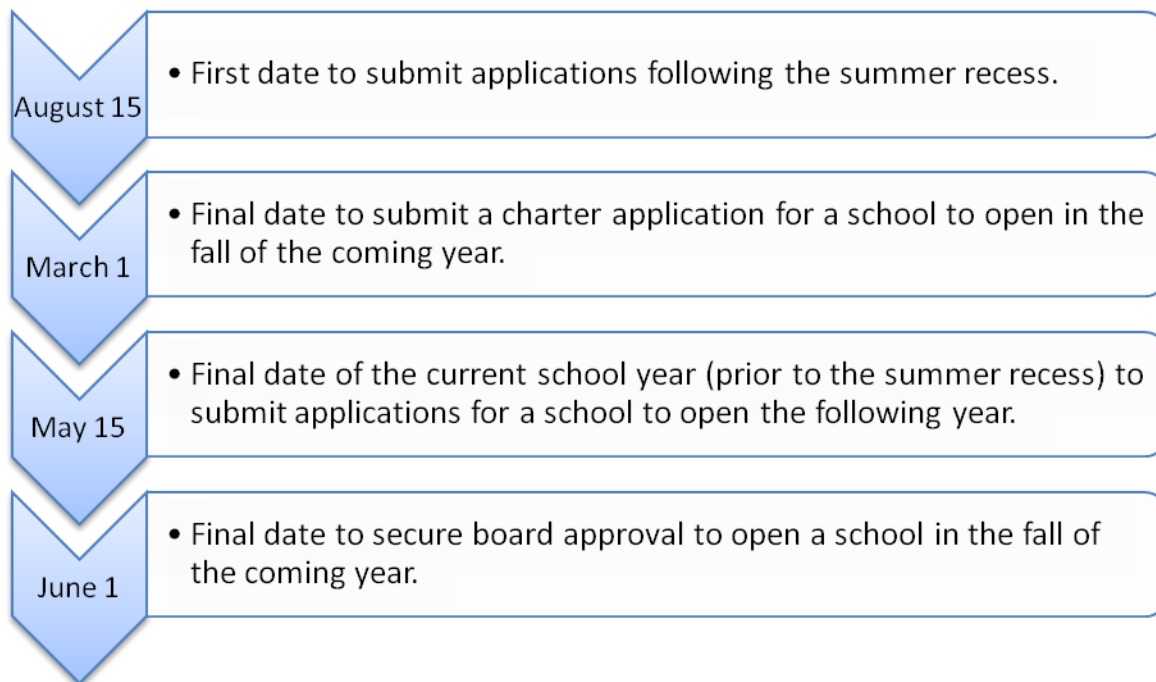
Petition Review Step	Innovation & Charter Schools Division	Charter Schools
Step 0: Prior to Submission	Provide petition submission instructions, required language and definition of reasonably comprehensive for the 16 elements. Hold orientation session.	Learn about the petition review process and expectations for successful petitions. Write charter petition.
Step 1: Initial Review	Review Elements 1-4 and budget. Determine if petition has the potential to be educationally sound, likely to be successfully implemented and reasonably comprehensive.	None.
Step 2: Full Review	Review petition in consultation with SAC and conducts due diligence with OIG. Conduct capacity interview.	Participate in capacity interview, as needed.
Step 3: Revisions	Provide feedback in the form of comments and questions.	Respond to CSD's comments and questions.
Step 4: Recommendation	Prepare recommendation and supporting documentation	
Step 5: Board Action	Present recommendation to the Board.	Attend Board meeting, if desired.

Recommended Timeline

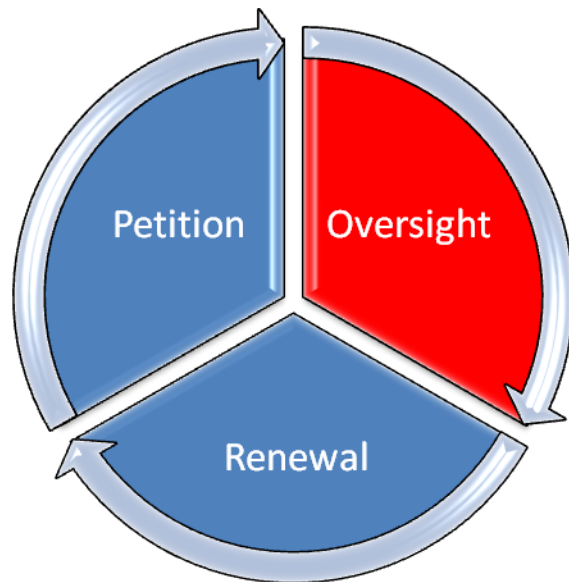
This section will outline the process to ensure that statutory deadlines are met.

CSD encourages the submission of petitions from August 15 to May 15 each year. This is to accommodate the summer recess schedule and the 60-day statutory timelines. Much of the CSD staff is not assigned during the summer recess and the Board does not meet as frequently during the summer, making it unlikely, if not impossible, to meet the required deadlines. CSD requests that applicants work with CSD to submit applications within the preferred timeframe. The recommended deadline for petitions that seek to open a school in the fall of the coming year is March 1.

Recommended Deadlines for Petition Submission



OVERSIGHT



Introduction to Oversight

It is the philosophy of the Los Angeles Unified School District (LAUSD), in accordance with the California Charter Schools Act, to evaluate charter schools using a performance-based system. To that end, LAUSD has adopted Criteria for Renewal,⁵ which clearly articulate the District’s expectations with regard to charter school performance. Throughout the life of the charter, LAUSD will evaluate charter schools coming to charter renewal against, and will make renewal decisions based upon, the Criteria for Renewal. The second of the three criteria, Criterion 2: Sound Educational Program and Capacity to Implement, is used by CSD to guide its oversight during the term of the school’s charter. The set of performance indicators contained therein measures the outcomes of the school’s educational program, fiscal operations and governance.

CSD acknowledges that it is a core responsibility of every authorizer to “conduct [charter] oversight that evaluates performance, monitors compliance, informs intervention and renewal decisions, and ensures autonomy provided under applicable law.”⁶ To this end, the CSD conducts a number of regularly scheduled, formal visits of all public charter schools authorized by the LAUSD. The purpose of these visits is to monitor each school’s progress in achieving the academic, organizational, and fiscal objectives

⁵ For more information regarding the Criteria for Renewal, please see p. 28.

⁶ National Association of Charter School Authorizers, *Principles and Standards of Quality Authorizing*, 2009.

set forth in its charter and the Criterion for Renewal, Criterion 2: Sound Educational Program and Capacity to Implement. Within this criterion are four categories of performance indicators:

1. Student Achievement and Educational Performance
2. Governance and Organizational Management
3. Fiscal Operations
4. Fulfillment of the Charter

As part of the four categories listed above, oversight shall include a review of the school's compliance with applicable law, regulations, court orders⁷, any applicable memorandum of understanding, and the terms of its charter. Furthermore, in alignment with the intent of the legislation, oversight visits will also serve as opportunities for reflective assessment for both the charter school and district staff to broaden the lens used to monitor the performance of the charter school and to systematically assess "different and innovative" practices implemented for possible use in District settings.

These administrative procedures strive to clearly articulate the explicit link between CSD's regular oversight processes and the Criteria for Renewal. Charter school leaders and governing board members are encouraged to take a cooperative approach to these oversight processes and engage with the CSD in monitoring the school's programs. Providing additional evidence when appropriate and making corrections or adjustments when necessary will increase the likelihood of the school's success.

The regular and ongoing process of school visits and evaluations:

- *aligns to the LAUSD's Criteria for Renewal and renewal review process.* Like the renewal visit that charter schools will experience at the end of the charter term, regular and ongoing school visits consist largely of the same components, including classroom observations; interviews with the school administrators, faculty, and board members; and document review, including a review of student work by the team. In many respects, the regular and ongoing school visits and evaluations model the renewal process. Most importantly, however, the school visit team utilizes the school's performance goals and the Criteria for Renewal as the lens through which they examine the school.
- *allows the charter school and the CSD to understand if the school is progressing successfully to renewal and serves as an indicator of the likelihood of the school's ability to make a compelling case for renewal.* Subsequent to each formal school visit, charter schools will receive written feedback from the visit team. Over time, this information will form a part of the evidence base used by the CSD in order to make a recommendation regarding the school's renewal. Through the process of sharing formative and summative feedback, charter schools have an opportunity to respond to this feedback and learn about what they are expected to accomplish by the time they apply for renewal and their progress towards

⁷ Charter schools are required to be in compliance with the terms of the Modified Consent Decree. Please see Additional Provisions: Educating Students with Disabilities for more detailed information about charter schools' obligations regarding Special Education.

those goals. It is the CSD’s intent that this process serve to ensure the fairness and transparency of its recommendations on renewal, ensuring that a charter school should never be surprised by any recommendation.

- *provides schools with formative feedback regarding their progress towards renewal and affords them an occasion to take early corrective action if they are not, thereby increasing the opportunities for a charter school to succeed.* Once the visit team has issued its written report to the charter school, the CSD is committed to discussing the conclusions of the report with the school’s leadership and governing board (as well as other constituents, if necessary). These conversations will also include a reflection upon the school’s own assessment of its progress towards meeting goals contained within its performance goals as well as progress towards the Criteria for Renewal.

Developmental Approach to Oversight

In the early years of a school’s charter, the visit team focuses on the progress a school is making toward implementing its instructional and assessment programs, which in turn will heavily affect the progress that a school will be able to demonstrate in meeting its performance-based measures during the charter period. Because the CSD recognizes that much of the evidence necessary to evaluate a school’s successes and/or deficiencies in these areas is not always available in written documentation, the CSD has devised a site visit protocol that includes qualitative factors, including classroom visitations, meetings with school administrators, conversations with staff and students, and reviews of student work.

The standard of review that the CSD uses in the early years of the charter is different than those used at renewal. The CSD takes into account the fact that the school is in start-up and is growing, and the observations and findings reflect that. At renewal, however, a school will be expected to have moved from the beginnings of implementation and the promise of future growth to full and effective implementation, with a corresponding increase on student achievement results as the outcome of the school’s educational program.

The focus of site visits is adjusted over the term of the charter as indicated by the chart below:

Charter Year	Purpose of Visit
Prior to Opening	To provide an orientation to the CSD’s accountability and oversight processes. To assess the charter school’s preparedness for opening.

