



**POLICY FOR CHARTER SCHOOL AUTHORIZING
LOS ANGELES UNIFIED SCHOOL DISTRICT**

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LOS ANGELES UNIFIED SCHOOL DISTRICT
Policy on Charter School Authorizing

ACKNOWLEDGEMENTS

The Policy for Charter School Authorizing is the result of more than twelve months of collaboration through public meetings of the Board of Education and Charters and Innovation Committee; discussions of the Charter Stakeholders Policy Taskforce; and consideration of the input of various stakeholders during the drafting process. This work involved LAUSD Board members and their respective staff, the Superintendent, District colleagues from several offices, local charter school leaders, staff of state and national charter school associations, and members of the Charters and Innovation Committee.

The Board of Education and Superintendent extend special thanks to all who contributed their efforts and ideas to shaping this Policy. In doing so, stakeholders have helped to develop our work toward a coordinated and coherent approach to fulfilling the District's authorizing responsibilities effectively; promote the quality of the schools the District charters; and, ultimately, support the advancement of the District's vision and mission for *all* students.

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I. INTRODUCTION

The Board of Education for the Los Angeles Unified School District (“LAUSD” or “District”) is committed to providing a wide range of schools and programs to meet the diverse educational needs and priorities of all students and families it has the privilege to serve. Charter schools are valuable partners and viable choices among the District’s robust set of educational options. Accordingly, the Board of Education views charter schools as an integral method of achieving its vision and mission.

LAUSD Vision: Every Los Angeles Unified School District student will receive a state-of-the-art education in a safe, caring environment, and every graduate will be college-prepared and career-ready.

LAUSD Mission: Los Angeles Unified School District will provide high quality instruction and a coherent and rigorous curriculum in every classroom to facilitate student learning and achievement.

The Board of Education commits to promoting the legislative intent of the California Charter Schools Act and recognizes that both the District and charter schools have a shared responsibility in achieving the letter and spirit of the state’s charter school laws.

The Board of Education shall ensure that charter schools have both the autonomy which the Charter Schools Act provides and the public accountability for which charter schools are responsible and understands that execution of its responsibilities to successfully uphold this principle is a hallmark of a quality chartering authority.

As a charter school authorizer, the District intends to promote vigorous, healthy competition to stimulate continual improvement in all schools as a means of improving pupil learning outcomes by providing parents and pupils with expanded choices in the types of educational opportunities that are made available through the public school system.

By providing opportunities for teachers, parents, pupils, and community members to establish and maintain schools that operate independently from the existing school district structure, LAUSD will increase learning opportunities for all pupils, with special emphasis on expanded learning experiences for pupils who are identified as academically low achieving. Charter schools are encouraged to use different and innovative teaching methods and to create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site.

In exchange for this autonomy and flexibility, charter schools accept higher levels of individual school accountability. The Board of Education expects charter schools to use the autonomy and flexibility afforded to them as a means of developing instructional and operational strategies that can accelerate improvement in student achievement and school excellence. Accordingly, the Board of Education strongly encourages charter schools to be bold when setting performance goals and metrics. The Board of Education is committed to applying lessons learned from charter schools, and reciprocally from District schools, to support success for all students and for all public schools, and to encourage positive transformation in public education. Thus, when the Board of Education authorizes a charter school, it establishes a partnership to advance its vision and mission and to accelerate gains in academic achievement and accountability for *all* of its students and public schools.

Through the methodology of holding charter schools accountable, the District is engaging in a paradigm shift that will strategically provide all public schools with a pathway to shift to a more performance-driven accountability system.

The Board of Education believes all students deserve the best education possible and is committed to providing an equitable level of service for all students to facilitate a quality educational experience. Moreover, since charter schools help extend the range of alternatives available to LAUSD families, LAUSD will make information about charter schools as an attendance alternative broadly available.

The relationship between the District and charter schools involves cooperation, choice, and healthy competition. *Cooperation* means working together in the best interest of all students. Charter schools are a source of *choice* for LAUSD families, providing diverse and viable educational options. Finally, as suggested in the California Charter Schools Act, a positive transformation of public education, in part, occurs when healthy *competition* stimulates continual improvements in all public schools. A relationship with inherently competitive aspects present unique challenges, but the Board of Education expects all stakeholders to address such challenges constructively and to seize upon them as new opportunities to improve student outcomes. Ultimately, the beneficial aspects of a healthy competitive dynamic will offer enhanced educational opportunities for all students.

II. STATEMENT OF PURPOSE OF THIS POLICY

The California Charter Schools Act outlines the role of school districts by assigning them responsibilities as chartering authorities. These responsibilities fall into three broad categories:

- Review of petitions for the establishment of new charter schools;
- Oversight of charter schools under its authority; and
- Review of renewals and material revisions of charters.

The purpose of this policy is to provide a framework to guide the Board of Education and District staff in establishing a coordinated and coherent approach to fulfilling its authorizing responsibilities effectively and promoting the quality of the schools it charters. To the extent this policy conflicts with any law, the law supersedes this policy and the validity and effect of the rest of this policy shall not be affected.

