

# PROPOSED

## LAUSD Policy and Procedures for Charter Schools Summary Assembly Bill (AB) 1505 Key Updates June 2020

<b>Processing Charter Petition Applications (Timelines)</b>	AB 1505 Key Updates	Current Law
	The law extends the timeline for holding a public hearing on charter petitions (from 30 days to <b>60 days</b> ). The timeline for action by the governing board was also extended (from 60 days to <b>90 days</b> ). The timeline for action may be extended 30 days by mutual agreement by the District and the petitioner.	The current law allows 30 days for public hearings, and 60 days for a governing board decision. Current law allows for extending timelines by mutual agreement.
<b>Presenting Information at a Governing Board Meeting</b>	AB 1505 Key Updates	Current Law
	The law affords charter petitioners <b>equivalent time</b> to present evidence and testimony (at the scheduled Board meeting for a vote by governing board members, which also serves as a second public hearing). The <i>LAUSD Policy and Procedures for Charter Schools</i> provides petitioners (and/or the District) a 3-minute presentation each before the Board of Education on items that are not on the consent agenda. Either petitioner or District staff can forego the 3-minute presentation. The amount of time may change pursuant to Board rules.	The current law does not address equal time to present evidence and testimony, and does not require a second public hearing for Board action on denial or approval of petition. The current process allows petitioners to provide public comment, which will remain under the new law.
<b>Sharing Information Publicly</b>	AB 1505 Key Updates	Current Law
	AB 1505 also adds the requirement that Staff recommendations be posted 15 days in advance of the governing board meeting where a vote is scheduled to occur. This is in addition to posting requirements under the Brown Act (posting at least 72 hours in advance of regular board meetings). The <i>LAUSD Policy and Procedures for Charter Schools</i> notes that petitioners for new charters that are recommended for denial and who withdraw after the 15-day posting (which is the 75th day of the review process), must wait a period of 12 months to resubmit a petition.	Items under consideration by the Board of Education are only posted per the requirements of the Brown Act.
<b>Denial Criteria for New or Expanding Charter Schools</b>	AB 1505 Key Updates	Current Law
	The law explicitly adds that the Board of Education can deny a new or expanding charter school based on fiscal and community impact. In order to deny a new petition or expansion based on these grounds, the District has to show that there will be a substantial negative impact to the District's fiscal condition, and/or whether the program would undermine existing programs/services or duplicate a program already offered. The <i>LAUSD Policy and Procedures for Charter Schools</i> requires petitioners to submit a Community Impact Assessment that provides a record of community engagement ("community" being defined as Community of Schools and neighborhoods in a 3-mile radius), and also addresses issues such as under/over-enrollment, impacts to space, academic performance considerations, and impacts to staffing. Petitioners may submit additional information. Staff will review the petitioner's assessment and also complete its independent analysis.	These criteria for denial are not expressly provided in the current law.

Charter Appeal Processes	<b>AB 1505 Key Updates</b>	<b>Current Law</b>
	<p>Petitioners can appeal a denial by the Board of Education to the Local County Board of Education (LACBOE) and to the State Board of Education (SBE), with some changes. For example, if a petition contains material changes on appeal, the County and/or State (as applicable) will return the petition to the District for reconsideration in light of those changes. The <b>LAUSD Policy and Procedures for Charter Schools</b> indicates that petitions that are returned to the District will be scheduled for receipt by the Board of Education at a public meeting. Staff will process the petition within 30-days of that meeting.</p> <p>While LACBOE will continue to hear a full appeal of the petition, the SBE will only consider appeals on grounds based on an "Abuse of Discretion." Furthermore, the State will no longer oversee its own charter schools, but will assign an authorizer if the petition is approved on appeal.</p>	<p>Petitioners may submit the petition under an appeal to LACBOE, and, if denied, may further appeal to the SBE. The appeal to the SBE is not limited to "Abuse of Discretion."</p>
Material Revisions	<b>AB 1505 Key Updates</b>	<b>Current Law</b>
	<p>When an existing charter operator seeks to expand (defined in law as adding sites and/or increasing the grade levels currently offered), a material revision must be approved by the Board of Education. <b>LAUSD Policy and Procedures for Charter Schools</b> will require a Community Impact Assessment (as indicated above) by the petitioner. In addition, the <b>LAUSD Policy and Procedures for Charter Schools</b> states that when a charter school wishes to change locations outside of its existing community (as indicated above), the request requires a Community Impact Assessment and vote by the LAUSD Board.</p>	<p>A material revision with a community impact analysis does not exist in current law for charter expansions. Current law requires material revisions for additional locations to be approved at a public board meeting.</p>
Criteria for Renewing a Charter School	<b>AB 1505 Key Updates</b>	<b>Current Law</b>
	<p>The criteria for charter school renewal for additional years of operation has changed. The academic performance will primarily be assessed using the California School Dashboard indicators and state averages. The state will publish an annual list indicating charter schools' performance in one of three tiers: High, Middle, or Low Performing. High Performers are eligible for a renewal term of 5, 6, or 7 years. Low Performers, in general, are not eligible for renewal unless certain conditions are met, and if approved, can only receive a 2-year term. Middle performers are eligible for renewal, and, if renewed, will receive a term of 5 years. The <b>LAUSD Policy and Procedures for Charter Schools</b> states that a school's overall record of performance will help determine a recommendation of 5 to 7 years for High Performers. Also, in some specific circumstances under the law, staff will consider performance compared to Resident Schools. Apart from the academic outcomes, the law indicates that a renewal may be denied for governance and fiscal reasons, as well as concerns about enrollment practices.</p>	<p>The renewal criteria under the current law refers to the Academic Performance Index (API) which is an outdated metric no longer used by the state. Also included is the consideration of the charter school's academic performance in comparison to schools where students would have otherwise attended.</p>
Other	<b>AB 1505 Key Updates</b>	<b>Current Law</b>
	<p>The law expands the requirements on teacher credentialing, by matching the credentialing requirements for traditional District peers in all subjects. Teachers employed at the charter school prior to July 1, 2020 have a transitional period of 5 years for existing teachers to satisfy the standards.</p> <p>AB 1505 provides a 2-year moratorium on the approval of any non-classroom based charter schools (until January 2022).</p>	<p>Charter schools had greater flexibility with teacher credentialing requirements in non-core subjects.</p> <p>Current law allows non-classroom based charter schools.</p>
	<b>Additional Key Update in Policy and Procedures</b>	<b>Current Policy</b>
	<p>The <b>LAUSD Policy and Procedures for Charter Schools</b> includes language regarding an independent charter school seeking to become an affiliated charter school.</p>	<p>There are no provisions regarding independent charters seeking to become an affiliated charter school.</p>