Charter Year	Purpose of Visit
Year 1	<p>To provide an overview of the completeness of any prior opening actions and feedback relative to the Criteria for Renewal.</p> <p>To confirm legal compliance in applicable law, court orders, and memorandum of understanding.</p> <p>To learn about the school’s self-identified areas of strength and areas needing improvement.</p>
Years 2 – 4	<p>To evaluate the status of the school in meeting performance goals and the Criteria for Renewal.</p> <p>To confirm legal compliance in applicable law, court orders, and memorandum of understanding.</p> <p>To learn about the school’s self-identified areas of strength and areas needing improvement.</p>
Year 5	<p>To verify and augment claims made in the school’s renewal petition.</p> <p>To evaluate the school’s qualitative evidence of success relative to its performance goals and the Criteria for Renewal.</p> <p>To learn about the school’s self-identified areas of strength and areas needing improvement.</p> <p>To gather additional evidence regarding critical issues with regard to the school’s academic program, fiscal soundness, legal compliance, court orders, and memorandum of understanding, and organizational viability.</p>

While Education Code §47604.32 requires a school site visit during each year of the charter term, the CSD will use the results of the previous oversight visits to appropriately focus the scope of that year’s visit. Those charter schools that are able to demonstrate substantial evidence that they are meeting their performance goals, complying with applicable laws, and addressing the Criteria for Renewal through the Charter School Self-Assessment and other monitoring mechanisms may receive an abbreviated site visit. Those charter schools that struggle to demonstrate adequate progress toward meeting the aforementioned areas may receive one or more school site visits each year. The focus of subsequent visits will be to follow up on the developmental needs of each school from year-to-year. Key areas of inquiry in which the school has consistently demonstrated sound practice from year to year

will be monitored, but will not serve as critical area of focus during subsequent school site visits. In addition, the District reserves the right to visit the charter school at any time as part of its oversight responsibilities.

Each charter school will be assigned to a team of CSD staff that will work with the school throughout the life of its charter. The structured team approach will improve the connection among the phases of authorizing--from the initial petition for a new school through the life of the charter term and up to the renewal decision and subsequent renewal petition. The long term relationship with the team will support getting to know the school, enabling that team to track the school's development over time and to provide substantive feedback regarding its progress towards renewal.

Components of Oversight

This section describes the components that comprise the CSD's monitoring of a school over the life of its charter.

Self-Assessment

Charter schools in the first, second, third, or fourth years of their charter complete a brief self-assessment and submit it to the CSD not less than one month prior to the date of the visit. (Charter schools in the fifth or last year of their charter term should submit a Renewal Petition in lieu of the self-assessment.)

The goal of the self-assessment is to promote directly relevant, respectful and rigorous conversations during the site visit—and to enable the school to take an active role in preparing for and contributing to the effectiveness of the site visit. Since the self-assessment is closely aligned with the Criteria for Renewal and the School Site Visit Protocol, it provides a process through which the charter school can actively reflect on its progress toward meeting its performance goals and the Criteria for Renewal. By communicating their analysis to the CSD team members, it enables the school to direct their attention to the key programmatic elements of which they are particularly proud and to communicate their plans for future development. In essence, it is the school's opportunity to say "This is the way that we see our school."

In preparing the self-assessment, the school is asked to briefly list their strengths and developmental needs in several key areas of inquiry for each domain in the Criteria for Renewal. As an example, for Student Achievement and Educational Performance, the school would be asked to reflect on assessment, curriculum, instruction, expectations for students and results. The following information may be useful when preparing the self-assessment:

School Strengths and Evolving Promising Practices: The charter school should provide positive indicators and evidence related to the key areas of inquiry. Over time, the CSD may share established promising practices throughout the District.

School Developmental Needs: The Charter Schools Division encourages the charter school to be forthcoming with regard to challenges it faces in meeting performance goals and the Criteria for

Renewal so that it may be proactive in strategizing how it may overcome those challenges as it approaches renewal.

Document Review

In order to maximize efficient use of limited resources and minimize duplication of effort by both District and charter school personnel, prior to the visit, CSD will examine existing documents, previous reports, and web-based resources already available to the District. This will allow the CSD team to focus their attention on critical issues that emerged during prior oversight. In addition, the CSD may ask the charter school to submit additional documentation regarding its current programs and practices that will be reviewed by the school site visit team in preparation for the site visit. On the site visit, the CSD team may request additional document preparation by the school if questions, concerns and/or inconsistencies arise.

Whenever possible, the CSD will work with the school to facilitate the transfer of documents electronically to minimize the administrative burden and to allow a larger portion of the site visit to be devoted to data collection that can only be done on site through interviews and observations.

School Site Visit

The protocol for the School Site Visit closely resembles the protocol for the CSD Renewal Site Visit. During the School Site Visit, the CSD team will investigate key areas of inquiry that are aligned with the Criteria for Renewal in order to provide feedback to the school about its progress towards renewal. For example, with regards to Fulfillment of the Charter, the team examines stakeholders' awareness of the school's mission and goals as well as implementation of the educational philosophy outlined in the charter agreement. The team will also review the school's compliance with the provisions in its charter.

The School Site Visit will include a tour of the school facility, classroom observations and interviews with key stakeholders of the charter school, including charter school administrators, teachers, parents, students, and members of the governing board. CSD staff will develop the visit schedule in collaboration with the school leader. The CSD team leader for the School Site Visit will work closely with school administrators to create a visit schedule that takes into account the charter school's unique organization and daily schedule.

The site visit will be conducted by a member or members of the school's CSD team, and, as needed, a member of the CSD staff responsible for fiscal oversight. Additional team members and LAUSD staff may participate in the School Site Visit, depending upon the unique elements of the school. To the extent possible, a cadre of qualified external parties, including LAUSD staff or successful charter school operators, may be invited to join visit teams. Local school district staff may be invited to participate in site visits, particularly if the charter school under a review has the potential to serve as a model of a best practice. CSD will honor all charter school policies regarding the inclusion of visitors above and beyond site visit team members.

Fiscal Oversight

CSD will conduct annual monitoring of the charter school’s fiscal operations in accordance with the Charter Schools Act, although the nature of the evaluation may vary from year to year. The division will conduct on-site evaluations for schools in the first, second, and fourth years of their charters. Fiscal oversight for the remaining schools with strong fiscal standing will be in the form of desk evaluations in which schools will submit required documentation to the CSD, in electronic form when possible, allowing division staff to review documents remotely rather than at the school site. Exceptions to this guideline will include schools whose previous oversight has revealed concerns with financial operations as well as a portion of schools selected at random. These schools will also have on-site visits.

Findings of the School Site Visit Team and Feedback to Schools

School Site Visit team members will generate consensus-based conclusions in each of the key areas of inquiry based on a review of high quality evidence collected during the School Site Visit and from document review prior to the visit. Conclusions will be based on multiple sources of reliable and verifiable evidence, such as student achievement data, documents provided by the school, interviews with key stakeholders, and other observations.

School Site Visit team members will then document their conclusions in an oversight site visit report. The Charter Schools Division will share this report with the charter school in draft form to solicit factual corrections. The Charter Schools Division will then finalize the oversight report and provide it to the school’s governing board as formative feedback on the school’s progress towards renewal. Each year, the CSD will communicate to the school whether it is making adequate progress towards renewal by each of the Criteria for Renewal.

The division will use the information contained within the visit report to inform its ongoing oversight of the charter school and the renewal review process.

Although the information provided in these documents is not intended as a prescription, the Charter Schools Division would encourage the school to review the identified issues thoroughly, and use them to assist in guiding its leadership team to further develop the school’s academic program or other aspects of the school.

Oversight of Charter Schools in Public School Choice

Acknowledging the unique relationship that charter schools participating in the District’s Public School Choice Resolution Program, the CSD will work in conjunction with the Local District to monitor the operations and outcomes of these schools. Specific areas in addition to standard oversight include but are not limited to:

- Progress towards the metrics in the Accountability Matrix
- Enrollment of resident students and alternative school placement requests
- Implementation of the Special Education Plan (in addition to compliance with the terms of the Modified Consent Decree)

- Any items, concerns, or issues associated with co-location on or use of a district campus
- Implementation of the terms of the Facilities Use Agreement and Services Agreement
- Overall promising practices and lessons learned

Annual reports (and others as needed) will be shared with the Superintendent for review as part of the school's record to be evaluated for PSC renewal purposes at the end of its five-year term, or earlier if needed.

Roles and Responsibilities

This section describes the roles and responsibilities of each party as they pertain to the oversight process.

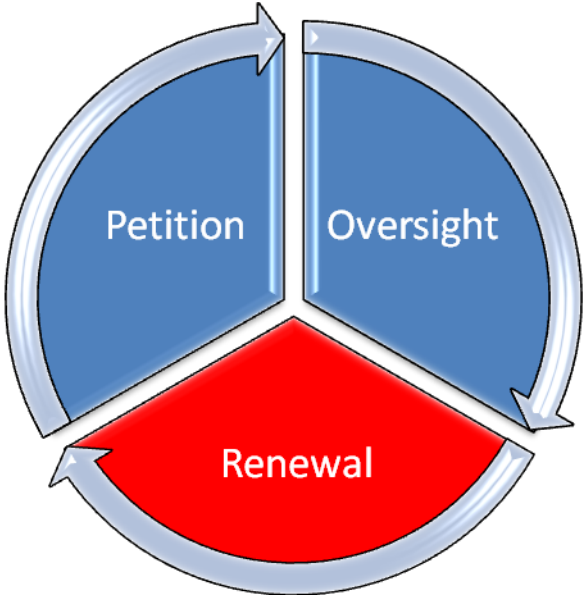
Charter School:

The role of the charter school during the oversight process is to gather, synthesize and present evidence (e.g. official data, authentic assessment data, parent surveys, etc.) related to its most recent performance to the CSD upon request from CSD. The school will highlight its accomplishments while acknowledging its developmental needs, as they pertain to the Criteria for Renewal, including the fulfillment of its charter. In particular cases, the school will prepare information requested from CSD staff.

Charter Schools Division:

The role of the Charter Schools Division is to review previous oversight documentation and student performance data prior to the visit. It tracks the school's strengths and developmental needs year-to-year; assesses the school's fiscal strength; evaluates the charter school's performance against the stated Criteria for Renewal and applicable legal compliance (including compliance with court orders and memoranda of understanding); provides oral and written feedback to schools following school site visits in the form of an oversight report; and communicates to the school its progress towards renewal.

RENEWAL



Introduction to Renewal

During the final year of its current charter term, a charter school that wishes to continue operations applies for renewal. The administrative procedures that follow are a guide to renewal for the Charter Schools Division (CSD) and the charter schools authorized by the Los Angeles Unified School District (LAUSD). The CSD, with input from the Charter Schools Collaborative, has designed these procedures to give charter school governing boards, administrators, staff and the public a clear understanding of the Criteria for Renewal for charter schools and the process for submitting Renewal Petitions in the LAUSD.