In establishing this policy, the LAUSD Board of Education and staff:

- Make the well-being of students the fundamental value informing all actions and decisions;
- Approach authorizing deliberately and thoughtfully with the intent to improve student achievement; offer diverse, quality public school choices to the community; and advance the intent of the legislation;
- Strive for clarity, fairness, rigor, and transparency in actions and decisions;
- Serve as a source of accurate information about the schools they oversee; and,
- Protect the public trust in all actions and decisions.

Further, this policy serves to provide charter school developers, continuing charter school operators, parents of charter school students and the general public an overall understanding of the requirements and responsibilities of serving as a charter school in LAUSD.

The policies contained in this document support the Board of Education in making informed decisions that are in the best interest of students and the public, and fulfilling its authorizing tasks in a responsible manner, with a focus on quality.

The Board of Education directs the Superintendent or the Superintendent's designee to develop and implement administrative procedures addressing, but not limited to, authorization, oversight, and renewal consistent with applicable laws, court orders, and Board of Education Policy on Charter School Authorizing within 120 days of the adoption of this policy. It is the intent of the Board of Education that this policy and companion administrative procedures be developed and implemented collaboratively with charter school stakeholders in a manner that promotes quality, creates efficiencies, and upholds charter schools' autonomy while ensuring their accountability. Further, the Administrative Procedures shall align as much as possible within the context of applicable law with the processes, supports, and accountability measures established as part of the Board of Education's Public School Choice Resolution. The administrative procedures will be presented to the Board of Education for review, public discussion and approval prior to implementation.

III. POLICY UPDATES

This policy is a living document, subject to periodic review and consideration. The Board of Education may update the policy to reflect changes in law or for other purposes. In such cases, Administrative Procedures will be also be updated to ensure conformity to amendments in the Policy on Charter School Authorizing and applicable law. Administrative procedures may also be amended as deemed necessary by the Superintendent or designee, consistent with Board-approved policies and applicable laws.

The Superintendent or designee will work with a standing Charter Schools Collaborative to discuss when changes to the board policy and/or administrative procedures are necessary. Any proposed modifications to this policy or related administrative procedures will be sunshined with at least 20 business days of advance notice. In the 2009-10 school year, the Collaborative will review the policy on a quarterly basis and make recommendations to the Superintendent of any necessary updates or changes. Any policy updates or changes must be approved by the Board of Education.

Furthermore, to assist in the process of proactively identifying and addressing emerging trends within the charter school environment, as well as conducting periodic reviews of the policy and issues with its implementation, the Charter Schools Collaborative will meet regularly to address such topics as promising practices, pending changes in state legislation/policies, and issues in the statewide and LAUSD charter school community.

IV. LAUSD'S ROLE AS A CHARTERING AUTHORITY

A. Responsibilities

As described above, the California Charter Schools Act defines the basic responsibilities of chartering authorities.

1. Review of petitions for the establishment of new charter schools. The Charter Schools Act provides the following directive with respect to this responsibility: "In reviewing petitions for the establishment of charter schools pursuant to this section, the chartering authority shall be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that establishment of charter schools should be encouraged" (Education Code section 47605(6)(b)).

The Charter Schools Act further clarifies the standards, process, and timeline for granting charter school petitions; those are elaborated in the section of this policy titled "Review of Petitions for the Establishment of New Charter Schools."

2. Oversight of charter schools under its authority. The Charter Schools Act mandates that chartering authorities conduct certain oversight activities. Oversight includes the following required actions:

- (a) Identify at least one staff member as a contact person for the charter school.
- (b) Visit each charter school at least annually.
- (c) Ensure that each charter school under its authority complies with all reports required of charter schools by law.
- (d) Monitor the fiscal condition of each charter school under its authority.
- (e) Provide timely notification to the California Department of Education if any of the following circumstances occur or will occur with regard to a charter school for which it is the chartering authority:
 - (1) A renewal of the charter is granted or denied.
 - (2) The charter is revoked.
 - (3) The charter school will cease operation for any reason.
- (f) The cost of performing the duties required by this section shall be funded with supervisory oversight fees collected pursuant to Section 47613. (Education Code section 47604.32)

Oversight also includes monitoring of charter schools' progress and attainment of measureable pupil outcomes, as well as compliance with all applicable laws and regulations, court orders, including the *Chanda Smith Modified Consent Decree* ("MCD") and the terms of the charter, and financial reporting requirements. Further, the District views ongoing oversight as an important part of a clear, fair, rigorous, transparent, and objective renewal process both as a means to gather information and observe patterns over time, and as a means of maintaining communication as to the progress of the charter school toward satisfying the conditions for renewal.

The Charter Schools Act also grants chartering authorities the power to revoke a charter petition.

3. Renewal and material revisions of charters. The Charter Schools Act provides standards and criteria for charter school renewals and material revisions. It sets requirements for student achievement to be considered for renewal and then references the same standards and criteria as for the new charter petition process.

B. Guidelines for Carrying out Responsibilities

The Board of Education strives for high quality performance of its responsibilities, with clarity, fairness, transparency, and objectivity. The California Charter Schools Act provides direction as to the manner in which chartering authorities shall fulfill their responsibilities.

