



# Proposition 39 Charter School Facilities Requests

## FACT SHEET

### PROPOSITION 39, THE LAW

Proposition 39 was approved by California's voters in November 2000, and as a result, amended California Education Code Section 47614. Under Proposition 39, school districts are required by state law to share public school facilities "fairly among all public school pupils, including those in charter schools."

### CHARTER SCHOOL FACILITIES REQUESTS

Each year the Los Angeles Unified School District (LAUSD) must undergo a space identification process to meet Proposition 39 facilities requests submitted by charter schools.

#### Eligibility Requirements

Charter schools must meet certain eligibility requirements when making facilities requests to the District. Charter schools must:

- Submit a written facilities request
  - An existing charter school must submit a written request by November 1.
  - A new charter school must submit a written request by November 1. However, a new charter school is eligible to request facilities *only if* it submitted its charter petition to the school district in which it operates on or before November 1 *and* received approval of the charter petition before March 15.

A charter petition is a proposal to create a new school or renew the charter of an existing charter school. If a charter petition is not approved by the school district, the charter school may appeal to the County and the State.
- Operate within the geographic boundaries of the District
  - Education Code 47614 defines the term operating as "having identified at least 80 In-District Students who are meaningfully interested in enrolling in the charter school for the following year."
  - In-District Students are students that reside within the school district's boundaries.
- Provide LAUSD with a reasonable projection of the charter school's Average Daily Attendance (ADA) of at least 80 In-District Students for the following year.
  - Documentation to support the projected ADA would be completed by parents/guardians and can include *Meaningfully Interested Students Information Forms* or *Intent to Re/Enroll Forms* or other *list(s)* of in-district students who are "meaningfully interested" in attending the charter school.

The Proposition 39 Facilities Request Cycle occurs on a yearly basis. The dates that must be met are provided in the Regulatory Timeline.

### REGULATORY TIMELINE

#### NOVEMBER 1

Charter Schools submit written requests for facilities including projected Average Daily Attendance (ADA).

#### DECEMBER 1

District reviews Charters' ADA projections and agrees, or objects and responds with projections the District considers reasonable.

#### JANUARY 2

Charter Schools respond to District's ADA projections.

#### FEBRUARY 1

District makes preliminary proposals to Charter Schools with eligible facilities requests.

#### MARCH 1

Charter Schools respond to preliminary proposals.

#### APRIL 1

District makes final offers to Charter Schools.

#### MAY 1

Charter Schools must notify the District in writing to accept or decline the final offer by May 1 or 30 days from its receipt of final offer.

#### 10 DAYS

If final offers are accepted, Charter Schools occupy sites 10 working days prior to their first day of school instruction.