Like an initial charter, the renewal charter serves to delineate the charter school and LAUSD's respective responsibilities in providing education and oversight. The renewal charter lays out detailed instructional plans and student achievement goals, as well as fiscal and operational policies and procedures. Renewal petitions that are submitted to the CSD will document the extent to which the charter school has met the Criteria for Renewal in the previous charter term, and define the terms of the renewed charter, should one be approved by the LAUSD Board of Education.

Through these administrative procedures, the CSD also introduces a new path to renewal: Expedited Renewal. The Charter Schools Division shall identify those charter schools that have demonstrated an exemplary record of performance and invite them to apply for Expedited Renewal. It is important to note that charter renewal is not automatic. Charter schools must demonstrate that they have met high standards of performance that are likely to persist in order to continue operations through the term of a renewal charter.

Criteria for Renewal

In making the renewal recommendation decision (approval or denial), CSD evaluates the charter school according to a fixed process guided by the Criteria for Renewal:

1. Minimum Standard for Charter Renewal
2. Sound Educational Program & Capacity to Implement
3. Reasonably Comprehensive Renewal Petition

The first criterion, *Minimum Standard for Charter Renewal*, consists of the minimum student achievement results required to apply for renewal, as defined by the Charter Schools Act. The second, *Sound Educational Program & Capacity to Implement*, examines key indicators of student and school performance achieved by the school thus far. These first two criteria assess the school's performance during its current charter term and the third, *Reasonably Comprehensive Renewal Petition*, assesses its plans for the following charter term, should one be approved by the LAUSD Board of Education.

The Criteria for Renewal establish transparent expectations for charter school performance that apply to charter schools both during the renewal review and throughout the term of the charter. The CSD will evaluate charter schools through the lens of the Criteria for Renewal over the term of the charter and through the CSD's processes for ongoing oversight and performance management. Therefore, charter schools approaching renewal will have a clear understanding of their status with regard to renewal requirements.

The Renewal Review Process

This section describes each stage of the renewal review process. Please see the following chart for a visual illustration of the renewal decision making process. These stages represent decisions that must be made in order to come to a final renewal recommendation. Note that the steps may not occur in a strictly chronological order, based on the availability of state testing data.

Criterion 1: Minimum Standard for Charter Renewal

A charter school approaching the end of its charter term must have demonstrated that it is eligible to apply for a new charter term by meeting the Minimum Standard for Charter Renewal, as defined by Education Code Section §47607. This code specifies academic performance criteria that a charter school must meet in order to be eligible for renewal of its charter.

If the following Minimum Standard for Charter Renewal is met, the Los Angeles Unified School District Board of Education may consider a charter school for renewal. However, if they are not met, then the Board of Education must non-renew, or close, the charter school. Specifically, the relevant education code states that after a charter school has been in operation for four years, a charter school shall meet at least one of the following criteria prior to renewal:

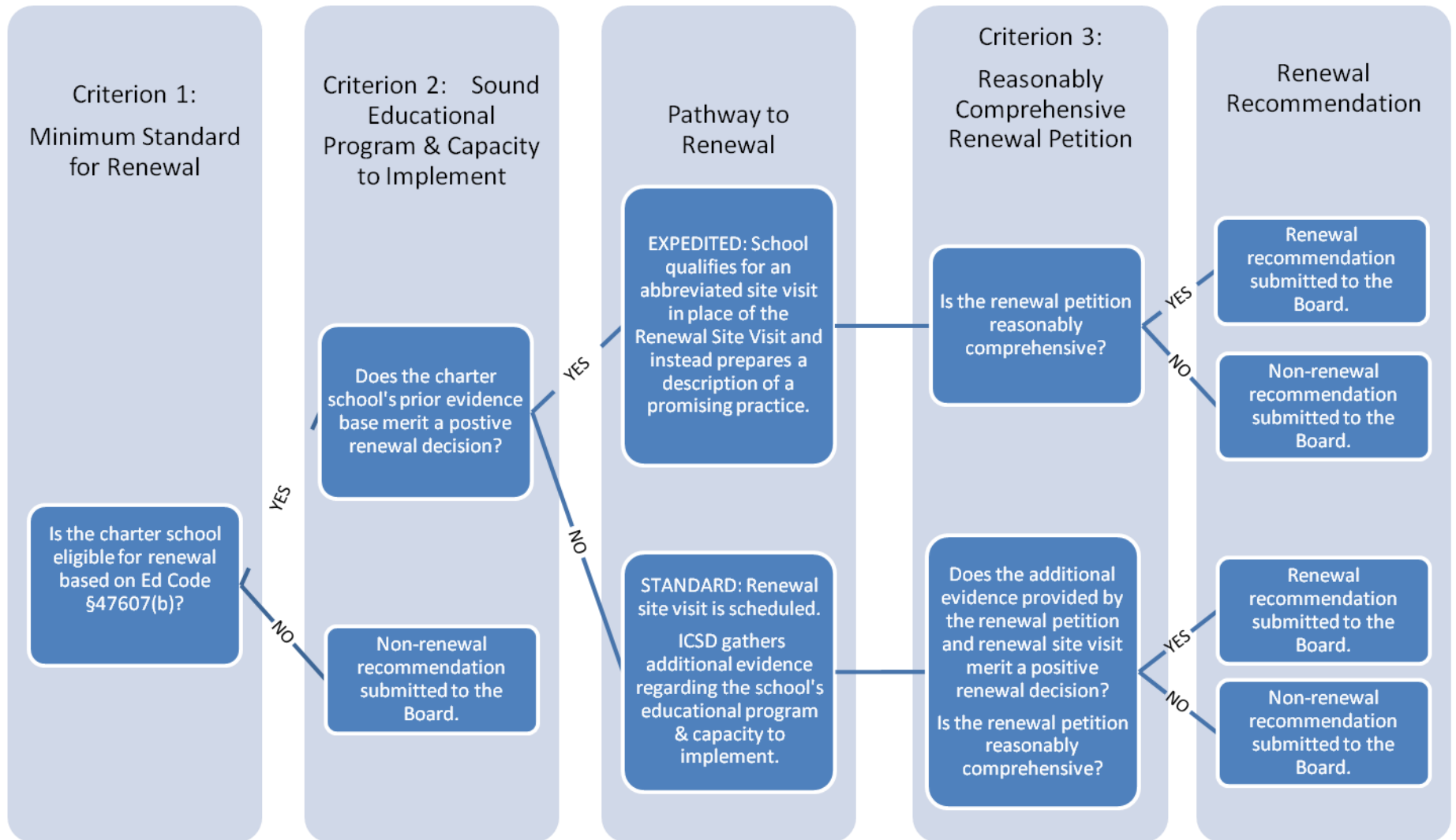
- (1) Attained its Academic Performance Index (API) growth target in the prior year or in two of the last three years, or in the aggregate for the prior three years;

- (2) Ranked in deciles 4 to 10, inclusive, on the API in the prior year or in two of the last three years;
- (3) (3) Ranked in deciles 4 to 10, inclusive, on the API for a demographically comparable school in the prior year or in two of the last three years; or
- (4) (A) The entity that granted the charter determines that the academic performance of the charter school is at least equal to the academic performance of the public schools that the charter school pupils would otherwise have been required to attend, as well as the academic performance of the schools in the school district in which the charter school is located, taking into account the composition of the pupil population that is served at the charter school.
(B) The determination made pursuant to this paragraph shall be based upon all of the following:
 - (i). Documented and clear and convincing data.
 - (ii). Pupil achievement data from assessments, including, but not limited to, the California Standardized Testing and Reporting Program for demographically similar pupil populations in the comparison schools.
 - (iii). Information submitted by the charter school.
- (5) Has qualified for an alternative accountability system pursuant to subdivision (h) of Section §52052.

Upon receipt of the school's Academic Performance Index (API) score, based on the penultimate year of its charter term, the CSD will determine whether a charter school is eligible for renewal, based on whether it has met the achievement threshold above. If it is met, then a charter school may move forward to the subsequent stage of the renewal process, Criterion 2: Sound Educational Program and Capacity to Implement. If the preceding criteria are not met, a charter will be recommended to the Board of Education for non-renewal. (Note that if the API scores are delayed, the division may conduct a preliminary review in August upon receipt of the California Standards Test results. This will serve as a tentative determination of eligibility for renewal. Upon release of the API scores, eligibility status will be confirmed.)

Renewal Decision Process Flowchart

This section will provide a visual representation of the renewal decision process and illustrates how the CSD uses the Criteria for Renewal to come to a renewal recommendation.



Criterion 2: Sound Educational Program and Capacity to Implement

Once the Charter Schools Division has determined that a school has met the Minimum Standard for Charter Renewal, the Charter Schools Division determines if the school's prior evidence base (in the form of student achievement data and previous oversight records) is sufficient to merit a positive renewal recommendation.

Renewal decisions shall be considered according to the standards and criteria in the Charter Schools Act. Education Code §47607 outlines the legislative intent regarding renewals and material revisions of charter schools and indicates that such decisions are to be "governed by the standards and criteria in Section§47605." In this stage of the renewal review process, the relevant education code is as follows:

According to Education Code §47605(b), " A school district governing board 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 may deny a petition if "petitioners are demonstrably unlikely to successfully implement the program set forth in the petition."

While the criteria are the same, the body of evidence available has increased significantly since the initial petition for a new school. In contrast to an initial petition for a new school, a renewal request involves a school with a track record of performance, in the form of student achievement data as well as academic, governance and fiscal records. Thus, sound educational program and capacity for implementation are assessed against the past performance of the existing charter school as indicators of likely future performance, including any applicable benchmarks that have been established.

Consistent oversight records document progress and issues year-to-year over the life of the charter.

In this stage of the renewal process, Criterion 2: Sound Educational Program and Capacity to Implement, the CSD will examine the school's record in four key areas of charter school performance:

1. Student Achievement and Educational Performance
2. Governance and Organizational Management
3. Fiscal Operations
4. Fulfillment of the Charter

As part of the four categories listed above, the review shall include the school's compliance with applicable law, regulations, court orders⁸, any applicable memorandum of understanding, and the terms of its charter. Within each of the four categories above are a set of indicators that serve as a source of evidence regarding the soundness of the school's educational program and its capacity to implement the program. For example, the school's Academic Performance Index (API), English Language Learner reclassification rate, and high school graduation rate all provide insight into the success that the school's educational program has had over the life of its charter. The school's fiscal operations, as revealed by

⁸ Charter schools are required to be in compliance with the terms of the Modified Consent Decree. Please see Additional Provisions: Educating Students with Disabilities for more detailed information about charter schools' obligations regarding Special Education.

indicators such as clean fiscal audits, assets, and enrollment history, are signs of the school’s capacity to implement.