1. Performance-based accountability. A chartering authority holds charter schools accountable. Critical components to measuring charter school accountability are holding the schools responsible for meeting measurable pupil outcomes and providing a method whereby all schools can focus more on performance-based accountability systems.

An approved charter petition will set forth performance-based outcomes and metrics for each required element calling for performance outcomes to be realized. In the charter review process, the District shall give careful consideration to the performance outcomes that reflect a sound educational program and for approaches described to lead to those outcomes, even as they may represent nontraditional approaches.

These performance metrics form the critical basis for oversight of charter schools and throughout the oversight process, the charter school will provide staff with fact-based evidence of progress toward performance outcomes. This involves making observations, asking questions, conducting analysis, providing support, and communicating as to the progress the school is making toward the performance outcomes embedded in the charter. This requires using multiple measures to support both formative and summative evaluation. Analysis of student achievement will include comparisons to the school's baseline and growth scores over time and—consistent with themes in Education Code section 47607(2b) and Education Code section 47601(g)—comparisons to the performance of students in comparable district and state schools.

Finally, in the renewal process, evidence of a school's progress toward performance outcomes will be used as one indicator of their likeliness to succeed at implementing the proposed renewal charter petition.

The Board of Education recognizes that the Charter Schools Act grants charter schools flexibility to achieve the intent of the Act and significantly reduces the number of laws and regulations that apply to charter schools. Accordingly, the Board of Education expects staff to approach performance-based accountability by assertively seeking to eliminate obstacles to this flexibility thereby benefiting each school and its students, as well as all schools and all students in LAUSD. The Board of Education, in its role as authorizer, expects District staff to efficiently monitor charter schools using clearly established objective criteria.

2. Professional development. The Board of Education encourages collaborative professional development opportunities between District and charter school stakeholders to share effective and promising practices reciprocally.

In performance-based oversight, quality judgments depend on a wide range of knowledge about how diverse educational approaches can work. Thus, to achieve high quality performance charter authorizing, the District acknowledges the importance of providing its staff with ongoing support and professional development to enhance expertise and experience in all aspects of charter school practice.

The Charter Schools Collaborative will develop protocols and professional development with both District staff and charter operators to ensure that oversight and documentation are focused on outcomes. In order to maximize efficiency and ensure effective utilization of scarce resources, every effort will be made to minimize document burden and to establish seamless mutual expectations that are clear to all parties in advance.

3. Monitoring of compliance with applicable law. Monitoring how charter schools follow applicable laws, regulations, and orders is a function of oversight. In a system of performance-based oversight, District monitoring of applicable law works differently for charter schools than for traditional district schools. Charter schools have the autonomy to pursue performance-based outcomes within a context of applicable law, and the Board of Education acknowledges that charter school governing boards bear primary responsibility and liability for ensuring compliance with applicable law. However, in accordance with the Charter Schools Act, the Board of Education views charter schools' compliance with applicable laws, regulations, and court orders, including the MCD, as a mandatory term of charter petitions and an important component of oversight and consideration in charter school renewal decisions. The Board of Education expects District staff to fulfill its role by monitoring charter school compliance with applicable law. Charter schools shall operate under the provisions of their approved charters and all applicable federal laws and state laws, including those regarding special education and the MCD.

4. Minimization of administrative burden. Charter school approvals, oversight and renewals require information gathering and monitoring that can be time-consuming. While every administrative procedure can usually be justified, each has a different "return" in terms of student achievement. The Board thus directs District staff to continually scrutinize procedures to minimize administrative burden and focus the limited resources as much as possible on matters related to student achievement. The Board sees a role for the Charter Schools Collaborative in achieving these ends, as a place where District representatives can meet regularly with charter school stakeholders in an ongoing effort to realize this guideline.

V. REVIEW OF PETITIONS FOR THE ESTABLISHMENT OF NEW CHARTER SCHOOLS

A. Application Process and Timeline

Within the context of the California Charter Schools Act, the Board of Education strives to grant charters to petitioners that demonstrate strong capacity for establishing and operating a quality charter school. The charter school application process and timelines will comply with the Charter Schools Act and follow clear and reasonable application and decision-making processes that closely align with the requirements and standards stated in law. The Board of Education shall authorize the Superintendent or the Superintendent's designee, as necessary, to implement the application processes described herein.

The Charter Schools Division will provide prospective petitioners with the requirements, standards and timelines for charter school authorization in LAUSD, beginning with submission of the petition and ending with the final action before the LAUSD Board of Education. Charter petitions are to include all components required by law, whether specified in the policy or not.

When the charter application and petition review process is completed, District staff will make their findings and present a recommendation to the Board of Education. District staff will communicate with applicants as to the results of the analysis and identify any material and technical issues and next steps in preparation for action by the Board of Education. At the time of consideration of a new charter petition, the Charter Schools Division will present its findings and a recommendation for action on the basis of those findings to the Board of Education. The determination of whether a charter will be granted will be based upon the requirements and standards of the Charter Schools Act. The determination is under the authority vested in the Board of Education.

