BOARD OF EDUCATION OF THE CITY OF LOS ANGELES
GOVERNING BOARD OF THE LOS ANGELES UNIFIED SCHOOL DISTRICT

SPECIAL MEETING ORDER OF BUSINESS
333 South Beaudry Avenue, Board Room
9:00 a.m., Tuesday, August 11, 2020

Board Members may participate by telephone or teleconference
as allowed by California Executive Order N – 25 – 2
which suspends specific provisions of the Open Meeting Laws.

Roll Call of Members

Pledge of Allegiance

Public Speakers

The Board of Education encourages public comment on any of the items for action on this agenda.
Commenters can email all Board Members at boardmembers@lausd.net, or use the US Mail at the address
above, or leave a phone message at (213) 443-4472, or fax (213) 241- 8953. Items received by Monday, 6
p.m., August 10, will be distributed to all Board Members.

Individuals wishing to address the Board at the beginning of this meeting on items to be voted on should call
1-669-900-6833 and enter Meeting ID 996 0329 4818 from their telephone keypad. Then press #, and then #
again when prompted for the Participant ID. Callers will be placed on hold until it is their turn to speak.

For 30 minutes, callers will be selected randomly to speak from the callers on hold. All callers may not be
heard by the conclusion of the 30 minutes time period. There will be no advantage to calling early. Each caller
will be limited to 3 minutes.

Callers will know to speak when receiving the signal that their phone has been removed from hold and/or
unmuted.

If you wish to comment in the Board Room at the beginning of the meeting, comments must be limited to the
three items for action. Other topics should be addressed by mail, email, or phone message as indicated above.

Please know that social distancing practices will be followed. You will need to wear a mask whenever you are
in District facilities. For the safety and well-being of others you will be required to wear a mask when
addressing the Board at the podium.
Old Business for Action (Items Postponed from Previous Meeting)

1. **Board of Education Revised Report No. 001 – 20/21**  
   Charter Schools Division  
   (Approval of the LAUSD Policy and Procedures for Charter Schools and District Required Language for Independent Charter Schools) Recommends adoption of the attached LAUSD Policy and Procedures for Charter Schools marked “DRAFT” dated August 11, 2020 and approval of the attached District Required Language for independent charter schools dated July 9, 2020. Additionally, amends Board Rule 1008 to reflect this adoption as the policy of the District.

New Business for Action

2. **Board of Education Report No. 027-20/21**  
   Office of Labor Relations  
   United Teachers Los Angeles (UTLA) Tentative Agreement for 2020-2021 Distance Learning Sideletter (Recommends approval of the negotiated 2020-21 Distance Learning Sideletter Agreement with United Teachers Los Angeles (UTLA) regarding the impacts and effects of the Covid-19 pandemic and clarifies the requirements for student instruction to attain educational goals while in a remote learning environment).

Board Member Resolutions for Action

3. **Dr. McKenna – Commemorating the Life and Legacy of Member of Congress John Lewis (Res-003-20/21)** (Waiver of Board Rule 72)

   Whereas, Congressman John Robert Lewis was born on February 21, 1940, near Troy, Alabama and died on July 17, 2020 at the age of 80;  
   Whereas, John Lewis has devoted his life to safeguarding human rights, protecting civil liberties, and building what he calls “the Beloved Community” in the United States;  
   Whereas, Fifty years later, the legacy of John Lewis continues to inspire people of color and all Americans, adults, children, low-income people, people of faith and all people of conscience to campaign for human dignity until such basic rights as food, water, stable housing, equality at work and home and fair access to public transportation are basic guarantees; and  
   Whereas, From 1963 to 1966, at a pivotal point in the Civil Rights Movement, John Lewis was named Chairman of the Student Nonviolent Coordinating Committee, which he helped found, orchestrating student activism in the Movement, including sit-ins, voter registration drives, community action programs, and other activities; Whereas  
   Whereas, Along with many others, John Lewis demonstrated great courage by risking his life and casting light on the senseless cruelty of the time when he was brutally attacked while leading over 600 peaceful orderly protestors across the Edmund Pettus Bridge in Selma, Alabama, to demonstrate the need for voting rights, on March 7, 1965, which later became known as “Bloody Sunday”, expediting the passage of the Voting Rights Act of 1965  
   Whereas, In 1968, John Lewis portrayed wisdom in balancing his advocacy with family, taking Lillian Miles Lewis as his wife and later raising their son, John Miles Lewis, together;
Whereas, John Lewis was elected in 1986 to serve as the United States Representative for Georgia’s Fifth Congressional District and has capably and effectively served his constituency since then, serving as Ways and Means Chairman, Subcommittee on Oversight and Chief Deputy Whip for the House Democratic caucus; and

Whereas, John Lewis’s unwavering ethical and moral principles have garnered admiration and respect from his colleagues on both sides of the aisle; now, therefore, be it

Resolved, That the Los Angeles Unified School District commends Congressman John Lewis of Georgia and commemorates his legacy of tirelessly working to secure civil liberties for all, thereby building and ensuring a more perfect Union.

Adjournment

Please note that the Board of Education may consider at this meeting any item referred from a Board Meeting five calendar days prior to this meeting (Education Code 54954.2(b)(3)).

The Board of Education may also refer any item on this Order of Business for the consideration of a committee or meeting of the Board of Education.

Requests for disability related modifications or accommodations shall be made 24 hours prior to the meeting to the Board Secretariat in person or by calling (213) 241-7002.

Individuals wishing to speak at a Board meeting must sign up at the meeting. There will be no sign ups in advance of the meeting. Speakers must sign up prior to the item being acted upon by the Board. Speakers should plan to arrive early as items with no speakers may be acted on at the beginning of the meeting.

If you or your organization is seeking to influence an agreement, policy, site selection or any other LAUSD decision, registration may be required under the District's Lobbying Disclosure Code. Please visit www.lausd.net/ethics to determine if you need to register or call (213) 241-3330.

Materials related to an item on this Order of Business distributed to the Board of Education are available for public inspection at the Security Desk on the first floor of the Administrative Headquarters and at http://laschoolboard.org/08-11-20SpclBdCharter. Items circulated after the initial distribution of materials are available for inspection at the Security Desk.
TAB 1
REVISED Approval of the LAUSD Policy and Procedures for Charter Schools and District Required Language for Independent Charter Schools
July 9, 2020
Charter Schools Division

Action Proposed:
Adopt the LAUSD Policy and Procedures for Charter Schools marked “DRAFT: Proposed for Action by the Board of Education on August 11, 2020” and approve the attached District Required Language for independent charter schools dated July 9, 2020. Additionally, amends Board Rule 1008 to reflect this adoption as the policy of the District.

Background:
On October 3, 2019, Governor Newsom signed into law Assembly Bill (AB) 1505, and described it as the most comprehensive updates to the California Charter Schools Act since its inception in 1992. Key changes of AB 1505 include new grounds for denial for new or expanding charter schools, changes to the renewal criteria, amended timelines for authorization, and updated processes for appeals. The District’s charter policies have been updated to align with these noteworthy changes, presented herein as the LAUSD Policy and Procedures for Charter Schools. The updated policy document includes the input from various stakeholders, including parents and staff from District and charter schools, community members, and representatives from Labor, charter school organizations, and community organizations. The document also reflects additional updates from other new applicable laws (e.g. Senate Bill 126).

Also included for Board action is the District Required Language (“DRL”) which was updated to include new significant provisions in law. The District Required Language (DRL), which is a Board-approved document, is included in every LAUSD-authorized charter petition and contains, in part, required provisions pursuant to the Charter Schools Act and other applicable statutes; recent legislation that applies to charter schools; applicable District policy; as well as procedures and requirements related to health and safety, insurance and indemnification, closure, and school sites/facilities. The DRL importantly provides transparency to all stakeholders including parents, community members, and other entities about the responsibilities of LAUSD as the authorizer and the accountabilities of the charter school as the provider of public school education.

The Board of Education considered the proposed Policy and Procedures draft on July 9, 2020, and adopted various sections with additional language requested for consideration at a subsequent meeting. In addition to proposed additional language requested by members of the Board of Education, Staff revised some sections pursuant to Senate Bill (SB) 98. Proposed additional language or changes, and SB 98 revisions are reflected in underlined and italicized fonts. Deleted text is reflected via strikethroughs. The Board of Education is considering the remaining sections of the proposed Policy and Procedures, on August 11, 2020.
Expected Outcomes:
By adopting the LAUSD Policy and Procedures for Charter Schools, the District ensures a policy is in place to support the implementing of AB 1505, given that most provision commence on July 1, 2020. It further supports clarity of expectations and transparency to LAUSD authorized charter schools and stakeholders. Approval of the District Required Language will facilitate appropriate consistency of key expectations in petitions and practices of all LAUSD-authorized independent charter schools.

Board Options and Consequences:
“Yes” - If the Board adopts the recommendation of approval of the LAUSD Policy and Procedures for Charter Schools, it is expected that the policy would support clear and transparent implementation of AB 1505 LAUSD-authorized charter schools authorized by LAUSD on policies that are subject to oversight and accountability. Following adoption, staff will remove the “draft” and “proposed for action” in the header and replace it to read “Adopted by the Board of Education on August 11, 2020,” and align the formatting for consistency in the final document. Approval of the District Required Language will facilitate consistency throughout all LAUSD-authorized independent charter schools.

“No” - If the Board does not adopt the LAUSD Policy and Procedures for Charter Schools, the implementation of AB 1505 (and other newly passed legislation) would commence without the adoption of a policy by the Board. The District would nonetheless have to comply with the legal requirements provided in AB 1505 and other related legislation, without an approved policy and procedures. If the Board does not approve the updated District Required Language, the currently approved 11-03-17 version would remain a requirement in charter petitions and Staff will continue to hold schools accountable to legislative updates enacted post the approval of the 11-03-17 Board-approved DRL.

Policy Implications:
The LAUSD Policy and Procedures for Charter Schools would be the policy document for all LAUSD-approved charter schools. Board approval of the most recent version of the District Required Language will amend and update charters to the latest version of the District Required Language. The California Department of Education has recently invited input to inform potential regulations in the future. The timing, however, is not determined. Staff will continue to monitor developments and engage, as appropriate. Should updates to the Policy and Procedures be required, staff will provide recommendations for the Board’s consideration and action at the appropriate time.

Budget Impact:
There is no budget impact expected.

Student Impact:
The LAUSD Policy and Procedures for Charter Schools and District Required Language are intended to support clarity of expectations for LAUSD’s authorized independent charter schools, thereby supporting operations at school sites that support all students.

Issues and Analysis:
None
File #: Rep-001-20/21, Version: 2

Attachments:
Attachment A - LAUSD Policy and Procedures for Charter Schools (Rev. 08/11/20)
Attachment B - District Required Language for Independent Charter School Petitions (Rev. 07/09/20)

Informatives:
Not Applicable

Submitted:
07/24/20, Revision #1
RESPECTFULLY SUBMITTED,  

AUSTIN BEUTNER  
Superintendent of Schools

APPROVED & PRESENTED BY:

JOSE COLE-GUTIÉRREZ  
Director  
Charter Schools Division

REVIEWED BY:  

DAVID HOLMQUIST  
General Counsel

☑ Approved as to form.

REVIEWED BY:  

TONY ATIENZA  
Director, Budget Services and Financial Planning

☑ Approved as to budget impact statement.
LAUSD
Policy and Procedures for Charter Schools

July 9, 2020 August 11, 2020
ACKNOWLEDGEMENTS

The Los Angeles Unified School District Board of Education ("LAUSD Board"), Superintendent, Chief Strategy Officer, and Charter Schools Division staff extend appreciation to all who contributed to shaping this LAUSD Policy and Procedures for Charter Schools. We are grateful for the input from various stakeholders, including parents and staff from District and charter schools, community members, and representatives from Labor organizations, charter school organizations, and community organizations. As the largest district authorizer of charter schools in the nation, this document reflects the LAUSD Board’s goal of ensuring high quality authorization and oversight practices that support increased academic achievement and equity for all students and uphold the public trust.
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I. POLICY INTRODUCTION

The Los Angeles Unified School District ("LAUSD" or "District") is the second largest school district in the nation, with the mission and goal of providing every student with a high-quality, 21st century public education that enables students to graduate college-prepared and career-ready. To achieve these goals in the service of a diverse student population, the District offers a variety of public school options, including traditional neighborhood schools, magnet programs, pilot schools, dual language programs, Linked Learning programs, International Baccalaureate programs, Schools for Advanced Studies, early childhood education, and adult and career education. In addition, LAUSD authorizes affiliated and independent charter schools, and serves as the largest authorizer among all school districts in the country.

Since the enactment of the Charter Schools Act in 1992 and the approval of the initial group of charter schools in 1993, LAUSD has acquired many meaningful lessons as a charter school authorizer, all of which inform this LAUSD Policy and Procedures for Charter Schools ("Policy and Procedures"). With 277 charter schools under its authorization in 2019-2020, LAUSD has observed the intent of the Charter Schools Act, which promotes improving pupil learning; increasing learning opportunities for all pupils; creating new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site; providing parents and pupils with expanded choices in the types of educational opportunities that are available within the public school system; and, changing from rule-based to performance-based accountability systems, among others.

Of significant consequence, on October 3, 2019, California Governor Gavin Newsom signed into law Assembly Bill (AB) 1505, which represents "the first major overhaul to the charter school law since its enactment." As Governor Newsom noted, "AB 1505 is the result of leaders from all sides of this issue coming together to enact a law that is meaningful, purposeful and, most importantly, that prioritizes students and families from both traditional and charter schools across California... We now have the framework for charter and traditional schools to work together collaboratively in service of their communities and neighborhoods."

Consistent with Governor Newsom's statement, the Policy and Procedures sets forth a renewed vision and direction for the District's role as a chartering authority and reaffirms its commitment to high quality practices that support the success of all students and uphold the public trust. The LAUSD Board and LAUSD leadership seek to foster a shared vision for a unified ecosystem of public education, centered on core values of mutual

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1 See "Advocating for Additional Federal Funding in Public Education" (LAUSD Board of Education, Res-037-18/19); see also "Public Schools Week 2020" (LAUSD Board of Education, Res-032-19/20)
2 California Education Code section 47601.
3 https://www.gov.ca.gov/2019/10/03/governor-newsom-signs-charter-school-legislation-10-3-19/
4 Id.
respect, excellence and high standards, equity and access, and collaboration. In this environment, increased collaboration is elevated for the benefit of every student, every school, and every community, and care is taken so that “vigorous competition” does not yield adverse rivalries, lost opportunities, and inequalities. All schools, both District and charter, “must reciprocally share ‘best practices’ to encourage cross-school communication that stimulates successful innovation and learning for all our students.” As such, it is the LAUSD Board’s goal that greater cohesion among public schools in LAUSD will help accelerate gains in student achievement, increase access and opportunity, realize adequacy of resources, exercise appropriate accountability, and build new ways of cooperation to serve all families well for decades to come.

The LAUSD Board 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. When the LAUSD Board authorizes and oversees a charter school, it establishes a relationship to advance its vision and mission and to accelerate gains in academic achievement and accountability for all of its students and public schools. The LAUSD Board will ensure that charter schools have the autonomy provided in the Charter Schools Act. However, in exchange for this autonomy and flexibility, charter schools must demonstrate high levels of accountability. The LAUSD Board expects charter schools to exercise the autonomy and flexibility afforded to them under the law as a means of developing instructional and operational strategies that reach high standards of achievement, equity, safety, transparency, and accountability.

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5 See District Core Beliefs: https://achieve.lausd.net/Page/474
8 See “Advocating for Additional Federal Funding in Public Education,” noting that “there must be equitable and sufficient resources for a diverse student population with vast differences in language, income, parental education levels, and other social, educational, and economic factors.” (LAUSD Board of Education, Res-037-18/19); see also “Access and Opportunity for All: Analyzing Enrollment Patterns to Support School Integration Efforts” (LAUSD Board of Education, Res-002-19/20; see also Report of the Independent Financial Review Panel November 10, 2015 discussion of charter schools, noting, “…it will be important for the District and the community to coalesce around shared values for the purpose of community reconciliation for the educational benefit of all students residing within the District.” http://home.lausd.net/pdf/Independent%20Financial%20Review%20Panel%20Report.pdf (p. 10).
The Policy and Procedures outlines LAUSD’s responsibilities as a chartering authority. 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 Policy and Procedures provides a framework to guide the LAUSD Board and District staff in establishing a coordinated and coherent approach to fulfilling its authorizing responsibilities effectively and promoting the quality and accountability of the schools it authorizes.⁹

In establishing the Policy and Procedures, the LAUSD Board and District staff seek to:

- Make the well-being of all students the fundamental value informing all actions and decisions informed by applicable law, and sound data and facts;
- Promote equity and access for all students and work toward accelerating increases in student achievement, and address the needs of historically underserved student populations;
- Strive for clarity, fairness, high expectations, and transparency in authorization and oversight;
- Serve as a source of accurate information about charter schools in LAUSD; and
- Uphold the public trust.

Moreover, the Policy and Procedures serves to provide charter school petitioners, charter school operators, parents, stakeholders, and the general public with an overall understanding of the requirements and responsibilities of operating a charter school in LAUSD.

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⁹ To the extent provisions in the Policy and Procedures conflict with any law, the law supersedes the provisions outlined herein and the validity and effect of the rest of this policy shall not be affected.
II. PROCEDURES

A. NEW CHARTER SCHOOL PETITIONS

The LAUSD Board is vested with the authority to determine whether to grant a charter petition, and will make its determination based upon the requirements and standards of the California Charter Schools Act. Within the context of the Charter Schools Act, the LAUSD Board grants charters to petitioners who demonstrate strong capacity for establishing and operating a quality charter school that is consistent with sound educational practice and serves the interests of the entire community in which the school is proposing to locate. (Ed. Code, § 47605(c).) LAUSD’s charter school application and review process and timelines will follow clear and transparent decision-making processes consistent with the Charter Schools Act. When the charter application and petition review process is completed, the Charter Schools Division (“CSD”) staff will present a recommendation to the Superintendent, whose final recommendation is considered by the LAUSD Board to determine whether to grant or deny the charter petition.

Resources for Petitioners

The CSD will inform prospective petitioners of the requirements, standards, and timelines for charter school authorization, beginning with the petition application submission process and ending with action by the LAUSD Board. Petitioners shall ensure all applicable legal provisions are included in the charter petition, regardless of whether specified in the Policy and Procedures. LAUSD provides several resources containing guidance for petitioners, which are available at the CSD page of the LAUSD website. LAUSD encourages all prospective petitioners to review each of these resources, as they provide important clarity regarding the new petition application and review process, including LAUSD’s expectations for reasonably comprehensive descriptions of each element of the petition, the LAUSD District Required Language (“DRL”), and necessary documents for complete submission of the petition application. In addition, petitioners are encouraged to contact the CSD with any questions prior to submitting a new petition.
New Petition Application Review Process and Timelines

1. **Letter of Intent and Scheduling of Intake Appointment**

In order to support planning, petitioners must submit a Letter of Intent prior to submitting their petition. A copy of the Letter of Intent template can be found at the CSD page of the LAUSD website. Petitioners will be asked to provide information regarding the proposed charter school. These may include, but are not limited to:

- Type of charter school (i.e., start-up, conversion, independent, affiliated)\(^{10}\)
- Projected instructional starting date (must be in the academic year immediately following petition submission)
- Grade levels to be served
- Projected enrollment (including grade “roll-out” schedule)
- Location
- Facilities plan
- Programs and services

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\(^{10}\) A start-up charter school is one that is newly established. A conversion charter school is a former district-operated school that “converted” to become a charter school. These schools can elect to be direct-funded (whereby they receive their state funding directly from the state) or locally-funded (whereby they receive their state funding through their authorizer or county office). Direct-funded charter schools are commonly referred to as “independent” charter schools and are generally governed by their own board of directors. Locally-funded charter schools are commonly referred to as “affiliated” charter schools and are under the ultimate governance of the LAUSD Board.
- Start-up funding
- Lead petitioner information
- Information regarding the community the school intends to serve
- Names and qualifications of persons who will serve on the governing board if the charter school is operated by, or as, a nonprofit benefit corporation
- Charter school affiliation (i.e., charter management organization or entity managing a charter school, foundation, or nonprofit organization)

The CSD will notify the applicable Local District and/or Community of Schools leadership where the charter school proposes to locate of the Letter of Intent and forthcoming application for a new charter school within ten business days of receiving the Letter of Intent. The Local District and/or Community of Schools leadership will communicate this information to their respective principals and their community stakeholders (e.g. parents, staff, community members and organizations, all Labor representatives, neighborhood councils, Chambers of Commerce, and elected officials) in the respective community. The CSD will notify all charter schools in the respective community.

2. Submission of a New Petition to the District

Due to the volume of agenda items for each LAUSD Board meeting and consideration of operational capacity, LAUSD has established a target windows schedule (“target windows”) for the submission of petitions. Once the LAUSD Board adopts a schedule for board meeting dates in a given school year, the CSD will post the target windows schedule for petition submission. CSD staff will arrange an intake appointment with petitioners within the target windows. The target windows help ensure that LAUSD has adequate time and capacity to effectively and meaningfully consider and process each petition application.

At the intake appointment, CSD staff will determine if the petition is complete. Petitioners must submit a complete new petition application (see, “New Independent Charter Application Guide” on the CSD website), and a certification that the petitioners deem the petition to be complete (“Certification of Completeness”) in order for the petition to be considered received for purposes of starting the statutory timelines outlined in Education Code section 47605(b). The petition and supporting documents must also be consistent with the LAUSD District Required Language (“DRL”).

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1 United Teachers Los Angeles (UTLA); L.A. School Police Association (LASPA); L.A. School Police Management Association; Associated Administrators of Los Angeles (AALA); Service Employees International Union, Local 99 (SEIU); California School Employees Association (CSEA); L.A./Orange Counties Building & Construction Trades Council; Teamsters Local Union 572.

12 The LAUSD Board shall not accept for submission nor approve any petition for the establishment of a new charter school offering nonclassroom-based instruction from January 1, 2020 to January 1, 2022. (Ed. Code, § 47612.7.)

13 The Certification of Completeness can be found on the CSD website.
3. Petition Review

If the petition is deemed complete at the intake appointment, the CSD will commence its review and analysis of the petition in accordance with the standards and criteria set forth in the Charter Schools Act. (Ed. Code, § 47605.) Please refer to the “Criteria for New Petition” section for guidance on what factors staff will consider in determining whether to make an approval or denial recommendation to the LAUSD Board.

a. Capacity Interview

The Charter Schools Act requires charter school authorizers to determine whether petitioners have the capacity to successfully implement the program set forth in the charter petition (Ed. Code, § 47605(c)(2).) As part of CSD staff’s review of the petitioners’ submission (and record of performance, as applicable), the CSD may conduct an interview of petitioners, including founders, board members, and proposed school leadership, to assess their capacity (“Capacity Interview”) as part of the petition review process.

During the Capacity Interview, petitioners will have the opportunity to independently demonstrate their experience and expertise relating to the elements set forth in their petition. In determining who should attend the Capacity Interview, petitioners should consider that the interview is a key component of demonstrating their capacity to successfully implement the proposed program. The petitioners should carefully determine who will be present for the Capacity Interview, to best represent the team’s ability 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, community impact, student enrollment, assessment, and data analysis.

The CSD recommends that members of the governing board and the following individuals be present at the Capacity Interview:

- The lead petitioner(s)
- The person(s) who will be responsible for day-to-day operations of the school
- The person(s) who will be responsible for management and oversight of the school’s finances
- The school principal (if one has been selected)
- The educational leader of the school

Although a single person may fill more than one of the above staff roles, in order to properly segregate fiscal duties and mitigate potential conflicts of interest, the principal and the person responsible for management of the school’s finances should not be the same person. Petitioners should ensure compliance with the Ralph M. Brown Act when determining governing board attendees at the Capacity Interview.
The Capacity Interview is one factor considered when making a determination regarding the capacity of the petitioners to successfully implement the program set forth in the charter petition. If it is determined that the petitioners lack the capacity to successfully implement the program set forth in the charter petition, the CSD will include this determination in its recommendation to the LAUSD Board.

Petitioners who currently operate charter schools in LAUSD with a demonstrated track record of successful operations may not necessitate a Capacity Interview. In such cases, LAUSD will consider evidence of successful student performance (reflecting the same grades and same educational model as the proposed school) and previous oversight records demonstrating successful operations, governance, and fiscal management for the organization’s existing school(s), as well as the organization’s capacity to expand and whether the organization has had significant changes in leadership. The demonstrated track record of successful school performance will include the consideration of the following factors:

- The majority of the charter petitioner organization’s schools serving similar grade levels are identified as High Performing (per the statutory renewal criteria);
- None of the charter petitioner organization’s schools are in the Low Performing band (per the statutory renewal criteria); and
- The charter petitioner organization’s record of performance on oversight reports for the past two consecutive years has yielded ratings of Proficient and/or Accomplished (with the exception of the first year’s oversight rating in fiscal operations).

b. Fiscal Operations Review

The CSD will conduct a review of the petitioner’s proposed fiscal plan and operations as part of the review process. The petition application will be reviewed for fiscal soundness and viability, including funding for personnel and materials required to implement the proposed program (e.g. salaries, instructional supplies, equipment, facilities, maintenance of facilities, professional development, and contract services). CSD staff will assess the assumptions used for the school’s start-up funding, revenues, and expenditures. Based on this assessment, the CSD staff will evaluate the school’s available cash, three-year budget, and three-year projected cash flow to determine whether the school is likely to be financially viable. If a petitioner’s budget includes borrowing against the school’s future revenues as a source of funding (“factoring of receivables”), this may lead to findings regarding the proposed charter school’s financial sustainability (e.g. potential findings may include, but are not limited to, concerns regarding the school’s factoring of its receivables as the primary source of cash flow and/or multi-year reliance on the factoring of its receivables, and the school’s enrollment projections that are not supported by the school or not deemed reasonable in view of enrollment trends).
c. **Due Diligence**

The CSD works in consultation with the Office of the Inspector General ("OIG") to conduct a due diligence search. As part of the petition application, the lead petitioner(s), the school principal, and the on-site financial manager shall complete questionnaires and submit resumes. In addition to examining the submitted documents, the OIG conducts background checks using publicly available records to determine whether available information reveals substantial concerns regarding the lead petitioner(s), school principal, and on-site financial manager’s capacity to lead or operate a charter school.

d. **Petition Revisions**

The CSD review team may communicate feedback in the form of comments and questions to petitioners whose petition application preliminarily merits consideration for approval based on the criteria, but requires some petition revisions or clarification. It is the petitioner’s responsibility to satisfactorily address any pending issues in the petition. CSD staff does not engage in the revision process if the recommendation is for denial.

4. **Public Hearing Before the LAUSD Board**

Within 60 days of receipt of the complete new petition application, the LAUSD Board shall hold a public hearing for the LAUSD Board to consider the level of support for the petition by teachers employed by LAUSD, other employees of LAUSD, and parents, as directed by Education Code section 47605(b). The CSD will notify the applicable Local District and Community of Schools leadership of the public hearing date within ten business days of its scheduling. The Local District and/or Community of Schools leadership will communicate this information to their respective principals and their community stakeholders (e.g., parents, staff, community members and organizations, all Labor representatives, neighborhood councils, Chambers of Commerce, and elected officials) in the respective community. The CSD will notify all charter schools in the respective community. Interested stakeholders may contact the Office of the Board Secretariat for speaking procedures or submitting information in writing.

5. **Superintendent’s Recommendation to LAUSD Board and Public Posting**

The Superintendent, upon review of CSD’s report, will provide a recommendation to the LAUSD Board regarding the petition. The CSD will publish the Superintendent’s recommendation, and any written findings required to support the recommendation, at least 15 days prior to the LAUSD Board meeting at which it will act on the new petition. (Ed. Code, § 47605(b).)

If the petitioner chooses to withdraw a petition after the 15-day advance posting of a denial recommendation, which is on the 75th day of the petition review timeline, (inclusive of the detailed finding of fact report in support of a denial recommendation), the petitioner (and members of the petitioner team) may not resubmit or submit another petition to LAUSD,
with or without modification, for 12 calendar months from the date of original submission if the petitioners intend to develop their proposed charter school petition.

6. LAUSD Board Action to Grant or Deny the New Charter Petition

Within 90 days of receipt of the new petition, the LAUSD Board shall hold a public hearing at which it will either grant or deny the new petition. The charter school and LAUSD may mutually agree to extend the timeline by an additional 30 days.

Petitioners shall have equivalent time and procedures to present evidence and testimony to respond to the staff recommendations and findings. (Ed. Code, §47605(b).) District staff and petitioners will have three minutes each to make a presentation for items placed on discussion. Either District staff or petitioners may forego providing a presentation to the LAUSD Board. Items placed on the consent agenda would not necessitate the provision of equivalent time to petitioners since District staff will not be making a presentation. Denial recommendations will not be placed on the consent agenda and petitioners will have three minutes to make a presentation, unless petitioners waive time.

The LAUSD Board may ask District staff and petitioners follow-up questions regarding the recommendation. If the LAUSD Board does so, equivalent time procedures would not apply.

Petitioner shall execute all applicable Memoranda of Understanding (MOU) or agreements prior to LAUSD Board action.

Criteria for Evaluating New Petitions

In determining whether to grant or deny a new charter petition, the LAUSD Board shall carefully review the proposed charter application, consider public input, staff’s professional judgment, recommendations and reports, and criteria established by law, including the academic needs of pupils the school proposes to serve. A new charter petition shall only be denied if the LAUSD Board makes written factual findings specific to the petition setting forth facts to support that one or more of the following findings exist:

1) The charter school presents an unsound educational program for the students to be enrolled in the charter school. (Ed. Code, § 47605(c)(1).)
2) The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition. (Ed. Code, § 47605(c)(2).)
3) The petition does not contain the number of signatures required by Education Code section 47605(a). (Ed. Code, § 47605(c)(3).)
4) The petition does not contain an affirmation of each of the conditions described in Education Code section 47605(e). (Ed. Code, § 47605(c)(4).)
5) The petition does not contain reasonably comprehensive descriptions of the 15 elements in a charter petition. (Ed. Code, § 47605(c)(5).)

14 The amount of equivalent time may change subject to LAUSD Board rules and procedures.
15 See Ed. Code, § 47605(c); see also, Title 5 California Code of Regulations, section 11967.5.1.
6) The petition does not contain a declaration as to whether or not the charter school shall be deemed the exclusive public school employer of the school's employees for purposes of collective bargaining pursuant to Government Code sections 3540-3549.3. (Ed. Code, § 47605(c)(6).)

7) The charter school is demonstrably unlikely to serve the interests of the entire community in which the school is proposing to locate. (Ed. Code, § 47605(c)(7).)

8) LAUSD is not positioned to absorb the fiscal impact of the proposed charter school. LAUSD satisfies this paragraph if it has a qualified interim certification pursuant to Section 1240 and the county superintendent of schools, in consultation with the Fiscal Crisis and Management Assistance Team, certifies that approving the charter school would result in the school district having a negative interim certification pursuant to Section 1240, has a negative interim certification pursuant to Section 1240, or is under state receivership. Charter schools proposed in LAUSD satisfying one of these conditions shall be subject to a rebuttable presumption of denial. (Ed. Code, § 47605(c)(8).)

1. Sound/Unsound Educational Program

In evaluating whether a charter petition is consistent with sound educational practice, the District will assess whether the proposed educational program is likely to be of educational benefit to pupils. An unsound educational program, for example, would present a plan that does not meet the needs of all students or presents likelihood of harm to students. LAUSD will consider whether the proposed charter school will meet the diverse educational needs and priorities of all students. The soundness of an educational program will be evaluated to determine, for example:

- If the framework for instructional design is aligned with the needs of all pupils that the charter school has identified as its target student population.

- If the charter school identifies and responds to the needs of pupils who are not achieving at or above expected levels based on state standards.

- If the charter school has an educational plan to meet the needs of students with disabilities, English learners, students achieving substantially above or below grade level expectations, and other special student populations.

- If 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

16 "Sound educational program" includes factors and guidance promulgated by the State Board of Education. See Title 5 California Code of Regulations, section 11967.5.1.
responsibilities under law for special education pupils, and how the school intends to meet those responsibilities, are addressed.