To make a determination regarding the soundness of the educational program and the school’s capacity for implementation, the division reviews the record of school performance, as documented throughout the charter term by CSD staff. This includes an evaluation of the extent to which the school has met student achievement goals outlined by the CSD within the Criteria for Renewal and/or outlined within the charter contract and a review of all monitoring reports produced subsequent to annual oversight visits as well as financial and other reporting requirements.

The most recently approved charter petition of the school serves as the outline of the specific measures of accountability for renewal, including multiple performance measures of student achievement data and acceptable governance, operations and fiscal practices. However, there may be instances in which a charter school has met the minimum thresholds for renewal and met the terms of its charter, but still raises questions as to the educational soundness of its program or the likelihood of successfully implementing its program. A written factual finding that “the charter school presents an unsound educational program for the pupils to be enrolled” shall be based on multiple measures, including, but not limited to, data showing a lack of academic progress among students, as determined by analysis of individual students’ academic growth over the term of the charter. Valid data and assessments from established third-party reviewers, such as the Western Association of Schools and Colleges, may also be given due consideration to assess the soundness of a school’s educational program.

As part of its analysis of a charter school’s record of performance over the term of the charter, district staff will assess the extent to which charter school governing board members and staff have, for example, successfully implemented the terms of their charter, addressed deficiencies, and demonstrated capacity to continue to do so in the future based on evidence of past performance. This includes a review of the school’s performance in the areas of academic achievement, governance, organizational management, finance, and the attainment of applicable benchmarks, as well as a review of the statutory criteria for renewal.

Pathway to Renewal

Following the review of a school’s overall performance through the penultimate year of its charter (as described above), the Charter Schools Division will assign each school to one of two pathways to renewal: Expedited or Standard. Based on their assessment, the CSD staff determines whether additional evidence would be necessary to make positive finding regarding the soundness of the educational program and the school’s capacity to implement. In the late spring of the penultimate year of the charter, the Charter Schools Division reviews previous oversight records and when possible makes a tentative assignment of charter schools to Expedited or Standard Renewal pathways. The receipt of STAR testing results in the late summer will be used to finalize the assignments.

Standard Renewal

If the division finds that additional evidence from the final year of the charter is necessary, then the school is assigned to the Standard Renewal pathway and the division works with the school to schedule

a Renewal Site Visit during the fall of the final year of the charter. The purpose of the Renewal Site Visit is to verify and corroborate assertions made by the charter school within its renewal petition and to gather further evidence and additional information related to the Criteria for Renewal. In addition to document review, the site visit will include a tour of the school facility, classroom observations, and interviews with key stakeholders of the charter school including charter school administrators, teachers, parents, students, and members of the governing board.

Expedited Renewal

If the division’s review of the school’s prior accomplishments reveals that the school has already amassed a sufficient track record to merit a positive renewal recommendation prior to the final year of the charter, then the school is assigned to the Expedited Renewal pathway. In addition to meeting Criterion 1: Minimum Standard for Charter Renewal, these schools have demonstrated high levels of performance in each of the four areas of Criterion 2: Sound Educational Program and Capacity to Implement (Student Achievement and Educational Performance; Governance and Organizational Management; Operations; and Fulfillment of the Charter). As an acknowledgment of and reward for high levels of performance, the Expedited Renewal Process creates a “fast-track to renewal” for high performing charter schools. In these cases, the Charter Schools Division will schedule an abbreviated oversight visit at some point during the final year of the charter, scheduled in coordination with the charter school, rather than conduct a full Renewal Site Visit. At a minimum, this will include a physical site visit and a focus on any areas of concern that have arisen during previous oversight.

Charter schools applying for Expedited Renewal are also asked to document and share their most effective promising practices with CSD.

Criterion 3: Reasonably Comprehensive Renewal Petition

The third of the Criteria for Renewal is submission of a Reasonably Comprehensive Renewal Petition. In contrast to the two previous criteria which assessed the school’s past accomplishments, this criterion is focused on the school’s future. It requires the school to describe its plans for academic program, structure, and operations of the term of a future renewal charter, should one be granted.

Education Code §47607 requires the Renewal Petition to contain the same 16 elements as the initial petition for a new school and to be assessed according to the same “reasonably comprehensive” standard. As such, it is reviewed and evaluated according to the processes, criteria and timelines in the first section of this document, “New School Petitions.” This section contains a brief description of the review process and specifies how the Renewal Petition differs from the initial petition. For a detailed description of the steps from petition submission to board recommendation, please refer to the section entitled *New School Petitions*.

CSD encourages charter schools applying for renewal to submit their Renewal Petition no later than September 15 of the last year of a school’s charter. Upon receipt of a Renewal Petition (Expedited or Standard), CSD staff will review each of the 16 elements to assess its comprehensiveness. Division staff will consult the Superintendent’s Advisory Committee, which is made up of representatives from various

District offices as needed for advisement in their content area of expertise for the review of Elements 5-16 of Part II.

In determining what constitutes a reasonably comprehensive description, CSD is guided by the California State Board of Education's Code of Regulations §11967.5.1 *Criteria for the Review and Approval of Charter School Petitions by the State Board of Education* presented in Appendix A: Reasonably Comprehensive Petition.

Differences between Initial and Renewal Petition

The Renewal Petition is very similar to the initial charter petition, but with a few important differences. In addition, the Renewal Petition also asks the charter schools to present proposed changes to its academic program and organizational operations during the term of a potential renewal charter. In the Renewal Petition, the school is asked to describe its academic program, governance structure, and fiscal operations for the term of a future renewal charter, should one be granted. While the school previously developed a charter petition containing reasonably comprehensive descriptions of each of the 16 elements, approximately five years have passed since its submission. During the life of the charter terms, multiple changes may have taken place, including additions and revisions of applicable laws, revisions of LAUSD policy, and modifications to the school's program.

CSD, in consultation with SAC and legal counsel, will provide the school with the most recent Required Language and district policy. This will enable the school to determine any policy changes that have occurred during the course of its charter. These changes will need to be addressed, either through the incorporation of revised Required Language, or in the event that Required Language is not provided, the charter school's own proposed language.

In addition, through prior oversight, CSD will have communicated critical issues of concern to the charter school. In order to secure a finding of reasonably comprehensive, the school must address these issues within the renewal petition. For example, student achievement data may have revealed that certain subgroups have been performing at significantly lower levels. CSD would expect the renewal petition to present its plans to support those students during the term of its next charter.

Other than the two situations named above, the charter school only needs to report on the elements for which they propose changes in the next charter term. To the extent that the school is proposing significant changes to its program, structure, or organization in the proposed renewal term, its responses to the relevant element must be more detailed than if the school is proposing minimal or no changes to its program or operations. For example, if a charter school proposes expanding to offer additional grades, it must respond in full to the requests. On the other hand, a charter school that plans to make no or minor improvements or adjustments to its program would so state and scale the response to each request appropriately.

Promising Practices

In fulfillment of the Charter Schools Act's direction to "encourage of the use of different and innovative teaching methods" and as means to improve the learning opportunities for all LAUSD students, the CSD will disseminate Promising Practices from the charter schools that LAUSD considers exemplary.

Schools invited to apply for Expedited Renewal are asked to submit a brief summary of one or the more effective practices that have contributed to the school's success. They are asked to consider the follow questions:

- Is this an instructional, operational or fiscal practice?
- How is it aligned to the charter school's mission and/or vision?
- How was it developed? How was it implemented?
- How has it impacted student achievement?

CSD will assist charter schools to participate in and present at the LAUSD annual best practices conferences. The division will disseminate these promising practices to other charter and district schools via the LAUSD website and other means as opportunities arise.

Renewal Recommendation and Action by the Board of Education

CSD will evaluate the totality of the evidence regarding the extent to which the charter school has met the Criteria for Renewal; conduct a Renewal Site Visit to those schools applying for Standard Renewal; and evaluate the comprehensiveness and feasibility of the school's plans for a future charter in order to make a recommendation regarding the charter school's renewal to the Board of Education.

The Board of Education takes action on the recommendation of the CSD. Within the guidelines delineated in Education Code §47605, and the Criteria for Renewal, the Board of Education will make a final decision regarding charter renewal as described in the *New School Petitions* portion of this document. The Board of Education may approve Renewal Petitions (and therefore, renewal charter terms) with or without conditions and/or benchmarks. The Board of Education may deny a Renewal Petition if the charter school fails to meet the standard for renewal outlined within the Criteria for Renewal, or if the Board of Education finds that:

1. the charter school will provide an unsound educational program for students during the term of its renewal charter;
2. the charter school is demonstrably unlikely to successfully implement the program set forth in the renewal petition;
3. the petition does not contain the number of signatures required by subdivision (a).
4. the renewal petition does not contain the necessary affirmations; or
5. where changes to the charter school's operations are proposed, the Renewal Petition does not contain reasonably comprehensive descriptions of the 16 required elements set forth in the Charter Schools Act.

Should the school’s charter petition be denied, the charter school has the right to appeal to the Los Angeles County Board of Education within 30 days following the final decision by the LAUSD Board of Education. The CSD will work with the Los Angeles County Office of Education to ensure that all necessary documentation (including Findings of Fact and Confirmation of Denial) is delivered in a timely manner.

Roles and Responsibilities

This section describes the roles and responsibilities of each party as they pertain to the renewal process. Please see the following chart for responsibilities at each stage of the renewal process.

Charter School: The role of the charter school during the renewal process is to gather, synthesize and present evidence (i.e. official data, authentic assessment data, and parent surveys) related to its performance over the term of its charter to the CSD. Through the renewal petition (whether Expedited or Standard) and the Renewal Site Visit (if applicable) the charter school will make its case for renewal by highlighting its accomplishments and acknowledging its developmental needs, as they pertain to the Criteria for Renewal. Although exempt from certain portions of the renewal review process, charter schools applying for Expedited Renewal are requested to present a summary of promising practices, which the CSD will disseminate to charter and other district schools. The charter will provide any additional relevant information necessary to formulate a renewal recommendation when requested by CSD staff.

Charter Schools Division: The role of the Charter Schools Division is to analyze the totality of evidence it has collected over the term of the school’s charter and through the school’s response to the Renewal Petition. It verifies that each school is eligible to apply for renewal by evaluating whether the school has met the Minimum Standard for Renewal; evaluates the charter school’s performance against the stated Criteria for Renewal; reviews the Renewal Petition; conducts a full Renewal Site Visit (if applicable) or an abbreviated visit for schools in Expedited Renewal; formulates a recommendation for renewal, renewal with conditions, or non-renewal; and presents its renewal recommendation, on behalf of the Superintendent, to the Board of Education. Through the submissions of promising practices by schools applying for Expedited Renewal, CSD learns from charter schools that have strong track records and shares those practices with other charter schools and LAUSD.