The District will follow the timelines specified in the Charter Schools Act. No later than 30 days after receiving a petition, the Board of Education shall hold a public hearing on the provisions of the charter, at which time the Board of Education shall consider the level of support for the petition by teachers employed by the district, other employees of the district, and parents. Following review of the petition and the public hearing, the Board of Education shall either grant or deny the charter within 60 days of receipt of the petition, provided, however, that the date may be extended by an additional 30 days if both parties agree to the extension. The LAUSD Application for Charter School Authorization will provide suggested timelines for submission of a charter petition to allow sufficient time for District review and response to the charter school and allowing the charter school the opportunity to appeal to the Los Angeles County Office of Education and State Board of Education.

1. Memoranda of Understanding. As a part of the charter petition approval process, prior to approval by the Board of Education, the Superintendent or designee shall develop and execute Memoranda of Understanding between the District and the charter school to establish terms pertaining to specific matters and/or procedures. Such examples include, but are not limited to, special education services and funding, insurance requirements, hold harmless and indemnification clauses, and dispute resolution procedures.

B. Evaluation Process and Criteria

In determining whether to grant or deny a charter, the Board of Education shall carefully review the proposed charter application, Charter Schools Division staff and District staff findings, consider public input, and determine whether the charter petition satisfies the criteria established by law. In accordance with the Charter Schools Act, the Board of Education shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the findings specified in the Act.

Although many of the required elements merely require description and/or affirmation, some of the elements are best measured by performance-based benchmarks. Reasonably comprehensive descriptions of these elements will include sound performance goals and metrics. Performance outcomes should be clear, measurable, attainable, and time-bound. Where applicable, these outcomes should project growth in student achievement over the term of the charter and be benchmarked to meet or exceed the performance of students in comparable District schools in the community the charter school intends to serve. The Board of Education will give careful consideration to the school's plans for serving all students and conducting outreach to traditionally underserved populations. Performance relative to outcomes will be monitored over the term of the charter and serve as part of the evaluation criteria for charter renewal.

The District will rely upon the Charter Schools Act, research, and professional judgment to inform evaluations as to what constitutes an unsound educational program, whether petitioners are unlikely to succeed and what is not a reasonably comprehensive charter petition.

If a charter petitioner chooses to withdraw the petition, any resubmitted petition must include the required number of signatures of teachers meaningfully interested in working at the charter school or of parents/guardians who are meaningfully interested in having their children enroll at the charter school. The same timelines and evaluation process as an initial petition apply. However, District staff may request a charter petitioner to make amendments to the proposed charter petition, within the timelines outlined in the Education Code or by mutual extension of the timeline agreed by the parties, and such revisions shall not constitute a withdrawal of the petition by the charter petitioner.

1. Governing boards. The ability of a charter school to carry out its mission depends greatly upon the strength of its governing board. Research has demonstrated, for example, that an effective board provides strategic direction for the school; ensures the terms of the charter are being executed; selects and supports strong school leaders; and ensures the school’s instructional, financial, operational, and legal soundness. The LAUSD Board of Education requires independent charter school applicants to demonstrate evidence of a governing board that has both the commitment and expertise to faithfully carry out the fiduciary responsibility entrusted to them. The absence of such a governing board or a viable plan to develop one may suggest that “the petitioners are demonstrably unlikely to implement the program set forth in the petition.”

The Board of Education strongly recommends that independent charter schools be operated as or by a nonprofit public benefit corporation in accordance with the Charter Schools Act. Charter schools and/or their non-profit corporation will be solely responsible for the debts and obligations of the charter school. In the event a petitioner for an independent charter school submits a petition indicating the school will not be operated by or as a nonprofit public benefit corporation, the District shall consult with the Office of Risk Management and Insurance Services, the Office of the Inspector General, and other District offices to establish appropriate insurance and asset requirements to ensure the charter school can meet its debts and obligations.

Charter schools shall comply with conflict of interest laws. Please also see the section titled Charter School Responsibilities Regarding Conflicts of Interest for additional information. A charter school is also responsible for complying with the Ralph M. Brown Act and the California Public Records Act.

The Board of Education may choose to exercise its right to place an ex-officio member as a representative on the charter school's governing board.

2. Appeal of petition denial. If the Board of Education denies a charter school petition, the district shall provide documentation of the denial and the reasons for denial. The District recognizes that petitioners may submit the petition on appeal first to the County Board of Education and then, if denied by the County Board of Education, to the State Board of Education.

3. Support and resources. While the Board of Education expects charter developers to create their charter proposals independently from the District as one indication of their readiness to operate a charter school, the Board of Education recognizes the complexity and rigor of the charter development process. To support applicants in understanding and successfully fulfilling the requirements of the charter school application process, District staff will:

- Host informational sessions to explain the charter school application process and criteria for charter approval;
- Post application materials, approved templates, and Board of Education Policies and administrative procedures on the Charter Schools Division’s website for public access; and
- Provide informational support as needed.

4. Charter school expansion/replication. The Board of Education is committed to fostering quality charter schools and replicating promising practices. When existing charter school operators submit charter school applications to expand and/or replicate their educational model. In such cases, the charter school operators will submit all required information as part of the application process. Given that the applicant has at least one existing school in operation, as part of the evaluation process, District staff will assess the petitioners’ likeliness to succeed in implementing the program set forth in the charter petition based on the school’s/organization’s record of performance in their existing schools. The following areas are documented as part of the school’s performance record: student achievement and educational performance; governance and organizational management; fiscal management; school operations; and fulfillment of the charter provisions.