2. Likely/Unlikely to Successfully Implement the Program

In evaluating whether a petitioner is demonstrably likely or unlikely to successfully implement the program set forth in the charter petition, the LAUSD Board will assess a variety of factors, including but not limited to:17

- Petitioner’s past history of involvement in charter schools or other education agencies (public or private), as one the LAUSD Board would regard as unsuccessful. Examples of findings may include, but are not limited to:
  - Petitioner operated a charter school that has been revoked by a chartering authority
  - Petitioner has a pattern and history of notices to cure, notices of violation, or corrective actions from a chartering authority or a government agency
  - Petitioner operated an educational entity (public or private) that has been cited by a government agency and/or closed down
- Evidence that petitioners are familiar with the content of the petition and the requirements of law that would apply to the proposed charter school. Examples of findings may include, but are not limited to:
  - Lack of knowledge of petition’s educational program including serving English learners, students with disabilities, and foster youth
  - Lack of knowledge of annual goals for all pupils and subgroup of pupils proposed to be served
  - Lack of knowledge of the school’s governance structure and administration
- The financial and operational plan for the proposed charter school, including the structure for providing administrative services and criteria for selection of contractors.
- Insurance (e.g., general liability, workers’ compensation, and other necessary insurance of the type and in the amounts required for an enterprise of similar purpose and circumstance). Specifically, petitioner must have the required insurance coverage and limits policy endorsing the Los Angeles Unified School District and Board of Education as named additional insureds.
- The types and potential location of facilities needed to operate the size and scope of educational program proposed in the charter. Examples of findings may include, but are not limited to:
  - Proposed school site is not compliant with applicable building codes and other applicable laws
  - Proposed school site does not adhere to program accessibility requirements of federal law, including the Americans with Disabilities Act and Section 504 of the Rehabilitation Act

17 The policy for “demonstrably unlikely to successfully implement the program” includes factors and guidance promulgated by the State Board of Education. See Title 5 California Code of Regulations, section 11967.5.1.
The petitioners' background and experience in areas critical to the charter school's success, including curriculum, instruction, assessment, finance, and the petitioner's plan to secure the services of individuals who have the necessary background and experience in these areas. Examples of findings may include but are not limited to:

- Petitioner does not have an academic leader or instructional team with experience and knowledge in serving students the charter school proposes to serve, including English learners and students with disabilities
- Petitioner does not have a financial manager with experience and knowledge in operating educational institutions or financial literacy and knowledge of accounting and finance, which is critical in financial oversight of the organization

Charter School Replication

If an existing LAUSD-authorized charter school operator submits an application for a new charter school to replicate their existing educational model, the charter school operator will submit information required of all applicants as part of the application process. Given that the petitioner has at least one existing school in operation, as part of the evaluation process, LAUSD staff will assess the petitioners' likelihood 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, and assessment of the proposed charter’s fiscal and community impact. The following areas will be considered as part of the school's record of performance: student achievement and educational performance; governance and organizational management; fiscal management; school operations; and fulfillment of the charter provisions.

3. Required Signatures

A petition for the establishment of a new charter school must be signed by either of the following:

1. A number of parents/guardians equivalent to at least one-half of the number of students that the charter school estimates will enroll in the school for its first year of operation; or
2. A number of teachers equivalent to at least one-half of the total number of teachers that the charter school estimates will be employed at the school during its first year of operation.

Each parent/guardian signature must also include a prominent statement explaining that a parent/guardian's signature means that the parent/guardian is meaningfully interested in having their child attend the charter school in its first year of operation or, in the case of a teacher's signature, that the teacher is meaningfully interested in teaching at the charter school. (Ed. Code, § 47605(a)(3).) The CSD may follow-up with parent/guardians and/or teachers if questions arise regarding their meaningful interest in the proposed new school. The CSD may follow-up with meaningfully interested parent/guardians and/or teachers to validate signatures.
For an LAUSD operated school that is proposing to convert into a charter school, petitioners may submit the petition to the LAUSD Board after the petition is signed by not less than 50 percent of the permanent status teachers currently employed at the LAUSD operated school to be converted. (Ed. Code, § 47605(a)(2).)

4. **Affirmations**

A new charter petition must include affirmations that the charter school will:

- Be nonsectarian in its programs, admission policies, employment practices, and all other operations. (Ed. Code, § 47605(e)(1).)
- Not charge tuition. (Ed. Code, § 47605(e)(1).)
- Not discriminate against any pupil on the basis of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in section 422.55 of the Penal Code, including immigration status. (Ed. Code, § 47605(e)(1); Ed. Code, § 220.)
- Except as provided in Education Code section 47605(e)(2), admission to a charter school shall not be determined according to the place of residence of the pupil, or of his or her parent or legal guardian, within this state, except that an existing public school converting partially or entirely to a charter school under this part shall adopt and maintain a policy giving admission preference to pupils who reside within the former attendance area of that school. (Ed. Code, § 47605(e)(1).)
- Admit all pupils who wish to attend Charter School. (Ed. Code, § 47605(e)(2)(A).)
- Except for existing pupils of Charter School, determine attendance by a public random drawing if the number of pupils who wish to attend Charter School exceeds Charter School’s capacity. Preference shall be extended to pupils currently attending Charter School and pupils who reside in LAUSD. (Ed. Code, § 47605(e)(2)(B).)
- If a pupil is expelled or leaves Charter School without graduating or completing the school year for any reason, Charter School shall notify the superintendent of the school district of the pupil’s last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card, and health information. (Ed. Code, § 47605(e)(3).)
- Meet all statewide standards and conduct the pupil assessments required pursuant to Education Code sections 60605 and any other statewide standards authorized in statute or pupil assessments applicable to pupils in non-charter public schools. (Ed. Code, § 47605(d)(1).)
- Consult, on a regular basis, with Charter School’s parents, legal guardians, and teachers regarding the school’s educational programs. (Ed. Code, § 47605(d)(2).)
- Charter School hereby declares that Charter School, operated as or by its nonprofit public benefit corporation, is and shall be the exclusive public school employer of Charter School’s employees for the purposes of the Educational Employment Relations Act (“EERA”), Chapter 10.7 (commencing with Section 3540) of Division 4 of Title I of the Government Code. Charter School shall comply with all provisions
of the EERA and shall act independently from LAUSD for collective bargaining purposes. In accordance with the EERA, employees may join and be represented by an organization of their choice for collective bargaining purposes.

Neither the charter, nor any of the supporting document, shall include any evidence that the charter will fail to comply with the affirmations described in Education Code section 47605(d).

5. Reasonably Comprehensive Descriptions

A new petition must contain a reasonably comprehensive description of each of the 15 elements required by Education Code section 47605(c)(5). *Reasonably comprehensive descriptions* are expected to be substantive, address all aspects of the elements, and be specific to the petition being proposed.¹⁸

The 15 required elements of a charter petition are as follows:

- **Element 1 - The Educational Program:** “(i) The educational program of the charter school, designed, among other things, to identify those whom the charter 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. (ii) The annual goals for the charter school for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals. (iii) If the proposed charter school will serve high school pupils, the manner in which the charter school will inform parents about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered transferable and courses approved by the University of California or the California State University as creditable under the “A to G” admissions criteria may be considered to meet college entrance requirements.” (Ed. Code, § 47605 (c)(5)(A).)

- **Element 2 - Measurable Student Outcomes:** “The measurable pupil outcomes identified for use by the charter school. ‘Pupil outcomes,’ for purposes of this part, 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. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both schoolwide and for all pupil subgroups served by the charter school, as that term is defined in subdivision (a) of Section 52052. The pupil outcomes shall align with the state priorities, as

¹⁸ _The policy for "reasonably comprehensive" includes factors and guidance promulgated by the State Board of Education._ See Title 5 California Code of Regulations, section 11967.5.1.
described in subdivision (d) of Section 52060, that apply for the grade levels served by the charter school.” (Ed. Code, § 47605(c)(5)(B).)

- **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. To the extent practicable, the method for measuring pupil outcomes for the state priorities shall be consistent with the way the information is reported on a school accountability report card.” (Ed. Code, § 47605(c)(5)(C).)

- **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(c)(5)(D).)

- **Element 5 - Employee Qualifications:** “The qualifications to be met by individuals to be employed by the charter school.” (Ed. Code, § 47605(c)(5)(E).)

- **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 all of the following:
  (i) That each employee of the school furnish the school with a criminal record summary as described in section 44237.
  (ii) The development of a school safety plan, which shall include the safety topics listed in subparagraphs (A) and (H), inclusive, of paragraph (2) of subdivisions (a) of Section 32282 and procedures for conducting tactical responses to criminal incidents.” (Ed. Code, § 47605(c)(5)(F).)

- **Element 7 - Racial and Ethnic, Special Education, and English Learner Balance:** “The means by which the school will achieve a balance of racial and ethnic pupils, special education pupils, and English learner pupils, including redesignated fluent English proficient pupils, as defined by the evaluation rubrics in Section 52064.5, 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(c)(5)(G).)

- **Element 8 - Admission Requirements:** “Admission policies and procedures.” (Ed. Code, § 47605(c)(5)(H).)

- **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(c)(5)(I).)

- **Element 10 - Student Expulsions:** “The procedures by which pupils can be suspended or expelled from the charter school for disciplinary reasons or otherwise involuntarily removed from the charter school for any reasons These procedures, at a minimum, shall include an explanation of how the charter school will comply with federal and state constitutional procedural requirements that is consistent with all of the following:
  (i) For suspensions of fewer than 10 days, provide oral or written notice of the charges against the pupil and, if the pupil denies the charges, an explanation of the evidence that supports the charges and an opportunity for the pupil to present the pupil’s side of the story.
(ii) For suspensions of 10 days or more and all other expulsions for disciplinary reasons, both of the following:

(I) Provide timely, written notice of the charges against the pupil and an explanation of the pupil’s basic rights.

(II) Provide a hearing adjudicated by a neutral officer within a reasonable number of days at which the pupil has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate.

(iii) Contain a clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five school days before the effective date of the action. The written notice shall be in the native language of the pupil or the pupil’s parent or guardian or, if the pupil is a foster child or youth or a homeless child or youth, the pupil’s educational rights holder, and shall inform the pupil, the pupil’s parent or guardian, or the pupil’s educational rights holder of the right to initiate the procedures specified in clause (ii) before the effective date of the action. If the pupil’s parent, guardian, or educational rights holder initiates the procedures specified in clause (ii), the pupil shall remain enrolled and shall not be removed until the charter school issues a final decision. For purposes of this clause, “involuntarily removed” includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions specified in clauses (i) and (ii). (Ed. Code, § 47605(c)(5)(J).)

- **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(c)(5)(K).)

- **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(c)(5)(L).)

- **Element 13 - Employee Rights:** “The rights of an 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(c)(5)(M).)

- **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(c)(5)(N).)

- **Element 15 - Procedures to be Used if the Charter School Closes:** “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(c)(5)(O).)

The petition must also include information regarding the proposed operation and potential effects of the charter school, including the facilities to be used, the manner in which the
administrative services of the charter school will be provided, and a description of potential liability effects, if any, upon the charter school and upon the school district. (Ed. Code, §47605(g).)

6. **Declaration Regarding Employment**

The petition must clearly identify whether or not the charter school shall be deemed the exclusive public school employer of the school's employees for purposes of collective bargaining pursuant to Government Code sections 3540-3549.3.

7. **Community Impact Analysis**

Pursuant to Education Code section 47605(c)(7), the LAUSD Board may adopt findings of fact that, “[t]he charter school is demonstrably unlikely to serve the interests of the entire community in which the school is proposing to locate. Analysis of this finding shall include consideration of the fiscal impact of the proposed charter school. A written factual finding under this paragraph shall detail specific facts and circumstances that analyze and consider the following factors:

(A) The extent to which the proposed charter school would substantially undermine existing services, academic offerings or programmatic offerings.

(B) Whether the proposed charter school would duplicate a program currently offered within the school district and the existing program has sufficient capacity for the pupils proposed to be served within reasonable proximity to where the charter school intends to locate.”

Aligned with the legislative intent of AB 1505, and the LAUSD Board’s policy vision for a unified ecosystem of public education articulated herein, new charter school petitions

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19 The analysis pursuant to Ed. Code section 47605(c)(7) is applicable to existing charter schools seeking to expand to add sites and grades. (Ed. Code, §§ 47605 (a)(4) and 47607(a)(3).)


http://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill_id=201920200AB1505: “This measure ensures that charter schools are authorized and overseen by school districts and county offices of education, who are the elected officials that best understand the educational needs of their local students, thus improving oversight. The bill gives school districts greater authority to choose which charter schools are approved in their community, and to consider the fiscal impact of the charter school on the current students in the district...[AB 1505] allows school districts to have flexibility to consider the community impact, including the fiscal impact to the school district, when a new charter school, or existing charter school that is expanding, presents a petition to the school district...Additionally, [the author’s] intent is to authorize school districts to consider the impact that a charter school would have on school district programs such as English Learner instruction, hands-on science, music, and theater. The challenges of sharing space with a charter school may limit use of science labs, music rooms, and computer labs, and these are some of the factors AB 1505 will allow school districts to consider before a new or expanding charter school is approved. Further, school districts may consider the staffing needs...
will be considered within the context of existing public school choices in communities. This includes consideration of factors that will help the LAUSD Board, determine how best to meet the educational needs of all students, including but not limited to factors such as efforts to increase student achievement;

21 trends in declining/increasing enrollment;

22 effective use of district facilities and resources;

23 and, needs to achieve adequacy of funding for public schools.  

**Community Impact Assessment**

To assist in the determination whether the proposed new charter school is demonstrably likely or unlikely to serve the interests of the entire community in which the school proposes to locate, the petitioner must submit a Community Impact Assessment as part of its charter petition application. The Community Impact Assessment will be based on analysis of publicly available information and data (e.g., LAUSD OpenData, LAUSD Unified Enrollment program data, official data from the California Department of Education’s website, etc.). Petitioners shall clearly cite and provide sources for all data and information used to inform assertions in their Community Impact Assessment.

The Community Impact Assessment shall include the following:

a. Identification of the Community for the Proposed Charter School

For purposes of this Policy and Procedures, a “community” includes all public schools (District and charter), serving similar grade levels as the proposed new charter school, and families and individuals who reside, work, and/or are served in the identified geographical area. The identified geographical area will be based on LAUSD Community of district services and programs that might be impacted by a charter school, and if layoffs of custodial positions, teachers, school resource officers, and other school staff is likely to be exacerbated by the addition of a new or expanding charter school, school boards must take this into account in order to meet the needs of all students.”

21 “Ensuring Support for Students at All Los Angeles Unified School District Schools” (LAUSD Board of Education, Res-011-19/20)


24 “Strategic Planning for Adequate Funding of Public Education in Los Angeles” (LAUSD Board of Education, Res-014-18/19); and “Building Support for Our School Communities: Increasing Equity and Access for Schools and Parents by Growing Parent Organizations and Schools” (LAUSD Board of Education, Res-015-19/20); and “Local Communities Funding Act of 2020” (LAUSD Board of Education, Res-028-19/20)
of Schools\textsuperscript{25} and neighborhoods within a three-mile radius from the location identified by the petitioners of the proposed new charter school. Thus, petitioners will consider the existing District and charter schools operating within the Community of Schools and three-mile radius.

b. Evidence of Community Engagement

Petitioners must provide documented evidence of transparent, inclusive, and active community engagement activities with parents in the community, existing public schools, neighborhood councils, community-based organizations, and elected representatives within the targeted community in which the proposed new charter school seeks to locate stakeholders. These may include, but are not limited to, parents in the community, existing public schools, Local District and Community of Schools leadership and LAUSD Board of Education member(s) neighborhood councils, community-based organizations, and/or elected representatives within the targeted community in which the proposed new charter school seeks to locate. Petitioners should use various communication media to reach diverse constituencies, and provide a record of outreach efforts and audiences reached (e.g. multilingual notices, materials, meeting agendas, sign-in sheets, etc.).

c. Impact to Existing Services, Academic Offerings or Programmatic Offerings

To help determine the extent to which the proposed new charter school substantially undermines existing services, academic offerings, or programmatic offerings in a community, the petitioner shall assess the current state of enrollment and space capacity of the District schools and charter schools in the community. The funding formula for TK/K-12 schools in California is highly dependent on Average Daily Attendance (ADA), and resources are critical to any school's ability to implement its programs for the benefit of students. Thus, the petitioner's assessment of the community impact of its petition must consider the enrollment trends of the existing District schools and charter schools in the community. The enrollment trend analysis will include whether District and charter schools in the community are at, under, or over their enrollment target or capacity. This analysis will help inform a need for a new school and the financial viability of the proposed school, as well as impacts to existing services, academic offerings or programmatic offerings (e.g., English Learner instruction, hands-on science, music, and theater).\textsuperscript{26} If the petitioner submits an application for a new charter school in a community in which under-enrollment among existing District schools and/or charter schools is prevalent, this factor may constitute a significant fact in finding the proposed new charter school has a substantially undermining effect.

\textsuperscript{25} In general terms, a Community of Schools is a group of schools from Pre-K through 12th grade an identified by the District that is centered around a neighborhood, working to support students, school, and families in the community and/or school feeder patterns. Constructs such as school feeder patterns, Zones of Choice, and/or other operative District terms may be considered, as programmatic updates occur.

The petitioner must also describe how its facilities plan serves the interests of the entire community. Staff will review the petitioner’s facilities plan, including, but not limited to, steps the petitioner has taken toward researching and/or securing facilities, private facilities options available to the petitioner, and whether the petitioner intends to submit a request for use of District facilities pursuant to Education Code section 47614 (Proposition 39). A petitioner’s stated intention to use District facilities pursuant to Proposition 39, by itself, will not be deemed against the entire community’s interest, but the petitioner shall include detailed information and analysis regarding the specific District school site(s) where the petitioner wishes to locate.

Regardless of whether the facilities plan identifies any private or public site(s), the petitioner must include a specific description, with supporting documentation, of each identified site’s ability to accommodate the petitioner’s in-district classroom average daily attendance (ADA) projection in its first year of operation and each subsequent year until reaching full enrollment capacity. The petitioner shall provide written evidence of its facilities research in the target community, including, but not limited to, the specific address of any private or public site(s); the extent to which site(s) is/are approved for the specific use in accordance with requirements of applicable building authorities, applicable laws, and expectations set forth in this Policy and Procedures; and the petitioner’s capacity and resources to address any construction related activities or other facilities improvements required to prepare the site(s) for use by the petitioner within a specified timeframe.

District staff will analyze the foregoing when considering community impacts of the petitioner’s facilities plan, as well as additional factors, including, but not limited to, the challenges of the District sharing space with the petitioner that may limit use of science labs, music rooms, and computer labs; and other impacts on the ability of existing schools in District facilities to fully implement their programs.

This information will assist the Board of Education into determining the extent to which space-related factors impact the ability of existing schools on District property to fully implement their programs.

The District will also consider current academic performance levels of existing District and charter schools as relevant factors for students and families exercising educational choice, and whether a new charter school is justified to meet the academic needs of pupils the school proposes to serve and to support increased student achievement in a community. To assess current academic performance levels of the existing District and charter schools in the target community which serve similar grade levels as the proposed school, the District will use the California School Dashboard indicators which include the Academic Performance Indicators (English Language Arts, Mathematics, English Learners Progress, and College/Career), the Academic Engagement indicators (Chronic Absenteeism and Graduation Rate), and the Conditions and Climate indicator
(Suspension Rate). For each existing District and charter school in the target community, their performance level for each indicator (school-wide and for each numerically significant subgroup served), as applicable, will be compared to the State averages. (e.g. review of results from the California School Dashboard, official cohort graduation rates).

d. Duplicating Existing Programs and Sufficient Capacity

The petitioner shall assess the duplication of existing programs currently offered by existing District schools and charter schools in LAUSD as a whole. The petitioner’s assessment should consider how its proposed program would duplicate the current program offerings by existing District schools and charter schools. The abovementioned enrollment trend analysis will also inform the extent to which existing District programs (and charter schools) have sufficient capacity to serve the students in the proposed location.

When assessing the level of duplications and program capacity, the District will consider levels of academic performance of existing District and charter schools in the District, as well as additional relevant factors in its analysis and consideration.

District Analysis

District staff will examine the reasonableness and comprehensiveness of the petitioner’s Community Impact Assessment pursuant to this section (and in the District’s new petition application materials). Moreover, staff will also analyze the impact of the proposed new charter school to existing District schools, and to the extent practicable, existing charter schools, in the proposed community. This may include but is not limited to impacts of birth rates, number of school-aged students, and migration in the community of interest, as data are available.

Fiscal Impact to the Community

The District will assess the extent to which a new charter school has a fiscal impact to existing District public schools in the community identified by a petitioner. District staff’s evaluation of the fiscal impact of a new petition will include, but not be limited to, the following factors:

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27 Comparative performance data metrics may be adjusted to align with measures set forth by the District in response to "Ensuring Support for Students and All Los Angeles Unified District Schools" (LAUSD Board of Education, Res-011-19/20).
28 Pursuant to the law, this analysis applies to District-wide offerings though the specific assessment with the identified community as defined above is relevant to consider “reasonable proximity.”
29 See CONCURRENCE IN SENATE AMENDMENTS, AB 1505 (O'Donnell, et al.), As Amended September 5, 2019
• Analysis of estimated total revenue losses for existing District schools
• Review of estimated impacts to staff positions for the District’s services and programs (e.g., norm-based, custodial positions, teachers, and other school staff) that support the District’s schools in the proposed community (e.g., use of the Electronic School Enrollment Forecast Process (E-CAST) information or the Norm Day enrollment information, whichever is the most current)

If the petitioner submits an application for a new charter school in which there is deemed a substantive fiscal impact to existing District schools in the proposed community, this factor may constitute a fact and circumstance in support of a finding leading to the denial recommendation of the petition.

The LAUSD Board of Education, in its sole discretion, may consider additional relevant factors in its analysis and consideration of grounds for denial in this section. Petitioners may present additional information for consideration in the Community Impact Assessment, including but not limited to information pertaining to the needs and achievement of historically underserved students (e.g., Foster Youth, English Learners, Socioeconomically Disadvantaged students, etc.), and the proposed allocation of resources and/or investments to improve student outcomes. Petitioners are encouraged to cite and address the District’s goals and/or priority areas. The District will invite (but not require) each existing District and charter school in the target community to provide input prior to/at the public hearing regarding the impact of the proposed new charter school.

If a new charter school is approved by the LAUSD Board and subsequently seeks to locate in a community different from the community the charter school was originally authorized to serve, the charter school operator must submit a material revision for approval with an updated Community Impact Assessment prior to a change in location. District will also analyze fiscal impact to existing District schools in the community in which the existing charter school seeks to move to or locate. Please see the section regarding material revisions for additional information on the submission process.

8. LAUSD-Wide Fiscal Impact

The Board of Education shall make a finding that the District is not positioned to absorb the fiscal impact of the proposed charter school if the District either has a qualified interim certification or would have a negative interim certification pursuant if approving the charter school (as verified by the county superintendent of schools, in consultation with the Fiscal Crisis and Management Assistance Team, pursuant to Section 1240), or the District is under state receivership.
Resources for Petitioners

Petitioners should review the resources for petitioners on the CSD website (e.g., Independent Charter School Renewal Petition Application Guide, Renewal Petition Application Intake Checklist, and DRL) to gain a clear understanding of the required elements and the information needed in the renewal petition application material that satisfies the statutory requirements of Education Code sections 47605, 47607, and 47607.2.

Renewal Application Review Process and Timelines

1. **Pre-submission and Scheduling of Intake**

A charter school wishing to submit a renewal petition shall notify the CSD administrator assigned to the school during the final year of the term of the charter and coordinate the logistics of submission, including but not limited to, scheduling an intake appointment and a review of necessary documentation.
2. **Submission of Renewal Petition to the District**

Renewal petition applications must be submitted in the final school year of the charter term. Due to the volume of agenda items for each LAUSD Board meeting and CSD staff capacity, LAUSD has established a target windows schedule (“target windows”) for the submission of petitions. Once the LAUSD Board adopts a schedule for board meeting dates in a given school year, the CSD will post the target windows for petition submission. CSD staff will arrange an Intake Appointment with petitioners within the target windows. The target windows ensure that LAUSD has adequate time and capacity to effectively and meaningfully consider and process each new petition.

CSD will conduct an intake to determine if the petition is complete. At the intake appointment with CSD staff, petitioners must complete and submit the renewal petition application packet (see Charter School Renewal Petition Application Intake Checklist on the CSD website), including a signed Certification of Completeness in order for the LAUSD Board to deem the renewal petition received for purposes of triggering the timelines described in this section. The petition and supporting documents must also be consistent with the LAUSD DRL. When the petitioners submit in accordance with the target windows, staff will utilize official data (and any appropriate verified data) available during the time of review to inform its recommendation. Staff engages in the revision process with petitioner, if applicable. Staff will not engage in the revision process if the charter school has not met renewal criteria. Petitioners are encouraged to submit the renewal petition once the latest California School Dashboard (“Dashboard”) data and the CDE’s list of charter school performance classifications (e.g., “high,” “middle,” and “low”) are available.

The CSD will review the Dashboard data, along with other relevant verified data as part of the renewal analysis. If the CSD’s holistic analysis of the charter school indicates possible low performance in any key areas of academics, operations, governance, facilities and/or fiscal operations, a written plan for improvement (adopted by the charter school’s governing body) will be required. Petitioners should make every effort to resolve any outstanding issues in advance of submitting a renewal application and plan their submission accordingly.

A charter school that is considering revisions to its approved charter concurrent with the renewal should contact the assigned CSD administrator in advance of submitting a renewal petition. While a request for a material revision may be submitted at the same time as a renewal petition, the renewal petition and the request for a material revision will be separately reviewed and recommended for LAUSD Board action, consistent with applicable law.

3. **Public Hearing Before the LAUSD Board of Education**

Within 60 days of receipt of the renewal petition, the LAUSD Board shall hold a public hearing to afford the LAUSD Board the opportunity to consider the level of support for the
renewal petition by teachers employed by LAUSD, other employees of LAUSD, and parents, as directed by Education Code section 47605(b).

4. Superintendent’s Recommendation to LAUSD Board and Public Posting

The CSD will evaluate the renewal petition in accordance with the criteria specified in the Charter Schools Act. Please refer to the “Criteria for Renewal and Grounds for Nonrenewal” section of this Policy and Procedures for guidance on what factors the CSD and Superintendent will consider in determining whether to make an approval or denial recommendation to the LAUSD Board. The Superintendent, in consultation with the CSD, will make a recommendation to the LAUSD Board regarding the renewal petition. The CSD will publish the Superintendent’s recommendation, and any written findings required to support the recommendation, at least 15 calendar days prior to the LAUSD Board meeting at which it will act on the renewal petition. (Ed. Code, § 47605(b).)

5. LAUSD Board Public Hearing and LAUSD Board Action to Grant or Deny the Renewal Petition

Within 90 days of receipt of the renewal petition, the LAUSD Board shall hold a public hearing at which it will either grant or deny the renewal petition. The LAUSD Board may approve a renewal petition with or without conditions and/or benchmarks. The charter school and LAUSD may mutually agree to extend the timeline by an additional 30 days.

Petitioners shall have equivalent time and procedures to present evidence and testimony to respond to the staff recommendations and findings. (Ed. Code, §47605(b).) District staff and petitioners will have three minutes each to make a presentation for items placed on discussion. Either District staff or petitioner may forego providing a presentation to the LAUSD Board. Items placed on the consent agenda would not necessitate the provision of equivalent time to petitioners since District staff will not be making a presentation. Denial recommendations will not be placed on the consent agenda and petitioners will have three minutes to make a presentation, unless petitioners waive. The LAUSD Board may ask District staff and petitioners follow up questions regarding the recommendation. If the LAUSD Board does so, equivalent time procedures would not apply.

Petitioners are expected to sign and execute any Memoranda of Understanding (MOU) and/or agreements prior to LAUSD Board action, if applicable.

Criteria for Renewal and Grounds for Nonrenewal

A charter school approaching the end of its current charter term must have demonstrated that it is eligible for a renewal of its charter by meeting specific renewal criteria outlined in the Charter Schools Act. The renewal criteria prescribed in Education Code sections 47607 and 47607.2 requires a three-pronged analysis:

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30 The amount of equivalent time may change subject to LAUSD Board rules and procedures.
• **Criterion 1:** Does the renewal petition include a sound educational program, a reasonably comprehensive description of the 15 elements required for petitions, an affirmation of each of the conditions described in Education Code section 47605(e), and are petitioners likely to successfully implement the program set forth in the petition? (Ed. Code, § 47607(b).)

• **Criterion 2:** Is the charter school “high,” “middle,” or “low” performing? (see Ed. Code, §§ 47607(c), 47607.2(a), and 47607.2(b).) Has the charter school attained measurable increases in academic achievement schoolwide and for numerically significant subgroups served by the charter school, and does the charter school have strong postsecondary outcomes, if applicable?

• **Criterion 3:** Are the charter school’s enrollment or dismissal practices discriminatory, or does the charter school have substantial fiscal or governance issues? (Ed. Code, § 47607(e).)

The criteria for renewal establish transparent expectations for charter school performance that apply to charter schools both during the renewal review process and throughout the term of the charter. The CSD will holistically 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. A charter school should also conduct its own assessment on an ongoing basis to monitor performance and make improvements. During the final year of the charter term, the CSD communicates with each charter school regarding its progress toward renewal and any concerns that LAUSD has at that time that the charter school should address prior to renewal. Therefore, a charter school approaching renewal should have a clear understanding of its status regarding renewal eligibility.

1. **Criterion 1**

The Charter Schools Act provides that renewals are governed by the standards and criteria described in Education Code section 47605 applicable to initial petitions. The first criterion considered in reviewing a renewal petition requires an analysis of the following:

- Whether the petition includes a sound educational program;
- Whether the petition contains a reasonably comprehensive description of the 15 elements required for petitions;
- Whether the petition contains an affirmation of each of the conditions described in Education Code section 47605(e); and
- Whether the charter school is likely to successfully implement the program set forth in the petition. Education Code section 47607(b) provides that renewals are governed by the standards and criteria described in section 47605 applicable to initial petitions. (The LAUSD Board may not consider the community impact analysis or District fiscal analysis in determining whether to grant or deny a renewal petition).

While Criterion 1 is similar to the criteria for a new petition, there is more information and data regarding past performance since the initial petition for a charter school was granted. Thus, soundness of the educational program and capacity for implementation are
assessed through the past performance of the existing charter school as indicators of likely future performance, including any applicable benchmarks that have been established. The LAUSD Board will examine the charter school’s record in four key areas of charter school performance:

1) Governance
2) Student Achievement and Educational Performance
3) Organizational Management, Programs and Operations
4) Fiscal Operations

As part of its analysis, the LAUSD Board of Education will assess the extent to which charter school governing board members and staff have 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.

2. **Criterion 2**

The LAUSD Board is required to consider the charter school’s performance on the California School Dashboard accountability indicators. Education Code sections 47607 and 47607.2 prescribe three-tiers of performance classification in which a charter school falls within one of the following categories—"high," "middle," or "low." The state will publish an annual list of charter schools and their performance classification.  

The three-tier classification considers a charter school’s performance on the California School Dashboard accountability indicators, with an emphasis on the measurements of academic performance. “Measurements of academic performance” refers to the state indicators included on the California School Dashboard that are based on statewide assessments in the California Assessment of Student Performance and Progress System (CAASPP), or any successor system, English Learner Progress Indicator (ELPI), or any successor system, and the College/Career Indicator (CCI). A charter school submitting a renewal petition must include in its application all evidence and data related to the charter school’s performance on the California School Dashboard.

If the California School Dashboard indicators are not yet available for the most recently completed academic year before renewal, LAUSD shall consider verifiable data provided by the charter school related to the California School Dashboard indicators, such as data from the California Assessment of Student Performance and Progress, or any successor system, for the most recent academic year. (Ed. Code, § 47607(c)(6).) If data is unavailable for the most recently completed academic year before renewal, the CSD will consider available data for the preceding years during the term of the charter.

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31 In the event the state does not publish a list, staff will analyze available data (Dashboard indicators, statewide averages, or verified data) to determine a charter school’s performance classification as part of the renewal analysis.
Charter schools designated as Dashboard Alternative School Status (“DASS”) will work with LAUSD to establish renewal targets locally. (Ed. Code, § 47607(c)(7).) **Pursuant to CDE guidance, DASS charter schools’ renewal criteria will be based on:**

- California School Dashboard (Dashboard) state and local indicator data, and
- Performance on alternative metrics, based on the student population served, as agreed upon with the authorizer during the first year of the charter school’s term.
  - If renewed, the term shall be for five years

**DASS schools will not be included in the California Department of Education’s AB 1505 data file.**

The chart below provides a general overview of renewal criteria for reference.
<table>
<thead>
<tr>
<th>High Performing Schools</th>
<th>Middle Performing Schools</th>
<th>Low Performing Schools</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>SHALL NOT DENY RENEWAL</strong> for a charter school that for two consecutive years immediately preceding renewal either ([\text{Pursuant to Senate Bill (SB) 98, if two consecutive years immediately preceding renewal decision include 2019-20 school year, chartering authority shall not deny renewal for a charter school if either of the following apply for 2 of the 3 years immediately preceding renewal:}})</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Charter schools not satisfying the “high performing” or “low performing” criteria should be evaluated under this column.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Shall consider schoolwide performance and performance of all subgroups on the California State School Dashboard, and shall provide “greater weight to performance on measurements of academic performance in determining whether to grant a charter renewal.”</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Shall also consider clear and convincing evidence, demonstrated by verified data, showing either:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. The school achieved measurable increases in academic achievement, as defined by at least one year’s progress for each year in school;</td>
<td></td>
<td></td>
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<tr>
<td>OR</td>
<td></td>
<td></td>
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<tr>
<td>b. Strong postsecondary outcomes equal to similar peers.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>MAY DENY ONLY upon making written findings that:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. The charter school has failed to meet or make sufficient progress toward meeting standards that provide a</td>
<td></td>
<td></td>
</tr>
<tr>
<td>For charter schools satisfying the criteria in this column:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- 5 to 7-year renewal term</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
- Only required to update petition to include reasonably comprehensive description of any new requirements, and as necessary to reflect the current program offered by the charter school
- Charter schools eligible for technical assistance not eligible for renewal under this column

<table>
<thead>
<tr>
<th>Benefit to pupils of the school;</th>
<th>And</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. The closure is in the best interest of the pupils;</td>
<td></td>
</tr>
<tr>
<td>2. If applicable pursuant to (1) and (2) above, its decision provided greater weight to the performance on measurements of academic performance.</td>
<td></td>
</tr>
</tbody>
</table>

For charter schools satisfying the renewal criteria in this column-
- 5-year renewal term
- Verified data considered for the next two subsequent renewals until January 1, 2026

<table>
<thead>
<tr>
<th>AND</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. There is clear and convincing evidence, demonstrated by verified data, showing either:</td>
</tr>
<tr>
<td>a. The school achieved measurable increases in academic achievement, as defined by at least one year's progress for each year in school;</td>
</tr>
<tr>
<td>OR</td>
</tr>
<tr>
<td>b. Strong postsecondary outcomes equal to similar peers.</td>
</tr>
</tbody>
</table>

For charter schools satisfying the criteria in this column-
- 2-year renewal term
- Verified data considered until June 30, 2025 for a school operating on or before June 30, 2020 for the next two subsequent renewals

### a. High Performing Schools

A charter school may qualify for renewal under the high performing renewal criteria pursuant to Education Code section 47607(c)(2)(A) if either of the following apply for the two consecutive years immediately preceding renewal. *Pursuant to Senate Bill (SB) 98, if two consecutive years immediately preceding renewal decision include 2019-20 school year, chartering authority shall not deny renewal for a charter school if either of the following apply for 2 of the 3 years immediately preceding renewal.*

1) The charter school has received the two highest performance levels schoolwide on all the state indicators included in the evaluation rubrics adopted pursuant to Section 52064.5 for which it receives performance levels; or
2) For all measurements of academic performance, the charter school has received performance levels schoolwide that are the same or higher than the state average and, for a majority of subgroups\textsuperscript{32} performing statewide below the state average in each respective year, received performance levels that are higher than the state average.