CSD authorizes and reviews schools with diverse missions, designs and programs—and is model-agnostic in this regard. Instead the division focuses on the quality of the educational program, the school’s capacity to implement it and the student achievement outcomes that it produces, rather than its fidelity to a particular approach. In this way, CSD will “encourage of the use of different and innovative teaching methods,” as directed by the Charter Schools Act, and learn from the effective ones through the collection of Promising Practices from successful schools.

Board of Education: The Board of Education reviews the recommendation of the Charter Schools Division/Superintendent of LAUSD and either approves or denies the renewal petition at a public hearing, and, if it denies a charter petition, adopts written findings of fact in accordance with Education Code Section §47605(b).

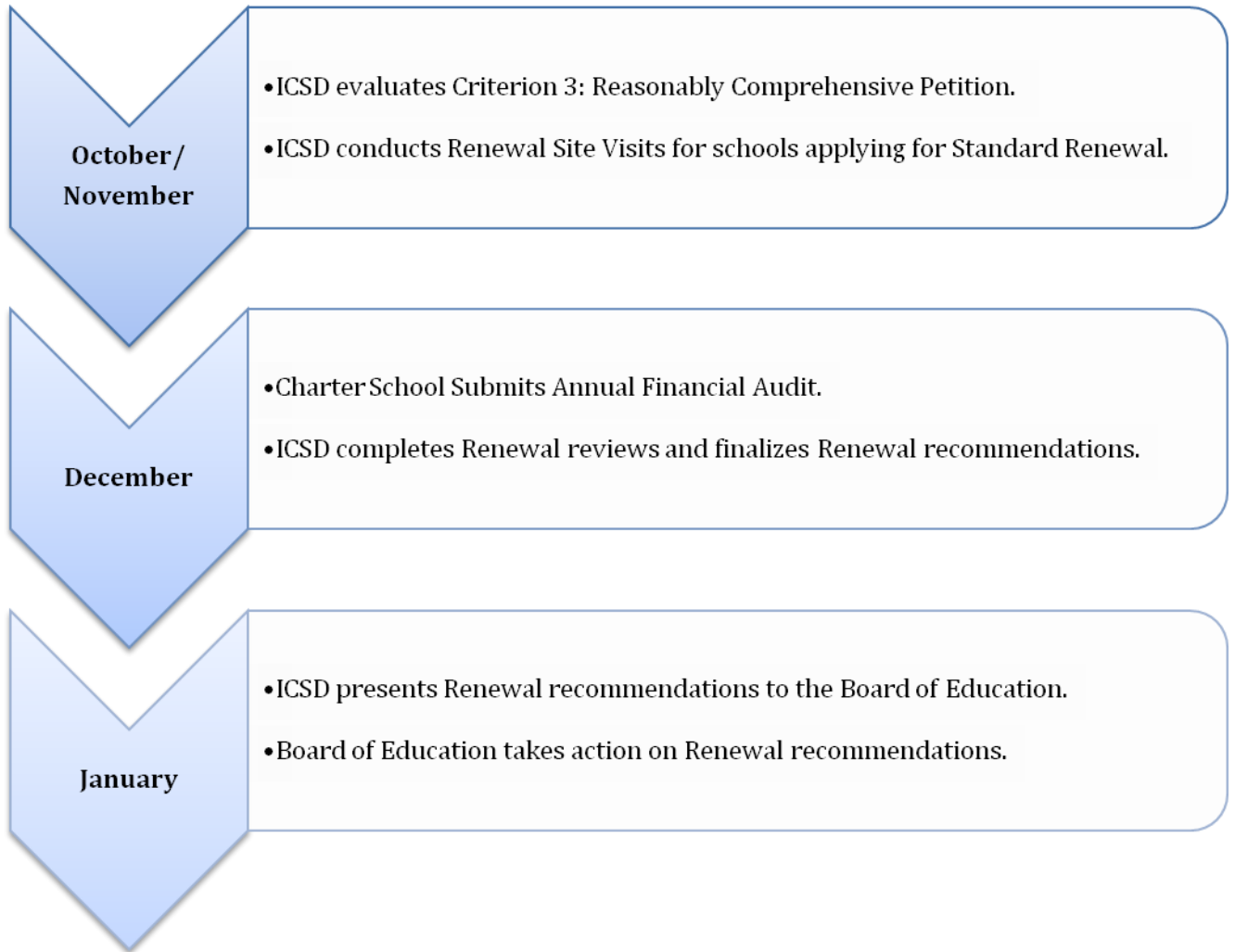
Roles and Responsibilities at Each Stage of the Renewal Process

Renewal Stage	Charter Schools Division	Charter School
Criterion 1: Minimum Standard for Renewal	Determine if the school is eligible for renewal according to the Charter Schools Act (Education Code §47607).	
Criterion 2: Sound Educational Program & Capacity to Implement	Review the school’s overall performance according to the measures in the most recently approved charter petition and the Criteria for Renewal. Gather totality of evidence record. Review previous oversight records (record of year-to-year oversight).	Respond to requests for data necessary for the CSD to determine if the school meets the Criteria for Renewal.
Pathway to Renewal	Assign charter school to Expedited or Standard Renewal pathway. Communicate the assigned pathway of renewal to the school. Coordinate with the school to set a date for the Renewal Site Visit, or abbreviated site visit for schools assigned to Expedited Renewal.	Work with the division to set a date for the Renewal Site Visit, or abbreviated site visit. Provide any additional information needed, or as requested by the CSD.
Criterion 3: Renewal Petition	Review renewal petition. Communicate feedback to the school. Conduct the Renewal Site Visit for school applying for Standard Renewal. Review the school’s promising practice description and post the best of the submissions on the CSD website.	Submit renewal petition. Respond to feedback from the CSD. Participate in Renewal Site Visit.
Renewal Recommendation	Consider the school’s evidence base (including state test scores, Criteria for Renewal, and year-to-year oversight) as well as its Self Study and Renewal Site Visit (if applicable) in making a renewal recommendation to the Board.	

Recommended Timeline

This section presents the recommended timeline for the renewal review process from the penultimate (year before last) through the final year of the charter. Note that the steps may not occur in a strictly chronological order, based on the availability of state testing data.





MATERIAL REVISIONS

Introduction to Material Revisions

During the term of its charter, a charter school may determine that it is necessary or desirable to seek an amendment of its current approved charter. The District must approve any proposed change to the provisions of a charter before the change can be implemented. While some proposed changes to a charter may be deemed non-material and, therefore, can be handled administratively by the CSD, any amendment that would constitute a “material revision” of the charter must be approved by the governing board of the charter school and the LAUSD Board of Education in accordance with California Education Code §47607(a)(1). Material revisions are governed by the same standards and criteria that apply to new petitions (Cal. Ed. Code §47607(a)(2)). Accordingly, the CSD must determine whether the charter, as amended, would be reasonably comprehensive, educationally sound, and likely to be successfully implemented. Based on its conclusion, the CSD makes a recommendation to the Superintendent for presentation to the Board of Education. The following guide, designed by the CSD with input from the Charter Schools Collaborative, serves to provide charter school governing boards, administrators, staff and the public a clear understanding of the process for submitting and reviewing applications for material revisions of charters.

Material Revision Application Review Process

This section describes each phase of the application and review process for material revisions.

Step 0: Prior to Submission of the Application for Material Revision

Once a charter school has determined that it wishes to request an amendment of its current approved charter, it should contact the CSD administrator assigned to the school. The CSD administrator will work with the school to ascertain whether the proposed amendment amounts to a “material revision” that requires LAUSD Board approval.

Amendments that constitute “material revisions” include, but are not necessarily limited to, any change that would significantly alter a charter school's mission, vision, educational philosophy, educational program, governance, or organizational structure. These changes may include but are not limited to:

- The addition or reduction of grades served
- Enrollment increases:
 - (a) For schools occupying non-LAUSD facilities, any increase of more than 20% or 100 students, whichever is less, above the enrollment capacity in the charter
 - (b) For schools occupying LAUSD facilities, an increase above the enrollment capacity in the charter

Note: To receive consideration in a Proposition 39 facilities request for a particular fiscal year, any increase in enrollment above the enrollment capacity in the charter must be approved by November 1 of the preceding fiscal year.

- Any change to instructional model or design, other than changes required by law
- Any change to admissions preferences and lottery/enrollment procedures not expressly cited in federal or state law or regulation
- Any change to disciplinary procedures
- Any change to governance or leadership structure including, but not limited to, substantial changes in the number of governing Board Members, changes to Board Member selection process or replacement of the nonprofit corporation identified in the charter to operate the charter school

Upon making the determination whether the proposed change is a material revision, the CSD will promptly inform the charter school of the decision, generally within three (3) business days. If the proposed change is determined to be a material revision of the charter, the school must seek approval of its proposal through the material revision application process outlined below. If, however, the CSD determines that the proposed amendment does not constitute a “material revision” of the charter, the school may then send its requested change(s) in writing (by regular or electronic mail) to the CSD administrator assigned to the school. The CSD will review the written request and communicate its response to the charter school, generally within 15 business days of receipt. As part of its review of a request for non-material amendment of the charter, the CSD may request additional information and/or documentation as necessary.

Step 1: Submission and Review of the Application for Material Revision

In order to be accepted for review, an application requesting material revision of a charter must be complete. The CSD website provides resources such as the Request for Material Revision Checklist and Required Language for Independent Charter Petitions (i.e. “District Required Language”) to assist the charter school in the preparation of the application for material revision of its charter. Additionally, the school’s assigned CSD administrator and other CSD staff are available to respond to technical questions as needed.

In the event that a Charter Management Organization (CMO) seeks identical material revision of multiple charters, it should contact the CSD administrator(s) assigned to the schools prior to preparing and submitting its material revision request. At that time, the CSD will determine, in consultation with the charter school and other District personnel as needed, how best to ensure an effective and efficient material revision review and documentation process consistent with these procedures.

Once the charter school has submitted a complete material revision application, CSD staff, in coordination with LAUSD’s legal counsel and other appropriate District staff, will review the submitted application materials, together with the charter school’s record of academic, operational, and

organizational management performance, in order to determine its recommendation. Under certain circumstances, the CSD may determine that it is necessary to conduct a capacity interview as part of its effort to ascertain whether the school has the capacity to successfully implement the proposed changes. In that event, the CSD will notify the school promptly so that the interview can be scheduled as soon as practicable. The petitioner team should plan to make itself available for the capacity interview within five (5) days of receiving notification from the CSD.