5. Special projects/partnerships. The Board of Education recognizes that charter schools may offer innovative opportunities to address problems typical of large urban districts, such as overcrowding and low student achievement in underserved communities. Accordingly, the Board of Education may proactively pursue the charter school model to advance the District’s mission, vision, and strategic goals, such as relieving overcrowding. LAUSD may identify potential partners for development of specific projects by, among other means, direct contact with potential petitioners, proposals submitted by potential petitioners, or a request for proposal process. Any such proposals (i.e., Request for Proposals) will be created and publicly disseminated with specific guidelines, timelines, and a delineated process to address the specific goals and needs of the desired project.

VI. OVERSIGHT OF CHARTER SCHOOLS

A. Purpose of Oversight

The Board of Education expects charter schools to fulfill the intent of the Charter Schools Act and to operate under the provisions of their approved charters, applicable federal and state laws, court orders, including the MCD, LAUSD Policy for Charter School Authorizing, and general oversight of the Board of Education.

Both the District and charter schools recognize the dichotomy inherent in providing autonomy while establishing performance standards for accountability. As a charter school authorizing entity, the Board of Education is responsible for ensuring that information about oversight practices are known to charter schools. The District’s oversight process will be well-planned, objectively executed, effectively communicated, timely, and evenly applied. As a charter school authorizing entity, the Board of Education is responsible for ensuring the charter school meets its performance goals and adheres to applicable laws and the terms of its charter. The Board of Education expects charter schools to fulfill the intent of the Charter Schools Act and to operate under the provisions of their approved charters, applicable federal and state laws, court orders, LAUSD Policy for Charter School Authorizing, and general oversight of the Board of Education.

The Charter Schools Act sets forth minimum duties for the authorizer and requires a charter school to respond to reasonable requests for information from its charter authorizer, the county office of education, and/or the State Superintendent of Public Instruction. The Board of Education authorizes the District Superintendent or designee to implement the oversight process.

B. The Oversight Process

The District's process for ongoing oversight will align with the requirements and standards for renewal as they are outlined in law and focused on student achievement and other performance outcomes stated in the charter. The Board of Education and the Superintendent or designee expect to work with charter schools to address any areas of concern efficiently and prudently so that the discussion of continual improvement of student achievement and other performance outcomes stated in the charter can be the main focus. Areas of oversight shall include 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 compliance with applicable law, regulations, court orders, and the terms of the charter. The Board of Education will review the school's admissions and outreach practices, especially to traditionally underserved populations.

The oversight process will respect the autonomy entrusted to charter schools under the law while upholding public accountability for which they are responsible. The oversight process is expected to foster a cooperative and mutually-accountable approach among charter schools and LAUSD in monitoring each school's implementation of the terms of its charter, assessing progress towards its goals, and making corrections or adjustments when necessary to appropriately support a school's success.

Furthermore, the Board of Education recognizes and values the portfolio of charter schools it has authorized to help address the diverse needs of students and families the District serves. Oversight policies and procedures include consideration of the diversity and record of performance of charter schools and the terms and goals set forth in the approved charters. Therefore, District staff will apply a systematic, streamlined approach to ongoing oversight of charter schools. In addition to consistent monitoring of all oversight areas, District staff will also identify the charter school's strengths, underdeveloped areas, develop specific goals to facilitate year-to-year oversight, and review the charter school's self-study processes to facilitate school improvement.

This approach to ongoing oversight will focus on the school's overall performance in a manner consistent with the terms of its charter and compliance with applicable law. Ultimately, it will lead to a consistent record of performance and data that can be effectively used to facilitate clear decision-making in the renewal process, in accordance with the statutory criteria. The Charter Schools Division will make an ongoing effort to perform oversight in a manner that is efficient and effective for the both District and for charter schools.

1. Data sharing. As a component of District-wide goals to increase accountability, transparency, and support for all schools, LAUSD began issuing school-level report cards in January, 2009, including some charter schools. This initiative is intended to serve all public schools and their communities, and the Board of Education directs the Superintendent or designee to work with charter schools to promote broader inclusion of charter school data in the District Report Card initiative, beginning in the 2009-2010 school year. To facilitate this process, the District will establish mechanisms for gathering data

from charter schools. District staff will also provide information and guidance to charter schools so that charter school staff may effectively report required data to the California Department of Education's California Longitudinal Pupil Achievement Data System (CALPADS).

As part of fulfilling the District's obligations under the federal court ordered MCD, all charter schools authorized by the LAUSD Governing Board are required to utilize the District's Integrated Student Information System ("ISIS") to track student records and identity services. The Office of the Independent Monitor requests data on a regular basis and the requested data must be submitted in the required format.

All Family Educational Rights and Privacy Act (FERPA) requirements shall apply to charter schools.

2. School visits. Under California Law, the Superintendent or Superintendent's designee may inspect or observe any part of the charter school at any time, including audits by the Office of Inspector General. All visits by the District will be conducted in a manner to minimally disrupt student learning and school operations.