To qualify for renewal under #1, the charter school must have schoolwide performance levels on at least two measurements of academic performance per year in each of the two years immediately preceding renewal. (Ed. Code, § 47607(c)(2)(B).(5).)

To qualify for renewal under #2, the charter school must have performance levels on at least two measurements of academic performance for at least two numerically significant subgroups. (Ed. Code, § 47607(c)(5).)

Charter schools satisfying the high performing renewal criteria may be renewed for a term of 5 to 7 years. (Ed. Code, § 47607(c)(2)(E).) The determination of whether a high performing charter school will be renewed for a five-year, six-year, or seven-year term will depend on specific factors related to the charter school’s operation and performance during the term of the charter including, but not limited to, the following:

- Operational and governance performance, \textit{including scores of Accomplished (4) and/or Proficient (3) on the Annual Performance-Based Oversight Visit Report in Governance and Organizational Management, Programs and Operations for the previous two years, and no significant unresolved issues, including but not limited to Notices to Cure;}
- A significant \textit{demonstrated} track record of \textit{successful academic success performance; including scores of Accomplished (4) and/or Proficient (3) on the Annual Performance-Based Oversight Visit Report in the area of Student Achievement and Educational Performance for the previous two years;}
- Additional academic considerations (i.e. \textit{numerically significant} subgroup performance);
- Equity and access for families and pupils;
- School culture and climate; and
- Fiscal condition and management, \textit{including scores of Accomplished (4) and/or Proficient (3) on the Annual Performance-Based Oversight Visit Report in the area of Fiscal Operations for the previous two years.}

A charter school satisfying the high performing renewal criteria is only required to update its charter to include a reasonably comprehensive description (including DRL) of any new requirements enacted into law after the charter was originally granted or last renewed as necessary to reflect the current program offered by the charter school. (Ed. Code, § 47607(c)(2)(F).) \textit{In addition, a high performing charter school will describe, in its renewal charter submission, the manner in which the school will share promising practices of the}

\textsuperscript{32} “Subgroup” means numerically significant pupil subgroups as defined in paragraph (1) of subdivision (a) of Section 52052.
Charter schools qualifying for technical assistance pursuant to Education Code section 47607.3 are not eligible for renewal under the high performing renewal criteria. Charter schools qualifying for technical assistance pursuant to Education Code section 47607.3 are only eligible for renewal under the middle or low performing criteria. (Ed. Code, § 47607(c)(2)(C)(iii).)

b. Low Performing Schools

A low performing school shall not be renewed. (Ed. Code, § 47607.2(a)(1).) A charter school is considered low performing school if it satisfies either of the following for the two consecutive years immediately preceding renewal [Pursuant to Senate Bill (SB) 98, if two consecutive years immediately preceding renewal decision include 2019-20 school year, chartering authority shall not renew charter if either of the following apply for 2 of the 3 years immediately preceding renewal]:

1) The charter school has received the two lowest performance levels schoolwide on all the state indicators included in the evaluation rubrics adopted pursuant to Section 52064.5 for which it receives performance levels; or

2) For all measurements of academic performance, the charter school has received performance levels schoolwide that are the same or lower than the state average and, for a majority of subgroups performing statewide below the state average in each respective year, received performance levels that are lower than the state average.

However, the LAUSD Board may renew a low performing charter school if it makes both of the following written factual findings:

1) The charter school is taking meaningful steps to address the underlying cause(s) of its low performance, and those steps are reflected, or will be reflected, in a written plan adopted by the governing body of the charter school; and

2) Until June 30, 2025, the Board shall consider whether there is clear and convincing data, demonstrated by verified data, showing either of the following:

   a. The charter school achieved measurable increases in academic achievement, as defined by at least one year's progress for each year in school, or
   b. Strong postsecondary outcomes, as defined by college enrollment, persistence, and completion rates equal to similar peers. (Ed. Code, §47607.2(a)(4), (2) and (3)).
“Verified data” means data derived from nationally recognized, valid, peer-reviewed, and reliable sources that are externally produced. The LAUSD Board shall only consider verified data adopted by the State Board of Education pursuant to Education Code section 47607.2(c). Until such time that the State Board of Education adopts a pupil-level academic growth measure, for the purposes of this Policy and Procedures, the District defines “one year’s progress” as growth in achievement in ELA and Math from one academic year to the next. The District’s expectation is that a charter school demonstrates either the same or higher growth levels as schools serving similar student populations, for each year of the charter school’s current term of the charter (e.g., seven-year, six-year, five-year, or two-year term). Charter schools submitting verified data for this purpose must provide a clear explanation as to its alignment with the requirements herein.

Until such time that the State Board of Education provides postsecondary outcome data, charter schools may submit verified data specific to college enrollment, persistence, and completion rates, equal to similar peers, at the time of the submission of the renewal petition.

A low-performing charter school may only be renewed for a two-year term. (Ed. Code, § 47607.2(c)(6), (a)(5).) Charter schools that are renewed for two years shall submit its renewal application after obtaining two years’ additional performance data provided by the State.

c. Middle Performing Schools

For all charter schools that do not meet the above-referenced high performing or low performing criteria, the LAUSD Board shall consider the charter school under middle performing criteria. (Ed. Code, § 47607.2(b)(1).) Charter schools satisfying the middle performing criteria may be renewed for a five-year term. (Ed. Code, § 47607.2(b)(7).) However, upon making specific factual findings, the LAUSD Board may deny the renewal petition.

Pursuant to Education Code section 47607.2(b), the LAUSD Board shall consider the following:

1) The schoolwide performance and performance of all subgroups of pupils served by the charter school on both the state and local indicators on the California School Dashboard;
2) The LAUSD Board shall provide greater weight to the performance on measurements of academic performance on the California School Dashboard;
3) Until January 1, 2026, the LAUSD Board shall also consider clear and convincing evidence, demonstrated by verified data, showing either of the following:

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33 This methodology is based on LAUSD’s School Information+ platform https://laschoolinfo.coredistricts.org/.
a. The charter school achieved measurable increases in academic achievement, as defined by at least one year's progress for each year in school, or
b. Strong postsecondary outcomes, as defined by college enrollment, persistence, and completion rates equal to similar peers

Beginning January 1, 2026, and unless stated otherwise in the law, the LAUSD Board shall only consider numbers 1 and 2, above.

Until such time that the State Board of Education adopts a pupil-level academic growth measure, for the purposes of this Policy and Procedures, the District defines “one year’s progress” as growth in achievement in ELA and Math from one academic year to the next. The District’s expectation is that a charter school demonstrates either the same or higher growth levels as schools serving similar student populations, for each year of the charter school’s current term of the charter (e.g., seven-year, six-year, five-year, or two-year term). Charter schools submitting verified data for this purpose must provide a clear explanation as to its alignment with the requirements herein.

Until such time that the State Board of Education provides postsecondary outcome data, charter schools may submit verified data specific to college enrollment, persistence, and completion rates, equal to similar peers, at the time of the submission of the renewal petition.

The LAUSD Board may deny a renewal petition satisfying the middle performing criteria pursuant to section 47607.2(b) upon making each of the following written factual findings:

1) The charter school has failed to meet or make sufficient progress toward meeting standards that provide a benefit to pupils of the school;
2) The closure of the charter school is in the best interest of the pupils; and,
3) The decision provided greater weight to the performance on the measurements of academic performance.

a. When determining whether to deny a renewal petition under prong 1 or 2, LAUSD will consider the full oversight record of the charter school, providing greater weight to performance on the measurements of academic performance. This consideration will include a comparison to Resident Schools' performance on the measurements of academic performance (e.g., reclassification rates, Long-term English Learner (LTEL) rates, and percentage of students Met or Exceeded Standards as measured on the California Assessment of Student Performance and Progress (CAASPP) as compared to the state averages, California School Dashboard data, four-year cohort graduation rates). A list of Resident Schools is generated, based on students' addresses as reported in CALPADS. For schools within an LAUSD “Zone of

34 This methodology is based on LAUSD’s School Information+ platform https://laschoolinfo.coredistricts.org/.
Choice," all the schools that the students could have potentially attended will be used to calculate a Resident Schools Median.\textsuperscript{35}

3. **Criterion 3**

Notwithstanding Criterion 1 and 2, the LAUSD Board will also consider whether the charter school’s enrollment or dismissal practices are discriminatory as grounds for nonrenewal. (Ed. Code, § 47607(e).) Additionally, the LAUSD Board shall consider whether the charter school has substantial fiscal or governance issues factors as grounds for nonrenewal. (Ed. Code, § 47607(e).)

Specifically, the LAUSD Board may deny renewal of any charter petition, regardless of whether the charter school satisfies the high, middle, or low performing criteria, upon a finding that either:

1) The charter school is demonstrably unlikely to successfully implement the program set forth in the renewal petition due to either:
   
   a) Substantial fiscal issues factors, or
   b) Substantial governance issues factors.

   **Substantial fiscal factors may include, but are not limited to, issues related to the charter school’s fiscal solvency, mismanagement of funds, cash flow concerns, or outstanding financial liabilities owed to the District and/or others (e.g., contractual obligations, judgments/settlements, unpaid bills or debts, fee-for-service arrangements, facilities-related costs, Prop. 39 over-allocated space reimbursements, etc.).**

   **Substantial governance factors may include, but are not limited to, issues related to the retention of faculty (such as school leadership and teachers) which rise to the level of disruption of delivery of educational programs; conflicts of interest; or, violations of the Brown Act or California Public Records Act.**

2) The charter school is not serving the pupils who wish to attend.

Upon a finding that the charter school is not serving the pupils who wish to attend, LAUSD must identify evidence supporting this finding, including aggregate data reflecting pupil enrollment patterns at the charter school. (Ed. Code, § 47607(d).)

Prior to a nonrenewal determination pursuant to number 1 or 2 noted above, LAUSD shall provide the charter school with at least 30 days’ notice of the alleged violation and provide the charter school with a reasonable opportunity to cure the violation, including providing an opportunity for the charter school to present a proposed corrective plan. (Ed. Code, §

\textsuperscript{35}LAUSD may also consider a list of (demographically) similar schools if and when an appropriate methodology is determined for the purpose of charter renewal.
47607(e.) After providing notice of the alleged violation and reasonable opportunity to cure the violation, the LAUSD Board may deny a renewal petition if it finds that either:

1) The corrective action proposed by the charter school has been unsuccessful, or

2) The violations are sufficiently severe or pervasive as to render a corrective action plan unviable.

C. APPEALS

If the LAUSD Board denies a petition for the establishment of a new charter school or a renewal petition (collectively referred to as “petition” for purposes of this section), the petitioner has a right to appeal that decision. (Ed. Code, §§ 47605 and 47607).

1. Appeal to the Los Angeles County Board of Education

If the LAUSD Board denies a petition, the petitioner may appeal the denial to the Los Angeles County Board of Education (“LACBOE”). (Ed. Code, § 47605(k)(1)(A)(i).) By appealing to the LACBOE, the petitioner requests that the petition be approved and that the LACBOE become the chartering authority.

The petitioner must submit the petition to the LACBOE within 30 days of the LAUSD Board decision to deny the petition. At the time petitioner submits the appeal to the LACBOE, the petitioner shall provide a copy of the petition to the CSD. The petition submitted on appeal shall not contain new or different material terms. “Material terms” means the signatures, affirmations, disclosures, documents, and descriptions described in Education Code section 47605, subdivisions (a) through (c) and (h). (Ed. Code, § 47605(k)(1)(A)(ii).) LACBOE will review the petition pursuant to Education Code section 47605(k).

If the LACBOE remands the petition to LAUSD for reconsideration because the petition contains new or different material terms, the LAUSD Board shall grant or deny the petition within 30 days after the LAUSD Board has received the remanded petition from the LACBOE. The LAUSD Board is deemed to have received the remanded petition from the LACBOE once receipt of the remanded petition has been placed on the agenda for an LAUSD Board meeting following the LACBOE’s remand.

Within 30 days of receipt of the remand, the LAUSD Board will take action to either grant or deny the remanded petition. LAUSD will post staff recommendations related to the remanded petition in compliance with the Ralph M. Brown Act.

If the LAUSD Board denies a petition after reconsideration on remand, the petitioner may elect to resubmit the petition to the LACBOE. If the LACBOE grants the petition, the
petitioner shall provide written notice of that approval, including a copy of the petition, to the LAUSD Board.

2. **Appeal to the State Board of Education**

If the LAACBOE denies a petition on appeal, petitioner may appeal to the State Board of Education ("SBE"). The SBE will review an appeal using an “abuse of discretion” standard. (Ed. Code, § 47605(k)(2).)

If petitioner appeals to the SBE, petitioner must submit the petition to the SBE within 30 days of the LAACBOE’s denial decision. If the petitioner makes a written request to the CSD, LAUSD shall prepare the documentary record, including transcripts of the public hearing at which the LAUSD Board denied the petition. LAUSD must prepare the documentary record within 10 business days after the CSD receives the written request. (Ed. Code, §47605 (k)(2)(A).) Petitioners must submit the written request to the CSD prior to 5:00 p.m., Monday-Friday, not including holidays. Requests submitted after 5:00 p.m. shall be deemed received the following business day. At the time the petitioner submits the appeal to the SBE, the petitioner shall provide a copy of the petition and supporting documentation to the CSD.

If the SBE remands the petition to LAUSD for reconsideration because the petition contains new or different material terms, the LAUSD Board shall grant or deny the petition within 30 days following its receipt of the remanded petition from the SBE. The LAUSD Board is deemed to have received the remanded petition from the SBE once the receipt of the remanded petition has been placed on the agenda for an LAUSD Board meeting following the SBE’s remand.

Within 30 days of receipt of the remand, the LAUSD Board will take action to either grant or deny the remanded petition. LAUSD will post any staff recommendations related to the remanded petition in compliance with the Ralph M. Brown Act.

If the LAUSD Board denies a petition after reconsideration on remand, the petitioner may elect to resubmit the petition to the SBE. Petitioner shall provide a copy of the petition and supporting documentation to the CSD.

Within 30 days after petitioner submits the appeal to the SBE, LAUSD may submit a written opposition to the SBE detailing, with specific citations to the documentary record, how the LAUSD Board did not abuse its discretion in denying the petition. LAUSD may submit supporting documentation or evidence from the documentary record that was considered by the LAUSD Board.

The SBE’s Advisory Commission on Charter Schools (“ACCS”) shall hold a public hearing to review the appeal and documentary record. Based on its review, the ACCS shall submit a recommendation to the SBE whether there is sufficient evidence to hear the appeal or to summarily deny review of the appeal based on the documentary record. If the ACCS does not submit a recommendation to the SBE, the SBE shall consider the appeal, and
shall either hear the appeal or summarily deny review of the appeal based on the documentary record at a regular public meeting of the state board.

The SBE shall either hear the appeal or summarily deny review of the appeal based on the documentary record. If the SBE hears the appeal, the SBE may affirm the determination of the governing board of the school district or the county board of education, or both of those determinations, or may reverse only upon a determination that there was an abuse of discretion. If the denial of a charter petition is reversed by the SBE, the SBE shall designate, in consultation with the petitioner, either the governing board of the school district or the county board of education in which the charter school is located as the chartering authority. (Ed. Code, §47605(k)(2).)

Staff will provide the Board of Education materials from LACBOE, ACCS, or SBE of the outcome of the appeals.

D. MATERIAL REVISIONS

Introduction

During the term of its charter, a charter school may seek to amend its current LAUSD Board approved charter. LAUSD 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 LAUSD Board in accordance with California Education Code section 47607(a)(3).

Material revisions are governed by the same standards and criteria that apply to new petitions and shall include, but not be limited to, a reasonably comprehensive description of any new requirement for charter schools enacted into law after the charter was originally granted or last renewed. (Ed. Code, §47607(a)(2) and (a)(3).) Accordingly, the CSD must determine whether the charter, as amended, would be reasonably comprehensive, educationally sound, and demonstrably likely to be successfully implemented. Based on its conclusion, the CSD makes a recommendation to the Superintendent for presentation to the LAUSD Board.

Material Revision Standards

A material revision includes, but is not necessarily limited to, any change that would significantly alter a charter school's mission, vision, educational philosophy, educational program, governance, or organizational structure. LAUSD considers the following to be among, but not limited to, those changes constituting a material revision (i.e., LAUSD Board approval):
• Expansion to one or more additional sites (requires Community/Fiscal Impact Assessment)
• Change in location/address outside the community
• Addition or reduction of grades or grade levels served (expansion of additional grade levels requires a Community/Fiscal Impact Assessment)
• Increased enrollment:
  o For schools occupying non-LAUSD facilities, any increase of more than 20% or 100 students, whichever is less, above the enrollment as scheduled in the charter
  o For schools occupying LAUSD facilities, an increase above the enrollment which could impact the usage of the site
• Changes to admission preferences or procedures
• Changes to the governance and/or corporate structure and affiliations including, but not limited to:
  o Changes to the articles of incorporation of the entity managing the charter school, including the addition or deletion of any related or affiliated corporations, or sole statutory members; and changes to the number of board members
  o Corporate mergers
• Changes to the instructional and/or education model or design, other than changes required by law, including changes or adding a nonclassroom-based program.
• Change from independent charter school to affiliated charter school status. (See Section K, Affiliated Charter Schools, for details on process).

Request for Material Revision Review Process

1. Prior to Submission of the Material Revision Application

When a charter school wishes to request a change to its approved charter, charter school should review the above noted areas to assess whether the proposed change constitutes a material revision requiring LAUSD Board approval. The charter school should also contact the CSD administrator assigned to the charter school, and the assigned CSD administrator will work with the charter school to respond to any questions about whether the proposed change constitutes a material revision that requires LAUSD Board approval. Implementation of a material revision without the prior approval of the LAUSD Board is a material violation of the charter and may constitute grounds for revocation.

If the CSD determines the proposed change(s) do not constitute a material revision of the charter, the charter school may send its requested change(s) in writing to the CSD administrator assigned to the school to be considered for approval as a non-material amendment to the charter. Regardless of whether a change in the charter is deemed to

36 The term “community” is as defined in this Policy and Procedures. Any change in location or request for additional sites must be supported by documentation that the proposed location complies with all applicable building and safety requirements.
37 Requires the LAUSD Board to approve at a public hearing. (Ed. Code, §47605(e)(2)(B)(i).)
be “material” or “non-material,” the CSD will still review the request using the standards and criteria for consideration of a material revision.

2. Submission to the District

A complete request for a material revision application must be submitted to the charter school’s assigned CSD administrator. Prior to submission, the charter school should confirm that the request for a material revision application is complete and consistent with the DRL. The CSD provides resources to assist charter schools in the preparation of the request for a material revision of an approved charter, including the Request for Material Revision Checklist and DRL, available on the CSD page on the LAUSD website. Additionally, the charter school’s assigned CSD administrator and other CSD staff are available to respond to technical questions as needed.

A complete request for a material revision must include, at a minimum, the following:

- Letter to the Director of the CSD that clearly identifies the requested material revision(s). The letter shall include relevant background information, including the charter school’s reason for seeking the material revision(s).
- Documents supporting the material revision. For example, a lease agreement, documentation that a proposed new site complies with all applicable building and safety codes, revised bylaws or articles of incorporation, wait-list information, revised budget (including budget assumptions), and/or other data to support the proposed change.
- A description of the educational soundness of the requested revision(s) and the charter school’s capacity to successfully implement the proposed changes, as demonstrated by its record of academic, operational, and organizational management.
- For a proposed expansion to one or more additional sites or grade levels, information regarding the community impact of the proposed expansion.38
- A resolution, approved by the school’s governing board and duly signed by its board secretary, which:
  - Specifically identifies the revision(s) proposed to be made to the charter school’s current charter
  - Sets forth the rationale for the proposed material revision(s)
  - Authorizes the submission of the request for a material revision to LAUSD
  - Names the representative authorized to execute the amendment document and otherwise act on behalf of the charter school with respect to the material revision application process

While a request for a material revision may be submitted at the same time as a renewal petition, the renewal petition and the request for a material revision will be separately reviewed and recommended for LAUSD Board action consistent with applicable law.

38 Refer to the community impact analysis procedures in the New Charter Petitions section of this Policy and Procedures document.
3. **CSD Review of the Request for a Material Revision**

Once the charter school has submitted a complete request for a material revision application, CSD staff, in coordination with other appropriate LAUSD divisions, will review the submitted application materials, 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 material changes. In that event, the CSD will notify the school so that the interview can be scheduled as soon as practicable.

4. **Superintendent’s Recommendation(s) to the LAUSD Board of Education**

Upon review, if the CSD **Superintendent** determines that the requested material revision will be recommended for approval, CSD staff will draft a material revision agreement document and send it to the charter school for execution **their signature**. In addition to the proposed material revision, the material revision agreement will include those revisions necessary to conform the charter to the current DRL and any changes in the law since the current charter was granted or last renewed. The material revision agreement document must be signed by the charter school prior to LAUSD Board action and **will be fully executed by the District following Board approval**.

If the Superintendent determines that the requested material revision will be recommended for denial, CSD staff will notify the charter school promptly. At that time, the charter school may choose to withdraw the request or indicate its intent to proceed to LAUSD Board action notwithstanding the staff recommendation. If the charter school does not withdraw the request, CSD will proceed with scheduling and preparing for LAUSD Board action on the Superintendent’s recommendation of denial of the request for material revision.

5. **LAUSD Board of Education Action**

Based on the recommendation of the CSD **Superintendent** and the guidelines delineated in the Charter Schools Act, the LAUSD Board will make a final decision to approve or deny the request for a material revision of the charter.

Along with other bases for denial allowed by the Charter Schools Act, the LAUSD Board may deny a request for a material revision to expand operations to one or more additional sites or grade levels if the LAUSD Board makes either of the following written findings:

1) The charter school is demonstrably unlikely to serve the interests of the entire community pursuant to Education Code section 47605(c)(7);\(^{39}\) or

\(^{39}\) Refer to the community impact analysis procedures in the New Charter Petitions section of these Administrative Procedures.
2) LAUSD is not positioned to absorb the fiscal impact of the proposed expansion pursuant to Education Code section 47605(c)(8).)

For a material revision for expansion, the consideration of impact will be limited to the proposed expansion request. (Ed. Code, section 47607(a)(4).)

There is no right to appeal a denial of a request for a material revision to LACBOE or the SBE. If the LAUSD Board denies a charter school’s request for material revision of its charter, the school must continue to operate under the terms of its current LAUSD Board approved charter. Implementation of a material revision without the prior approval of the LAUSD Board is a material violation of the charter and may constitute grounds for revocation. Material revisions shall take effect on the effective date indicated in the Material Revision agreement.

E. TRANSPARENCY AND ACCOUNTABILITY

An important responsibility for charter schools is effective and ethical governance. Charter schools are publicly funded local educational agencies and shall be subject to the transparency and accountability requirements that govern other publicly funded local educational agencies. Charter schools shall not be operated by a for-profit corporation. (Ed. Code, § 47604(b)(1).) All charter schools authorized by LAUSD commit to the highest level of ethical, transparency, and accountability standards. The Legislature recognizes the need for charter schools and entities managing charter schools to comply with the same open meeting, conflict-of-interest, and disclosure laws as traditional school districts. (Ed. Code, § 47604.1.) Specifically, every charter school governing body and the governing body of the entity managing the charter school shall comply with the requirements of the following:

- Ralph M. Brown Act (Govt. Code, §§ 54950 et seq.)
- California Public Records Act (Govt. Code, §§ 6250 et seq.)
- Government Code section 1090 et seq., as set forth in Education Code section 47604.1
- Political Reform Act of 1974 (Govt. Code, §§ 81000 et seq.)

Members of the charter school’s executive board; any administrators, managers or employees; and any other committees of the charter school shall establish and abide by policies and procedures that comply with applicable federal and state laws and regulations and LAUSD charter school policies and regulations regarding conflicts of interest as part of a reasonably comprehensive description of school governance.

40 “Entity managing a charter school” means a nonprofit public benefit corporation that operates a charter school consistent with Education Code section 47604.
41 A charter school operated by an entity pursuant to Government Code, § 47620 et seq. shall comply with the Bagley-Keene Open Meetings Act.
1. **Brown Act and Meeting Requirements**

   a. **Location Requirements**

   In order to ensure that meetings are accessible to students and parents, a charter school governing body and the governing body of the entity managing charter schools shall hold meetings within the physical boundaries of the county where the charter school(s) is located, unless permitted otherwise by another provision of law. (Ed Code, § 47604.1(c)(1)(A).)

   If the charter school has more than one location across multiple counties, the charter school governing body and the governing body of the entity managing the charter school shall hold meetings at a location within the county in which the greatest number of pupils enrolled in the charter school reside, unless permitted otherwise by another provision of law. (Ed. Code, § 47604.1(c)(4)(A).) For a nonclassroom-based charter school that does not have a facility or that operates at one or more resource centers, the charter school governing body and the governing body of the entity managing the charter school shall hold meetings at a location within the county in which the greatest number of pupils enrolled in the charter school reside, unless permitted otherwise by another provision of law. (Ed. Code, § 47604.1(c)(2)(A).)

   b. **Teleconferencing and Recording Requirements**

   The governing body of a charter school governing body and the governing body of the entity managing charter schools shall establish a two-way teleconference location at each school site. (Ed. Code, § 47604.1(c)(1)(B).)

   For a governing body of an entity that manages one or more charter schools that are located in the same county, the charter school governing body and the governing body of the entity managing the charter school shall establish a two-way teleconference location at each school site and each resource center. (Ed. Code, § 47604.1(c)(3)(B).)

   For a governing body of an entity that manages two or more charter schools that are not located in the same county, the charter school governing body and the governing body of the entity managing the charter school shall establish two-way teleconference locations at each school site, including each resource center. (Ed. Code, § 47604.1(c)(4)(B).) The charter school governing body and the governing body of the entity managing the charter school shall also audio record or video record, or both, all the governing board meetings and post the recordings on each of the charter school’s websites. (Ed. Code, § 47604.1(c)(4)(C).)

   For a nonclassroom-based charter school that does not have a facility or that operates at one or more resource centers, the charter school governing body and the governing body of the entity managing the charter school shall establish a two-way teleconference location at each resource center. (Ed. Code, § 47604.1(c)(2)(B).)
All meeting agendas for a charter school’s governing body must be posted in compliance with the Brown Act. A charter school shall send copies of governing body meeting agendas to the CSD at the same time that they are posted, and shall also send copies of all meeting minutes to the CSD within one week of governing board approval. Timely posting of agendas and minutes on a charter school’s website will satisfy this requirement, provided all minutes are posted within one month of the meeting for which they were prepared. Charter schools shall otherwise comply with all other meeting requirements of Education Code section 47604.1.

2. Public Records Act

LAUSD recognizes the public’s right to access the records of charter schools. A charter school governing body and the governing body of the entity managing the charter school shall provide any person reasonable access to the public records of the charter school(s) during normal business hours and within the requirements of law. Public access shall not be given to records listed as exempt from public disclosure in the California Public Records Act and other state or federal law.

In response to a public records request, the charter school governing body and the governing body of the entity managing the charter school or designee shall make reasonable efforts to locate the requested records, including, but not limited to, any electronic communication substantively related to the records, such as email, text messages, instant messages, and other electronic communications, regardless of whether they are transmitted through an employer-provided device or account or through an employee’s or a governing board member's personal device or account.

3. Government Code section 1090 and Conflicts of Interest

Members of the charter school governing body and members of the governing bodies of the entities managing charter schools may not be financially interested in any decision made by the governing body. Notwithstanding the provisions of section 1090, an employee who serves on the charter school governing body shall abstain from voting on, or influencing or attempting to influence another member of the governing body regarding all matters uniquely affecting that employee’s employment. (Ed. Code, § 47604.1 (d).)

42 LAUSD shall be the custodian of records of any request for information submitted to the charter school if either of the following apply:

1) The charter school is located on federally recognized California Indian reservation or Rancheria, or
2) The charter school is operated by a nonprofit public benefit corporation that was formed on or before May 31, 2002, and is currently operated by a federally recognized California Indian tribe.
Charter schools and all employees and representatives of charter schools, including members of charter school’s governing board, members of the charter school or governing board committees and councils, charter school administrators, and managers, shall comply with federal and state laws, nonprofit integrity standards, and LAUSD Policy and Procedures for Charter Schools, regarding ethics and conflicts of interest. Charter schools shall enter into all transactions and conduct business with all persons and entities in a manner consistent with Government Code section 1090 and other applicable conflict of interest laws.

4. **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 Political Reform Act, these individuals are required to disclose certain financial interests on their Form 700 Statement of Economic Interest ("SEI") filings.

In accordance with the Political Reform Act, each charter school and/or an entity managing a charter school as defined in Education Code section 47604.1 must adopt a Conflict of Interest Code to be submitted to the Los Angeles County Board of Supervisors.

Charter schools authorized by LAUSD shall comply with LAUSD’s Lobbying Disclosure Code, policies, and procedures in their dealings with LAUSD officials.

It is the responsibility of the charter school to ensure that charter school officers and 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. In addition, each charter school officer bears individual responsibility for the officer’s own compliance with all conflict of interest laws.

**F. OVERSIGHT**

LAUSD’s oversight procedures are intended to balance a charter school’s autonomy of operation with its accountability to the public. LAUSD utilizes a holistic, performance-based approach to evaluate all charter schools, guided principally by making decisions in the best interest of students. The District’s oversight strives to be both proactive and responsive, providing clear expectations to charter schools to encourage strong performance from the first day of school operations, and accessibility to respond to issues that arise. Oversight includes review of the charter schools’ academic, operational, programmatic, governance, organizational, and fiscal performance. The CSD observes and monitors each charter school in accordance with applicable laws, regulations, LAUSD policy, memoranda of understanding, and the school’s operative charter. Information
gathered through oversight serves as part of the charter school’s ongoing record for the District to make informed decisions about charter school authorization, renewal, material revisions, sharing of promising practices, and if need be, revocation.

While LAUSD is responsible to provide oversight of its charter schools and the entities managing charter schools, the primary oversight of each charter school must first and foremost be performed by the charter school’s own governing board. The governing board of a charter school has an ongoing responsibility to oversee the operations of its charter school(s), ensuring that every charter school it oversees is providing a high-quality educational program for students enrolled, is successfully fulfilling the terms of their charter, is fiscally sound, and complies with applicable laws, regulations, and court orders. An important aspect of successful charter school governance and operations is staying abreast of all legislative changes affecting charter schools, and charter schools are expected to make any necessary changes to their policies and practices to reflect current law. Charter school leaders and governing boards, and District staff are encouraged to take a cooperative approach with these oversight procedures and take proactive and responsive measures to engage in monitoring the charter school’s performance as effectively and efficiently as possible. In doing so, both the District and charter schools have a role in maximizing public resources and reasonably minimizing administrative burden.

The Charter Schools Act requires chartering authorities to conduct the following oversight activities:

1. Identify at least one staff member as a contact person for the charter school. (Ed. Code, § 47604.32(a)(1).)
2. Visit each charter school at least annually. (Ed. Code, § 47604.32(a)(2).)
3. Ensure that each charter school under its authority complies with all reports required of charter schools by law, including the local control and accountability plan and annual update to the local control and accountability plan required pursuant to Education Code section 47606.5. (Ed. Code, § 47604.32(a)(3).)
4. Monitor the fiscal condition of each charter school under its authority. (Ed. Code, § 47604.32(a)(4).)
5. 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:
   a) A renewal if the charter is granted or denied.
   b) The charter is revoked.
   c) The charter school will cease operation for any reason. (Ed. Code, § 47604.32(a)(5)(A)-(C).)

LAUSD performs ongoing oversight to continually monitor a charter school’s progress and attainment of measurable pupil outcomes, educational programs, operations, governance, and fiscal management, as well as compliance with all applicable laws and the terms of the charter. Oversight begins at the start of a charter’s term and continues through the end of the term. As outlined in these procedures, specific functions of oversight include, but are not limited to, reviewing charter schools’ quarterly electronic
document submissions, conducting annual oversight visits, conducting additional site visits as needed, assessing school’s performance, and utilizing a tiered intervention model when necessary to address and respond to concerns or challenges related to a charter school’s governance, programs, operations, organization, and fiscal management. An important component of LAUSD’s oversight is ensuring that charter schools provide access and equity to all families and students and provide an integrated school student population, including the provision of appropriate services to students with disabilities and enrollment of all students.