Step 2: Recommendation and Board Action

Upon review, if the CSD determines that it will recommend approval of the requested material revision(s), District staff will draft the material revision agreement document and send it to the charter school for execution (signature). In addition to the proposed material revision(s), the document will include those revisions necessary to conform the charter to the current District Required Language and any changes in the law since the current charter was granted. The CSD will proceed to schedule and prepare for Board action on the CSD recommendation of approval of the material revision request. The material revision agreement document must be signed by the charter school prior to Board action.

If, however, the CSD determines that it will recommend denial of the requested material revision(s), it will notify the school promptly. At that time, the school may choose to withdraw the request or indicate its intent to proceed to Board action notwithstanding the CSD recommendation. If the school determines not to withdraw the request, CSD will proceed with scheduling and preparing for Board action on the CSD recommendation of denial of the request for material revision.

Based on the recommendation of the CSD and the guidelines delineated in Education Code §47605, the Board of Education will make a final decision to approve or deny the request for material revision of the charter. The Board of Education may approve a request for material revision with or without conditions and/or benchmarks. The Board of Education may deny a request for material revision if it finds that:

1. the charter school will provide an unsound educational program for students during the term of its charter, as amended;
2. the charter school is demonstrably unlikely to successfully implement the program set forth in the charter, as amended;
3. the charter, as amended, does not provide reasonably comprehensive descriptions of the 16 required elements set forth in the Charter Schools Act.

Should the charter school's request for material revision of its charter be denied, the school will continue to operate under the terms of its current approved charter.

Material revisions shall take effect immediately upon LAUSD Board approval, unless a different effective date expressly applies, such as the beginning of the next school year.

Roles and Responsibilities

Roles and Responsibilities at Each Step of the Material Revision Application Review Process

Application Review Step	Charter Schools Division	Charter School
Step 0: Prior to Submission	<p>Determine whether proposed amendment constitutes “material revision” of the charter.</p> <p>Provide material revision submission instructions.</p>	<p>Contact CSD to communicate intent to seek amendment of charter.</p> <p>Learn about the material revision submission and review process and expectations for successful applications.</p>
Step 1: Submission and Review	<p>Review material revision application.</p> <p>Determine, in consultation with appropriate District staff, whether the proposed material revision is educationally sound, likely to be successfully implemented, and reasonably comprehensive.</p> <p>Conduct capacity interview, as needed</p>	<p>Ensure that material revision application is complete and ready for submission.</p> <p>Participate in capacity interview, as needed.</p>
Step 2: Recommendation and Board Action	<p>Prepare recommendation and material revision agreement.</p> <p>Work with charter school to finalize the proposed material revision agreement.</p> <p>Present recommendation to the Board.</p>	<p>Execute (sign) material revision agreement.</p> <p>Work with CSD to finalize the proposed material revision agreement.</p> <p>Attend Board meeting, if desired.</p>

The CSD encourages the submission of requests for material revision between August 1 and March 15 each year, in recognition of the District’s summer recess schedule.

ADDITIONAL PROVISIONS

Educating Students with Disabilities

The Los Angeles Unified School District has developed a guide for schools regarding the implementation of compliant special education programs and services for students with disabilities. A copy of the “Special Education Policies and Procedures Manual” (“PPM”) can be found at <http://sped.lausd.net/policies-and-procedures>. The PPM is also available from the District’s Stores Warehouse and on the District’s web site at the Division of Special Education link. Charter schools authorized by the Los Angeles Unified School District are required to comply with the PPM including using applicable District forms. Charter schools may also access additional policy analysis documents and web links developed by the District.

I. Legal Obligations

All public schools, including charter schools, are required to adhere to and implement the requirements of all applicable Federal and State laws and regulations pertaining to the provision of appropriate special education programs and services to students with disabilities. The District is also committed to the prevention and elimination of hostile environments in all of its public schools. The following outlines the requirements District-authorized charter schools must follow to educate students with disabilities within the District:

A. Individuals with Disabilities Education Act

The Individuals with Disabilities Education Act (“IDEA”), 2004 is the Federal law that governs special education. This law requires that those states and their local educational agencies that accept federal funding under the IDEA must have policies and procedures in place which ensures “a free appropriate public education” (“FAPE”) is available to children with disabilities residing in the state between the ages of 3 and 21, inclusive, including children with disabilities who have been suspended or expelled from school.

The governance of this legislation applies to students who are determined to have an eligible disability, require special education and/or specialized services and are between the ages of 3 and 21.

Federal law requires that a continuum of placement options be made available to meet the needs of students with disabilities. This includes general education sites, special schools and centers, non-public schools, hospital and home programs as well as residential schools.

B. Section 504 of the Rehabilitation Act of 1973

Section 504 of the Rehabilitation Act of 1973 often called “Section 504” is a Federal civil rights law that prohibits discrimination/harassment on the basis of a disability in any

program or activity receiving Federal financial assistance. Public schools are among a broad range of entities that must comply with the non-discrimination requirements of this law.

Many of the requirements of this law mirror those of IDEA such as “Child Find” and evaluation for services, development of a service plan and timelines. A comprehensive outline of the requirements and processes of Section 504 is provided in LAUSD Policy Bulletin 4692.0 “Section 504 and Students/Other Individuals with Disabilities” and is discussed on Pages 97 through 99 of the PPM.

C. Americans with Disabilities Act

The Americans with Disabilities Act (ADA) gives civil rights protections to individuals with disabilities that are like those provided to individuals on the basis of race, sex, national origin, and religion. It guarantees equal opportunity for individuals with disabilities in employment, public accommodations, transportation, State and local government services, and telecommunications. While not specifically addressing special education services, the Supreme Court ruled in 1999 that under the protections afforded by this law, “no person with a disability can be unjustly excluded from participation in or be denied the benefits of services, programs or activities of a public entity.” Public agencies, including school districts, are considered public entities.

D. California Charter Schools Act

The provisions of the California Charter Schools Act specifically set forth that a charter school shall not discriminate against any pupil on the basis of any of the characteristics listed in Education Code section 220 which includes disability as a prohibited basis.

E. Chanda Smith Modified Consent Decree (“MCD”)

All charter schools authorized by the Los Angeles Unified School District Governing Board are bound by and must adhere to the terms, conditions and requirements of the MCD and other court orders imposed upon the District pertaining to special education. The MCD is a consent decree entered in a federal class action lawsuit initially brought on behalf of students with disabilities in LAUSD. It is an agreement of the parties approved by the federal court and monitored by a court appointed independent monitor. The MCD includes eighteen statistically measurable outcomes and facilities obligations that the District has to achieve to disengage from the MCD and federal court oversight. All LAUSD-authorized charter schools are required to use the District’s PPM and Welligent, the District-wide web based software system used for online IEPs and tracking of related services provided to students during the course of their education. The District is currently in the process of completing the development of an Integrated Student Information System (“ISIS”) as required by the MCD. Although most charter schools are not currently utilizing the District’s existing Student Information System (“SIS”), the MCD requires all charter schools to use the

ISIS. Materials and information related to the MCD are available on the Division of Special Education's web site and at oimla.com.

F. Timely Data Submission Requirements

As part of fulfilling the District's obligations under the MCD which includes all charter schools chartered by the LAUSD Governing Board, data requests to charter schools that are not connected to the District's current SIS are made on a regular basis. The requested data must be timely submitted in the Office of the Independent Monitor's required format:

1. Suspension/Expulsion Report, monthly
 - a. Paper SESAC Report and Welligent Student Listing Verification, monthly - October through June
2. CBEDS—October each year
3. All students enrolled December 1st of each year
4. Graduation status of 12th grade students enrolled December 1st of each year

In addition, the District's Division of Special Education also requires the following data submissions:

1. STAR data submitted annually
2. Follow-up data regarding disposition of Charter School Related Services Providers and Resource Specialist Teachers whose names appear on the Welligent Service Tracking System non-usage list
3. All other data as required to be submitted by District schools

G. Charter Schools' Facilities Requirements

California law requires all charter schools to occupy one of the following types of facilities: (1) Facilities that comply with the California Building Standards Code as adopted and enforced by the local building enforcement agency with jurisdiction over the area in which the charter school is located; (2) Facilities that comply with the Field Act; (3) Facilities exclusively owned or controlled by an entity that is not subject to the California Building Standards Code, such as the federal government. In addition, charter schools are required to adhere to the program accessibility requirements of Federal law (Americans with Disabilities Act and Section 504).

The District will work collaboratively with local building enforcement agencies to obtain assurances that the certificates of occupancy issued for District-authorized charter schools located within their jurisdiction meet all applicable building, safety and health codes, including but not limited to, the accessibility requirements of the law.

II. Organizing for Sustainable Compliance

In order to ensure that applicable legal obligations of federal law, state law and the MCD are met, school sites must develop not only a broad knowledge and understanding of their legal obligations,

but, operational mechanisms that ensure all aspects of the law are implemented. In considering how best to achieve this, attention must be paid to developing processes and procedures which are known to the staff, parents and faculty which fit the organization's structure and purpose. Developing an organizational structure around compliance tasks or requirements is an effective way to accomplish sustainable compliance. In addition to the laws governing educating students with disabilities, the PPM addresses in detail the eight organizational areas for compliance that are briefly discussed below.

A. Search and Serve

Pages 23 through 27 of the PPM

- In order to meet the Federal and state provisions of special education law regarding search and serve activities to identify children who have or are suspected of having a disability and needing special education and related services, charter schools must distribute the District's brochure, "Are You Puzzled by Your Child's Special Needs," prominently display the Parent Resource Network poster and use other District materials to address the search and serve requirements of the law, (e.g. "The IEP and You"). These materials are available at the District's Stores Warehouse and on the Division of Special Education website.
- Specific information must be included in a charter school's outreach materials, websites, and community meetings notifying parents that within its space capacity, their school is open to enroll and provide services for all students.
- The charter school recognizes and meets its responsibility as a community resource to assist families in securing assistance for their children.
- Utilize a uniform process for referring students who are suspected of having disabilities for assistance (i.e., student study team meeting, special education assessment, etc.).

B. Responding to a Request for Assessment and Developing an Assessment Plan

Pages 31 through 34 of the PPM

- Charter school administrative staff is required to ensure a system is in place and school staff is aware of their responsibility to accept and timely act on a parental request for special education assessment.
- The Welligent System must be used to ensure effected staff is notified of upcoming assessments.

C. Initial Assessment, Reassessment and Independent Evaluation

Pages 37 through 46 of the PPM

- Use the Welligent System to monitor timelines and work flow.
- Ensure that staff is aware of the legal requirements associated with the assessment process.
- Ensure that assessments that are conducted follow the guidelines established by law.
- Ensure that staff are aware of the process to follow if a parent provides an independent assessment.