3. Promising practices. The Charter Schools Act identifies a number of potential innovations to be accomplished by charter schools, which in turn will "stimulate continual improvements in all public schools." Accordingly, the Board of Education directs staff as part of its oversight duties to identify and share charter schools' promising instructional, governance, operational, and fiscal practices. This includes providing periodic information and findings to staff at school sites, local district offices, the central district office, and charter schools so that ideas can be shared and implemented throughout the system, including in shared professional development.

The Charter Schools Division will also engage with leading research institutions who study charter school performance to obtain evidence of school success and describe the promising practices, the school context, and the benefits derived.

C. Charter Revocation

The Board of Education and District staff strive to work to foster high quality charter schools and to address any concerns that may arise in a timely, transparent, and productive manner. In the event that unresolved concerns provide cause for charter revocation, the Board of Education and District staff will follow the requirements of the Charter Schools Act. The Board of Education may revoke a charter if it finds, through a showing of substantial evidence, that the charter school did any of the following:

- (1) Committed a material violation of any of the conditions, standards, or procedures set forth in the charter.
- (2) Failed to meet or pursue any of the pupil outcomes identified in the charter.
- (3) Failed to meet generally accepted accounting principles, or engaged in fiscal mismanagement.
- (4) Violated any provision of law. (Education Code section 47607(c)-(e))

Prior to revoking a charter for failure to remedy a violation that is not a severe and imminent threat to the health or safety of the pupils, and after expiration of the school's reasonable opportunity to remedy without successfully remedying the violation, the District shall provide a written notice of intent to revoke and notice of facts in support of a recommendation of revocation to the charter school. No later than 30 days after the Superintendent or designee provides the notice of intent to revoke a charter, the Board of Education shall hold a public hearing, in the normal course of business, on the issue of whether evidence exists to revoke the charter. No later than 30 days after the public hearing, the Board

of Education shall issue a final decision to revoke or decline to revoke the charter, unless the Board of Education and the charter school agree to extend the issuance of the decision by an additional 30 days. The Board of Education shall not revoke a charter, unless it makes written factual findings supported by substantial evidence, specific to the charter school, that support its findings.

In the event of a severe and imminent threat to the health or safety of the pupils, the Board of Education delegates authority to the Superintendent or designee to immediately notify the charter school of the intent to revoke. The Superintendent or designee shall notify the charter public school of any violation of this section and give the school a reasonable opportunity to remedy the violation, unless the Superintendent or designee determines, in writing, that the violation constitutes a severe and imminent threat to the health or safety of the pupils.

VII. REVIEW OF RENEWALS AND MATERIAL REVISIONS OF CHARTERS

A. Charter Renewal Process and Timeline

Renewals of charters are governed by the Charter Schools Act, which sets forth the process and standards for renewal of charter school petitions. The Board of Education may grant one or more subsequent renewals of charters it has authorized, each for a term of five years. The Board of Education authorizes the Superintendent or designee(s) to implement the renewal processes.

An approved charter petition provides specific measures of accountability for the charter school, including multiple performance outcomes for student achievement, and sound fiscal, operational, and governance practices. The ongoing oversight performed by District staff during the school's term monitors progress toward these specific accountability measures, as well as compliance with applicable laws and regulations, court orders, including the MCD, and the charter. Consistently satisfactory reviews of the charter school, supported by data, during the charter term are consistent with a recommendation for renewal of the charter. Conversely, unsatisfactory school reviews, supported by data, may precede non-renewal of a charter, especially in cases where the charter school has not made strong progress toward remedying deficiencies. Renewal decisions will look at multiple measures and patterns over time and a charter school's record as a whole unless a serious deficiency is of the utmost concern. The District's ongoing oversight process will provide clarity for the charter school prior to the time of renewal. The approved charter petition will serve as the guiding accountability contract and aid in effective oversight as a record of performance over the charter term.

The Board of Education authorizes the Superintendent or designee to efficiently and effectively use the resources of the Charter Schools Division by establishing a process and criteria by which high performing charter schools, as demonstrated by evidence over their terms, may receive an expedited renewal review process and fast track consideration by the Board of Education, to the extent permissible by law. Such schools be invited to share ideas and practices that are transferable to other schools, both charter and traditional district schools.

The timeline for charter petition review for renewals is the same as for new charter school applications as specified in the Charter Schools Act. The Charter Schools Division will work with schools to process charter renewal application with compliance with the legal timelines within the Education Code and in as timely a fashion as possible, including the prospect of arranging an adjusted, mutually-agreeable timeline. In general, however, Charter School Renewal Procedures shall specify suggested

timelines by which a charter school can submit its petition with sufficient time to allow for District review and response to the charter school, and the opportunity to appeal to the Los Angeles County Office of Education and State Board of Education, if applicable, to minimize disruption of the school's operations.

B. Material Revisions to Charter Petitions

Material revisions to the provisions of a charter require Board approval. Material revisions of a charter include, but are not limited, to a significant alteration of the school's instructional program, a changing of the grade levels to be taught from those specified in the charter, or a change in the school's admissions preferences. The petitioner shall present a reasonably comprehensive description of the material change for approval by the Board of Education. The Board of Education will approve material revisions on the same basis as they would otherwise have considered them had they been submitted in a new charter petition.