The charter school shall document the means by which the charter school will achieve a balance of racial and ethnic pupils, special education pupils, and English Learner pupils, including redesignated fluent English proficient pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted.

If a pupil is expelled or leaves Charter School without graduating or completing the school year for any reason, Charter School shall notify the superintendent of the school district of the pupil’s last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card, and health information. (Ed. Code, § 47605(e)(3)).

The Charter Schools Division will monitor nondiscrimination in enrollment and disenrollment through ongoing oversight. This may include but is not limited to the following:

a. Annually reviewing lottery forms
b. Responding to stakeholder complaints
c. Monitoring and analyzing of charter schools' notifications of students leaving a charter school
d. Monitoring and reviewing of enrollment and attendance throughout the year, including student demographic data and the school's enrollment reflected in its First Principal Apportionment (P-1), Second Principal Apportionment (P-2), and Annual Report
e. Coordinating and communicating with District schools and Local Districts/Community of Schools when a pupil enrolls in a District school from a charter school
f. Requesting State to provide aggregate data reflecting pupil enrollment patterns (when available)

LAUSD takes seriously any issues or concerns about a charter school that come to its attention from families or employees of the charter school, the community, members of the LAUSD Board, or as a result of the CSD’s own observations and review.

LAUSD’s performance-based oversight is structured into four oversight categories:

**Category I: Governance** - The CSD assesses whether the charter school’s governing board is fulfilling its fiduciary responsibility to effectively direct and provide oversight for the charter school, including but not limited to achieving positive academic outcomes for
all students, enacting and monitoring policies and procedures to ensure the school’s fiscal soundness, educational mission, and full compliance with applicable law, policy, agreements, and the terms of the charter approved by the LAUSD Board of Education.

**Category II: Student Achievement and Educational Performance** - The CSD assesses whether the charter school is meeting pupil outcomes and demonstrating positive academic achievement for all students.

**Category III: Organizational Management, Programs, and Operations** - The CSD assesses the organizational management, programs, and operations of a charter school to determine whether the charter school is demonstrating effectiveness in operating the charter school to meet performance outcomes and terms of applicable law and the school’s charter.

**Category IV: Fiscal Operations** - The CSD assesses each fiscally independent charter school to evaluate the school’s fiscal condition and operations, and management of public funds, including review of all legally required fiscal reports, and the annual update of the charter school’s local control and accountability plan (“LCAP”) (Ed. Code, §§ 47604.32, 47604.33, 47606.5).

LAUSD’s oversight procedures establish a record of each charter school’s performance that will be used to facilitate collaboration with the charter school, applicable sharing of promising practices, and clear expectations and decision-making throughout the term of the charter, including during the renewal process.

**Quarterly Electronic Document Submission**

In order to fulfill its oversight responsibilities, the CSD will request relevant information and documents from charter schools. To that end, the CSD establishes a quarterly document submission calendar, and charter schools are required to submit specific documents for each quarterly deadline (i.e., Q1, Q2, Q3, and Q4.) The CSD will notify charter schools at the beginning of each school year of the specific deadlines and items required to be submitted. As needed, the CSD staff may request additional information and/or documentation throughout the charter term.

**Annual Performance-Based Oversight Visit**

The CSD conducts at least one annual school site visit per school year—the Annual Performance-Based Oversight Visit. (Ed. Code, §47604.32(a)(2).) During the annual oversight visit, CSD staff assess the charter school in oversight categories I-IV. The focus of the annual oversight visit may be adjusted for each school over the term of the charter based on the charter school’s areas of strength and improvement, and the CSD will use the results of the previous oversight visits, if applicable, to appropriately focus the scope of that year’s visit to address the unique needs of each specific school.
In addition to the Annual Performance-Based Oversight Visit, LAUSD reserves the right to visit a charter school at any time as part of its oversight responsibilities and will conduct unannounced visits, as needed.

1. Prior to the Annual Oversight Visit

At the beginning of each school year, the CSD provides charter schools with the “Annual Performance-Based Oversight Visit Preparation Guide” (“Annual Preparation Guide”), which is updated annually, to assist charter schools in preparing for the annual oversight visit. The Annual Preparation Guide communicates the CSD’s expectations for the oversight visit to enable charter schools to make sufficient advanced preparation and to provide the CSD with all required documents and records. The Annual Preparation Guide lists each document the charter school is required to provide with respect to each oversight category. As needed, the CSD staff also may request additional information and/or documentation prior to, during, and/or following the Annual Performance-Based Oversight Visit.

2. During the Annual Oversight Visit

All charter schools are expected to prepare for the Annual Oversight Visit and have available, as applicable, all documentation requested in the Annual Preparation Guide. The CSD staff members assigned to the school, in consultation with the charter school’s leadership, will determine and communicate the specific activities and schedule for the Annual Oversight Visit. The fiscal review portion of the Annual Oversight Visit may occur on a separate day.

The Annual Oversight Visit typically encompasses the following activities, which provide opportunities to gather information and data related to the oversight categories:

1) Interviews and/or Discussion with Leadership and Stakeholder Groups, as determined by the CSD
2) Classroom and Site Observation
3) Document Review
4) Fiscal Review

3. The Annual Oversight Report

After the Annual Performance-Based Oversight Visit, the CSD staff will prepare an Annual Performance-Based Oversight Report (“Annual Oversight Report”), documenting the CSD’s assessments and conclusions following the Annual Oversight Visit, based on a review of the evidence collected through CSD staff observations, document review, interviews, and discussions with school representatives and stakeholders. The CSD uses the information contained within the Annual Oversight Report to inform its ongoing oversight of the charter school and the charter school’s renewal review process. The

43 See CSD website.
CSD employs a four-point rubric to provide a rating for each oversight category on the Annual Oversight Report:

- (4) = Accomplished
- (3) = Proficient
- (2) = Developing
- (1) = Unsatisfactory

In addition, for each oversight category, the report will summarize key findings, including but not limited to areas of demonstrated strength, areas noted for improvement, and corrective actions required, if applicable. If the report includes any corrective actions required the charter school must take immediate and appropriate steps to remedy the identified concern(s). In accordance with LAUSD’s tiered intervention approach to oversight, as described in the next section, the CSD may also send the school appropriate notices, separate and apart from the Annual Oversight Report, to provide and document time-specific follow-up as necessary.\(^{44}\)

**Tiered Intervention Approach to Oversight**

As part of ongoing oversight, LAUSD utilizes a tiered intervention model to address and respond to concerns or issues that may occur during a charter’s term. LAUSD strives to conduct transparent oversight, and the tiered intervention approach to oversight promotes direct communication and collaboration between LAUSD and each of its charter schools. The tiered intervention model is as follows:

Tiered intervention may be prompted following the Annual Oversight Visit, but it may also be necessitated at any time during the charter term if LAUSD has concerns regarding a charter school’s operation. LAUSD, through the CSD, works closely with charter schools to identify specific performance areas that need improvement and/or development, and charter schools are afforded an opportunity to engage in corrective measures. Intervention may begin at any level, and the level at which intervention begins depends on the specific facts and circumstances giving rise to the CSD’s need to engage in intervention. Therefore, higher degrees of performance concerns may escalate directly to a Level II Notice of Concern or a Level III Notice to Cure. Once the intervention process begins at a particular level, the intervention may proceed to the next level, as necessary, until the issues have been resolved to the satisfaction of LAUSD.

**Level I: Inquiry to Charter School Administrator** – Level I intervention is initiated when LAUSD sends an inquiry to the charter school regarding one or more potential performance, programmatic, operational, governance, organization, and/or fiscal concerns. LAUSD will provide an opportunity for the charter school to provide additional information or documents so that it may further assess the concern.

\(^{44}\) Notwithstanding the process outlined in this section, the District may immediately revoke a charter when the LAUSD Board determines, in writing that a charter school has committed a violation which constitutes a severe and imminent threat to the health or safety of students. (Ed. Code, §47607(g).)
Level II: Notice of Concern – Level II intervention is initiated when LAUSD sends a Notice of Concern to the charter school administrator charter operator, and/or governing board regarding concerns that need to be addressed by the charter school.

Level III: Notice to Cure – Level III intervention is initiated when LAUSD issues a Notice to Cure to the charter school administrator charter operator, and/or governing board. The charter school will be afforded an opportunity to take any required corrective measures.

Level IV: Notice of Violation/Revocation – Level IV intervention occurs when the LAUSD Board takes action towards revocation of a charter when the charter school and its governing board fail to address notices to cure and notices of concern as part of the tiered intervention process. As noted above, the District may skip the tiered intervention process and initiate revocation pursuant to the applicable statute and regulations if the violation(s) rises to an egregious level in which revocation needs to be initiated with urgency. Further, the District may immediately revoke a charter when the LAUSD Board determines, in writing that a charter school has committed a violation which constitutes a severe and imminent threat to the health or safety of students. (Ed. Code, §47607(g).) Please see the section on Revocation below for more information.

Technical Assistance

LAUSD shall provide “technical assistance” (in accordance with Education Code § 47607.3) to charter schools satisfying the specific eligibility criteria described below through June 30, 2022, if the charter school was operating before July 1, 2020. (Ed., Code, § 47607.3(j).) Beginning July 1, 2020, the county superintendent of school shall provide technical assistance to all other charter schools meeting specific eligibility criteria. (Ed. Code, § 47607.3(a).) However, if the governing body of a charter school requests technical assistance, the chartering authority shall provide assistance consistent with Education Code section 47607.3(a)(1)-(2).

A charter school operating before July 1, 2020, may be eligible for technical assistance from LAUSD if the charter school fails to improve outcomes on the California Dashboard state indicator(s) in three out of four consecutive school years for three or more numerically significant student subgroups. A charter school with fewer than three student subgroups may be eligible for technical assistance if all of the student subgroups fail to improve outcomes in three out of four consecutive school years. LAUSD may request the Superintendent of Public Instruction (“SPI”), with the State Board of Education (“SBE”) approval, to assign the California Collaborative for Educational Excellence to provide advice and assistance to the charter school pursuant to Education Code section 52074.

Oversight Fees

Pursuant to Education Code section 47613, LAUSD is entitled to receive appropriate oversight fees from a charter school as specified by statute.
LAUSD strives to ensure equitable access and learning opportunities for all students and decreasing the achievement gap for underserved students. In enacting the Charter Schools Act, the Legislature intended for charter schools to “[i]ncrease learning opportunities for all pupils, with special emphasis on expanded learning experiences for pupils who are identified as academically low achieving.” (Ed. Code, section 47601(b).) As a chartering authority, LAUSD requires that charter schools do not have barriers to enrollment and continuous enrollment. In addition, admissions preferences shall not result in limiting enrollment access for pupils with disabilities, academically low-achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, or pupils who are economically disadvantaged, as determined by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation, and shall not require mandatory parental volunteer hours as a criterion for admission or continued enrollment. (Ed. Code § 47605(e)(2)(B).) In its role as authorizer, LAUSD monitors and oversees charter schools’ compliance with applicable federal and state laws and regulations governing educational programs so that all students are afforded equal rights and opportunities to attend the school and participate in programs and activities.

1. **Enrollment and Admission Practices**

It is LAUSD’s expectation that charter schools’ enrollment and admissions practices provide equitable access to all students who wish to attend. By law, charter schools must admit all pupils who wish to attend. (Ed. Code, § 47605(e)(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, as described in its charter petition, to determine enrollment.

If a student is expelled or otherwise leaves a charter school without graduating or completing the school year, the charter school must notify LAUSD, and if different, the superintendent of the school district for the student’s last known address within 30 days. (Ed. Code, § 47605(e)(3).) Additionally, upon request, the charter school must provide that school district with a copy of the cumulative record of the student, including report cards or a transcript of grades, and health information.

   a. **Admissions Preferences**

Admissions preferences shall be extended according to the following parameters:

- Pupils currently enrolled in the charter school shall receive admissions preference and be exempt from the lottery;
- Pupils who reside in the LAUSD shall be given first priority admissions preference for new pupils seeking to enroll in the charter school; and
For conversion schools (affiliated and independent), pupils who reside in the former attendance area of the public school shall be granted admissions preference.

- If, at any time during the school year, the total enrollment of Charter School approaches its operational capacity and Charter School appears potentially unable to enroll new students who reside within the former attendance boundary of Charter School, Charter School shall immediately consult and coordinate with its Local District administration as well as the District’s School Management Services to manage its enrollment so that Charter School remains in compliance with all applicable laws and legal obligations and that, to the maximum extent possible, Charter School is and remains able to enroll, at all times throughout the year, any and all students who reside within Charter School’s former attendance boundary who wish to attend.

For a charter school with a school site physically located in the attendance area of an elementary school with at least 50% free and reduced priced meal eligibility, preference may be given to students who attend the elementary school or reside within its attendance area. (Ed. Code, § 47605.3).

In addition, the LAUSD Board has discretion to permit other preferences on an individual school basis, if consistent with the law. Examples of discretionary preferences include, but are not limited to: siblings of pupils admitted or attending the charter school, and children of the charter school’s teachers, staff, and founders. Petitioners seeking an admissions preference should consider existing data regarding matriculation patterns, as well as equitable access to enrollment, before seeking approval of the preference from LAUSD. All admissions preferences shall be approved by the LAUSD Board at a public hearing. Aside from mandatory preferences, each type of preference shall be granted at the sole discretion of the LAUSD Board.

Preferences must be non-discriminatory, and consistent with federal law, the California Constitution, and Education Code section 200. Preferences must not result in limiting enrollment access for pupils with disabilities, academically low-achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, pupils who are economically disadvantaged, foster youth, or otherwise based on nationality, race, ethnicity, or sexual orientation. Consistent with AB 699, all students, regardless of immigration status or country of birth, must have the opportunity to pursue their education without undue fear or risk, and immigration status, or perceived immigration status, may not form a basis to deny students access to charter schools.

Preferences must not require mandatory parent volunteer hours as a criterion for admission or continued enrollment. (Ed. Code, § 47605(e)(2)(4).)

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45 If a charter school is applying for the Charter School Facility Grant Program (pursuant to SB740), the charter petition must have an admissions preference to pupils who are currently enrolled in the public elementary school and to pupils who reside in the elementary school attendance area pursuant to Ed. Code, § 47614.5(c)(2).
b. Nondiscrimination in Enrollment and Disenrollment

Charter schools are prohibited from discouraging enrollment or encouraging disenrollment of any pupil for any reason. (Ed. Code, § 47605(e)(4)(A).) Specifically, charter schools may not discourage enrollment or encourage disenrollment for reasons related to academic performance, gender, gender identity, gender expression, nationality, immigration status, race, ethnicity, or sexual orientation, religion, or because the pupil is disabled, academically low-achieving, an English learner, neglected or delinquent, homeless, economically disadvantaged, or a foster youth, or because of association with a person or group with one or more of these actual or perceived characteristics.

Charter schools may not request a pupil’s record or require a parent, guardian, or pupil to provide a pupil's records prior to enrollment in the charter school.

Charter schools must post notice of these requirements on the charter school’s website, pursuant to Education Code section 47605(e)(4). A parent, guardian, or pupil 18 years or older may file a complaint with LAUSD if they suspect the charter school is in violation of Education Code section 47605(e)(4).

2. Meeting the Needs of All Students

a. Students with Disabilities

Federal Law Compliance

Charter schools shall adhere to all provisions of federal law related to students with disabilities including, but not limited to, section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, and the Individuals with Disabilities Education Improvement Act of 2004.

Special Education Program

Charter schools shall ensure that no student otherwise eligible to enroll shall be denied, directly or indirectly, admission due to a disability or to the charter school’s inability to provide necessary services. Charter schools acknowledge that policies and procedures are in place to ensure the recruitment, enrollment, service, and retention of students with disabilities.

Prior to LAUSD Board approval of an initial charter petition, and if a renewing charter school intends to operate as a “school of the district” for special education services, the charter school must execute a Memorandum of Understanding (“MOU”) by and between LAUSD and Charter School regarding the provision and funding of special education services consistent with applicable state law and the LAUSD Special Education Local Plan Area (“SELPA”) Local Plan for Special Education, and shall be considered a “public school of the District” for purposes of special education pursuant to Education Code section 47641(b). Charter schools may reserve the right to make written verifiable
assurances that it may become an independent local educational agency (LEA) and join a SELPA pursuant to Education Code section 47641(a) either on its own or as a consortium of charter school LEAs following the requirements of Education Code section 56195.3(b). In this instance, the charter school will execute a MOU with LAUSD on provisions of special education as a member of a non-LAUSD SELPA. On an annual basis, the charter school will provide a summary of revenues and expenses, including but not limited to direct and indirect expenditures related to Special Education.

**LAUSD SELPA**

LAUSD is approved to operate as a single-District SELPA under the provisions of Education Code section 56195.1(a). As a single-District SELPA, the District has created two charter school sections (District-operated Programs and Charter-operated Programs) under the administration of one single Administrative Unit. Charter schools must elect one of the three options available under the LAUSD SELPA. The Charter-operated Program schools do not have LEA status for the purposes of special education but will function in a similar role in that each charter school will be responsible for all special education requirements, including but not limited to services, placement, due process, related services, special education classes, and special education supports. Charter schools that have elected to participate in a District-operated programs option may apply for membership in the Charter-operated Program section of the LAUSD SELPA. Charter schools accepted for participation in the Charter-operated Programs section receive support from a Special Education Director for the Charter-operated Programs.

**Use of District’s Special Education Policies and Procedures and Data Systems**

All charter schools approved by the LAUSD Board are bound by and must adhere to the terms, conditions and requirements of orders imposed upon the District pertaining to special education:

- LAUSD has developed a guide for schools regarding the implementation of compliant special education programs and services for students with disabilities. The Electronic Special Education Policies and Procedures Manual (e-PPM) may be accessed on the Division of Special Education’s website, at https://achieve.lausd.net/Page/14466. Charter schools authorized by LAUSD are required to comply with the policies and procedures as outlined in the e-PPM.
- All charter schools are required to use an appropriate, web-based system for Individualized Education Programs (“IEPs”) and tracking of related services provided to students during the course of their education.
- All charter schools are required to interface with My Integrated Student Information System (MiSIS) via a web based Application Programming Interface (API). MiSIS is a suite of applications which is designed to capture all student data.

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46 Established through LAUSD Board of Education Resolution 149/10-11
Additional Information

All charter schools approved by the LAUSD Board must annually review the following special education areas:

- **Special Education School Teams** - The charter school ensures staff receive training on special education topics and non-discriminatory enrollment practices. The school has informed staff of their responsibility to adhere to all instructional and service delivery requirements. In addition, the school informs the appropriate staff of the translations procedures for IEP team meeting and documents. The school adheres to the RST caseload requirement and Welligent service tracking procedures to document special education services provided to students.

- **Compliance Procedures** - The school plans ahead and develops systems to meet the legal requirements of all IEPs. The school ensures students with disabilities are afforded a free and appropriate public education (“FAPE”) and monitors the provision of all services by monitoring data using Welligent reports. Additionally, the school makes use of multiple resources, such as the District’s electronic Policies and Procedures (ePPM) manual and the eLibrary to ensure the school adheres procedurally to all special education legal requirements.

- **Compliant Timelines** - The school prioritizes the scheduling of IEPs by ensuring that all initial evaluations are conducted within 60 days. Additionally, as a best practice, the school schedules all annual IEPs at least 60 days before the due date and Triennial IEPs 90 days before the due date. The school references and uses the electronic Policies and Procedures (ePPM) manual and the Welligent monitoring reports as sources for ensuring IEP timelines are compliant.

- **Special Education Supports and Resources** - The school uses the District’s Division of Special Education website and training courses available on MyPLN as resources and supports to ensure all IEP-related items are of high quality. Additionally, the school uses the District’s electronic Policies and Procedures (ePPM) manual available in the Division of Special Education website. The school also uses eLibrary to retrieve information and policy documents. Parents are notified that the school is open to enroll and provide services to all students. The school maintains records of all outreach materials, website information, community meeting and open forums.

Special Education Support Unit

The following is contact information for charter schools authorized under LAUSD:

Division of Special Education  
Charter Operated Programs  
333 S. Beaudry Avenue, 17th Floor  
Los Angeles, CA 90017  
(213) 241-5430  
CharterOperatedPrograms@lausd.net
b. English Learners and Standard English Learners

Charter schools shall identify potential English Learners in a timely manner in accordance with all applicable legal requirements. Charter schools must provide all English Learners with an effective English language acquisition program that also affords meaningful and equitable access to the charter school’s core academic curriculum. Instructional plans for English Learners must be (1) based on sound educational theory; (2) adequately supported with trained teachers and appropriate materials and resources; and (3) periodically evaluated to make sure the program is successful and modified when the program is not successful.

On an annual basis, upon request, charter schools shall submit a certification to the CSD that certifies that it has adopted and is implementing either the LAUSD Master Plan for English Learners and Standard English Learners, or its own English Learner (EL) Master Plan. If the charter school chooses to implement its own EL Master Plan, the plan shall provide a detailed description of the EL program, and shall address the following:

- How the charter school’s EL Master Plan provides all of its English Learners, including but not limited to Long Term English Learners (LTELs) with an effective English language acquisition program as well as meaningful and equitable access to the charter school’s core academic curriculum (including designated and integrated English Language Development)
- How English Learners’ specific needs will be identified
- What services will be offered
- How, where, and by whom the services will be provided
- How the charter school will evaluate its EL program each year, and how the results of this evaluation will be used to improve the program, including the provision of EL services

Charter schools are required to: (1) Administer the ELPAC annually in accordance with federal and state requirements; (2) Reclassify English Learners in accordance with federal and state requirements; and, (3) Provide parent outreach services and meaningfully inform parents with limited English proficiency of important information regarding charter school matters to the same extent as other parents.

c. Foster Youth and Homeless Youth

Charter Schools must adhere to the provisions of the federal McKinney-Vento Homeless Assistance Act and ensure that each child of a homeless individual and each homeless youth has equal access to the same free, appropriate public education as provided to other children and youths. Charter schools are required to provide specific information, in its outreach materials, websites, at community meetings, open forums, and regional center meetings, that notifies parents that the charter school will enroll and provide services for all students, and provides a standard contact number for access to additional information regarding enrollment.
Charter schools must comply with all applicable federal and state laws regarding homeless and foster youth, including but not limited to the provisions of AB 379 (2015) and Chapter 5.5 (commencing with Section 48850) of Part 27 of Division 4 of Title 2 of the Education Code, as amended from time to time. Charter school must extend its uniform complaint procedure to complaints filed pursuant to the applicable provisions of AB 379.

d. Socioeconomically Disadvantaged Students

Charter schools must meet the needs of socioeconomically disadvantaged/low income students including but not limited to providing each needy student, as defined in Education Code section 49552, with one nutritionally adequate free or reduced-price meal, as defined in Education Code section 49553(a), during each school day.

3. Prohibition on Pupil Fees

The free school guarantee of the California Constitution, Article IX, section 5, applies to charter schools. Education Code sections 49010(a) and 49011(d) as amended by Assembly Bill 1575 in 2012, clarifies that the prohibition on pupil fees applies to charter schools. Charter schools are prohibited from charging fees for activities that are an integral component of public education. Charter schools may only charge fees authorized by certain Education Code sections that have been made explicitly applicable to charter schools. A complaint alleging the violation of laws and regulations related to unlawful pupil fees must be filed by way of the Uniform Complaint Procedures as written in the California Code of Regulations, Title 5, sections 4600-4687.

H. TEACHER CREDENTIALING AND BACKGROUND CLEARANCES

1. Credential Requirements for Charter School Teachers

The ability to provide a high-quality educational program is dependent upon the employment of certificated staff who are adequately prepared and have demonstrated proficiency in basic skills and in the subject matter to be taught. The Legislature has mandated that the teacher credentialing requirements for charter school teachers are the same as the requirements for all other public school teachers.

All teachers serving at a charter school shall hold the Commission on Teacher Credentialing (“CTC”) certificate, permit, or other document required for the teacher’s certificated assignment. (Ed. Code, § 47605(l)(1).) This requirement is inclusive of teachers serving English learners and students with special needs. Individuals employed at a charter school in a teaching position during the 2019–20 school year shall obtain the appropriate certificate, permit, or other document for their certificated assignment no later than July 1, 2025 (Ed. Code, § 47605.4(a).)
Charter schools shall make reasonable efforts to recruit a fully prepared teacher for each assignment. When a credentialed teacher or intern is not available, a charter school may request that the CTC issue an emergency permit or credential waiver in the same manner as a school district under the conditions and limitations provided in state or federal law, and a charter school teacher may only teach under such permit or waiver issued by the CTC. (Ed. Code, § 47605(l)(1).

Charter schools shall participate in annual assignment monitoring. (Ed. Code, § 44258.9.) Charter schools are expected to monitor the assignments of all its certificated employees utilizing the California Statewide Assignment and Accountability System (CalSAAS) and correct any misassignment immediately. If LAUSD determines that a charter school’s certificated teacher is misassigned, it will notify the charter school administrator, and the charter school shall correct any misassignment within 30 calendar days of being notified. (Ed. Code, § 44258.9(e)(9).)

The CSD reviews credentials and assignments at each charter school. Charter schools are required to submit credentialing or any other applicable qualifications and assignment information for all staff (including administrators, teachers and support staff) at the beginning of the school year and as part of the Annual Performance-Based Oversight Visit. In addition, charter schools may be asked to submit this information to the Charter Schools Division at any time during the year.

2. Certificate of Clearance and Professional Fitness Requirements

All charter school teachers must obtain a “Certificate of Clearance” from the CTC and satisfy the requirements for professional fitness prior to serving as a teacher at the charter school. (Ed. Code, § 47605(l)(2).) This requirement is inclusive of contracted educators, including those employed through virtual education services that offer instruction through online courses. The “Certificate of Clearance” is a document issued by the CTC to an individual who has completed the CTC’s fingerprinting requirements and whose moral and professional fitness has been shown to meet the standards as established by law. A professional fitness evaluation requires fingerprint clearance through the California Department of Justice (“DOJ”) and the Federal Bureau of Investigation (“FBI”). A professional fitness evaluation is required from every applicant prior to the CTC’s issuance of any credential, permit, certificate, or waiver.

Charter schools shall designate and maintain at all times at least one custodian of records duly authorized by the DOJ. Charter schools shall ensure that it requests and receives subsequent arrest notifications from the DOJ for all employees and volunteers.

3. Reporting to the Commission on Teacher Credentialing

A charter school is required to report to the CTC a change in a certificated individual’s employment status as a result of or while an allegation of misconduct is pending. (Ed. Code, § 44030.5; 5 CCR § 80303.) The charter school shall make the report to the CTC within 30 days after the final adverse employment action, consistent with the requirements
of the California Code of Regulations, title 5, section 80303.

A charter school is required to report to the CTC when a certificated individual is charged with a mandatory leave of absence offense as defined in Education Code section 44940. “A mandatory leave of absence offense” is defined as charged by complaint, information, or indictment filed in a court of competent jurisdiction with the commission of any sex offense as defined in Section 44010, with a violation or attempted violation of Section 187 of the Penal Code, or with the commission of any offense involving aiding or abetting the unlawful sale, use, or exchange to minors of controlled substances listed in Schedule I, II, or III, as contained in Sections 11054, 11055, and 11056 of the Health and Safety Code.

I. FACILITIES

All students should have access to high-quality learning environments that are safe, secure, and support student learning. With regard to charter school facilities, LAUSD strives to promote student equity, while ensuring health and safety for all.

1. Charter Schools Facilities Requirements

Facilities to be used by a charter school shall be specified in the school’s charter petition, pursuant to Education Code section 47605. All LAUSD-authorized charter schools must occupy one of the following types of facilities:

1) Facilities compliant 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) Field Act compliant facilities; or

3) Facilities exclusively owned or controlled by an entity that is not subject to the California Building Standards Code, such as the federal government.

Charter school facilities must adhere to the program accessibility requirements of federal law, including the Americans with Disabilities Act and Section 504 of the Rehabilitation Act. In addition, all charter school facilities must comply with the geographic location, site limitations, and related requirements set forth in the Charter Schools Act, including Education Code sections 47605.1, 47602, and 47605.

All charter schools are responsible for obtaining and maintaining appropriate certificate(s) of occupancy for charter school facilities from local building enforcement agencies. LAUSD will work collaboratively with local building enforcement agencies, as necessary, to obtain assurances that the certificates of occupancy issued for LAUSD-authorized charter schools meet all applicable building and safety and health codes, including but not limited to, the accessibility requirements of the law.
2. **Proposition 39**

LAUSD is committed to complying with its obligations under Proposition 39 (Education Code section 47614) in fairly sharing public school facilities among all public school students, including those in charter schools. For any charter school operating within LAUSD and eligible to receive facilities during a particular year, LAUSD will make facilities available upon the charter school’s request, pursuant to applicable law and in accordance with the regulatory process.

3. **LAUSD-Owned Facilities**

Charter schools must use assigned LAUSD facilities only for the operation of a public school providing educational instruction to public school students, consistent with the terms of its charter, and incidental related uses. Charter schools must execute a Facilities Use Agreement with LAUSD, along with any other applicable agreements for occupying the facility. Charter schools occupying and/or operating on LAUSD property must adhere to the Integrated Safe School Plan of the LAUSD school site where the charter school facility is located, and comply with all LAUSD health, safety, and emergency standards and procedures applicable to LAUSD facilities, furnishings, and equipment, including maintenance. All charter schools co-located on LAUSD properties pursuant to Proposition 39 must comply with the expectations and requirements for co-located schools set forth in the LAUSD’s “Policy on Co-Locations for District School Facilities' Use Pursuant to Education Code Section 47614 (Proposition 39),” BUL-5532.1 or successor bulletins.

LAUSD facilities occupied by charter schools shall be subject to inspection by the LAUSD Facilities Services Division, Office of Environmental Health and Safety, and other LAUSD offices. Every charter school must implement and otherwise comply with the terms of any facilities use agreement(s) between the charter school and LAUSD. In the event of an emergency, all LAUSD facilities (i.e., schools) are available for use by the American Red Cross and public agencies as emergency locations, which may disrupt or prevent a charter school from conducting its educational programs.

4. **Non-LAUSD Facilities**

Charter schools occupying non-LAUSD facilities must, prior to use, provide the CSD with a current Certificate of Occupancy or equivalent document issued by the applicable permitting agency allowing the charter school to use and occupy the site as a charter school for its intended purpose (i.e., applicable grade levels). Charter schools are responsible for ensuring compliance with all applicable building codes, standards, and regulations adopted by the city and/or county agencies with jurisdiction to enforce building and safety standards for the school site, as well as federal and state accessibility requirements, and all other applicable fire, health, and structural safety and access requirements. Charter schools must maintain records documenting such facilities compliance that are readily accessible.
If a charter school intends to move or expand to another facility not approved in its charter, the charter school shall request, and must have received, approval of a material revision to its charter before occupying the facility. Prior to occupancy or use of any such additional or changed school site, the charter school shall provide an appropriate Certificate of Occupancy to the CSD.

5. **Charter School Facility Location**

Unless otherwise exempted by law, all charter schools authorized by LAUSD shall identify in their charter petition a single school site where the charter school will operate within the geographic boundaries of LAUSD. A charter school may propose to operate at multiple sites within LAUSD boundaries, as long as each location is identified in the petition. All charter schools must include within their petition the name and physical location of any resource center, meeting space, or other satellite facility operated by that charter school. No new charter school approved between January 1, 2020, and January 1, 2022 shall offer nonclassroom-based instruction. (Ed. Code, § 47612.7.)

If a charter school proposes to establish or move operations to one or more additional sites, including satellite facilities or resource centers, the charter school must first request a material revision to move operations or add additional locations to its charter. The LAUSD Board shall consider approval of the material revision at a public meeting. Unless otherwise exempted by law, all additional sites proposed by a charter school must be located within the geographic boundaries of LAUSD. A charter school may not establish additional sites or move operations until a material revision has been granted.47

It is the responsibility of the charter school to ensure its facilities comply with the geographic and site location requirements of the Charter Schools Act at all times. If a charter school proposes to locate in a facility outside the geographic boundaries of LAUSD, it must provide a written explanation to LAUSD, with its initial charter petition or material revision, detailing the reasons why the charter school believes it is exempted by law from locating within the geographic boundaries of LAUSD. The written explanation must cite all applicable laws, and provide documentation necessary to support the charter school’s claimed exemption, and communication between the proposed authorizing district and the charter school. Prior to approving such a petition or material revision, LAUSD may request any additional information or evidence it deems necessary to determine the applicability of a geographic location exemption to the charter school.

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47 Charter Schools that seek to expand to additional locations or move to a different community must undergo community interest and fiscal impact analysis pursuant to Education Code section 47607(a)(3). (See provisions in the New Petition section of this Policy and Procedures and Material Revision).
J. REVOCATION

1. **Revocation Standards**

Charter schools are expected to provide a sound educational program that promotes student learning and to carry out its operations in a manner that complies with law and the terms of its charter. The LAUSD Board 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. (Ed. Code, § 47607(f).)