D. Conducting an IEP team meeting and developing an IEP

Pages 48 through 77 of the PPM

- The Welligent system reports are used to monitor timelines.
- Team members must be aware of timelines, work flow and meeting purposes.
- Guidelines for parental notice must be followed.
- IEP team meeting are statutorily required to occur within 60 days of signed consent for assessment.
- IEP teams are required to be composed of the mandated members.
- IEPs must be completed using the Welligent IEP Management System.
- IEP documents are to be developed to include an offer of a Free Appropriate Public Education (“FAPE”) in the least restrictive environment. The FAPE offer must address the provision of necessary related services and supports, including transportation to assist students with disabilities to benefit from special education.

E. Discipline

Pages 247 through 254 of the PPM

- Charter Schools will implement operational and procedural guidelines ensuring federal and state laws and regulations regarding the discipline of students with disabilities are met.

- Ensure staff is knowledgeable about and complies with the District’s “Discipline Foundation Policy.”
- Suspensions must not exceed 5 consecutive days or 20 total days in a school year.
- Ensure that the legal requirements for expelling students with disabilities are followed. (See Bulletin 61, “Guidelines for Student Expulsion” as a reference.)

F. Student Records

Pages 133 through 138 of the PPM

- Ensure staff is knowledgeable of the confidentiality of student records.
- Identify and train appropriate staff to maintain, destroy and protect student records.
- Ensure parents and students, as appropriate, are informed of their rights regarding access to records.

G. Resolving Disagreements

Pages 81 through 91 of the PPM

- Staff and parents are provided with information about parent rights and safeguards including the various types of resolution processes available should a disagreement occur.
- A school process is available to ensure appropriate offices are notified when a parent decides to lodge a complaint and pursue a resolution process.
- Ensure staff members are made aware of determinations resulting from the dispute resolution process and implement any requirements that result from these processes.

H. School Environment and Student Enrollment

- Students with disabilities are required to be afforded equal opportunity to attend charter schools. An array of programs and services to meet the needs of all students with disabilities, including those with moderate to severe disabilities, are required to be developed and provided.
- Charter staff assists interested parents of students with disabilities in completing the application process and ensure that a student’s IEP is not

requested or required prior to participation in the lottery or as a condition of enrollment.

- Ensure there is a process for accepting and evaluating applications of students with disabilities which aligns with the process used for non-disabled students.
- Ensure the school is accessible to students and adults with disabilities.
- Appropriate facilities are provided for related services providers and mandated meetings such as IEP meetings.
- Students with disabilities must have access to all school activities including provision of appropriate accommodations and modifications.
- For conversion/independent charter schools, charter staff should attend the IEP meetings for matriculating students and follow the procedures outlined in Reference Guide 5080.1.
- Once students with disabilities are selected and enrolled, the charter schools are required to follow the appropriate procedures to request the student's records be transferred using the Welligent System.
- The school must have a process in place to comply with the legal requirement that an enrolled student's IEP is implemented immediately which includes providing all related services necessary to assist with a disability to benefit from special education (i.e. language and speech services, occupational therapy, physical therapy, transportation, etc.).
- Once a student with an IEP is enrolled, any changes to the IEP require the charter school to convene an IEP team meeting to discuss and document any changes.

III. Special Education Local Plan Area ("SELPA") Participation

Prior to LAUSD Board of Education approval, charter schools shall execute a Memorandum of Understanding ("MOU") by and between the LAUSD and the charter school regarding the provision and funding of special education services consistent with the requirements of the LAUSD SELPA Local Plan for Special Education.

District-authorized charter schools permitted to participate in an out-of-District SELPA will be required to execute a Memorandum of Understanding ("MOU") by and between the LAUSD and the charter school (if considered a Local Educational Agency ("LEA") regarding the provision of special education services . The receiving out-of-District SELPA Local Plan must be provided to the District for review and must contain a commitment to ensure that the District-authorized charter schools assume all responsibility for the students with disabilities that enroll in the charter schools and that the receiving

SELPA is accountable for oversight, monitoring, and implementing the MCD requirements. In order to effectuate this change for existing charters, a petition amendment and Board approval will be required unless the issue is addressed at the time of charter petition renewal.

Additional Resources

Professional Development, Staff and Parent Training

A wide range of on-line training for certificated and classified staff is available at the Division of Special Education website.

The “Special Education Leadership Academy” is available for administrators and meets five times a year. Information is available from the Division of Special Education, Administrative Offices, Beaudry Building, 17th Floor, (213) 241-6701.

Content specific instructional training is available throughout the year and information is posted on the Division of Special Education website. Regionalized training and content specific meetings are available through the Special Education Support Units. Contact the Support Unit directly for more information. (Contact information below).

Many opportunities exist for parents of students with disabilities to attend training. Each of the Support Units hosts two Parent Conferences per year with the Local Districts offering a variety of topics of interest, opportunities to ask questions and obtain contact information regarding community agencies and supports.

The District hosts an annual “Parent Summit” which is a conference for parents, District-wide. Information is available from the Parent Community Services website.

Special Education Support Units

Support Unit, North
Local Districts 1 and 2
(818) 256-2800

Support Unit, East
Local Districts 4 and 5
(213) 241-0167

Support Unit, Central/West
Local Districts 3 and 7
(323) 421-2950

Support Unit, South
Local Districts 6 and 8
(310) 354-3431

Conflicts of Interest

An important responsibility for charter schools is effective and ethical governance. All charter schools authorized by LAUSD commit to the highest level of ethical standards. Charter schools authorized by LAUSD shall comply with all applicable conflict of interest requirements and are subject to, and must comply with, LAUSD's Lobbying Disclosure Code, policies, and procedures in their dealings with LAUSD officials. As a general guide, members of the charter school's executive board; any administrators, managers or employees; and any other committees of the school shall establish and abide by policies and procedures that comply with applicable federal and state laws and regulations, nonprofit integrity standards, and LAUSD charter school policies and regulations regarding conflicts of interest as part of a reasonable comprehensive description of school governance.

I. Political Reform Act

Enacted in 1974, the Political Reform Act was passed by California voters to promote integrity and transparency in state and local government agencies by helping agency decision makers avoid conflicts between their personal interests and official duties. Under the Act, these individuals are required to disclose certain financial interests on their Form 700 filings.

A. Form 700s

In accordance with the Political Reform Act, as part of compliance with the LAUSD Conflict of Interest Code, every member of a public charter school board of directors and each public charter school officer, employee, or consultant meeting the three-pronged criteria⁹ established under state law shall file a state-mandated Form 700 Statement of Economic Interests with the local public school district (1) within 30 days of assuming office, (2) annually thereafter, and (3) within 30 days after leaving office. Each individual's Form 700 Statement of Economic Interest shall remain on file at the charter school's primary administrative office and the original forwarded to CSD. Form 700s must be made available, upon request, for inspection by any member of the public.

LAUSD Conflict of Interest Code

- "Charter School Providers" have been adopted under the "Non-Employee Filer's" section of LAUSD's Conflict of Interest Code. The position was designated "Disclosure Category 8." For further review and exact language, LAUSD's Conflict of Interest Code can be found on LAUSD's Ethics Office website: www.lausd.net/ethics.

⁹ The three-pronged criteria established under the Act for determining Form 700 filing positions are: 1) Is the position involved in making governmental decisions on behalf of the charter school?, 2) Is the position involved in making financial decisions on behalf of the charter school?, and 3) Is the position involved in advising decision-makers regarding governmental and financial decisions on behalf of the charter school? If the answer is yes to any of the three questions above, the position is a Form 700 filing position.

Liaison Process & List of Charter School Filers

- April 1 is the statutory deadline for annual filing of the Form 700 SEIs. Prior to April 1 of each year, the Charter Schools Division will notify charter school officials of the requirement to file and provide filing instructions. Each charter school or CMO should identify a Form 700 liaison to collect and mail its original SEIs to the Charter Schools Division, or submit them in person. Originals must be sent as the state law prohibits e-mails and faxes. Each charter school or CMO should also submit an organizational chart and roster of their designated filers.

Notifications

- Charter school filers that fail to meet the annual April 1 deadline will receive two reminder notices from the Charter Schools Division. The Charter Schools Division will report to the California Fair Political Practices Commission any filers that remain delinquent thirty (30) days after the date of the second reminder notice.

Late Fines

- The California Fair Political Practices Commission may impose fines on charter school officials that fail to file Form 700 SEIs in the manner described above.

Beyond what is outlined above, it is the responsibility of the charter provider to ensure that charter school employees understand not only filing requirements but also the requirements regarding conflicts of interest, self-dealing, and incompatible activities, which should be reasonably set forth in the governance provisions of the charter.

AUTHORITY: California Education code sections 35160, 47600 et
Seq. and all sections cited within those provisions;

California Government Code sections 1090, 6250 et seq.,
54950 et seq., 81000 et seq.

APPENDIX A:

Reasonably Comprehensive Petition

In order to be approved, the petition must contain a “reasonably comprehensive” description of each of the 16 elements required by California Education Code §47605(b). In determining what constitutes a reasonably comprehensive description, the CSD is guided by the California State Board of Education’s Code of Regulations §11967.5.1 *Criteria for the Review and Approval of Charter School Petitions by the State Board of Education*. Below are the 16 elements as stated by the education code followed by the California State Board of Education’s definition of what would constitute a reasonably comprehensive description.

In addition to specific providing indicators for each of the 16 elements, the state regulations state that in order to be considered reasonably comprehensive, the petition must provide 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 students 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 based outcomes.
 - (E) Provide vigorous competition with other public school options available to parents, guardians, and students.

16 Elements

Element 1: The Educational Program

“A description of the educational program of the school, designed, among other things, to identify those whom the school is attempting to educate, what it means to be an ‘educated person’ in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners.” Ed. Code §47605 (b)(5)(A)

The description of the educational program of the school, as required by Education Code section §47605(b)(5)(A), at a minimum:

- (A) Indicates the proposed charter school’s target student population, including, at a minimum, grade levels, approximate numbers of pupils, and specific educational interests, backgrounds, or challenges.
- (B) Specifies a clear, concise school mission statement with which all elements and programs of the school are in alignment and which conveys the petitioners’ definition of an “educated person in the 21st century,” belief of how learning best occurs, and goals consistent with enabling pupils to become or remain self-motivated, competent, and lifelong learners.
- (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.
- (D) Indicates the basic learning environment or environments (e.g. site-based matriculation, independent study, community-based education, technology-based education).
- (E) Indicates the instructional approach or approaches the charter school will utilize, including, but not limited to, the curriculum and teaching methods (or a process for developing the curriculum and teaching methods) that will enable the school’s pupils to master the content standards for the four core curriculum areas adopted by the State Board of Education pursuant to Education Code section §60605 and to achieve the objectives specified in the charter.
- (F) Indicates how the charter school will identify and respond to the needs of pupils who are not achieving at or above expected levels.
- (G) Indicates how the charter school will meet the needs of students with disabilities, English learners, students achieving substantially above or below grade level expectations, and other special student populations.
- (H) Specifies the charter school’s special education plan, including, but not limited to, the means by which the charter school will comply with the provisions of Education Code section §47641, the process to be used to identify students who qualify for special education programs and services, how the school will provide or access special education programs and services, the school’s understanding of its responsibilities under law for special education pupils, and how the school intends to meet those responsibilities.