C. Evaluation Process and Criteria

Renewals and material revisions of charters are governed by the standards and criteria in the Charter Schools Act, and shall include, but are not limited to, a reasonably comprehensive description of all required elements, including any new requirement of charter schools enacted into law after the charter was originally granted or last renewed. The Charter Schools Act also sets the minimum standard for charter renewal, establishing that after a charter school has been in operation for four years, a charter school shall meet at least one of the following criteria to be renewed:

- (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) 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.(C) A chartering authority shall submit to the State Superintendent copies of supporting documentation and a written summary of the basis for any determination made pursuant to this paragraph. The Superintendent shall review the materials and make recommendations to the chartering authority based on that review. The review may be the basis for a recommendation made pursuant to Section 47604.5.
(D) A charter renewal may not be granted to a charter school prior to 30 days after that charter school submits materials pursuant to this paragraph.
- (5) Has qualified for an alternative accountability system pursuant to subdivision (h) of Section 52052.

If the preceding criteria are not met, a charter will not be renewed. If they are met, then a renewal shall be considered according to the standards and criteria in the Charter Schools Act.

If the charter school does not have at least four years of official data at the time of charter renewal, the Charter Schools Division will evaluate the school's performance relative to the goals specified in the charter. This includes considering a recommendation to the Board of Education for a material amendment to the charter to extend its term to the five-year period to allow for more student achievement data to become available.

1. Unsound educational program: charter renewal. 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 the 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.

2. Demonstrably unlikely to successfully implement the program: charter renewal. 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 board members and staff have, for example, successfully implemented the terms of their charter, addressed deficiencies, and demonstrated capacity to continue to do so into 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.

3. Memoranda of Understanding. For renewals of existing charters, the Superintendent or designee shall develop and execute Memoranda of Understanding between the District and the charter school to establish terms pertaining to specific matters and/or procedures. Examples of such matters or procedures include, but are not limited to, special education services and funding, insurance requirements, hold harmless and indemnification clauses, and dispute resolution procedures.

4. Board of Education discretion. At the time of consideration of a charter renewal petition or request for a material extension of the charter, the Charter Schools Division will present its findings and a recommendation for action by the Board of Education. The determination of whether a charter will be renewed or extended will be based upon the requirements and standards specified by law. This determination is within the discretion of the Board of Education.

VIII. ADDITIONAL PROVISIONS

A. Special Education

Charter Schools will adhere to all applicable federal and state laws and regulations, and applicable policies and procedures pertaining to the provision of special education services (e.g., Individuals with Disabilities Education Act [IDEA], Section 504 of the Federal Rehabilitation Act, and the Americans with Disabilities Act). Further, prior to LAUSD Board of Education approval, charter schools shall execute a Memorandum of Understanding (MOU) by and between the LAUSD and charter school

regarding the provision and funding of special education services consistent with the requirements of the LAUSD Special Education Local Plan Area (SELPA) Local Plan for Special Education.

In view of the State Board of Education's ruling permitting charter schools to leave the jurisdiction of the authorizing district's Special Education Local Plan Area, the LAUSD Board of Education requests the Superintendent, in consultation with the Charters and Innovations Division, Department of Special Education, and Office of the General Counsel, to report to the Board in 60 days with his findings concerning the state board's ruling and implications for LAUSD. The Board will subsequently create appropriate policy concerning SELPA participation to be inserted into this Charter Policy.

All charter schools chartered by the LAUSD Board of Education 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. All charter schools authorized by the LAUSD Board of Education are required to use and comply with the District's Special Education Policies and Procedures Manual 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.

Each charter school shall contribute its respective equitable share to support SELPA-wide special education instruction and services. This equitable share contribution is required under the Education Code and will commence in 2011-2012.

B. Facilities

The Los Angeles Unified School District regards all students with equity and believes all students are entitled to safe, secure, and high-quality learning environments. The District strives to provide each student a two-semester, neighborhood seat in safe and modern facilities. In authorizing charter schools, LAUSD makes health and student safety of the paramount importance. A necessary performance indicator for the charter school is obtaining an appropriate Certificate of Occupancy (COO) from the local building enforcement agency. As a violation of the law, operating a charter school in a facility without an appropriate COO is a student safety issue and the District may determine this constitutes a basis for charter revocation.

The District is committed to complying with its obligations under section 47614 of the Education Code (also known as "Proposition 39") in fairly sharing public school facilities among all public school students, including those in charter schools. To proactively address Proposition 39, the District is committed to leveraging limited financial and real estate resources to develop alternative long-term facilities solutions equally for all students, including those in charter and traditional district schools. District resources include allocation of local bond funds, development of facilities on District property, and exclusive and/or shared-use of existing or new District facilities. Use of District resources, including local bond funds, will require District ownership, Field Act compliance, and compliance with applicable Board of Education policies and District procedures.