The LAUSD Board may immediately revoke a charter when the LAUSD Board determines, in writing, that a charter school has committed a violation under Education Code section 47607 that constitutes a severe and imminent threat to the health or safety of students. (Ed. Code, § 47607(g).) In such a case, the LAUSD Board shall approve and deliver to the charter school's governing body, the LACBOE, and the California Department of Education (“CDE”) a Notice of Revocation by Determination of a Severe and Imminent Threat to Pupil Health or Safety. (5 CCR § 11968.5.3(a).)

2. **Revocation Process and Timelines**

With the exception of a severe and imminent threat to the health and safety of students, if the LAUSD Board is considering revoking a charter, it shall take action to approve and deliver a Notice of Violation to the charter school's governing body. (Ed. Code, § 47607(g).) The Notice of Violation shall identify:

1) The alleged violation(s);

2) All evidence relied upon by the LAUSD Board in determining that the charter school committed the alleged violation(s); and

3) The period of time that the LAUSD Board has concluded is a reasonable period of time for the charter school to remedy or refute the identified violation(s). (5 CCR §§ 11965.)

At least 72 hours prior to any meeting at which the LAUSD Board will consider issuing a Notice of Violation, the LAUSD Board shall provide the charter school with notice and all relevant documents related to the proposed action. (5 CCR § 11968.5.2) In accordance with the LAUSD Board Resolution No. 017-15/16: Keeping Parents Informed: Charter
Transparency, a charter school should notify parents and stakeholders of the possible revocation of its charter.

By the end of the remedy period identified in the Notice of Violation, the charter school's governing body may submit to the LAUSD Board a detailed written response and supporting evidence addressing each identified violation, including, as applicable, a refutation, remedial action taken, or proposed remedial action. (5 CCR § 11968.5.2)

At the conclusion of the remedy period specified in the Notice of Violation, the LAUSD Board shall evaluate any response and supporting evidence provided by the charter school's governing body and shall take one of the following actions:

1) Discontinue revocation of the charter and provide timely written notice of such action to the charter school's governing body, or

2) Continue revocation of the charter, by issuing a Notice of Intent to Revoke to the charter school's governing body within 60 calendar days of the conclusion of the remedy period, if there is substantial evidence that the charter school has failed to remedy a violation identified in the Notice of Violation or to refute a violation to the LAUSD Board's satisfaction. (5 CCR § 11968.5.2)

If the LAUSD Board issues a Notice of Intent to Revoke, it shall hold a public hearing concerning the revocation on the date specified in the Notice of Intent to Revoke, which shall be no later than 30 days after providing the notice. Within 30 calendar days after the public hearing, or within 60 calendar days if extended by written mutual agreement of the LAUSD Board and the charter school, the LAUSD Board shall issue a final decision on the revocation of the charter. (Ed. Code, § 47607; 5 CCR § 11968.5.2) Within 10 calendar days of the final decision, the LAUSD Board shall provide a copy of the decision to the CDE. (Ed. Code, § 47604.32; 5 CCR § 11968.5.2)

If the LAUSD Board revokes a charter, the charter school may appeal the revocation to the LACBOE within 30 days of the LAUSD Board's final decision. (Ed. Code, § 47607(i)(1).) A charter school may continue to operate during the pendency of an appeal if the revocation decision is based solely on the LAUSD Board finding that the charter school either (1) committed a material violation of any of the conditions, standards, or procedures set forth in the charter, or (2) failed to meet or pursue any of the pupil outcomes identified in the charter, unless the LAUSD Board determines that the violation constitutes a severe or imminent threat to the health or safety of pupils.

If a charter school ceases operation due to revocation, the charter school shall implement the school closure procedures specified in the charter.
3. **Schools Receiving Assistance from the California Collaborative for Educational Excellence**

The California Collaborative for Educational Excellence ("CCEE") may provide a requesting LAUSD charter school satisfying certain criteria assistance pursuant to Education Code section 47607.3, and the CCEE may provide advice to LAUSD regarding the performance of the charter school. The LAUSD Board shall consider revoking a charter for a school where the CCEE has issued either of the following findings:

1) The charter school has failed or is unable to implement the recommendations of CCEE; or

2) The inadequate performance of the charter school, as based on California School Dashboard, is so persistent or acute as to require revocation of the charter. (Ed. Code, § 47607.3(d).)

In determining whether to revoke a charter for which the CCEE has made either of the above findings, the LAUSD Board shall consider increases in student academic achievement for all numerically significant groups of students served by the charter school, as defined in Education Code section 52052. (Ed. Code, § 47607.3(e).)

A charter school may not appeal a revocation made pursuant to Education Code section 47607.3 based on CCEE's findings that the school failed or is unable to implement CCEE's recommendations, or that revocation is warranted based on persistent or acute inadequate performance. (Ed. Code, § 47607.3(f).)

### K. AFFILIATED CHARTER SCHOOLS

Affiliated charter schools are semiautonomous public schools governed by the LAUSD Board and operate in accordance with District policy, Board Rules, state and federal law, relevant provisions of collective bargaining agreements, and Human Resources and Personnel Commission guidelines. Affiliated charter schools can be an affiliated conversion charter school, or a "start-up" affiliated charter school. Both affiliated charter school models receive flexibility in the areas of curriculum and professional development; local school governance; and some aspects of employee selection. Affiliated charter schools also serve as additional school models to explore, develop, and disseminate innovative, effective practices that best meet the educational needs of their students and all students of the District.

Affiliated charter schools are subject to the governance and control of the LAUSD Board of Education. Governance at the school site level shall be in accordance with the provisions of the approved charter and shall be consistent with all applicable state, federal laws and regulations, District policies, and the provisions of LAUSD collective bargaining agreements (CBAs).
Affiliated charter schools must review and comply with all provisions contained in the District Required Language for Affiliated Charter Schools, which may be changed from time to time. Below are specific provisions for affiliated charter schools:

1. **Admissions and Enrollment**

Affiliated charter schools are required to comply with the Charter Schools Act, including admitting all students who wish to attend the school. (Ed. Code § 47605(e)(2)(A).) Affiliated conversion charter schools-charter schools which converted from a traditional LAUSD school and remain under the Board of Education’s governance—shall provide first priority to students who reside in the former attendance boundary of the school. If the number of students who wish to attend Charter School exceeds its operational capacity, as determined annually by the District, Charter School shall conduct a public random drawing (“lottery”). (Ed. Code § 47605(e)(2)(B).) Prospective students who reside within the former attendance boundaries of Charter School (“resident students”) shall have first priority admission preference at all times and are thus deemed exempt from the lottery. (See Ed. Code § 47605(e).)

Once enrolled in the charter school, students regardless of residence are considered continuing students exempt from the lottery process. Further, continuing students cannot be disenrolled by the charter school due to a change of address. If, at any time during the school year, the total enrollment of Charter School approaches its operational capacity and Charter School appears potentially unable to enroll new students who reside within the former attendance boundary of Charter School, Charter School shall immediately consult and coordinate with the CSD, the Local District administration and the District’s School Management Services, to manage its enrollment so that Charter School remains in compliance with all applicable laws and legal obligations and that, to the maximum extent possible, is able to enroll, at all times throughout the year, any and all students who reside within the charter school’s former attendance boundary who wish to attend.48

2. **Staffing**

As a District affiliated charter school, all administrators, faculty, and staff of affiliated charter schools are and shall be LAUSD employees. All employees shall be hired by the District and maintain the same relationships with and through all respective bargaining units as other District employees at non-charter schools.

Affiliated charter schools shall comply with and implement all applicable state and federal laws and regulations, District policies, and LAUSD collective bargaining agreements related to staffing, credentialing, and assignment of teachers to grade levels, department, subjects and classes related to staffing, credentialing, and assignments.

Affiliated charter schools shall be subject to all District decisions regarding reductions in force, mandated furloughs, layoffs, and any other District decisions related to salaries, classifications, qualifications, and assignments. Unless the District has assigned all

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48 This section also applies to independent conversion charter schools.
employees in a classification to a specific basis, affiliated charter schools will have autonomy in assigning positions to specific working bases.

3. **Certificated Personnel**

Affiliated charter schools shall comply with federal and state laws and regulations, District policies and procedures, and applicable collective bargaining agreements in the selection and assignment of certificated staff. Affiliated charter schools will have the autonomy to interview and select teachers and school-funded support staff from District-approved lists of eligible candidates as determined by the LAUSD Human Resources Division, which may be limited to Priority Placement Lists (displaced teachers) and Rehire Lists depending on current hiring conditions in each subject area. While every effort will be made to avoid assigning any certificated employee to an affiliated charter school, the District retains the right to make such assignments in cases in which no other alternatives are available or when administrative transfers are necessary, as determined by the Local District administrator (e.g., in order to provide reasonable accommodations in compliance with the Americans with Disabilities Act).

Selection of the School Principal shall remain the purview of the LAUSD Superintendent or designee.

4. **Classified Personnel**

Affiliated charter schools shall comply with applicable federal and state laws and regulations, including but not limited to the merit system provisions of the Education Code, Personnel Commission Rules, and applicable collective bargaining agreements in the selection and assignment of classified staff. Unless valid reemployment lists exist, affiliated charter schools will have the autonomy, when selecting classified employees for regular assignment, to select from the top three eligible candidates on current valid eligibility lists promulgated by the Personnel Commission. Affiliated charter schools with staff selection autonomy will be provided with the ability to select classified staff in accordance with Personnel Commission Rules and statutory requirements.

5. **Fiscal Relationship**

As a District affiliated charter school, Charter School’s fiscal operations will be supervised by LAUSD’s Budget Services and Financial Planning Division. Affiliated charter schools shall adhere to all applicable District fiscal policies and procedures, including but not limited to policies and procedures related to budgeting, procurement, third party contracts, student body funds, student stores, donations, fundraising, payroll, imprest funds, and payment approval for goods and services.

6. **Local Control and Accountability Plan**

In accordance with California Education Code sections 47604.33 and 47606.5, affiliated charter schools shall include in its annual update a “listing and description of the expenditures for the fiscal year implementing the specific actions included in the charter as a result of the reviews and assessment required by paragraph (1)” of section
47606.5(a). Affiliated charter schools are required to submit their LCAPs to the Board of Education for approval. The District will submit the affiliated charter schools’ LCAPs to the Los Angeles County Office of Education. Affiliated charter schools are responsible for submitting information related to Local Indicators in accordance to State requirements and timelines.

The District shall retain the Local Control Funding Formula (LCFF) entitlement and any other state or federal funding (with the exception of grants separately applied for and received by the affiliated charter school), to maintain the affiliated charter school in accordance with their annually adopted budget and consistent with staffing norms and support at the District norm levels.

Documentation

The affiliated charter schools' financial reports shall remain a part of the District’s single report to the Los Angeles County Office of Education or other regulatory body, as applicable. Affiliated charter schools shall prepare and submit all required financial data and reports for inclusion in the District’s report.

Per-Pupil Budgeting

Where possible, an affiliated charter school will have the ability to implement the District’s per-pupil budgeting model.

7. Professional Development

In addition to any District-mandated professional development, affiliated charter schools shall have autonomy in the selection of professional development programs for their employees, to meet their site-specific needs, in accordance with applicable District policies and CBAs. Any professional development required by the District for newly-adopted curriculum selected by the affiliated charter schools will, in turn, be funded by the District consistent with its practice for other District schools.

8. Educational Program and Schedule

Affiliated charter schools shall have autonomy in their instructional programs and choice of curricular materials, consistent with the requirements of section 60000 of the Education Code, the Williams settlement, and the terms of their respective charter petitions.

Affiliated charter schools shall have flexibility in creating their bell schedules provided the minimum requirements for instructional minutes, day and calendar year are met in accordance with applicable collective bargaining agreements. Any costs associated with changes to instructional and/or work calendars, such as salaries, personnel costs, transportation costs, cafeteria costs, maintenance and operations costs, etc. will be borne by the affiliated charter schools.
9. **Integration Program**

Affiliated charter schools shall be responsible for following the requirements of the *Crawford* desegregation court order, and shall take all reasonable steps to attract and maintain a racially integrated student body. Integration Program resources currently provided to certain affiliated charter schools (Magnet, Permits with Transportation, Transportation) are subject to change, in whole or in part, for budgetary and other reasons.

10. **Submission of a New Affiliated Charter Petition**

Several resources containing guidance for new affiliated charter school petitioners are available at the Charter Schools Division page of the LAUSD website. LAUSD encourages all prospective petitioners to review each of these resources as they provide important clarity regarding several issues, including but not limited to the District’s expectations for reasonably comprehensive descriptions of each petition element, the District Required Language for Affiliated Charter Schools, and the necessary documents for a complete submission of the petition application. In addition, petitioners are encouraged to contact the CSD with any questions prior to submitting a new petition. The same procedures, timelines, and criteria for evaluating a charter petition outlined in the New Petition section of this Policy and Procedures apply to affiliated start-up charter school petitions.

**Affiliated Conversion Charter Schools**

Pursuant to the Charter Schools Act, an existing public school can convert to a charter school by submitting a charter school petition with signatures of at least 50% of permanent status teachers indicating that they are meaningfully interested in teaching at the charter school. (Ed. Code, section 47605(a)(2).)

The same procedures, timelines, and criteria for evaluating a charter petition outlined in the New Petition section of this Policy and Procedures apply to affiliated conversion charter school petitions. However, affiliated charter school petitioners are required to provide the following additional documents in its application packet:

- Resolution by the local school governance council (signed by council secretary) that documents:
  - School’s decision to submit a new affiliated charter school petition application
  - Proposed name for the affiliated charter school (Please refer to District name change bulletin if the name includes more than the addition of the word “Charter” in it)
  - Person(s) designated by the council to serve as Lead Petitioner(s)
- Faculty roster
 Conversion to Affiliated Status Acknowledgement Statement (on school letterhead)

Copy of the school’s Electronic Capacity Assessment Review (ECAR)

Any applicable collective bargaining waiver(s) requests. (School must submit documentation of any type of current 2019-2020 waiver, signed by appropriate parties)

(Please refer to the Affiliated Conversion Charter School New Petition Application Intake Checklist in the CSD website for a full listing of requirements).

Affiliated Start-Up Charter School

Internal District or external stakeholders may submit a “start-up” affiliated charter petition. An affiliated start-up charter school must abide by the same policies and procedures outlined above for all affiliated charter schools, including but not limited to adherence to District policy, Board Rules, state and federal law, the relevant provisions of collective bargaining agreements, and Human Resources and Personnel Commission guidelines. All staff and faculty at an affiliated start-up charter school would be LAUSD employees and must undergo LAUSD’s Human Resources and Personnel Commission’s hiring processes and requirements. All affiliated charter schools, including start-up affiliated charter schools, are subject to collective bargaining agreements entered into by LAUSD with respective labor partners.

The same procedures, timelines, and criteria for evaluating a charter petition outlined in the New Petition section of this Policy and Procedures apply to affiliated start-up charter school petitions.

Process for Independent Charter Schools to "Convert" to an Affiliated Charter School

Operators of independent charter schools who wish to submit a request to become an affiliated charter school should review the applicable policy and petition application information regarding affiliated charter schools posted on the Charter Schools Division’s website and all of the provisions within this section. The specific circumstances and facts of each request will determine the appropriate procedures regarding the existing charter petition. The governing board of the independent charter school will submit a request for a material revision to the Charter Schools Division which includes the following procedures:

- Letter to the Director of the CSD that clearly identifies the requested material revision(s). The letter shall include relevant background information, including the charter school’s reason for seeking the material revision(s) to convert to an affiliated charter school.
- Documents supporting the material revision to convert to an affiliated charter school, including, but not limited to:
- Governing board’s resolution to convert to an affiliated charter school, duly signed by the board secretary and authorizing the submission of the material revision
- Plan for dissolution of the corporation and/or any other applicable corporate documents
- Ongoing notification to parents, employees, and stakeholders
- Any required approvals from applicable charter school collective bargaining units and/or governance councils
- A plan for the financial closeout of the charter school and the organization operating the school, including an accounting of all financial assets, and liabilities, pending litigation and any potential financial impact, and an assessment of the disposition of any restricted funds received by or due to the charter school
- Facilities plan
- Staffing plan
- Educational program plan, including LAUSD SELPA membership

Specifically identifies the revision(s) proposed to be made to the charter school’s current charter

Once the charter school has submitted a complete request for a material revision application, CSD staff, in coordination with other appropriate LAUSD divisions, will review the submitted application materials, in order to determine its recommendation.

Upon review, if the Superintendent determines that the requested material revision will be recommended for approval, staff will draft a material revision agreement document and send it to the charter school for their signature. In addition to the proposed material revision, the material revision agreement will include those revisions necessary to conform the charter to the current DRL and any changes in the law since the current charter was granted or last renewed. The material revision agreement document must be signed by the charter school prior to LAUSD Board action and will be fully executed by the District following Board approval.

If the Superintendent determines that the requested material revision will be recommended for denial, CSD staff will notify the charter school promptly. At that time, the charter school may choose to withdraw the request or indicate its intent to proceed to LAUSD Board action notwithstanding the staff recommendation. If the charter school does not withdraw the request, CSD will proceed with scheduling and preparing for LAUSD Board action on the Superintendent’s recommendation of denial of the request for material revision. Based on the recommendation of the Superintendent and the guidelines delineated in the Charter Schools Act, the LAUSD Board will make a final decision to approve or deny the request for a material revision of the charter.
Note on Enrollment Procedures: Unlike affiliated conversion charter schools, affiliated start-up charter schools will not have a former attendance boundary. Accordingly, an affiliated start-up charter school will admit all students who wish to attend and hold a public random drawing should the number of students who wish to attend exceed the charter school's capacity. (See District Required Language for Affiliated Start-Up Charter Schools).

11. Renewal of Affiliated Charter Schools

Renewals of affiliated charter schools are governed by the Charter Schools Act, which sets forth the process and standards for renewal of charter school petitions. The same renewal procedures, timelines, and criteria outlined in the Renewal Petition section of this Policy and Procedures apply to affiliated charter schools.

12. Appeals; Revocation; Closure

Affiliated charter schools will follow the same appeal provisions outlined in the Appeal section of this Policy and Procedures. The District will follow the revocation procedures outlined in the Charter Schools Act and corresponding state regulations. Should an affiliated conversion charter school cease operations as a charter school, it will follow the closure procedures outlined in the District Required Language for Affiliated Conversion Charter Schools and will revert to a traditional LAUSD public school.

L. PUBLIC SCHOOL CHOICE CHARTER SCHOOLS

The Public School Choice Resolution ("PSC Resolution") was adopted by the Board of Education on August 25, 2009, with the goal of improving academic outcomes for the LAUSD community and expanding public school choice options in underserved communities. Internal LAUSD and external stakeholders including charter school operators were invited to participate in the PSC process. As a result, Public School Choice Charter Schools (or "PSC Charter Schools") became a part of LAUSD’s portfolio of schools.49

PSC Charter Schools are required to comply with all applicable policies and procedures outlined in the LAUSD Policy and Procedures for Charter Schools. In addition, PSC Charter Schools are required to adhere to the following PSC Resolution assurances:

- Charter School is a not for profit entity.
- Charter School shall maintain a record of financial solvency and sustainability.

49 The District has not implemented the PSC Resolution process since 2012. In August 2011, the Board of Education voted to amend the PSC 3.0 application process for new schools which resulted with internal LAUSD applicant teams applying for new schools first, and if none of the in-district applicants have submitted a high quality plan, then external applicants (charter operators and other non-profit groups) would be considered. Until the Board of Education initiates the PSC process, there will be no application process for PSC charter schools.
Charter School agrees that the student composition at Charter School will be reflective of the student composition at the schools it is intended to relieve (in terms of demographics, including but not limited to race/ethnicity, gender, socio-economic status, English Learners, Standard English Learners, students with disabilities, and foster youth). Charter School shall ensure that ongoing review mechanisms are and remain in place to make sure that retention and student composition at Charter School continues to reflect that of the surrounding community.

Charter School agrees to provide first choice attendance to students, including students with disabilities, who reside within the attendance boundary established by the District for the Public School Choice campus, in accordance with the Attendance Boundary State Waiver for Public School Choice. Thereafter, any remaining available seats will be filled with any student who wishes to attend Charter School on the PSC campus pursuant to the requirements of Education Code sections 47605(d)(1) and 47605(d)(2)(B). The District’s waiver of sections 47605(d)(1) and 47605(d)(2)(A) from the State Board of Education codifies these requirements.

Charter School agrees that it shall not refuse enrollment to any resident student who wishes to attend the school unless and until the Los Angeles Unified School District, in its sole discretion, has determined that the resident student enrollment exceeds the District’s established maximum operational enrollment capacity for the school. Charter School understands and agrees that the attendance boundary configuration as well as the maximum operational enrollment capacity of the school is determined by and subject to change at the sole discretion of the District.

Charter School agrees to adhere to the District’s “Enrollment Process for Charter Schools Selected to Operate a Public School Choice School.” If a parent or guardian no longer wants his/her child to attend Charter School, an independent PSC charter school, Charter School shall implement the “opt out” procedures set forth in “Enrollment Process for Charter Schools Selected to Operate a Public School Choice School.” A parent’s “opt-out” decision is only valid and applicable for one academic school year. Once a parent has exercised his/her right to opt out, he/she is unable to re-enroll the child in Charter School for the remainder of the school year, unless Charter School has a seat available in accordance with the capacity set forth in the Charter. At the completion of each academic school year, parents of resident students, regardless of whether they may have opted out previously, shall have the opportunity to enroll their student(s) at Charter School again.
Specific PSC Charter School Requirements:

1. **SELPA**

PSC Charter Schools are required to participate in the LAUSD Special Education Local Plan Area (SELPA). PSC Charter Schools are required to use positive behavioral interventions and supports to address the learning and behavioral needs of students with disabilities in accordance with the U.S. Department of Education’s Individuals with Disabilities Education Act (IDEA) (20 U.S.C. Sec. 1400 et seq.) and to comply with the District’s Discipline Foundation Policy. Charter School, selected to operate a PSC school, further agrees to protect the rights of students with disabilities and their parents or guardians relative to 1) prior notice and consent, 2) access to records 3) confidentiality, and 4) due process procedures. PSC Charter Schools will maintain a written description of the annual notification process used to inform parents/guardians of the policies regarding Nondiscrimination (Title 5 CCR 4960 (a)), Sexual Harassment (EC 231.5 (a) (b) (c), Title IX Student Grievance Procedures (Title IX 106.8 (a) (d) and 106.9 (a)) and Uniform Complaint Procedures (Title 5, CCR 4600-4671). These procedures must include a description of how Charter School will respond to complaints and how the District will be notified of complaints and subsequent investigations. PSC charter schools must conduct Child Find activities for students residing in their pre-charter and/or PSC attendance areas (including private school students), so that students who have or are suspected of having a disability and needing special education and related services are appropriately identified and, if necessary, referred for evaluation in accordance with state and federal law.

2. **Admissions and Enrollment**

In accordance with the Attendance Boundary State Waiver for Public School Choice, a PSC charter school agrees to provide first choice attendance to students, including students with disabilities, who reside within the attendance boundary established by the District for the Public School Choice campus. Thereafter, any remaining available seats will be filled with any student who wishes to attend the charter school on the PSC campus pursuant to the requirements of Education Code sections 47605(e)(1) and 47605(e)(2)(B). The District’s waiver of these applicable Education Code sections from the State Board of Education codifies these requirements.

As a PSC charter school, charter school agrees that it shall not refuse enrollment to any resident student who wishes to attend the school unless and until LAUSD, in its sole discretion, has determined that the resident student enrollment exceeds the District’s established maximum operational enrollment capacity for the school. A PSC charter school understands and agrees that the attendance boundary configuration as well as the maximum operational enrollment capacity of the school is determined by and subject to change at the sole discretion of the District.
3. **Public School Choice Campus**

As an independent charter school approved to operate on a Public School Choice (PSC) campus, Charter School shall cooperate with the District in attaining and maintaining any and all applicable waivers from the State Board of Education. Additionally, Charter School agrees to waive any and all rights under the Charter Schools Act of 1992, as they may be amended, and the Education Code that pertain to Charter School’s use of District facilities. Any such waiver shall be for a period coterminous with its LAUSD Board of Education approval to operate on a PSC campus or so long as Charter School occupies the PSC campus or what was originally identified as the PSC campus. PSC charter schools shall execute applicable Facilities Use Agreements in accordance with District policies and procedures.

4. **Submission of a PSC Charter School Petition**

Until the Board of Education initiates the PSC process, there will be no application process for PSC Charter Schools. In the event the Board of Education does so, the same procedures, timelines, and criteria for evaluating a charter petition outlined in the New Petition section of this Policy and Procedures would apply.

5. **Renewal Process for a PSC Charter School**

The same procedures, timelines, and criteria for evaluating a charter petition outlined in the Renewal section of this Policy and Procedures would apply to a PSC charter school. In addition, PSC Charter Schools must meet requirements from the Office of School Design Options to determine whether the charter school is abiding by the intent and provisions of the PSC Resolution to improve schools and increase student achievement at the existing schools and newly built schools which were a part of the PSC Resolution. The CSD will coordinate with the Office of School Design Options for reviewing renewal considerations for PSC Charter School.

PSC Charter Schools must include the District Required Language for Public School Choice Charter Schools in their renewal petitions, found in the CSD website.

6. **Appeals; Revocation; Closure**

PSC Charter Schools will follow the same appeal provisions outlined in the Appeal section of this Policy and Procedures. The District will follow the revocation procedures outlined in the Charter Schools Act and corresponding state regulations. Should a PSC Charter School cease operations as a charter school, it will follow the closure procedures outlined in the District Required Language for independent charter schools and will revert to a traditional LAUSD public school.
District Required Language for Independent Charter School Petitions (New and Renewal) and Material Revisions

Updated July 9, 2020

LOS ANGELES UNIFIED SCHOOL DISTRICT
Charter Schools Division
333 South Beaudry Avenue, 20th Floor
Los Angeles, CA 90017
213-241-0399
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Dear Applicants:

On the following pages, you will find the “District Required Language” (“DRL”) that must be included in a comprehensive independent charter school petition.*

**Please follow the instructions below:**

- Check the Charter Schools Division website (http://charterschools.lausd.net) to ensure that this document is the current version of the DRL, as it may be changed from time to time.

- Provide the “Assurances, Affirmations, and Declarations” page (the first two pages of the DRL) at the beginning of the petition, immediately after the table of contents.

- Place the DRL for each Element at the beginning of the Element under the Element heading. Use the Element headings provided in the DRL, including the statutory language for each Element.

- Highlight all DRL in gray, as shown here, to facilitate easy identification of the DRL within the petition. Do not highlight any other text in gray.

- On the “Assurances, Affirmations, and Declarations” page, replace “[Charter School]” with the name of the proposed charter school and replace “[short form of school name]” with an appropriate identifier.

- Do not add, delete, or change any provision of the DRL other than the instruction above.

- **Ensure that all other provisions in the charter petition do not duplicate and are otherwise consistent with the provisions of the DRL.**

*NOTE: Public School Choice (PSC) charter schools seeking renewal must include in their renewal petitions the PSC-specific version of the DRL. Other charter schools, such as conversion independent and non-classroom based charter schools, may be required to include context-specific DRL as well.*
Assurances, Affirmations, and Declarations

[Charter School] (also referred to herein as “[short form of school name]” and “Charter School”) shall:

- Be nonsectarian in its programs, admission policies, employment practices, and all other operations. (California Education Code (hereinafter “Ed. Code”) § 47605(e)(1).)

- Not charge tuition. (Ed. Code § 47605(e)(1).)

- Not discriminate against any pupil on the basis of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in section 422.55 of the Penal Code, including immigration status. (Ed. Code § 47605(e)(1); Ed. Code § 220.)

- Except as provided in Education Code section 47605(e)(2), admission to a charter school shall not be determined according to the place of residence of the pupil, or of his or her parent or legal guardian, within this state, except that an existing public school converting partially or entirely to a charter school under this part shall adopt and maintain a policy giving admission preference to pupils who reside within the former attendance area of that school. (Ed. Code § 47605(e)(1).)

- Admit all pupils who wish to attend Charter School. (Ed. Code § 47605(e)(2)(A).)

- Except for existing pupils of Charter School, determine attendance by a public random drawing if the number of pupils who wish to attend Charter School exceeds Charter School’s capacity. Preference shall be extended to pupils currently attending Charter School and pupils who reside in the Los Angeles Unified School District (also referred to herein as “LAUSD” and “District”). Preferences shall not result in limiting enrollment access for pupils with disabilities, academically low-achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, or pupils who are economically disadvantaged, as determined by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation, and shall not require mandatory parental volunteer hours as a criterion for admission or continued enrollment. (Ed. Code § 47605(e)(2)(B).)

- Charter school shall not encourage a pupil currently attending the Charter School to disenroll from the Charter School or transfer to another school for any reason, including, but not limited to, academic performance of the pupil or because the pupil exhibits any of the characteristics described in Education Code section 47605(e)(2)(B)(iii). (Ed. Code § 47605(e)(4).)

- If a pupil is expelled or leaves Charter School without graduating or completing the school year for any reason, Charter School shall notify the superintendent of the school district of the pupil’s last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card, and health information. (Ed. Code § 47605(e)(3).)
Meet all statewide standards and conduct the pupil assessments required pursuant to Education Code sections 60605 and 60851 and any other statewide standards authorized in statute or pupil assessments applicable to pupils in non-charter public schools. (Ed. Code § 47605(d)(1).)

Consult, on a regular basis, with Charter School’s parents, legal guardians, and teachers regarding the school’s educational programs. (Ed. Code § 47605(d)(2).)

Charter School hereby declares that Charter School, operated as or by its nonprofit public benefit corporation, is and shall be the exclusive public school employer of Charter School’s employees for the purposes of the Educational Employment Relations Act (EERA), Chapter 10.7 (commencing with Section 3540) of Division 4 of Title I of the Government Code. Charter School shall comply with all provisions of the EERA and shall act independently from LAUSD for collective bargaining purposes. In accordance with the EERA, employees may join and be represented by an organization of their choice for collective bargaining purposes.

NOTE: This Charter contains specific “District Required Language” (DRL), including the Assurances, Affirmations, and Declarations section above. The DRL should be highlighted in gray within each Charter element or section. The final section of the Charter provides a consolidated addendum of the DRL. This intentional redundancy facilitates efficient charter petition review while ensuring ready access to the DRL for any given section of the Charter. To the extent that any inconsistency may exist between any provision contained within the body of the Charter and the DRL contained in the addendum, the provisions of the DRL addendum shall control.

Element 1 – The Educational Program

“The educational program of the charter school, designed, among other things, to identify those whom the charter 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(c)(5)(A)(i).)

“The annual goals for the charter school for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals.” (Ed. Code § 47605(c)(5)(A)(ii).)

“If the proposed charter school will serve high school pupils, a description of the manner in which the charter school will inform parents about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered transferable and courses approved by the University of California or the California State University as creditable under the “A” to “G” admissions criteria may be considered to meet college entrance requirements.” (Ed. Code § 47605(c)(5)(A)(iii).)
LOCAL CONTROL FUNDING FORMULA (LCFF) AND LOCAL CONTROL AND ACCOUNTABILITY PLAN (LCAP)

Charter School acknowledges and agrees that it must comply with all applicable laws and regulations related to AB 97 (2013) (Local Control Funding Formula), as they may be amended from time to time, which include the requirement that Charter School shall annually submit a Local Control and Accountability Plan (LCAP)/annual update to the Los Angeles County Superintendent of Schools and the Charter Schools Division (CSD) on or before July 1. In accordance with Education Code sections 47604.33 and 47606.5, Charter School shall annually update its goals and annual actions to achieve those goals identified in the charter pursuant to Education Code section 47605(c)(5)(A)(ii), using the Local Control and Accountability Plan template adopted by the State Board of Education, as it may be changed from time to time. Charter School shall comply with all requirements of Education Code section 47606.5, including but not limited to the requirement that Charter School “shall consult with teachers, principals, administrators, other school personnel, parents, and pupils in developing the local control and accountability plan and annual update to the local control and accountability plan.” (Ed. Code § 47606.5(d).)

ACADEMIC CALENDAR AND SCHEDULES

Charter School shall offer, at a minimum, the number of minutes of instruction set forth in Education Code section 47612.5, and the number of school days required by California Code of Regulations, title 5, section 11960.

MATHEMATICS PLACEMENT

Charter School shall comply with all applicable requirements of the California Mathematics Placement Act of 2015.

TRANSITIONAL KINDERGARTEN

Charter School shall comply with all applicable requirements regarding transitional kindergarten. For purposes of admission to Charter School, transitional kindergarten shall be considered a part of kindergarten, and therefore students enrolled in transitional kindergarten at Charter School shall be considered existing students of Charter School for purposes of Charter School’s admissions, enrollment, and lottery.

WASC ACCREDITATION

If Charter School serves students in grades 9-12, before Charter School graduates its first class of students, Charter School shall obtain, and thereafter maintain, Western Association of Schools and Colleges (WASC) accreditation.

ENGLISH LEARNERS

Charter School shall identify potential English Learners in a timely manner in accordance with all applicable legal requirements. Charter School must provide all English Learners with an effective English language acquisition program that also affords meaningful and equitable access to Charter School’s core academic curriculum. Instructional plans for English Learners must be (1) based on
sound educational theory; (2) adequately supported with trained teachers and appropriate materials and resources; and (3) periodically evaluated to make sure the program is successful and modified when the program is not successful.