Element 2: Measurable Student Outcomes

The measurable pupil outcomes identified for use by the charter school. ‘Pupil outcomes,’ for purposes of this request, means the extent to which all pupils of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school’s educational program.” Ed. Code §47605 (b)(5)(B)

Measurable pupil outcomes, as required by Education Code section §47605(b)(5)(B), at a minimum:

- (A) Specify skills, knowledge, and attitudes that reflect the school’s educational objectives and can be assessed, at a minimum, by objective means that are frequent and sufficiently detailed enough to determine whether pupils are making satisfactory progress. It is intended that the frequency of objective means of measuring pupil outcomes vary according to such factors as grade level, subject matter, the outcome of previous objective measurements, and information that may be collected from anecdotal sources. To be sufficiently detailed, objective means of measuring pupil outcomes must be capable of being used readily to evaluate the effectiveness of and to modify instruction for individual students and for groups of students.
- (B) Include the school’s Academic Performance Index growth target, if applicable.

Element 3: Method by Which Student Outcomes will be Measured

“The method by which pupil progress in meeting those pupil outcomes is to be measured.” Ed. Code §47605 (b)(5)(C)

The method by which pupil progress is to be measured, as required by Education Code section §47605(b)(5)(C), at a minimum:

- (A) Utilizes a variety of assessment tools that are appropriate to the skills, knowledge, or attitudes being assessed, including, at a minimum, tools that employ objective means of assessment consistent with paragraph (2)(A) of subdivision (f) of this section.
- (B) Includes the annual assessment results from the Statewide Testing and Reporting (STAR) program.
- (C) Outlines a plan for collecting, analyzing, and reporting data on pupil achievement to school staff and to pupils’ parents and guardians, and for utilizing the data continuously to monitor and improve the charter school’s educational program.

Element 4: Governance

“The governance structure of the school, including, but not limited to, the process to be followed by the school to ensure parental involvement” Ed. Code §47605 (b)(5)(D)

The governance structure of the school, including, but not limited to, the process to be followed by the school to ensure parental involvement in supporting the school’s effort on behalf of the school’s pupils, as required by Education Code section §47605(b)(5)(D), at a minimum:

- (A) Includes evidence of the charter school’s incorporation as a non-profit public benefit corporation, if applicable.
- (B) Includes evidence that the organizational and technical designs of the governance structure reflect a seriousness of purpose necessary to ensure that:
 - 1. The charter school will become and remain a viable enterprise.
 - 2. There will be active and effective representation of interested parties, including, but not limited to parents (guardians).
 - 3. The educational program will be successful.

Element 5: Employee Qualifications

“The qualifications to be met by individuals to be employed by the school.” Ed. Code §47605 (b)(5)(E)

The qualifications to be met by individuals to be employed by the school, as required by Education Code section §47605(b)(5)(E), at a minimum:

- (A) Identify general qualifications for the various categories of employees the school anticipates (e.g. administrative, instructional, instructional support, non-instructional support). The qualifications shall be sufficient to ensure the health, and safety of the school’s faculty, staff, and pupils.
- (B) Identify those positions that the charter school regards as key in each category and specify the additional qualifications expected of individuals assigned to those positions.
- (C) Specify that all the requirements for employment set forth in applicable provisions of law will be met, including, but not limited to credentials as necessary.

Element 6: Health and Safety

“The procedures that the school will follow to ensure the health and safety of pupils and staff. These procedures shall include the requirement that each employee of the school furnish the school with a criminal record summary as described in §44237.” Ed. Code §47605 (b)(5)(F)

The procedures that the school will follow to ensure the health and safety of pupils and staff, as required by Education Code section §47605(b)(5)(F), at a minimum:

- (A) Require that each employee of the school furnish the school with a criminal record summary as described in Education Code section §44237.
- (B) Include the examination of faculty and staff for tuberculosis as described in Education Code section §49406.
- (C) Require immunization of pupils as a condition of school attendance to the same extent as would apply if the pupils attended a non-charter public school.
- (D) Provide for the screening of pupils’ vision and hearing and the screening of pupils for scoliosis to the same extent as would be required if the pupils attended a non-charter public school.

Element 7: Racial and Ethnic Balance

“The means by which the school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted.” Ed. Code §47605 (b)(5)(G)

Recognizing the limitations on admissions to charter schools imposed by Education Code section §47605(d), the means by which the school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted, as required by Education Code section §47605(b)(5)(G), shall be presumed to have been met, absent specific information to the contrary.

Element 8: Admission Requirements

“Admission requirements, if applicable.” Ed. Code §47605 (b)(5)(H)

To the extent admission requirements are included in keeping with Education Code section §47605(b)(5)(H), the requirements shall be in compliance with the requirements of Education Code section §47605(d) and any other applicable provision of law.

Element 9: Financial Audits

“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.” Ed. Code §47605 (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, as required by Education Code §47605(b)(5)(I), at a minimum:

- (A) Specify who is responsible for contracting and overseeing the independent audit.
- (B) Specify that the auditor will have experience in education finance.
- (C) Outline the process of providing audit reports to the State Board of Education, California Department of Education, or other agency as the State Board of Education may direct, and specifying the timeline in which audit exceptions will typically be addressed.
- (D) Indicate the process that the charter school will follow to address any audit findings and/or resolve any audit exceptions.

Element 10: Student Expulsions

“The procedures by which pupils can be suspended or expelled.” Ed. Code §47605 (b)(5)(J)

The procedures by which pupils can be suspended or expelled, as required by Education Code section §47605(b)(5)(J), at a minimum:

- (A) Identify a preliminary list, subject to later revision pursuant to subparagraph (E), of the offenses for which students in the charter school must (where non-discretionary) and may (where discretionary) be suspended and, separately, the offenses for which students in the charter school must (where non-discretionary) or may (where discretionary) be expelled, providing evidence that the petitioners’ reviewed the offenses for which students must or may be suspended or expelled in non-charter public schools.
- (B) Identify the procedures by which pupils can be suspended or expelled.
- (C) Identify the procedures by which parents, guardians, and pupils will be informed about reasons for suspension or expulsion and of their due process rights in regard to suspension or expulsion.
- (D) Provide evidence that in preparing the lists of offenses specified in subparagraph (A) and the procedures specified in subparagraphs (B) and (C), the petitioners reviewed the lists of offenses and procedures that apply to students attending non-charter public schools, and provide evidence that the charter petitioners believe their proposed lists of offenses and procedures provide adequate safety for students, staff, and visitors to the school and serve the best interests of the school’s pupils and their parents (guardians).

- (E) If not otherwise covered under subparagraphs (A), (B), (C), and (D):
1. Provide for due process for all pupils and demonstrate an understanding of the rights of pupils with disabilities in regard to suspension and expulsion.
 2. Outline how detailed policies and procedures regarding suspension and expulsion will be developed and periodically reviewed, including, but not limited to, periodic review and (as necessary) modification of the lists of offenses for which students are subject to suspension or expulsion.

Element 11: Retirement Programs

“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.” Ed. Code §47605 (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, as required by Education Code section §47605(b)(5)(K), at a minimum, specifies the positions to be covered under each system and the staff who will be responsible for ensuring that appropriate arrangements for that coverage have been made.

Element 12: Attendance Alternatives

“The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools.” Ed. Code § 47605 (b)(5)(L)

The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools, as required by Education Code section §47605(b)(5)(L), at a minimum, specify that the parent or guardian of each pupil enrolled in the charter school shall be informed that the pupil has no right to admission in a particular school of any local education agency (or program of any local education agency) as a consequence of enrollment in the charter school, except to the extent that such a right is extended by the local education agency.

Element 13: Employee Rights

“A description of the rights of any 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.” Ed. Code §47605 (b)(5)(M)

The description of the rights of any employees of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school, as required by Education Code section §47605(b)(5)(M), at a minimum, specifies that an employee of the charter school shall have the following rights:

- (A) Any rights upon leaving the employment of a local education agency to work in the charter school that the local education agency may specify.
- (B) Any rights of return to employment in a local education agency after employment in the charter school as the local education agency may specify.
- (C) Any other rights upon leaving employment to work in the charter school and any rights to return to a previous employer after working the charter school that the State Board of Education determines to be reasonable and not in conflict with any provisions of law that apply to the charter school or to the employer from which the employee comes to the charter school or to which the employee returns from the charter school.

Element 14: Dispute Resolution

“The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter.” Ed. Code §47605 (b)(5)(N)

The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter, as required by Education Code section §47605(b)(5)(N), at a minimum:

- (A) Include any specific provisions relating to dispute resolution that the State Board of Education determines necessary and appropriate in recognition of the fact that the State Board of Education is not a local education agency.
- (B) Describe how the costs of the dispute resolution process, if needed, would be funded.
- (C) Recognize that, because it is not a local education agency, the State Board of Education may choose to resolve a dispute directly instead of pursuing the dispute resolution process specified in the charter, provided that if the State Board of Education intends to resolve a dispute directly instead of pursuing the dispute resolution process specified in the charter, it must first hold a public hearing to consider arguments for and against the direct resolution of the dispute instead of pursuing the dispute resolution process specified in the charter.
- (D) Recognize 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 State Board of Education's discretion in accordance with that provision of law and any regulations pertaining thereto.

Element 15: Employer Status and Collective Bargaining

"A declaration whether or not the charter school shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act (Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code)." Ed. Code §47605 (b)(5)(O)

The declaration of whether or not the charter school shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act (Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code), as required by Education Code section §47605(b)(5)(O), recognizes that the State Board of Education is not an exclusive public school employer and that, therefore, the charter school must be the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act (Chapter 10.7 commencing with Section 3540) of Division 4 of Title 1 of the Government Code).

Element 16: Procedures to be Used if the Charter School Closes

"A description of the procedures to be used if the charter school closes. The procedures shall ensure a final audit of the school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records." Ed. Code §47605 (b)(5)(P)

A description of the procedures to be used if the charter school closes. The procedures shall ensure a final audit of the school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records.