If a charter school chooses to obtain facilities from the District under these provisions, the District will work with the school following Board of Education approval of their petition to provide space for an opening in the subsequent year. District staff will also work with applicant charter schools within the context of the Proposition 39 timelines and regulations to communicate with the host district school leadership and community stakeholders about proposed shared space. To meet these requirements, the

District must make use of a highly diverse set of resources, the allocation of which is challenging and complex. The District will proceed aggressively toward the goal of developing long-term facilities solutions for all charter schools eligible under Proposition 39. To provide staff with guidance as to the order of these developments, the District adopts the following prioritization criteria for developing long-term charter school facilities for individual charter schools:

1. Proposed charter facilities projects that relieve overcrowded areas as evidenced by surrounding District schools that operate with:
 - o Multi-track calendars
 - o Involuntary busing to relieve overcrowding
 - o Enrollment larger than the state average
2. Proposed charter facilities projects that provide secondary seats.
3. Proposed charter facilities projects that facilitate an instructional partnership with the District that is not dependent on the charter school providing any financial resources.
4. Proposed charter facilities projects that fulfill an academic need by:
 - o Providing unique and innovative academic models
 - o Serving in a geographic area where surrounding District schools are underperforming on State and Federal academic measures

As part of its analysis of a charter school's likelihood of successfully implementing its program, the Board of Education and staff will review charter school petitions for new or renewing charter schools to assess a facilities plan that demonstrates how the charter school petitioners will address the charter school's short and long-term needs within the geographical boundaries of the District. This plan will identify the target geographic area for their facilities location to reflect the composition of the student body described in the petition. The plan will include evidence of compliance with local building codes (including acquisition of an appropriate Certificate of Occupancy) and accessibility requirements of federal and state law (Americans with Disabilities Act and Section 504). Administrative Procedures will specify timeframes for charter schools to provide the appropriate documentation to District staff pertaining to its facility and readiness to open, as well as the consequences for lack of compliance with the aforementioned requirements.

C. 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 interests 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 reasonably comprehensive description of school governance.

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 criteria 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 LAUSD Ethics Office. Form 700s must be made available, upon request, for inspection by any member of the public. The charter school will ensure that their list of filer positions is current and further ensure that filers 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.

IX. FOUNDING PARENTS/FOUNDERS PREFERENCE

Charter School Admissions

The District seeks to ensure every child has equitable access to attend a charter school should their parents exercise that choice. The law requires charter schools to admit all pupils who wish to attend the charter school (E.C. Section 47605(d)(2)(A)). However, if the number of students seeking to enroll at a charter school exceeds the school’s capacity, the charter school must conduct a public random lottery to determine enrollment. Pursuant to the Charter Schools Act, admissions preferences shall be extended to:

- Pupils currently attending the charter school;
- Pupils who reside in the District;
- Pupils who reside in the former attendance area of the public school if the charter school converted from an existing public school.
- and students at a non-charter elementary school or in the elementary school’s attendance area if at least 50% of the elementary school students are eligible for free or reduced lunch (E.C. Section 47605.3).

In addition, the LAUSD Board of Education has discretion to permit “[o]ther preferences on an individual school basis and only if consistent with the law.” Founding Parents/Founders are one example of enrollment lottery preference which may be granted by the LAUSD Board of Education.

Founding Parents/Founders Preference

The founders admission preference must be described in the initial charter petition filed with the District, in accordance with Education Codes section 47605(d)(2)(A), and should provide a reasonably comprehensive description as follows:

- 1.1. “Founding Period”: The applicable time period in which an individual can be deemed a Founding Parent/Founder is the specific period during which the charter petitioner team is developing the charter school through the school’s first day of instruction. The petitioners must submit to the Charter Schools Division documentation establishing an official start of founding period at the time of charter petition submission (i.e., typically 12-18 months prior to charter approval; reflected in board minutes). A school may not add to the founding group after the first day of instruction.
- 1.2. “Founding Parent/s” or “Founders” are respectively defined as parent/s or legal guardian/s or individuals who contribute substantial personal time and effort to develop the new charter school during the established Founding Period as noted in subsection 1.1. There shall be no requirement

that Founding Parents/Founders contribute funds as a part of their commitment. Petitioners must prescribe in their charter petition the eligibility criteria for Founding Parents/Founders, including defining the appropriate minimum number of volunteer hours required.

- 1.3. Founding Parent status cannot be delegated or transferred to other individuals. Preference for children of Founding Parents/Founders may apply during the life of the charter as long as pupils who qualify for this preference does not constitute more than 10 percent of the school's enrollment. The admissions preference is applicable to all children of the charter school's Founding Parents/Founders even if the children do not begin attending the charter school until after the first year of the school's operation.
- 1.4. For charter schools that have more applicants than space available, children of Founders shall be exempted from the random public admissions lottery and not to exceed more than 10 percent of the school's enrollment.
- 1.5. For oversight purposes, charter school applicants must submit to the Charter Schools Division documentation confirming the following information:
 - a list of Founders, contact information, and number of volunteer hours performed.
 - an aggregate count of Founders' enrolled children by grade.
- 1.6. As part of oversight, the District may audit the charter school's lottery and admissions practices to ensure compliance, including conducting interviews of Founders.