On an annual basis, upon request, Charter School shall submit a certification to the LAUSD Charter Schools Division (CSD) that certifies that Charter School has adopted and is implementing either the LAUSD Master Plan for English Learners and Standard English Learners or Charter School’s own English Learner (EL) Master Plan. If Charter School chooses to implement its own EL Master Plan, the plan shall provide a detailed description of Charter School’s EL program, and shall address the following:

- How Charter School’s EL Master Plan provides all of its English Learners, including but not limited to Long Term English Learners (LTELs) with an effective English language acquisition program as well as meaningful and equitable access to Charter School’s core academic curriculum
- How English Learners’ specific needs will be identified
- What services will be offered
- How, where, and by whom the services will be provided
- How Charter School will evaluate its EL program each year, and how the results of this evaluation will be used to improve the program, including the provision of EL services

Each year, Charter School shall provide to the CSD a report on its annual evaluation of the effectiveness of its EL program. Upon request, Charter School shall provide a copy of its current EL Master Plan to the CSD.

Charter School shall administer the CELDT/ELPAC annually in accordance with federal and state requirements.

Charter School shall reclassify English Learners in accordance with federal and state requirements.

Charter School shall provide parent outreach services and meaningfully inform parents with limited English proficiency of important information regarding Charter School matters to the same extent as other parents.

**STUDENTS WITH DISABILITIES**

**Federal Law Compliance**

Charter School shall adhere to all provisions of federal law related to students with disabilities including, but not limited to, section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, and the Individuals with Disabilities Education Improvement Act of 2004.

**Special Education Program**

Charter School shall ensure that no student otherwise eligible to enroll in Charter School shall be denied, directly or indirectly, admission due to a disability or to Charter School’s inability to provide necessary services. Charter School acknowledges that policies and procedures are in place
to ensure the recruitment, enrollment, service, and retention of students with disabilities at LAUSD-authorized charter schools, including Charter School.

Prior to LAUSD Board of Education approval of an initial Charter petition, and if a renewing Charter School intends to operate as a “school of the district” for special education services, Charter School shall execute a Memorandum of Understanding (“MOU”) by and between LAUSD and Charter School regarding the provision and funding of special education services consistent with applicable state law and the LAUSD Special Education Local Plan Area (“SELPA”) Local Plan for Special Education and shall be considered a “public school of the District” for purposes of Special Education pursuant to Education Code section 47641(b). However, Charter School reserves the right to make written verifiable assurances that it may become an independent local educational agency (LEA) and join a SELPA pursuant to Education Code section 47641(a) either on its own or with a grouping of charter school LEAs as a consortium following the requirements of Education Code section 56195.3(b). In this instance, Charter School will execute a MOU with LAUSD on provisions of special education as a member of a non-LAUSD SELPA.

SELPA Reorganization

The Los Angeles Unified School District is approved to operate as a single-District SELPA under the provisions of Education Code section 56195.1(a). As a single-District SELPA, the District has created two charter school sections (District-operated Programs and Charter-operated Programs) under the administration of one single Administrative Unit pursuant to a reorganization plan approved by the Board of Education on January 4, 2011 (149/10-11). Full implementation of the reorganized LAUSD SELPA commenced in the 2013-2014 school year requiring all District-authorized charter schools to elect one of the three options available under the LAUSD SELPA. Prior to an option election, all District-authorized charter schools were required to participate as a school of the District under the District-Operated Programs Unit. Prior to the beginning of the 2013-2014 school year, all District-authorized charter schools, other than those that had previously executed an Option 3 Memorandum of Understanding (“MOU”), were required to execute a new MOU setting forth the LAUSD SELPA option election for the remainder of the charter petition term. The Charter-operated Program schools do not have LEA status for the purposes of special education but will function in a similar role in that each charter school will be responsible for all special education requirements, including but not limited to services, placement, due process, related services, special education classes, and special education supports. Charter schools that have elected to participate in a District-operated programs option may apply for membership in the Charter-operated Program section of the SELPA. Charter schools accepted for participation in the Charter-operated Programs section receive support from a Special Education Director for the Charter-operated Programs.

Use of District’s Special Education Policies and Procedures and Data Systems

All charter schools approved by the LAUSD Board of Education are bound by and must adhere to the terms, conditions and requirements of orders imposed upon the District pertaining to special education. All charter schools are required to use the District’s Special Education Policies and Procedures Manual and Welligent, the District-wide web-based software system used for online Individualized Education Programs (“IEPs”) and tracking of related services provided to students during the course of their education.
All charter schools are required to interface with My Integrated Student Information System (MiSiS) via a web based Application Programming Interface (API). MiSiS is a suite of applications which is designed to capture all student data.

**Element 2 – Measurable Pupil Outcomes and Element 3 – Method by which Pupil Progress Toward Outcomes will be Measured**

“The measurable pupil outcomes identified for use by the charter school. “Pupil outcomes,” for purposes of this part, 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. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both schoolwide and for all pupil subgroups served by the charter school, as that term is defined in subdivision (a) of Section 52052. The pupil outcomes shall align with the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served by the charter school.” (Ed. Code § 47605(c)(5)(B).)

“The method by which pupil progress in meeting those pupil outcomes is to be measured. To the extent practicable, the method for measuring pupil outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card.” (Ed. Code § 47605(c)(5)(C).)

**Measurable Goals of the Educational Program**

Charter School shall meet all statewide content and performance standards and targets. (Ed. Code §§ 47605(d)(1), 60605.)

Charter School shall comply with all applicable laws and regulations related to AB 97 (2013) (Local Control Funding Formula) and AB 484 (2013), as they may be amended from time to time, including all requirements pertaining to pupil outcomes.

**Standardized Testing**

Charter School agrees to comply with state requirements for participation and administration of all state-mandated tests, including computer-based assessments. Charter School shall submit and maintain complete, accurate, and up-to-date California Longitudinal Pupil Achievement Data System (CALPADS) data in accordance with the requirements of California Code of Regulations, title 5, section 861. Charter School hereby grants authority to the State of California to provide a copy of all test results directly to the District as well as Charter School. Upon request, Charter School shall submit, in the requested format (e.g., CD), a copy of the results of all state-mandated tests to the District.

**Element 4 – Governance**

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

As an independent charter school, Charter School, operated as or by its nonprofit public benefit corporation, is a separate legal entity and shall be solely responsible for the debts and obligations of Charter School.

Charter School shall not be operated as, or be operated by, a for-profit corporation, a for-profit educational management organization, or a for-profit charter management organization. (Ed. Code § 47604.)

Charter School shall ensure that, at all times throughout the term of the Charter, the bylaws of its governing board and/or nonprofit corporation are and remain consistent with the provisions of this Charter. In the event that the governing board and/or nonprofit corporation operating Charter School amends the bylaws, Charter School shall provide a copy of the amended bylaws to CSD within 30 days of adoption.

Charter School shall comply with the Ralph M. Brown Act (“Brown Act”). All meetings of the Charter School’s governing board shall be called, held and conducted in accordance with the terms and provisions of Education Code section 47604.1 and the Brown Act including, but not limited to, those related to meeting access and recording, notice, agenda preparation, posting and reporting.

Charter School shall send to the CSD copies of all governing board meeting agendas at the same time that they are posted in accordance with the Brown Act. Charter School shall also send to the CSD copies of all board meeting minutes within one week of governing board approval of the minutes. Timely posting of agendas and minutes on Charter School’s website will satisfy this requirement.

The District reserves the right to appoint a single representative to the Charter School governing board pursuant to Education Code section 47604(c).

LEGAL AND POLICY COMPLIANCE

Charter School shall comply with all applicable federal, state, and local laws and regulations, and District policies as it relates to charter schools adopted through Board action.

Charter School shall comply with all applicable federal and state reporting requirements, including but not limited to the requirements of CBEDS, CALPADS, the Public Schools Accountability Act of 1999, and Education Code section 47604.33.

Charter School shall comply with the Brown Act and the California Public Records Act.


Charter School shall comply with the Political Reform Act of 1974. (Gov. Code § 81000 et seq.)
Charter School and all employees and representatives of Charter School, including members of Charter School’s governing board, members of Charter School or governing board committees and councils, Charter School administrators, and managers, shall comply with federal and state laws, nonprofit integrity standards, and LAUSD charter school policy, regarding ethics and conflicts of interest. Charter School shall enter into all transactions and conduct business with all persons and entities at arm’s length or, in the case of otherwise permissible related party transactions, in a manner equivalent to arm’s length.

Charter School shall notify parents, guardians, and teachers in writing within 72 hours of the issuance of a Notice of Violation, Notice of Intent to Revoke, Final Decision to Revoke, Notice of Non-Renewal, or equivalent notice, by the LAUSD Board of Education.

**Title IX, Section 504, and Uniform Complaint Procedures**

Charter School shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under Title IX of the Education Amendments of 1972 (Title IX) and section 504 of the Rehabilitation Act of 1973 (“Section 504”), including any investigation of any complaint filed with Charter School alleging its noncompliance with these laws or alleging any actions which would be prohibited by these laws. Charter School shall notify all of its students and employees of the name, office address, and telephone number of the designated employee or employees.

Charter School shall adopt and publish complaint procedures providing for prompt and equitable resolution of student and employee complaints alleging any action that would be prohibited by Title IX or Section 504.

Charter School shall adopt and implement specific and continuing procedures for notifying applicants for admission and employment, students and parents of elementary and secondary school students, employees, sources of referral of applicants for admission and employment, and all unions or professional organizations holding collective bargaining or professional agreements with Charter School, that Charter School does not discriminate on the basis of sex or mental or physical disability in the educational programs or activities which it operates, and that it is required by Title IX and Section 504 not to discriminate on any such basis.

Charter School shall establish and provide a uniform complaint procedure in accordance with applicable federal and state laws and regulations, including but not limited to all applicable requirements of California Code of Regulations, title 5, section 4600 et seq.

Charter School shall adhere to all applicable federal and state laws and regulations regarding pupil fees, including Education Code sections 49010 - 49013, and extend its uniform complaint procedure to complaints filed pursuant to Education Code section 49013.

Charter School shall extend its uniform complaint procedure to complaints filed pursuant to the Local Control Funding Formula legislation provisions set forth in Education Code section 52075.
RESPONDING TO INQUIRIES

Charter School, including its nonprofit corporation shall promptly respond to all reasonable inquiries, including but not limited to inquiries regarding financial records from the District, and shall cooperate with the District regarding any inquiries. Charter School acknowledges that Charter School, including but not limited to its nonprofit corporation, is subject to audit by LAUSD, including, without limitation, audit by the District Office of the Inspector General. Charter School shall provide the District with current, complete, and accurate contact information for Charter School, Charter School administrators, and Board members.

If an allegation or other evidence of waste, fraud, abuse, or other material violation of law related to Charter School’s operations, or breach of the Charter, is received or discovered by the District, Charter School, including but not limited to its nonprofit corporation, employees, and representatives, shall cooperate with any resulting inquiry and/or investigation undertaken by the District and/or the Office of the Inspector General Investigations Unit.

Charter School acknowledges and agrees that persons and entities that directly exercise control over the expenditure of Charter School’s public funds shall be subject to all necessary and appropriate District charter school oversight.

NOTIFICATION OF THE DISTRICT

Charter School shall notify the Charter Schools Division (CSD) in writing of any citations or notices of workplace hazards, investigations by outside governmental regulatory or investigative agencies, lawsuits, changes in corporate or legal status (e.g., loss of IRS 501(c)(3) status), or other formal complaints or notices, within one week of receipt of such notices by Charter School. Unless prohibited by law, Charter School shall notify the CSD in writing of any internal investigations within one week of commencing investigation. Charter School shall notify the CSD within 24 hours of any dire emergency or serious threat to the health and safety of students or staff.

STUDENT RECORDS

Upon receipt of a student records request from a receiving school/school district, Charter School shall transfer a copy of the student’s complete cumulative record within ten (10) school days in accordance with Education Code section 49068 and all student confidentiality and privacy laws including compliance with the Family Educational Rights and Privacy Act (FERPA). Charter School shall comply with the requirements of California Code of Regulations, title 5, section 3024, regarding the transfer of student special education records. In the event Charter School closes, Charter School shall comply with the student records transfer provisions in Element 15. Charter School shall comply with the requirements of Education Code section 49060 et seq., which include provisions regarding rights to access student records and transfer of records for youth in foster care.

PARENT ENGAGEMENT

Charter School shall not require a parent or legal guardian of a prospective or enrolled student to perform volunteer service hours, or make payment of fees or other monies, goods, or services in lieu of performing volunteer service, as a condition of his/her child’s admission, continued
enrollment, attendance, or participation in the school’s educational activities, or otherwise discriminate against a student in any manner because his/her parent cannot, has not, or will not provide volunteer service to Charter School.

The Charter School may encourage parental involvement, but shall notify the parents and guardians of applicant students and currently enrolled students that parental involvement is not a requirement for acceptance to, or continued enrollment at, the Charter School. (Ed. Code § 47605(n).)

**FEDERAL PROGRAM COMPLIANCE**

As a recipient of federal funds, Charter School has agreed to meet all applicable programmatic, fiscal and other regulatory requirements of the Elementary and Secondary Education Act (ESEA, also known as Every Student Succeeds Act (ESSA)) and other applicable federal programs. Charter School understands that it is a local educational agency (LEA) for purposes of federal compliance and reporting purposes. Charter School agrees that it will keep and make available to the District any documentation necessary to demonstrate compliance with the requirements of ESEA and other applicable federal programs. Charter School also acknowledges that, as part of its oversight of Charter School, the District may conduct program review for federal as well as state compliance.

**Element 5 – Employee Qualifications**

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

**EQUAL EMPLOYMENT OPPORTUNITY**

Charter School acknowledges and agrees that all persons are entitled to equal employment opportunity. Charter School shall not discriminate against applicants or employees on the basis of race, color, religion, sex, gender, gender expression, gender identity, sexual orientation, pregnancy, national origin, ancestry, citizenship, age, marital status, physical disability, mental disability, medical condition, genetic information, military and veteran status, or any other characteristic protected by California or federal law. Equal employment opportunity shall be extended to all aspects of the employer-employee relationship, including but not limited to recruitment, selection, hiring, upgrading, training, promotion, transfer, discipline, layoff, recall, and dismissal from employment.

**ESEA/ESSA AND CREDENTIALING REQUIREMENTS**

Charter School shall adhere to all requirements of the Elementary and Secondary Education Act (ESEA, also known as Every Student Succeeds Act (ESSA)) that are applicable to teachers and paraprofessional employees. Charter School shall ensure that all teachers are appropriately assigned and fully credentialed in accordance with applicable state requirements for certificated employment, including but not limited to the provisions of Education Code section 47605(l). Charter School shall maintain current copies of all teacher credentials and make them readily available for inspection.
Element 6 – Health and Safety Procedures

“The procedures that the charter school will follow to ensure the health and safety of pupils and staff. These procedures shall require all of the following:

(i) That each employee of the charter school furnish it with a criminal record summary as described in Section 44237
(ii) The development of a school safety plan, which shall include the safety topics listed in subparagraphs (A) to (J), inclusive, of paragraph (2) of subdivision (a) of Section 32282.
(iii) That the school safety plan be reviewed and updated by March 1 of every year by the charter school.” (Ed. Code § 47605(c)(5)(F).)

HEALTH, SAFETY AND EMERGENCY PREPAREDNESS PLAN

Charter School shall comply with all applicable federal, state, and local requirements related to school and student health, safety, and emergency preparedness.

If Charter School occupies and/or operates on a District facility, Charter School shall comply with all District health, safety, and emergency procedures and requirements applicable to District facilities and related operations, and shall be subject to inspection by the District’s Facilities Services Division, Office of Environmental Health and Safety, and other District offices in the same manner as other LAUSD campuses.

Charter School shall adopt, implement, and maintain at all times a current, comprehensive, and site-specific Health, Safety, and Emergency Preparedness Plan (“Plan”), which must include but is not limited to provisions for building and site emergency evacuation, the acquisition and maintenance of adequate onsite emergency supplies. The Plan must include Charter School’s requirements and procedures for protecting student health and safety during off-campus school-sponsored activities, including but not limited to field trips and transportation. Charter School shall ensure that all staff members receive annual training on Charter School’s health, safety, and emergency procedures, including but not limited to training on bloodborne pathogens, and shall maintain a calendar for, and conduct, emergency response drills for students and staff.

Charter School shall periodically review, and update and/or modify as necessary, its Health, Safety, and Emergency Preparedness Plan, and keep it readily available for on-site use. Charter School shall provide a copy of the Health, Safety, and Emergency Preparedness Plan for review upon CSD request.

Comprehensive School Safety Plan

The Charter School shall adopt a Comprehensive School Safety Plan, to be reviewed and updated by March 1 of every year, which shall include, but not be limited to: (1) an assessment of the current status of school crime committed on Charter School facilities and at Charter School-related functions; and (2) identifying appropriate strategies and programs that will provide or maintain a high level of school safety and address the Charter School’s procedures for complying with applicable laws related to school safety, which shall include the development of all of the following pursuant to Education Code section 32282(a)(2)(A)-(J):
- Child abuse reporting procedures
- Routine and emergency disaster procedures
- Policies for students who committed an act under Section 48915 and other Charter School-designated serious acts leading to suspension, expulsion, or mandatory expulsion recommendations
- Procedures to notify teachers of dangerous students pursuant to Education Code section 49079
- A discrimination and harassment policy consistent with Education Code section 200
- Provisions of any schoolwide dress code that prohibits students from wearing “gang-related apparel” if applicable
- Procedures for safe ingress and egress of pupils, parents, and employees to and from the Charter School
- A safe and orderly environment conducive to learning at the Charter School
- The rules and procedures on Charter School discipline
- Procedures for conducting tactical responses to criminal incidents, including procedures related to individuals with guns on Charter School campus(es) and at school-related functions.

**CHILD ABUSE AND NEGLECT MANDATED REPORTER TRAINING**

Charter School shall provide all employees, and other persons working on behalf of Charter School who are mandated reporters, with annual training on child abuse detection and reporting, which shall occur within the first six weeks of each school year, or within the first six weeks of a person’s employment if employed after the beginning of the school year, in accordance with the requirements of Education Code section 44691.

Medication in School

The Charter School will adhere to Education Code section 49423 regarding administration of medication in school. Charter School shall stock and maintain the required number and type of emergency epinephrine auto-injectors onsite and provide training to employee volunteers in the storage and use of the epinephrine auto-injector as required by Education Code section 49414 and section 4119.2 of the Business and Professions Code, as they may be amended from time to time.

**ATHLETIC PROGRAMS**

Charter School shall comply with the requirements of Education Code section 49475, with respect to any athletic program (as defined in Education Code section 49475) offered by or on behalf of Charter School.

If the Charter School offers an interscholastic athletic program, it shall develop and post a written emergency action plan that describes procedures to be followed in the event of sudden cardiac arrest and other medical emergencies, acquire and regularly test and maintain at least one automated external defibrillator (AED) for the Charter School, and make the AED available at on-campus athletic activities or events according to the requirements of Education Code sections 35179.4 and 35179.6.
FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

Charter School, including its employees, officers, and representatives, shall comply with the Family Educational Rights and Privacy Act (FERPA) and Education Code section 49060 et seq. at all times.

CRIMINAL BACKGROUND CLEARANCES AND FINGERPRINTING

Charter School shall comply with all requirements of Education Code sections 44237 and 45125.1. Charter School shall designate and maintain at all times at least one Custodian of Records duly authorized by the California Department of Justice.

Charter School shall maintain on file and available for inspection evidence that (1) Charter School has performed criminal background checks and cleared for employment all employees prior to employment; (2) Charter School has obtained certification from each of its contracting entities/independent contractors that the entity/contractor has conducted required criminal background clearances for its employees prior to provision of schoolsite services and/or any contact with students, and has requested subsequent arrest notification service; and (3) Charter School has performed criminal background checks and cleared for service all volunteers not directly supervised by staff and who may have contact with students. Charter School shall also ensure that it requests and receives subsequent arrest notifications from the California Department of Justice for all employees and volunteers not directly supervised by staff. Upon request, Charter School shall provide a copy of Department of Justice confirmation of Custodian of Records status for each Custodian of Records. Charter School, including its administrators and officers, shall comply with the requirements of Education Code section 44030.5.

All teachers in Charter School shall obtain a certificate of clearance and satisfy the requirements for professional fitness pursuant to Education Code sections 44339, 44340, and 44341.

IMMUNIZATION AND HEALTH SCREENING REQUIREMENTS

Charter School shall require all employees, and any volunteer or vendor/contracting entity employee who may have frequent or prolonged contact with students, to undergo a risk assessment and/or be examined and determined to be free of active tuberculosis (TB) within the period of 60 days prior to employment/service, or otherwise meet the requirements of Education Code section 49406. Charter School shall maintain TB clearance records and certificates on file.

Charter School shall comply with all federal and state legal requirements related to student immunization, health examination, and health screening, including but not limited to screening for vision, hearing, and scoliosis pursuant to Education Code section 49450 et seq, to the same extent as would be required if the students were attending a non-charter public school. Charter School shall maintain student immunization, health examination, and health screening records on file.

SAFE PLACE TO LEARN ACT

Charter School shall comply with all applicable requirements of the Safe Place to Learn Act, Education Code section 234 et seq.


**SUICIDE PREVENTION POLICY**

If Charter School serves students in any grades Transitional Kindergarten/Kindergarten through 12, Charter School shall comply with the requirements of AB 2246 (2016) and AB 1767, codified in Education Code section 215, including but not limited to the requirement that the school’s pupil suicide prevention policy shall be developed in consultation with school and community stakeholders, school-employed mental health professionals, and suicide prevention experts and adopted at a regular public hearing. The Charter School shall review, at a minimum every fifth year, its policy on pupil suicide prevention and, if necessary, update its policy. Charter School shall provide the CSD with a copy of its pupil suicide prevention policy for review upon request.

**HUMAN TRAFFICKING PREVENTION RESOURCES**

If the Charter School serves students in any grades 6-12, it shall identify and implement the most appropriate methods of informing parents/guardians of human trafficking prevention resources as required by Education Code section 49381.

**FEMININE HYGIENE PRODUCTS**

If the Charter School maintains any combination of classes in grades 6-12 that meets the 40% pupil poverty threshold required to operate a schoolwide program pursuant to Section 6314(a)(1)(A) of Title 20 of the United States Code, then it shall stock at least 50% of its restrooms with feminine hygiene products at all times, and shall not charge students for these products, as required by Education Code section 35292.6.

**NUTRITIONALLY ADEQUATE FREE OR REDUCED-PRICE MEAL**

The Charter School shall provide each needy student, as defined in Education Code section 49552, with one nutritionally adequate free or reduced-price meal, as defined in Education Code section 49553(a), during each school day.

**CALIFORNIA HEALTHY YOUTH ACT**

The Charter School shall teach sexual health education and human immunodeficiency virus (“HIV”) prevention education to students in grades 7-12, at least once in middle school and at least once in high school, pursuant to the California Healthy Youth Act. (Ed. Code § 51930, et seq.)

**BULLYING PREVENTION**

Charter School shall adopt procedures for preventing acts of bullying, including cyberbullying, and shall annually make available the online training module developed by the California Department of Education pursuant to Education Code section 32283.5(a) to certificated schoolsite employees and all other schoolsite employees who have regular interaction with pupils.

**LGBTQ RESOURCES TRAINING**

Charter School recognizes that it is encouraged to use schoolsite and community resources developed by the State Department of Education for the support of lesbian, gay, bisexual,
transgender, queer, and questioning (LGBTQ) pupils to provide training at least once every 2 years to teachers and other certificated employees at each Charter School schoolsite that serves pupils in grades 7 to 12, to increase support for LGBTQ pupils and thereby improve overall school climate. (Ed. Code § 218.)

TRANSPORTATION SAFETY PLAN

The Charter School shall develop and maintain a transportation safety plan that includes procedures to ensure that a student is not left unattended on a school bus, student activity bus, youth bus, or child care motor vehicle and procedures and standards for designating an adult chaperone, other than the driver, to accompany students on a school activity bus. In addition, the Charter School shall ensure that each school bus, student activity bus, youth bus, or child care motor vehicle is equipped with a child safety alert system that requires the driver to either manually contact or scan the device, thereby prompting the driver to inspect the entirety of the interior of the vehicle before exiting, unless the student activity bus is exempted by law. (Ed. Code § 39831.3; Veh. Code § 28160.)

Element 7 – Means to Achieve Racial and Ethnic Balance

“The means by which the school will achieve a balance of racial and ethnic pupils, special education pupils, and English learner pupils, including redesignated fluent English proficient pupils, as defined by the evaluation rubrics in Section 52064.5, 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(c)(5)(G).)

COURT-ORDERED INTEGRATION

Charter School shall comply with all requirements of the Crawford v. Board of Education, City of Los Angeles court order and the LAUSD Integration Policy adopted and maintained pursuant to the Crawford court order by the District’s Student Integration Services (collectively the “Court-ordered Integration Program”). The Court-ordered Integration Program applies to all schools within or chartered through LAUSD.

Charter School has set forth below its initial plan for achieving and maintaining the LAUSD’s Racial and Ethnic Balance goal of a 70:30 or 60:40 ratio. (Ratio represents the percentage of Predominantly Hispanic Black Asian Other (PHBAO) compared to Other White (OW)). The written plan lists specific dates and locations of recruitment activities that Charter School will undertake in order to achieve the District’s Racial and Ethnic Balance goal. Charter School shall monitor the implementation and outcomes of the initial plan, and modify it as necessary throughout the term of the Charter to achieve the District’s goal. Upon request, Charter School shall provide the District with a copy of its current written plan.

The District receives neither average daily attendance allocations nor Court-ordered Integration Program cost reimbursements for charter school students. The District may receive the Targeted Instructional Improvement Block Grant (TIIBG) for its Court-ordered Integration Program. The District retains sole discretion over the allocation of TIIBG funding, where available, and cannot guarantee the availability of this funding.
Element 8 – Admission Policies and Procedures

“Admission policies and procedures, consistent with subdivision (e).” (Ed. Code § 47605(c)(5)(H).)

DOCUMENTATION OF ADMISSIONS AND ENROLLMENT PROCESSES

Charter School shall maintain complete and accurate records of its annual admissions and enrollment processes, including but not limited to documentation of implementation of lottery and waitlist criteria and procedures in accordance with the terms of the Charter. These records shall be made available to the District upon request.

HOMELESS AND FOSTER YOUTH

Charter School shall adhere to the provisions of the federal McKinney-Vento Homeless Assistance Act and ensure that each child of a homeless individual and each homeless youth has equal access to the same free, appropriate public education as provided to other children and youths. Charter School shall provide specific information, in its outreach materials, websites, at community meetings, open forums, and regional center meetings, that notifies parents that Charter School will enroll and provide services for all students, and provides a standard District contact number for access to additional information regarding enrollment.

Charter School shall comply with all applicable federal and state laws regarding homeless and foster youth, including but not limited to the provisions of AB 379 (2015) and Chapter 5.5 (commencing with Section 48850) of Part 27 of Division 4 of Title 2 of the Education Code, as amended from time to time. Charter School shall extend its uniform complaint procedure to complaints filed pursuant to the applicable provisions of AB 379.

NON-DISCRIMINATION

Charter School shall not require a parent/legal guardian/student to provide information regarding a student’s disability, gender, gender identity, gender expression, nationality, legal or economic status, primary language or English Learner status, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in section 422.55 of the Penal Code, including immigration status, or any other information that would violate federal or state law, prior to admission, participation in any admissions or attendance lottery, or pre-enrollment event or process, or as a condition of admission or enrollment. Charter School may request, at the time of, and as part of, conducting its lottery process, the provision of information necessary to apply specific admissions preferences set forth in this Charter.

Charter School shall not request or require submission of a student’s IEP, Section 504 Plan, or any other record or related information prior to admission, participation in any admissions or attendance lottery, or pre-enrollment event or process, or as a condition of admission or enrollment.

Charter School shall not discourage a student from enrolling or seeking to enroll in the Charter School, nor encourage a current student from disenrolling, for any reason, including, but not limited to, the student's academic performance, nationality, race, ethnicity, or sexual orientation or because the student is a student with disabilities, academically low achieving, an English learner,
neglected or delinquent, homeless, economically disadvantaged, or a foster youth. The Charter School shall not request or require a student’s records to be submitted before enrollment. The Charter School shall post on its web site the California Department of Education notice of these requirements and shall provide the notice to parents/guardians or students age 18 and older when the parent/guardian or student inquiries about enrollment, before conducting an enrollment lottery, and before disenrollment of a student. (Ed. Code §§ 47605, 47605.6)

Charter School shall adopt policy that is consistent with the model policy developed by the California Attorney General addressing the Charter School’s response to immigration enforcement, notify parents/guardians of their children's right to a free public education regardless of immigration status or religious beliefs, prohibit the collection of information or documents regarding the immigration status of students or their family members, and fulfill other requirements of Education Code section 234.7.

**PREGNANT AND PARENTING STUDENT ACCOMMODATIONS**

Charter School shall provide specified accommodations to pregnant and parenting students, including, but not limited to, the provision of parental leave and reasonable accommodations on campus to a lactating student to express breast milk, breastfeed an infant child, or address other needs related to breastfeeding. The Charter School shall notify pregnant and parenting students and parents/guardians of the rights and options available to pregnant and parenting students. (Ed. Code §§ 222, 222.5, 46015.)

**SEXUAL HARASSMENT POLICY NOTICE**

The Charter School shall create a poster that notifies students of the applicable policy on sexual harassment in accordance with Education Code section 231.6, and shall prominently and conspicuously display the poster in each bathroom and locker room at each schoolsite and in public areas at each schoosite.

If the charter school offers competitive athletics, annually post on the school's web site or on the web site of the charter operator the total enrollment of the school classified by gender, the number of students who participate in competitive athletics classified by gender, and the number of boys' and girls' teams classified by sport and by competition level. If Charter School operates multiple school sites, this information shall be disaggregated by school site. (Ed. Code § 221.9.)

**Element 9 – Annual 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(c)(5)(I).)

Charter School shall provide for an annual audit that shall be conducted in compliance with applicable state and federal laws, including but not limited to the requirements of Education Code sections 47605(b)(c)(I) and 41020 as they may be amended from time to time. Charter School shall ensure compliance with the requirements of section 41020(f)(2), which makes it unlawful, absent an Education Audits Appeal Panel waiver, for a public accounting firm to provide audit services
to a local educational agency if the lead audit partner, or coordinating audit partner, having primary responsibility for the audit, or the audit partner responsible for reviewing the audit, has performed audit services for that local educational agency in each of the six previous years.

The following reports will be submitted to LAUSD, in the required format and within timelines to be specified by LAUSD, each year:

a. Provisional Budget – Spring prior to operating fiscal year
b. Final Budget – July of the budget fiscal year
c. First Interim Projections – November of operating fiscal year
d. Second Interim Projections – February of operating fiscal year
e. Unaudited Actuals – July following the end of the fiscal year
f. Audited Actuals – December 15 following the end of the fiscal year
g. Classification Report – monthly according to Charter School’s Calendar
h. Statistical Report – monthly according to Charter School’s Calendar of Reports

In addition:

- P1, first week of January
- P2, first week of April

i. Instructional Calendar – annually five weeks prior to first day of instruction
j. Other reports as requested by the District

Element 10 – Suspension and Expulsion Procedures

“The procedures by which pupils can be suspended or expelled from the charter school for disciplinary reasons or otherwise involuntarily removed from the charter school for any reason. These procedures, at a minimum, shall include an explanation of how the charter school will comply with federal and state constitutional procedural and substantive due process requirements that is consistent with all of the following:

(i) For suspensions of fewer than 10 days, provide oral or written notice of the charges against the pupil and, if the pupil denies the charges, an explanation of the evidence that supports the charges and an opportunity for the pupil to present the pupil’s side of the story.

(ii) For suspensions of 10 days or more and all other expulsions for disciplinary reasons, both of the following:

(I) Provide timely, written notice of the charges against the pupil and an explanation of the pupil’s basic rights.

(II) Provide a hearing adjudicated by a neutral officer within a reasonable number of days at which the pupil has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate.

(iii) Contain a clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the pupil or the pupil’s parent or guardian or, if the pupil is a foster child or youth or a homeless child or youth, the pupil’s educational rights holder, and shall inform the pupil, the pupil’s parent or guardian, or the pupil’s educational rights holder of the right to initiate the procedures specified in clause (ii) before the effective date of the action. If the pupil’s parent, guardian, or educational rights holder initiates the procedures specified in clause (ii), the pupil shall remain enrolled and shall not be removed until the charter school issues a final decision. For purposes of this clause, “involuntarily
removed” includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions specified in clauses (i) and (ii).” (Ed. Code § 47605(c)(5)(J).

**GENERAL PROVISIONS**

Charter School shall provide due process for all students, including adequate and timely notice to parents/guardians and students of the grounds for all suspension and expulsion recommendations and decisions and their due process rights regarding suspension and expulsion, including rights of appeal.

Charter School shall ensure that its policies and procedures regarding suspension and expulsion will be periodically reviewed, and modified as necessary, in order to conform to changes in state law.

Charter School shall ensure that its staff is knowledgeable about and complies with the District’s Discipline Foundation Policy and/or current equivalent policy. Charter School shall comply with the terms of the School Discipline Policy and School Climate Bill of Rights resolution adopted by the LAUSD Board of Education on May 6, 2013.

Charter School shall be responsible for the appropriate interim placement of students during and pending the completion of Charter School’s student expulsion process and shall facilitate the post-expulsion placement of expelled students.

Charter School shall document and implement the alternatives to suspension and expulsion that Charter School utilizes in response to attendance-related concerns, e.g. truancy or excessive tardiness.

No student shall be involuntarily removed by the Charter School for any reason unless the parent or guardian of the student has been provided written notice of intent to remove the student no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the student or the student’s parent or guardian or, if the student is a foster child or youth or a homeless child or youth, the student’s educational rights holder, and shall inform him or her of the basis for which the pupil is being involuntarily removed and his or her right to request a hearing to challenge the involuntary removal. If a parent, guardian, or educational rights holder requests a hearing, the Charter School shall utilize the same hearing procedures specified below for expulsions, before the effective date of the action to involuntarily remove the student. If the student’s parent, guardian, or educational rights holder requests a hearing, the student shall remain enrolled and shall not be removed until the Charter School issues a final decision. As used herein, “involuntarily removed” includes disenrolled, dismissed, transferred, or terminated, but does not include removals for misconduct which may be grounds for suspension or expulsion as enumerated in this section.

**HOMEWORK TO SUSPENDED STUDENTS**

For any student who has been suspended from school for two or more schooldays, Charter School shall provide student with the homework the student would otherwise have been assigned if requested by the student or student’s parent/guardian. If a homework assignment is requested and turned in to the student's teacher either upon the student’s return to school from suspension or
within the timeframe originally prescribed by the teacher, whichever is later, but it is not graded before the end of the academic term, then that assignment shall not be included in the calculation of the pupil’s overall grade in the class. (Ed. Code § 48913.5)

**STUDENTS WITH DISABILITIES**

Charter School shall establish and implement policies and procedures to ensure full compliance with federal and state laws and regulations regarding the discipline of students with disabilities. If a student is recommended for expulsion and the student receives or is eligible for special education, pending the completion of the expulsion process, Charter School shall identify and provide special education programs and services at an appropriate interim educational placement determined in coordination with the LAUSD Division of Special Education.

In the case of a student who has an Individualized Education Program (“IEP”), or a student who has a Section 504 Plan, Charter School shall ensure that it follows correct disciplinary procedures to comply with the mandates of state and federal laws, including IDEA and section 504 of the Rehabilitation Plan of 1973. As set forth in the MOU regarding special education between the District and Charter School, an IEP team will meet to conduct a manifestation determination and to discuss alternative placement utilizing the District’s Special Education Policies and Procedures Manual. Prior to recommending expulsion for a student with a Section 504 Plan, Charter School’s administrator will convene a Link Determination meeting to ask the following two questions:

A. Was the misconduct caused by, or directly and substantially related to the student’s disability?

B. Was the misconduct a direct result of the Charter School’s failure to implement Section 504?

**NOTIFICATION OF THE DISTRICT**

Upon expelling any student, Charter School shall notify the Charter Schools Division by submitting an expulsion packet to the CSD immediately or as soon as practicable, which shall contain:

- Completed “Notification of Charter School Expulsion” [form available from the CSD website or office], including attachments as required on the form
- Documentation of the expulsion proceeding, including statement of specific facts supporting the expulsion and documentation that Charter School’s policies and procedures were followed
- Copy of parental notice of expulsion hearing
- Copy of expulsion notice provided to parent stating reason for expulsion, term of expulsion, rehabilitation plan, reinstatement notice with eligibility date and instructions for providing proof of student’s compliance for reinstatement, appeal process, and options for enrollment
- If the student is eligible for Special Education, documentation related to expulsion in compliance with IDEA including the Expulsion Analysis page of the pre-expulsion IEP
- If the student is eligible for Section 504 accommodations, documentation that Charter School conducted a Link Determination meeting to address two questions:
  A. Was the misconduct caused by, or directly and substantially related to the student’s disability?
B. Was the misconduct a direct result of Charter School’s failure to implement Section 504 Plan?

Notwithstanding and apart from the documentation sent to the Charter Schools Division as indicated above, if the student is a resident of a school district other than LAUSD, Charter School must notify the superintendent of the student’s district of residence within 30 days of the expulsion. Additionally, upon request of the receiving school district, Charter School shall forward student records no later than 10 school days from the date of the request as stated in Education Code section 49068 (a) and (b).

OUTCOME DATA

Charter School shall gather and maintain all data related to placement, tracking, and monitoring of student suspensions, expulsions, involuntary removals, and reinstatements, and make such outcome data readily available to the District upon request.

REHABILITATION PLANS

Pupils who are expelled from Charter School shall be given a rehabilitation plan upon expulsion as developed by Charter School’s governing board at the time of the expulsion order, which may include, but is not limited to, periodic review as well as assessment at the time of review for readmission. Terms of expulsion should be reasonable and fair with the weight of the expelling offense taken into consideration when determining the length of expulsion. Therefore, the rehabilitation plan should include a date not later than one (1) year from the date of expulsion when the pupil may apply to Charter School for readmission. Charter School shall inform parents in writing of its processes for reinstatement and applying for expungement of the expulsion record.

READMISSION

Charter School’s governing board shall adopt rules establishing a procedure for the filing and processing of requests for readmission and the process for the required review of all expelled pupils for readmission. Upon completion of the readmission process, Charter School’s governing board shall readmit the pupil, unless Charter School’s governing board makes a finding that the pupil has not met the conditions of the rehabilitation plan or continues to pose a danger to campus safety. A description of the procedure shall be made available to the pupil and the pupil’s parent or guardian at the time the expulsion order is entered and the decision of the governing board, including any related findings, must be provided to the pupil and the pupil’s parent/guardian within a reasonable time.

REINSTATEMENT

Charter School’s governing board shall adopt rules establishing a procedure for processing reinstatements, including the review of documents regarding the rehabilitation plan. Charter School is responsible for reinstating the student upon the conclusion of the expulsion period in a timely manner.
**GUN-FREE SCHOOLS ACT**

Charter School shall comply with the federal Gun-Free Schools Act.

**Element 11 – Employee Retirement Systems**

“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(c)(5)(K).)

Charter School shall comply in a timely manner with all applicable federal and state laws and regulations, as they may change from time to time, including but not limited to Internal Revenue Code section 414(d) and related regulations, governing Charter School’s participation in, and/or coverage of its staff members by, the State Teachers’ Retirement System (CalSTRS), the Public Employees’ Retirement System (CalPERS), and/or federal social security.

If Charter School participates in, or otherwise covers its staff members by enrolling or continuing their enrollment in, a “government plan” governed by section 414(d) (e.g., CalPERS), upon dissolution or final liquidation of Charter School, and/or its nonprofit public benefit corporation, notwithstanding any provision in Element 15 to the contrary, Charter School shall distribute its net assets in accordance with section 414(d), related regulations, and the government plan’s requirements.

If Charter School participates in CalSTRS and/or CalPERS, Charter School shall continue such participation for the duration of Charter School’s existence under the same CDS code, if mandated by applicable legal and retirement plan requirements.

**Element 12 – Public School Attendance Alternatives**

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

Pupils of Charter School do not have or gain any right to admission in a particular school of any school district, or program of any school district, as a consequence of applying to or enrolling in Charter School, except to the extent that such a right is extended by the school district.

A pupil who chooses not to attend Charter School may attend a public school within the pupil’s school district of residence in accordance with applicable law and that school district’s policies and procedures. The pupil alternatively may seek to enroll in another charter school in accordance with applicable law and the terms of the school’s charter. If LAUSD is the pupil’s school district of residence, an eligible pupil may pursue an inter-district transfer, if available, in accordance with the admission, enrollment, and transfer policies and procedures of the District, as they may change from time to time.
Element 13 – Rights of District Employees

“The rights of an 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(c)(5)(M).)

Employees of the District who choose to leave the employment of the District to work at Charter School shall have no automatic rights of return to the District after employment at Charter School unless specifically granted by the District through a leave of absence or other agreement or policy of the District as aligned with the collective bargaining agreements of the District. Leave and return rights for District union-represented employees and former employees who accept employment with Charter School will be administered in accordance with applicable collective bargaining agreements and any applicable judicial rulings.

Element 14 – Mandatory 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(c)(5)(N).)

GENERAL PROVISIONS

Any claim, controversy or dispute between the District and Charter School arising out of, or relating to, this Charter, except for any claim, controversy or dispute related to the authorization, non-renewal, revision, and/or revocation of this Charter, (“Dispute”) shall be resolved pursuant to the terms of this Element 14.

Notwithstanding any other provision of law, each party shall bear and be solely responsible for all of its own attorneys’ fees, costs and expenses associated with any Dispute, including, but not limited to, any written/oral communication, meeting, Issues Conference, mediation, arbitration, administrative and/or civil action (including all levels of appeal), and no party shall be ordered to pay, or be awarded, any other party’s attorneys’ fees, costs or expenses in connection therewith, regardless of who may be deemed the prevailing party. Any fees, costs and expenses charged by a mediator or arbitrator (including all associated administration fees, costs and expenses) shall be shared equally by the parties regardless of the outcome or award. To that effect, any order or award of attorneys’ fees, costs and/or expenses, or mediator’s or arbitrator’s fees, costs or expenses (including any associated administration fees, costs and expenses), issued by a mediator, arbitrator, judicial officer (including all levels of appeal) or jury in any Dispute shall be deemed invalid as a matter of law and unenforceable by one party against the other party.

PROPOSITION 39 DISPUTES

Any Dispute related to or arising out of Education Code section 47614 and/or its implementing regulations set forth in California Code of Regulations, title 5, section 11969 et seq. (“Proposition 39”), shall be resolved in accordance with the procedures set forth below:

1) Any Dispute shall be communicated in writing (“Written Notification”). The Written Notification must identify the nature of the Dispute and all supporting facts. The Written Notification shall be tendered to the other party by personal delivery, by facsimile or e-mail,
or by certified mail. The Written Notification shall be deemed received (a) if personally delivered, upon date of delivery to the address of the person to receive such notice if delivered by 5:00 p.m., or otherwise on the business day following personal delivery; (b) if by facsimile or e-mail, upon electronic confirmation of receipt; or (c) if by certified mail, two (2) business days after deposit in the U.S. Mail.

Unless directed otherwise, all Written Notifications to the District and Charter School shall be addressed respectively as follows:

Director
Charter Schools Division
Los Angeles Unified School District
333 South Beaudry Avenue, 20th Floor
Los Angeles, California 90017

Director/Principal
[Charter School Name]
[Charter School Address]

2) A written response (“Written Response”) shall be tendered to the other party within fifteen (15) business days from the date of receipt of the Written Notification or other date as determined by mutual agreement of the parties. The Written Response shall be tendered to the other party by personal delivery, by facsimile or e-mail, or by certified mail. The Written Response shall be deemed received (a) if personally delivered, upon date of delivery to the address of the person to receive such communication if delivered by 5:00 p.m., or otherwise on the business day following personal delivery; (b) if by facsimile or e-mail, upon electronic confirmation of receipt; or (c) if by certified mail, two (2) business days after deposit in the U.S. Mail.

3) If the Dispute has not been resolved by mutual agreement from the Written Response, the parties agree to schedule a conference to discuss the Dispute identified in the Written Notice (“Issue Conference”). The Issue Conference shall take place within fifteen (15) business days from the date on which the Written Response is received by the other party or other date as determined by mutual agreement of the parties.

4) If the Dispute has not been resolved by mutual agreement at the Issue Conference, either party may then request that the Dispute be resolved by mediation. Within fifteen (15) business days of the date of the request for mediation or other date as determined by mutual agreement of the parties, the parties shall mutually agree upon the selection of a mediator. If the parties are unable to mutually agree upon the selection of a mediator, the mediator shall be selected from a list of mediators prepared and provided by the American Arbitration Association. Mediation proceedings shall commence within thirty (30) business days of the date of the request for mediation or other date as determined by mutual agreement of the parties, and conclude within forty (40) business days of the date of the request for mediation or other date as determined by mutual agreement of the parties. Unless the parties mutually agree otherwise, mediation proceedings shall be administered in accordance with the commercial mediation procedures of the American Arbitration Association.
5) If the mediation is not successful, either party may then initiate a civil action. Venue for any civil action between the parties shall be the Los Angeles County Superior Court.

**NON-PROPOSITION 39 DISPUTES**

Any Dispute not related to or arising out of Proposition 39 shall be resolved in accordance with the procedures set forth below:

1) Any Dispute shall be communicated in writing (“Written Notification”). The Written Notification must identify the nature of the Dispute and any supporting facts. The Written Notification shall be tendered to the other party by personal delivery, by facsimile, or by certified mail. The Written Notification shall be deemed received (a) if personally delivered, upon date of delivery to the address of the person to receive such notice if delivered by 5:00 p.m., or otherwise on the business day following personal delivery; (b) if by facsimile, upon electronic confirmation of receipt; or (c) if by mail, two (2) business days after deposit in the U.S. Mail.

Unless directed otherwise all Written Notifications to the District and Charter School shall be addressed respectively as follows:

Director
Charter Schools Division
Los Angeles Unified School District
333 South Beaudry Avenue, 20th Floor
Los Angeles, California 90017

Director/Principal
[Charter School]
[Charter School Address]

2) A written response (“Written Response”) shall be tendered to the other party within twenty (20) business days from the date of receipt of the Written Notification or other date as determined by mutual agreement of the parties. The Written Response shall be tendered to the other party by personal delivery, by facsimile or e-mail, or by certified mail. The Written Response shall be deemed received (a) if personally delivered, upon date of delivery to the address of the person to receive such communication if delivered by 5:00 p.m., or otherwise on the business day following personal delivery; (b) if by facsimile or e-mail, upon electronic confirmation of receipt; or (c) if by certified mail, two (2) business days after deposit in the U.S. Mail.

3) If the Dispute has not been otherwise resolved by mutual agreement, the parties agree to schedule a conference to discuss the Dispute identified in the Written Notice (“Issue Conference”). The Issue Conference shall take place within fifteen (15) business days from the date from the date on which the Written Response is received by the other party or other date as determined by mutual agreement of the parties.

4) If the Dispute has not been resolved by mutual agreement at the Issue Conference, either party may then request that the Dispute be resolved by mediation. Within fifteen (15)
business days of the date of the request for mediation or other date as determined by mutual agreement of the parties, the parties shall mutually agree upon the selection of a mediator. If the parties are unable to mutually agree upon the selection of a mediator, the mediator shall be selected from a list of mediators prepared and provided by the American Arbitration Association. Mediation proceedings shall commence within thirty (30) business days of the date of the request for mediation or other date as determined by mutual agreement of the parties. Unless the parties mutually agree otherwise, mediation proceedings shall be administered in accordance with the commercial mediation procedures of the American Arbitration Association.

5) If the mediation is not successful, then the parties agree to resolve the Dispute by binding arbitration conducted by a single arbitrator. Unless the parties mutually agree otherwise, arbitration proceedings shall be administered in accordance with the commercial arbitration rules of the American Arbitration Association. The arbitrator must be an active member of the State Bar of California or a retired judge of the state or federal judiciary of California.

**Element 15 – Charter School Closure Procedures**

“The procedures to be used if the charter school closes. The procedures shall ensure a final audit of the charter 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(c)(5)(O).)

**Revocation of the Charter**

The District may revoke the Charter pursuant to the provisions set forth in the Charter Schools Act of 1992, as they may be amended from time to time. The District may revoke the Charter of Charter School if the District finds, through a showing of substantial evidence, that Charter School did any of the following:

- Charter School committed a material violation of any of the conditions, standards, or procedures set forth in the Charter.
- Charter School failed to meet or pursue any of the pupil outcomes identified in the Charter.
- Charter School failed to meet generally accepted accounting principles, or engaged in fiscal mismanagement.
- Charter School violated any provision of law.

Prior to revocation, and in accordance with Education Code section 47607(g) and state regulations, the LAUSD Board of Education will notify Charter School in writing of the specific violation, and give Charter School a reasonable opportunity to cure the violation, unless the LAUSD Board of Education determines, in writing, that the violation constitutes a severe and imminent threat to the health or safety of the pupils. Revocation proceedings are not subject to the dispute resolution provisions set forth in this Charter.
Pursuant to Education Code section 47607.3, a charter school identified for needing assistance and provided advice and assistance from the California Collaborative for Educational Excellence based on failure to satisfy state evaluation rubrics may be subject to revocation.

**Closure Action**

The decision to close Charter School, by the governing board of Charter School must be documented in a “Closure Action”. A Closure Action shall be deemed to have been automatically taken when any of the following occur: the Charter is revoked (subject to the provisions of Education Code section 47607(f)) or non-renewed by the LAUSD Board of Education and Charter School has exhausted its revocation or non-renewal administrative appeal rights pursuant to Education Code sections 47605(k) and 47607(j), or its administrative appeal rights have lapsed, or the charter school voluntarily closes at any stage of the administrative appeal process; the governing board of Charter School votes to close Charter School; or the Charter lapses.

**Closure Procedures**

The procedures for charter school closure set forth below are guided by Education Code sections 47604.32, 47605, and 47607 as well as California Code of Regulations, title 5, sections 11962 and 11962.1, and are based on “Charter Schools Closure - Requirements and Recommendations” posted on the California Department of Education website. All references to “Charter School” apply to Charter School, including its nonprofit corporation and governing board.

**Designation of Responsible Person(s) and Funding of Closure**

Prior to or at the time of the taking of a Closure Action by either the governing board of Charter School or the LAUSD Board of Education, the governing board of Charter School shall designate a person or persons responsible for conducting and overseeing all closure-related procedures and activities, and allocate sufficient funding for, or otherwise determine how Charter School will fund, these activities.

**Notification of Closure Action**

Upon the taking of a Closure Action, Charter School shall send written notice of its closure to:

1. The LAUSD Charter Schools Division (CSD). Charter School shall provide the CSD with written notice of (1) the person(s) designated to be responsible for conducting and overseeing all closure activities, and (2) the source, location, and management of the funding for such activities. If the Closure Action is an act of Charter School, Charter School shall provide the CSD with a copy of the governing board resolution or minutes that documents its Closure Action.

2. Parents/guardians of all students, and all majority age and emancipated minor students, currently enrolled in Charter School within 72 hours of the Closure Action. Charter School shall simultaneously provide a copy of the written parent notification to the CSD.

3. Los Angeles County Office of Education (LACOE). Charter School shall send written notification of the Closure Action to LACOE by registered mail within 72 hours of the
Closure Action. Charter School shall simultaneously provide a copy of this notification to the CSD.

4. The Special Education Local Plan Area (SELPA) in which Charter School participates. Charter School shall send written notification of the Closure Action to the SELPA in which Charter School participates by registered mail within 72 hours of the Closure Action. Charter School shall simultaneously provide a copy of this notification to the CSD.

5. The retirement systems in which Charter School’s employees participate. Within fourteen (14) calendar days of the Closure Action, Charter School shall notify, as applicable, the State Teachers Retirement System (STRS), Public Employees Retirement System (PERS), the Social Security Administration, and the Los Angeles County Office of Education of the Closure Action, and follow their respective procedures for dissolving contracts and reporting. Charter School shall provide a copy of these notifications and correspondence to the CSD.

6. The California Department of Education (CDE). Charter School shall send written notification of the Closure Action to the CDE by registered mail within 72 hours of the Closure Action. Charter School shall provide a copy of this notification to the CSD.

7. Any school district that may be responsible for providing education services to the former students of Charter School. Charter School shall send written notification of the Closure Action within 72 hours of the Closure Action. This notice must include a list of potentially returning students and their home schools based on student residence. Charter School shall provide a copy of these notifications, if any, to the CSD.

8. All Charter School employees and vendors within 72 hours of the Closure Action. Charter School shall simultaneously provide a copy of the written employee and vendor notification, with any attachments, to the CSD.

Notification of all the parties above, with the exception of employees and vendors, must include but is not limited to the following information:

1. The effective date of the closure of Charter School
2. The name(s) and contact information for the person(s) handling inquiries regarding the closure
3. The students’ school districts of residence
4. How parents/guardians of all students, and all majority age and emancipated minor students, may obtain copies of student records and transcripts, including specific information on completed courses and credits that meet graduation requirements

In addition to the four required items above, notification of the CDE shall also include:

1. A description of the circumstances of the closure
2. The location of student and personnel records
In addition to the four required items above, notification of parents/guardians of all students, and all majority age and emancipated minor students, shall also include:

1. Information on how to enroll or transfer the student to an appropriate school

2. A certified packet of student information that includes closure notice, a copy of the student’s cumulative record and other records, including but not limited to grade reports, discipline records, immunization records, completed coursework, credits that meet graduation requirements, a transcript, and state testing results

3. Information on student completion of college entrance requirements, for all high school students affected by the closure

Notification of employees and vendors shall include:

1. The effective date of the closure of Charter School

2. The name(s) and contact information for the person(s) handling inquiries regarding the closure

3. The date and manner, which shall be no later than 30 days from the effective date of the closure of Charter School, by which Charter School shall provide employees with written verification of employment

Within 30 calendar days of the effective date of closure, Charter School shall provide all employees with written verification of employment. Charter School shall send copies of all such employee verification letters to the CSD.

**Records Retention and Transfer**

Charter School shall comply with all applicable laws as well as District policies and procedures, as they may change from time to time, regarding the transfer and maintenance of Charter School records, including student records. These requirements include:

1. Charter School shall provide the District with all original student cumulative files and behavior records, pursuant to District policy and applicable District handbook(s) regarding cumulative records for secondary and elementary schools, for all students, both active and inactive, of Charter School. Transfer of the complete and organized original student records to the District, in accordance with District procedures applicable at the time of closure, shall occur within seven (7) calendar days of the effective date of closure.

2. Charter School’s process for transferring copies of student records to receiving schools shall be in accordance with applicable law and LAUSD procedures for students moving from one school to another.

3. Charter School shall prepare and provide an electronic master list of all students to the Charter Schools Division in accordance with the District procedures applicable at the time of closure. This list shall include the student’s identification number, Statewide Student Identifier (SSID), birthdate, grade, full name, address, home school/school district,
enrollment date, exit code, exit date, parent/guardian name(s), and phone number(s). If the Charter School closure occurs before the end of the school year, the list also shall indicate the name of the school to which each student is transferring, if known. This electronic master list shall be delivered to the CSD in the form of a CD or otherwise in accordance with District procedures.

4. Charter School must organize the original cumulative files for delivery to the District in two categories: active students and inactive students. Charter School will coordinate with the CSD for the delivery and/or pickup of student records.

5. Charter School must update all student records in the California Longitudinal Pupil Achievement Data System (CALPADS) prior to closing.

6. Charter School must provide to the CSD a copy of student attendance records, teacher gradebooks, and Title I records (if applicable).

7. Charter School must provide to the CSD the name, title, and contact information of the person designated to maintain all Charter School personnel records after the closure. Personnel records to be transferred to and maintained by the designee must include any and all employee records, including but not limited to, records related to performance and grievance. Charter School must provide to the CSD and the designee a list of all active and inactive employees and their periods of service. Both Charter School and the designee, individually and separately, shall inform the CSD immediately upon the transfer of Charter School’s employee records to the designee.

8. Charter School shall ensure that all records are boxed and clearly labeled by classification of documents and the required duration of storage in accordance with District procedures.

9. Charter School shall provide to the responsible person(s) designated by the governing board of Charter School to conduct all closure-related activities a list of students in each grade level and, for each student, a list of classes completed and the student’s district of residence.

**Financial Close-Out**

After receiving notification of closure, the California Department of Education (CDE) will notify Charter School and the authorizing entity of any liabilities Charter School owes the state, which may include overpayment of apportionments, unpaid revolving fund loans or grants, and/or similar liabilities. The CDE may ask the county office of education to conduct an audit of the charter school if it has reason to believe that the school received state funding for which it was not eligible.

Charter School shall ensure completion of an independent final audit within six months after the closure of Charter School that includes:

1. An accounting of all financial assets. These may include cash and accounts receivable and an inventory of property, equipment, and other items of material value.
2. An accounting of all liabilities. These may include accounts payable or reduction in
apportionments due to loans, unpaid staff compensation, audit findings, or other
investigations.

3. An assessment of the disposition of any restricted funds received by or due to Charter
School.

This audit may serve as Charter School’s annual audit if it meets all of the requirements of the
annual audit.

Charter School shall pay for the financial closeout audit of Charter School. This audit will be
conducted by a neutral, independent licensed CPA who will employ generally accepted accounting
principles. Any liability or debt incurred by Charter School will be the responsibility of Charter
School and not LAUSD. Charter School understands and acknowledges that Charter School will
cover the outstanding debts or liabilities of Charter School. Any unused monies at the time of the
audit will be returned to the appropriate funding source. Charter School understands and
acknowledges that only unrestricted funds will be used to pay creditors. Any unused AB 602 funds
will be returned to the District SELPA or the SELPA in which Charter School participates, and
other categorical funds will be returned to the source of funds.

Charter School shall ensure the completion and filing of any annual reports required. These reports
include but are not necessarily limited to:

1. Preliminary budgets
2. Interim financial reports
3. Second interim financial reports
4. Final unaudited reports

These reports must be submitted to the CDE and the authorizing entity in the form required. These
reports should be submitted as soon as possible after the Closure Action, but no later than the
required deadline for reporting for the fiscal year.

For apportionment of categorical programs, the CDE will count the prior year average daily
attendance (ADA) or enrollment data of the closed Charter School with the data of the authorizing
entity. This practice will occur in the first year after the closure and will continue until CDE data
collection processes reflect ADA or enrollment adjustments for all affected LEAs due to the charter
closure.

**Disposition of Liabilities and Assets**

The closeout audit must identify the disposition of all liabilities of Charter School. Charter School
closure procedures must also ensure appropriate disposal, in accordance with the District Required
Language provisions in Element 11 of this Charter, Charter School’s governing board bylaws,
fiscal procedures, and any other applicable laws and regulations, of any net assets remaining after
all liabilities of Charter School have been paid or otherwise addressed. Such disposal includes, but
is not limited to:
1. Charter School, at its cost and expense, shall return to the District any and all property, furniture, equipment, supplies, and other assets provided to Charter School by or on behalf of the District. The District discloses that the California Education Code sets forth the requirements for the disposition of the District’s personal property and Charter School shall bear responsibility and liability for any disposition in violation of statutory requirements.

2. The return of any donated materials and property in accordance with any terms and conditions set when the donations were accepted.

3. The return of any grant and restricted categorical funds to their sources according to the terms of the grant or state and federal law.

4. The submission of final expenditure reports for any entitlement grants and the filing of Final Expenditure Reports and Final Performance Reports, as appropriate.

If Charter School is operated as or by a nonprofit corporation, and if the corporation does not have any functions other than operation of Charter School, the corporation shall be dissolved according to its bylaws.

Charter School shall retain sufficient staff, as deemed appropriate by the Charter School governing board to complete all necessary tasks and procedures required to close the school and transfer records in accordance with these closure procedures.

Charter School’s governing board shall adopt a plan for wind-up of Charter School and, if necessary, the corporation, in accordance with the requirements of the Corporations Code.

Charter School shall provide LAUSD within fourteen (14) calendar days of the Closure Action with written notice of any outstanding payments due to staff and the time frame and method by which Charter School will make the payments.

Prior to final close-out, Charter School shall complete all actions required by applicable law, including but not limited to the following:

a. File all final federal, state, and local employer payroll tax returns and issue final W-2s and Form 1099s by the statutory deadlines.

b. Make final federal tax payments (employee taxes, etc.)

c. Complete and submit all required federal and state filings and notices to the State of California, the Internal Revenue Service, and the Department of the Treasury, including but not limited to final tax returns and forms (e.g., Form 990 and related Schedules).

This Element 15 shall survive the revocation, expiration, termination, cancellation of this Charter, or any other act or event that would end Charter School’s authorization to operate as a charter school or cause Charter School to cease operation. Charter School agrees that, due to the nature of the property and activities that are the subject of this Charter, the District and public shall suffer irreparable harm should Charter School breach any obligation under this Element 15. The District therefore reserves the right to seek equitable relief to enforce any right arising under this Element
15 or any provision of this Element 15 or to prevent or cure any breach of any obligation undertaken, without in any way prejudicing any other legal remedy available to the District. Such legal relief shall include, without limitation, the seeking of a temporary or permanent injunction, restraining order, or order for specific performance, and may be sought in any appropriate court.

**Additional Provisions**

**FACILITIES**

Charter School shall comply with all geographic and site limitations and related requirements set forth in Education Code sections 47605.1, 47602(a), and 47605(a).

**District-Owned Facilities**

If Charter School is using District facilities as of the date of the submission of this charter petition or takes occupancy of District facilities prior to the approval of this charter petition, Charter School shall execute an agreement provided by the District for the use of the District facilities as a condition of the approval of the charter petition. If at any time after the approval of this charter petition Charter School will occupy and use any District facilities, Charter School shall execute an agreement provided by the District for the use of the District facilities prior to occupancy and commencing use. Charter School shall implement and otherwise comply with the terms of any and all applicable facilities use agreements between Charter School and the District.

The circumstances of Charter School’s occupancy of District facilities may change over time such as, but not limited to, enrollment, programs, and the conditions of facilities, and the District has a vested interest in having an agreement that is appropriate for the situation.

For a Sole Occupant Agreement or any other use agreement that is not a Proposition 39 Single Year Co-location Use Agreement or a lease issued through the Notice of Intent and bid process, the term may be co-terminous with the approved Charter, as permitted by law. Charter School and the District shall negotiate any modifications of the agreement with the goal of such amendment or new agreement being considered by the LAUSD Board of Education with the renewal of the charter petition. If Charter School and the District cannot execute an agreement in time for such to be considered by the Board of Education with the renewal of the charter petition, the approval of the renewal of the charter petition shall be conditioned upon Charter School and the District executing an amendment to the existing use agreement or a new agreement no later than May 1st or within nine (9) months of the date of the Board of Education’s approval of the renewal of the charter petition. During such time period Charter School shall be permitted to remain in occupancy of the District facilities under the terms and conditions of the immediately preceding, executed use agreement; provided, that if Charter School and the District cannot agree upon and execute an amendment or new use agreement by said deadline, Charter School shall vacate the District facilities on or before June 30th of said school year.

Charter School acknowledges and agrees that occupancy and use of District facilities shall be in compliance with applicable laws and District policies for the operation and maintenance of District facilities and furnishings and equipment. Charter School shall comply with all District health, safety, and emergency procedures and requirements and shall be subject to inspection by the District’s Facilities Services Division, OEHS, and other District offices in the same manner as
other LAUSD campuses. All District facilities (i.e., schools) will remain subject to those laws applicable to public schools.

In the event of an emergency, all District facilities (i.e., schools) are available for use by the American Red Cross and public agencies as emergency locations, which may disrupt or prevent Charter School from conducting its educational programs. If Charter School will share the use of District facilities with other District user groups, Charter School agrees that it will participate in and observe all District safety policies (e.g., emergency chain of information and participation in safety drills).

The use agreements provided by the District for District facilities shall contain terms and conditions addressing issues such as, but not limited to, the following:

- **Use:** Charter School will be restricted to using the District facilities for the operation of a public school providing educational instruction to public school students consistent with the terms of the Charter and incidental related uses. Separate and apart from its right as authorizer to observe and inspect any part of the charter school at any time pursuant to Education Code 47607(a)(1), the District shall have and reserves the right to inspect District facilities upon reasonable notice to Charter School.

- **Furnishings and Equipment:** The District shall retain ownership of any furnishings and equipment, including technology, (“F&E”) that it provides to Charter School for use. Charter School, at its sole cost and expense, shall provide maintenance and other services for the good and safe operation of the F&E.

- **Leasing; Licensing:** Use of the District facilities by any person or entity other than Charter School shall be administered by the District. The parties may agree to an alternative arrangement in the use agreement.

- **Programs, Services, and Activities Outside Instructional Program; Third Party Vendors:**
  
  (i) Any program, service, or activity provided outside the instructional program shall be subject to the terms and provisions of the use agreement, and, additionally, may require a license, permit, or additional agreement issued by the District. The term “instructional program” is defined, per Education Code section 47612 and 5 CCR section 11960, as those required educational activities that generate funding based on “average daily attendance” and includes those extracurricular programs, services, and/or activities that students are required to participate in and do not require the payment of any consideration or fee.

  (ii) Any program, service, or activity requiring the payment of any consideration or fee or provided by a third party vendor (defined as any person or entity other than Charter School), whether paid or volunteer and regardless of whether such may be within the instructional program, shall be subject to the terms and provisions of the use agreement and such third party vendor shall be required to obtain a license, permit, or additional agreement from the District.
Minimum Payments or Charges to be Paid to District Arising from the Facilities:

(i) Pro Rata Share: The District shall collect, and Charter School shall pay a Pro Rata Share for facilities costs as provided in the Charter Schools Act of 1992 and its regulations. The parties may agree to an alternative arrangement regarding facilities costs in the use agreement; and

(ii) Taxes; Assessments: Generally, Charter School shall pay any assessment or fee imposed upon or levied on the LAUSD facilities that it is occupying or Charter School’s legal or equitable interest created by the use agreement.

Maintenance & Operations Services: In the event the District agrees to allow Charter School to perform any of the operation and maintenance services, the District shall have the right to inspect the District facilities, and the costs incurred in such inspection shall be paid by Charter School.

(i) Co-Location: If Charter School is co-locating or sharing the District facilities with another user, the District shall provide the operations and maintenance services for the District facilities and Charter School shall pay the Pro Rata Share. The parties may agree to an alternative arrangement regarding performance of the operations and maintenance services and payment for such in the use agreement.

(ii) Sole Occupant: If Charter School is a sole occupant of District facilities, the District shall allow Charter School, at its sole cost and expense, to provide some operations and maintenance services for the District facilities in accordance with applicable laws and LAUSD’s policies on operations and maintenance services for facilities and F&E. NOTWITHSTANDING THE FOREGOING, the District shall provide all services for regulatory inspections which as the owner of the real property it is required to submit, and deferred maintenance, and Charter School shall pay LAUSD for the cost and expense of providing those services. The parties may agree to an alternative arrangement regarding performance of the operations and maintenance services and payment for such services in the use agreement.

Real Property Insurance: Prior to occupancy, Charter School shall satisfy requirements to participate in LAUSD’s property insurance or, if Charter School is the sole occupant of LAUSD facilities, obtain and maintain separate property insurance for the LAUSD facilities. Charter School shall not have the option of obtaining and maintaining separate property insurance for the LAUSD facility IF Charter School is co-locating or sharing the LAUSD facility with another user.

Non-District-Owned Facilities

Occupancy and Use of the Site: Prior to occupancy or use of any school site or facility, Charter School shall provide the CSD with a current Certificate of Occupancy or equivalent document issued by the applicable permitting agency that allows Charter School to use and occupy the site as a charter school. Charter School shall not exceed the operating capacity of the site and shall operate within any limitations or requirements provided by the Certificate of Occupancy and any applicable permit. Charter School may not open or operate without providing a copy of an
appropriate Certificate of Occupancy to the CSD. If Charter School intends to move or expand to another facility during the term of this Charter, Charter School shall adhere to any and all District policies and procedures regarding charter material revision and non-material amendment. Prior to occupancy or use of any such additional or changed school site, Charter School shall provide an appropriate Certificate of Occupancy to the CSD for such facility. Notwithstanding any language to the contrary in this Charter, the interpretation, application, and enforcement of this provision are not subject to the Dispute Resolution Process outlined in Element 14.

Facility Compliance: Prior to occupancy or use of any non-District-owned school site and/or facility, Charter School shall ensure that the site and/or facility complies with all applicable building codes, standards and regulations adopted by the city and/or county agencies responsible for building and safety standards for the city in which Charter School is to be located, federal and state accessibility requirements (including the Americans with Disabilities Act (ADA) and Section 504), and all other applicable fire, health, and structural safety and access requirements. This requirement shall also apply to the construction, reconstruction, alteration of or addition to the facility. Charter School shall resolve in a timely manner any and all corrective actions, orders to comply, and notices issued by any authorized building and safety agency. Charter School cannot exempt itself from applicable building and zoning codes, ordinances, and ADA/Section 504 requirements. Charter School shall maintain on file readily accessible records that document facilities compliance and shall promptly provide such documentation to the CSD upon request.

Pest Management: Charter School shall comply with the Healthy Schools Act, Education Code section 17608, which details pest management requirements for schools.

Asbestos Management: Charter School shall comply with the asbestos requirement as cited in the Asbestos Hazard Emergency Response Act (AHERA), 40 C.F.R. part 763. AHERA requires that any building leased or acquired that is to be used as a school or administrative building shall maintain an asbestos management plan.

**INSURANCE**

Insurance Requirements

No coverage shall be provided to Charter School by the District under any of the District’s self-insured programs or commercial insurance policies. Charter School shall secure and maintain, at a minimum, insurance as set forth below with insurance companies acceptable to the District [A.M. Best A-, VII or better] or the equivalent provided through a California Joint Powers Authority self-insurance program to protect Charter School from claims which may arise from its operations. Each Charter School location shall meet the below insurance requirements individually.

It shall be Charter School’s responsibility, not the District’s, to monitor its vendors, contractors, partners, and/or sponsors for compliance with the insurance requirements.

The following insurance policies are required:

1. Commercial General Liability, including Fire Legal Liability, coverage of $5,000,000 per Occurrence and in the Aggregate. The policy shall be endorsed to name the Los Angeles
Unified School District and its Board of Education as named additional insureds and shall provide specifically that any insurance carried by the District which may be applicable to any claims or loss shall be deemed excess and Charter School's insurance shall be primary despite any conflicting provisions in Charter School's policy. Coverage shall be maintained with no Self-Insured Retention above $15,000 without the prior written approval of the Division of Risk Management and Insurance Services for the LAUSD.

2. Workers' Compensation Insurance in accordance with provisions of the California Labor Code adequate to protect Charter School from claims that may arise from its operations pursuant to the Workers' Compensation Act (Statutory Coverage). The Workers’ Compensation Insurance coverage must also include Employers Liability coverage with limits of $1,000,000/$1,000,000/$1,000,000.

3. Commercial Auto Liability, including Owned, Leased, Hired, and Non-owned, coverage with limits of $1,000,000 Combined Single Limit per Occurrence if Charter School does not operate a student transportation service. If Charter School provides student transportation services, the required coverage limit is $5,000,000 Combined Single Limit per Occurrence.

4. Crime Insurance or Fidelity Bond coverage shall be maintained by Charter School to cover all Charter School employees who handle, process or otherwise have responsibility for Charter School funds, supplies, equipment, or other assets. Minimum amount of coverage shall be $1,000,000 per occurrence/$1,000,000 aggregate, with deductible that is acceptable to the Los Angeles Unified School District.

5. Cyber Liability insurance coverage with minimum limits of $500,000 per occurrence and $500,000 general aggregate.

6. Professional Educators Errors and Omissions liability coverage with minimum limits of $5,000,000 per occurrence and $5,000,000 general aggregate.

7. Sexual Molestation and Abuse coverage with minimum limits of $5,000,000 per occurrence and $5,000,000 general aggregate. Coverage may be held as a separate policy or included by endorsement in the Commercial General Liability or the Errors and Omissions Policy. Whether this coverage is separately issued or included by endorsement to another policy, such coverage shall be endorsed to name the Los Angeles Unified School District and Its Board of Education as named additional insureds and shall provide specifically that any insurance carried by the District which may be applicable to any claims or loss shall be deemed excess and Charter School's insurance shall be primary despite any conflicting provisions in Charter School's policy.

8. Employment Practices Legal Liability coverage with limits of $5,000,000 per occurrence and $5,000,000 general aggregate.

9. Excess/Umbrella Liability insurance with limits of not less than $10,000,000 is required of all high schools and any other school that participates in competitive interscholastic or intramural sports programs.
Covrages and limits of insurance may be accomplished through individual primary policies or through a combination of primary and excess policies and alternative methods of coverage as approved by the District. Where specifically required above, and with respect to any other coverage for which such endorsements and/or provisions are available, each policy shall be endorsed to name the Los Angeles Unified School District and Its Board of Education as named additional insureds and shall provide specifically that any insurance carried by the District which may be applicable to any claims or loss shall be deemed excess and Charter School's insurance shall be primary despite any conflicting provisions in Charter School's policy.

Evidence of Insurance

Charter School shall furnish to the District’s Division of Risk Management and Insurance Services located at 333 S. Beaudry Ave, 28th Floor, Los Angeles CA 90017 at the outset of the Charter agreement and within 30 calendar days of the inception or effective date of any new policies, renewals, or changes, certificates of insurance evidencing such coverage and signed by authorized representatives of the insurance carrier. Certificates shall be endorsed as follows:

“Charter school shall be required to provide LAUSD with 30 days prior written notice by certified mail, return receipt requested, if the insurance afforded by this policy shall be suspended, cancelled, reduced in coverage limits or non-renewed.”

With respect to the coverages for which additional insured status is required as set forth above, the certificate(s) of insurance shall reflect Los Angeles Unified School District’s and Its Board of Education’s status as named additional insureds thereunder, and shall attach a copy of the endorsement(s) extending such coverage.

Facsimile or reproduced signatures may be acceptable upon review by the Division of Risk Management and Insurance Services. However, the District reserves the right to require certified copies of any required insurance policies.

Should Charter School deem it prudent and/or desirable to have insurance coverage for damage or theft to Charter School, employee or student property, for student accident, or any other type of insurance coverage not listed above, such insurance shall not be provided by the District and its purchase shall be the responsibility of Charter School.

Hold Harmless/Indemnification Provision

To the fullest extent permitted by law, Charter School does hereby agree, at its own expense, to indemnify, defend and hold harmless the LAUSD and the Board of Education and their members, officers, directors, agents, representatives, employees and volunteers from and against any and all claims, damages, losses and expenses including but not limited to attorneys’ fees, brought by any person or entity whatsoever, arising out of, or relating to, this Charter agreement. Charter School further agrees to the fullest extent permitted by law, at its own expense, to indemnify, defend, and hold harmless the LAUSD and the Board of Education and their members, officers, directors, agents, representatives, employees and volunteers from and against any and all claims, damages, losses and expenses including but not limited to attorneys’ fees, brought by any person or entity whatsoever for claims, damages, losses and expenses arising from or relating to acts or omission
of acts committed by Charter School and/or its officers, directors, employees or volunteers. Moreover, Charter School agrees to indemnify, defend and hold harmless the LAUSD and the Board of Education and their members, officers, directors, agents, representatives, employees and volunteers, for any contractual liability resulting from third party contracts with Charter School’s vendors, contractors, partners or sponsors.

FISCAL MATTERS

District Oversight Costs

The District may charge for the actual costs of oversight of Charter School not to exceed 1% of Charter School’s revenue, or the District may charge for the actual costs of oversight of Charter School not to exceed 3% if Charter School is able to obtain substantially rent free facilities from the District. Notwithstanding the foregoing, the District may charge the maximum oversight fee allowed under the law as it may change from time to time. The oversight fee provided herein is separate and distinct from the charges arising under charter school facilities use agreements.

Cash Reserves

Charter School acknowledges that the recommended cash reserve is 5% of expenditures, as provided in section 15450, title 5 of the California Code of Regulations.

Third Party Contracts

Charter School shall ensure that all third party contracts, whether oral or written, for supplies, equipment, goods and/or services, for the direct or indirect benefit of, or otherwise related to the operation of, Charter School, require compliance with and otherwise conform to all applicable local, state, and federal policies, regulations, laws, and guidelines, including but not limited to licensing and permit requirements as well as requirements related to protection of health and safety.

Special Education Revenue Adjustment/Payment for Services

In the event that Charter School owes funds to the District for the provision of agreed upon or fee for service or special education services or as a result of the State’s adjustment to allocation of special education revenues from Charter School, Charter School authorizes the District to deduct any and all of the in lieu property taxes that Charter School otherwise would be eligible to receive under section 47635 of the Education Code to cover such owed amounts. Charter School further understands and agrees that the District shall make appropriate deductions from the in lieu property tax amounts otherwise owed to Charter School. Should this revenue stream be insufficient in any fiscal year to cover any such costs, Charter School agrees that it will reimburse the District for the additional costs within forty-five (45) business days of being notified of the amounts owed.
**Student Body Funds**

Charter School shall supervise and manage any and all student body funds in a manner consistent with the provisions of Education Code sections 48930-48938. Charter School shall include and address student body funds in its financial reports, and ensure that such funds are included and addressed in Charter School’s annual audit as a stand-alone item.

**Audit and Inspection of Records**

Charter School agrees to observe and abide by the following terms and conditions as a requirement for receiving and maintaining its charter authorization:

- Charter School is subject to District oversight.
- The District’s statutory oversight responsibility continues throughout the life of the Charter and requires that the District, among other things, monitors the fiscal condition of Charter School.
- The District is authorized to revoke this Charter for, among other reasons, the failure of Charter School to meet generally accepted accounting principles or if Charter School engages in fiscal mismanagement.

Accordingly, the District hereby reserves the right, pursuant to its oversight responsibility, to audit Charter School books, records, data, processes and procedures through the District Office of the Inspector General or other means. The audit may include, but is not limited to, the following areas:

- Compliance with terms and conditions prescribed in the Charter agreement,
- Internal controls, both financial and operational in nature,
- The accuracy, recording and/or reporting of Charter School’s financial information,
- Charter School’s debt structure,
- Governance policies, procedures and history,
- The recording and reporting of attendance data,
- Charter School’s enrollment process,
- Compliance with safety plans and procedures, and
- Compliance with applicable grant requirements.

Charter School shall cooperate fully with such audits and shall make available any and all records necessary for the performance of the audit upon 30 days’ notice to Charter School. When 30 days’ notice may defeat the purpose of the audit, the District may conduct the audit upon 24-hours' notice.

**Fiscal Policies and Procedures**

Charter School shall establish, maintain, and implement sound fiscal policies and procedures, including but not limited to internal controls governing all financial and business-related activities.
Apportionment Eligibility for Students Over 19 Years of Age

Charter School acknowledges that, in order for a pupil over nineteen (19) years of age to remain eligible for generating charter school apportionment, the pupil shall be continuously enrolled in public school and make satisfactory progress toward award of a high school diploma. (Ed. Code § 47612(b).)

Local Control and Accountability Plan

In accordance with California Education Code sections 47604.33 and 47606.5, Charter School shall include in its annual update a “listing and description of the expenditures for the fiscal year implementing the specific actions included in the charter as a result of the reviews and assessment required by paragraph (1)” of section 47606.5(a). (Ed. Code § 47606.5(b).)
TAB 2
File #: Rep-027-20/21, Version: 1

United Teachers Los Angeles (UTLA)
Tentative Agreement for 2020-2021 Distance Learning Sideletter
August 11, 2020
Office of Labor Relations

Action Proposed:
Adoption of the 2020-2021 Distance Learning Sideletter Agreement (Attachment A) with United Teachers Los Angeles (UTLA).

Background:
On June 24, 2020, United Teachers demanded to bargain the impacts and effects of the Covid-19 pandemic on the terms and conditions of employment for their members. Since that time, representatives for the parties have met and negotiated as required by law. The parties reached tentative agreement on August 3, 2020.

Copies of the MOU are available for public review through the Office of Labor Relations.

Expected Outcomes:
Adoption of the 2020-2021 Distance Learning Sideletter Agreement with UTLA.

Board Options and Consequences:
If the Board adopts this agreement, the attached Tentative Agreement with UTLA, which is a joint recommendation of the bargaining parties, will be implemented.

If the Board does not adopt this Agreement, the attached Tentative Agreement with UTLA, which is a joint recommendation of the bargaining parties, will not be implemented. The parties would resume negotiations for an agreement.

Policy Implications:
This Tentative Agreement amends the 2019-2022 Agreement between the District and UTLA and therefore becomes policy upon adoption by the Board. Ratification of this Agreement by the union membership occurred.

Budget Impact:
The budget impact for these agreements are detailed in the attached AB 1200 Report.

Student Impact:
This agreement clarifies the requirements for student instruction to attain educational goals while in a remote learning environment. It also provides for training for employees to attain higher levels of competency in remote learning strategies to better serve our students.
**Issues and Analysis:**
This agreement clarifies the requirements for student instruction to attain educational goals while in a remote learning environment. It also provides for training for employees to attain higher levels of competency in remote learning strategies to better serve our students.

**Attachments:**
Attachment A - 2020-2021 Distance Learning Sideletter Agreement between LAUSD and United Teachers Los Angeles (UTLA)

**Informatives:**
Not Applicable

**Submitted:**
08/03/20
RESPECTFULLY SUBMITTED,  

AUSTIN BEUTNER  
Superintendent

APPROVED & PRESENTED BY:

ANTHONY DIGRAZIA  
Director  
Office of Labor Relations

REVIEWED BY:

DAVID HOLMQUIST  
General Counsel

☑ Approved as to form.

REVIEWED BY:

TONY ATIENZA  
Director, Budget Services and Financial Planning

☑ Approved as to budget impact statement.
The Los Angeles Unified School District (“District”) and United Teachers Los Angeles (“UTLA”) agree to the terms of this “Sideletter” regarding school closures during the 2020-2021 school year in response to the COVID-19 pandemic.

Furthermore the parties recognize the need for an online Distance Learning program to start the 2020-2021 school year and prevent the spread of illness arising from COVID-19.

The District and UTLA agree as follows:

**Distance Learning**

The District and UTLA recognize the importance of maintaining safe learning opportunities for the benefit of students and communities served by the District and its certificated staff. For the purpose of this Sideletter, “Distance Learning” means instruction in which the student and instructor are in different locations.

1. **Components of Distance Learning shall include:**
   a. Adherence to the requirements of Senate Bill 98 (SB 98)
   b. Daily attendance taken for each period/class session.
   c. Designated time(s) for student advisory.
   d. Out-of-Classroom certificated personnel may be assigned to perform advisory duties as directed by the principal.
   e. A combination of synchronous and asynchronous instruction.
   f. Recognition and time investment in Social Emotional Learning (SEL).

2. **Synchronous Instruction** shall be defined as a student or a group of students engaged in learning at the same time using technology that allows the teacher and student to connect in real-time to deliver:
   a. Timely actionable feedback to students.
   b. Direct instruction to students through video conferencing.
   c. Teacher guided peer-to-peer learning.
   d. Whole or small-group instruction.

3. **Asynchronous Instruction** shall be defined as:
   a. Learning done on students own time or schedule.
   b. Students work independently.
   c. Self-guided instructional modules.
   d. Pre-recorded lessons.
   e. Discussion, emails or chats that aren’t happening in real time.
4. Substitute educators and out-of classroom certificated staff may be assigned to assist teachers with breakout instruction or other student support services as determined by the site administrator.

5. Classroom teachers shall adhere to the instructional minute minimums and requirements for synchronous/asynchronous instruction outlined in Attachment A – Instructional Schedule Examples. Classroom teachers are expected to work 360 minutes per day on average; however, in recognition of the unprecedented challenges of the COVID-19 pandemic, the work time outside of the 9:00-2:15 school day shall be at the discretion of the teacher.

6. Teachers will be in regular communication with parents to facilitate their understanding as to when students will be engaging in synchronous learning.

7. In order to provide students and parents with consistency and avoid scheduling conflicts, unit members who are not teachers shall create, share and follow a regular weekly schedule of services and office hours per week in collaboration with roster-carrying teachers. Unit members shall provide advance notification to students, parents, and supervisors if a change to the schedule becomes necessary.

8. Administrators shall be granted access to all virtual courses and web-conferencing sessions upon prior notice.

9. The District shall not record live instruction by unit members without prior notice and consent.

10. The District shall make every effort to fully utilize substitute and pool teachers to avoid general education grade level combination classes in elementary schools. For any situation where a combination becomes unavoidable, the District shall provide a written rationale to the affected teacher as to why a combination class is necessary.

11. For alternative schools, alternate schedules may be developed on a site-by-site basis. These schedules shall be comparable with the workload and school day for other TK-12 teachers and students, but allow for greater flexibility to address individual student needs.

12. Schools that wish to develop alternative schedules may go through the waiver process, as outlined in the LAUSD/UTLA 2019-2022 Collective Bargaining Agreement. Schools shall have until September 15, 2020 to submit waivers for schedule changes.

13. Unit members may be required to participate in one grade level meeting, department meeting, or professional development meeting per week at the direction of the school principal, for a maximum of one hour during the Instructional Support Day. Additionally, the principal may require unit members to attend no more than two faculty meetings per month outside of the work day.

Smart Start

1. Smart Start will begin August 20 and continue for the first week of school, ending on Friday, August 28, 2020. The teachers shall build into their instructional program and ensure that all teachers, students, and families have built positive rapport, practiced routines and procedures for logging into and using the district’s learning management system, Schoology, and other district-approved applications, and have developed instructional routines as a strong foundation for instruction.

2. All unit members will be required to attend ten hours of professional development as follows: three hours on the pupil-free day on August 17, three and one half hours on August 18, and three and one half hours on August 19.
3. The afternoons of August 17-18 shall be used for planning and preparation for the beginning of the Academic Year. The afternoon of August 19 shall be used to make initial contact with students and families to make introductions and to explain procedures.

Compensation, Evaluation, Benefits and Leaves

1. No unit member shall be required to physically return to work at an LAUSD building or facility until schools are physically reopened for all students or as bargained in a separate document upon agreement by the parties.

2. For the 2020-2021 school year, evaluation of unit members shall be limited to non-permanent employees (provisional and probationary). Employees being evaluated may submit a video of their lesson to their evaluator in lieu of a formal evaluation observation while assigned to do full remote instruction.

3. The District and UTLA recognize that many members have children and family circumstances that may result in occasional unexpected interruptions to instruction. Unit members shall not be subject to discipline if and when instruction is occasionally interrupted by such circumstances.

4. Unit members shall be eligible for their regular base pay (inclusive of benefit time/applicable leave benefit as necessary) during the period of the school closures. All contractual differentials shall continue to be paid for the 2020-2021 school year.

5. Auxiliary pay (as defined in Article XIV of the UTLA-LAUSD Agreement) will be based on teachers performing duties virtually or otherwise.

6. The provisions of Article XIV, Section 37.0 shall continue to apply for National Board Certified Teachers (NBCTs) during the 2020-2021 school year. NBCTs who did not attain the total ninety-two (92) hours of additional work required during the 2019-2020 school year to qualify for the full 15% compensation differential shall be able to make up the difference in the 2020-2021 school year.

7. All current pool teachers shall be assigned and reassigned to a school(s) for the 2020-2021 school year based on student need.

8. All substitute unit members shall be surveyed to determine days available for work per week, and shall be assigned that number of days to a school, based on student needs. The District shall attempt to assign substitute unit members to a school within their current calling area. All substitutes assigned shall be encouraged and invited to participate in the “Smart Start” professional development from August 17-19, 2020 at their full daily rate of pay.

9. For those substitutes who have made themselves available to work in accordance with the substitute survey, the District shall waive the 1 day of work per month threshold for maintenance of healthcare for the following month for those substitute unit members that have qualified for healthcare in 2020-2021.

10. All substitute unit members shall be provided with access to available technology support necessary for their school-based assignments as determined by the District.

11. In addition to the ten hours of “Smart Start” professional development, substitute educators will have access to ten hours of professional development on Distance Learning to be paid at the District Training Rate.

Technology Support

Unit members who do not have equipment (e.g. laptop) that can be used for Distance Learning or contacting parents and students shall make a request to their site administrator or supervisor.
Special Education

1. Substitute coverage shall be provided to Special Education teachers during IEP meetings scheduled during instructional time.

2. In addition to the substitute coverage provided in Article XXII, Section 14.0, Special Education teachers may request substitute coverage from their site administrator to complete federally mandated assessments. Special Education teachers required to conduct assessments shall be granted substitute coverage for this purpose.

3. Special Education teachers and related service providers may utilize the “Smart Start” afternoons of August 17-18 to coordinate with their general education peers on co-teaching models, push-in, small group instruction, lesson planning, and review of goals and objectives with guardians and/or students.

4. The District shall provide continued professional development for virtual delivery of services (example: Tele-Service).

5. For Special Day Classes, the schedules shall be comparable with the workday for other TK-12 teachers and students, while addressing individual student and program needs as required by the IEP to the best extent feasible.

Non-Classroom Educators

1. Non-classroom educators, upon the approval of their direct supervisor, may develop a flexible work schedule for their contractual work hours outside of the 9:00-2:15 school day.

2. Psychiatric Social Workers, Pupil Services Attendance Counselors, School Psychologists, Secondary Counselors and Designated Instructional Services (DIS) providers will provide a combination of collaboration, consultation, and virtual services for students and families consistent with identified student needs, as applicable in identified in their IEP to the best extent feasible with the privacy and safety guidelines of the District.

3. The District shall encourage all itinerant educators, counselors, and HHS staff to collaborate with colleagues, teachers, parents, and other stakeholders to develop flexible and innovative approaches in providing services.

4. The District and UTLA agree to meet at the request of either party to address methods and strategies for providing equitable and appropriate education for English Language Learners (EL) and Deaf and Hard of Hearing (DHH) students.

5. When providing special education related services in a virtual format, psychologists and therapists (SLP, OT/PT, APE, etc.) may group students based on similar goals and needs as identified in each student’s IEP, from various school sites, as appropriate.

6. SHHS support providers shall prioritize providing necessary direct services to students in a virtual/video format. If expected to participate in virtual video IEPs, 504s, SSPT, coaching, conferencing, and other related meetings that may exceed 5 hours of screen time in a day, they may utilize alternative methods to participate in these meetings.

7. Any home visits or visits made to care centers made by unit members during the period of school closure shall be on a voluntary basis and consistent with Los Angeles County Department of Public Health guidelines.
8. While IGP deadlines still apply, IGPs may be modified during the second semester based on student need when necessary.

9. Requests for optional and voluntary flexible working hours to accommodate working with parents, crisis hotline hours, Saturday clinics, etc. may be raised with the appropriate supervisor.

**Early Learners (EEC & CSPP)**

1. While adhering to the Education Code requirement for 180 minutes of daily instruction for students enrolled in EEC and CSPP, maximum synchronous instruction for children in EEC, CSPP and Special Education Programs under 4 years of age shall not exceed 45 minutes in a given session.

2. Where applicable, Early Childhood educators may also utilize the “Smart Start” to:
   a. Meet with parents and students online
   b. Hold parent and student workshops
   c. Discuss and review expectations of remote learning
   d. Establish best modes of communication
   e. Develop an outreach and engagement program

3. EEC unit members may request a flexible work schedule, to be approved by their supervisor.

4. The District shall provide all EEC and CSPP unit members with a one-time $500 payment, for instructional materials and resources to supplement remote instruction for Early Education and CSPP students.

5. The District shall provide appropriate PD for Early Childhood educators.

**Adult Education and CTE**

1. All Individualized Instruction Labs (IILabs) shall be conducted both synchronously and asynchronously.

**Professional Development**

1. The District shall endeavor to have future online or video professional development created by central office include captioning and ASL interpretation embedded in the video as required by law for those employees needing such accommodations.

2. Continued professional development shall be provided by the District for virtual delivery of instruction and transformative SEL (Social Emotional Learning).

**Distance Learning Workgroup**

The parties agree to maintain a Distance Learning Workgroup, with 5 UTLA appointees and 5 LAUSD appointees, to consult on matters related to distance learning, including but not limited to:

- Alternative school schedules
- Technology
- Distribution of materials and supplies
- Grading policies
- SEL support
- Assessments and Standardized Testing
Elementary Combination Classes

The workgroup shall meet every other week, or as mutually deemed necessary by the workgroup, to collaboratively address matters related to distance learning. UTLA shall provide agenda items one week in advance.

Student & Community Health Workgroup

The parties agree to maintain a Student & Community Health Workgroup, with 5 UTLA appointees and 5 LAUSD appointees, to address ongoing issues impacting the physical and social emotional health of LAUSD students, their families, and the broader community, including, but not limited to, state and federal funding for public schools and economic instability in our school communities. The workgroup shall meet monthly, or as mutually deemed necessary by the workgroup, to identify opportunities and pathways for collaborative advocacy on these issues.

Term of Agreement

1. This non-precedent setting Sideletter shall be effective August 3, 2020 and expire on December 31, 2020, or when LAUSD students physically return to LAUSD schools for regular instruction, whichever occurs first. This MOU may be extended by the mutual agreement of the parties.

2. The parties agree to continue bargaining the impact and effects of an eventual physical return to on-site instruction that would be formalized in a separate document upon agreement by the parties.

3. All components of the current LAUSD/UTLA Collective Bargaining Agreement shall remain in full effect except for those provisions modified by the terms of this Agreement. The parties acknowledge that certain terms of the Agreement may need to be implemented using electronic or remote platforms for the duration of the school closure when possible.

_________________________________________  ______________________________
UTLA                                            DATE

_________________________________________  ______________________________
LAUSD                                           DATE
<table>
<thead>
<tr>
<th>Grade Level/ Schedule</th>
<th>State Minimum for Daily Instructional Minutes</th>
<th>Minimum Number of Synchronous Minutes Student Receives:</th>
<th>Approximate Number of Asynchronous Minutes for Students:</th>
</tr>
</thead>
<tbody>
<tr>
<td>ETK/TK/K</td>
<td>180 min.</td>
<td>60 min. on Monday 90 min. on Tuesday-Friday</td>
<td>90-120 minutes</td>
</tr>
<tr>
<td>1-3</td>
<td>230 min.</td>
<td>90 min. on Monday 110 min. on Tuesday-Friday</td>
<td>120-150 minutes</td>
</tr>
<tr>
<td>4-5 (6)</td>
<td>240 min.</td>
<td>90 min. on Monday 120 min. on Tuesday-Friday</td>
<td>120-150 minutes</td>
</tr>
<tr>
<td>6 periods</td>
<td>240 min.</td>
<td>90 min. on Monday 150 min. on Tuesday-Friday</td>
<td>90-150 minutes</td>
</tr>
<tr>
<td>7 periods</td>
<td>240 min.</td>
<td>100 min. on Monday 170 min. on Tuesday-Friday</td>
<td>70-140 minutes</td>
</tr>
<tr>
<td>8 periods</td>
<td>240 min.</td>
<td>100 min. on Monday 150 min. on Tuesday-Friday</td>
<td>90-140 minutes</td>
</tr>
<tr>
<td>4x4</td>
<td>240 min.</td>
<td>90 min. on Monday 150 min. on Tuesday-Friday</td>
<td>90-150 minutes</td>
</tr>
</tbody>
</table>

**NOTE:** Community Day Schools shall maintain compliance with education code section 48663(a) and provide a minimum instructional day of 360 minutes.
## ELEMENTARY SCHOOL – EXPANDED TK / TRANSITIONAL KINDERGARTEN / KINDERGARTEN

<table>
<thead>
<tr>
<th>Grade Level</th>
<th>State Minimum for Daily Instructional Minutes</th>
<th>Minimum Number of Synchronous Minutes Student Receives:</th>
<th>Approximate Number of Asynchronous Minutes for Students:</th>
</tr>
</thead>
<tbody>
<tr>
<td>ETK/TK/K</td>
<td>180 min.</td>
<td>60 min. on Monday 90 min. on Tuesday-Friday</td>
<td>90-120 minutes</td>
</tr>
</tbody>
</table>

### MONDAY: INSTRUCTIONAL SUPPORT DAY

<table>
<thead>
<tr>
<th>Time</th>
<th>Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>9:00 - 9:20</td>
<td>Weekly Assembly</td>
</tr>
<tr>
<td>10:00 - 10:30</td>
<td>Synchronous Small-group Group 1 (ELA/MATH)</td>
</tr>
<tr>
<td>10:30 - 10:40</td>
<td>Break</td>
</tr>
<tr>
<td>10:40 - 11:10</td>
<td>Synchronous Small-group Group 2 (ELA/MATH)</td>
</tr>
<tr>
<td>11:10 - 11:40</td>
<td>Lunch</td>
</tr>
<tr>
<td>11:40 - 12:10</td>
<td>Synchronous Small-group Group 3 (ELA/MATH)</td>
</tr>
<tr>
<td>12:15 - 1:15</td>
<td>Tiered support (ELD/MELD) Synchronous and Asynchronous</td>
</tr>
<tr>
<td>1:15 - 2:15</td>
<td>Grade-level meetings/Planning time/Professional development</td>
</tr>
</tbody>
</table>

### TUESDAY–FRIDAY: REGULAR INSTRUCTIONAL DAY

<table>
<thead>
<tr>
<th>Time</th>
<th>Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>9:00 - 9:45</td>
<td>Synchronous Whole-group learning: Integrated SEL/HSS/Science, Music, Art, SEL</td>
</tr>
<tr>
<td>9:45 9:55</td>
<td>Break</td>
</tr>
<tr>
<td>9:55 - 10:40</td>
<td>Synchronous Small-group Group 1 (ELA/MATH)</td>
</tr>
<tr>
<td>10:40 - 10:50</td>
<td>Break</td>
</tr>
<tr>
<td>10:50 - 11:35</td>
<td>Synchronous Small-group Group 2 (ELA/MATH)</td>
</tr>
<tr>
<td>11:35 - 12:05</td>
<td>Lunch</td>
</tr>
<tr>
<td>12:05 - 12:50</td>
<td>Synchronous Small-group Group 3 (ELA/MATH)</td>
</tr>
<tr>
<td>12:55 - 1:25</td>
<td>Tiered support (ELD/MELD/Small-group) Synchronous and Asynchronous</td>
</tr>
<tr>
<td>1:25 - 2:15</td>
<td>Office hours by appointment and planning time</td>
</tr>
</tbody>
</table>
### ELEMENTARY SCHOOL – GRADES 1-3

<table>
<thead>
<tr>
<th>Grade Level</th>
<th>State Minimum for Daily Instructional Minutes</th>
<th>Minimum Number of Synchronous Minutes Student Receives:</th>
<th>Approximate Number of Asynchronous Minutes for Students:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-3</td>
<td>230 min.</td>
<td>90 min. on Monday 110 min. on Tuesday-Friday</td>
<td>120-150 minutes</td>
</tr>
</tbody>
</table>

**MONDAY: INSTRUCTIONAL SUPPORT DAY**

<table>
<thead>
<tr>
<th>Time</th>
<th>Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>9:00 - 9:20</td>
<td>Weekly Assembly</td>
</tr>
<tr>
<td>9:30 - 10:15</td>
<td>Core Subject 1 (ELA or Math) Synchronous and Asynchronous</td>
</tr>
<tr>
<td>10:15 - 10:25</td>
<td>Break</td>
</tr>
<tr>
<td>10:25 - 11:10</td>
<td>Core Subject 2 (ELA or Math) Synchronous and Asynchronous</td>
</tr>
<tr>
<td>11:10 - 11:20</td>
<td>Break</td>
</tr>
<tr>
<td>11:20 - 12:05</td>
<td>CORE Subject 3 Music/Art/Science/Social Science/Health/PE Synchronous and Asynchronous</td>
</tr>
<tr>
<td>12:05 - 12:35</td>
<td>Lunch</td>
</tr>
<tr>
<td>12:35 - 1:20</td>
<td>Tiered support (ELD/MELD/Small-group) Synchronous and Asynchronous</td>
</tr>
<tr>
<td>1:20 - 2:15</td>
<td>Grade-Level Meetings/Planning Time/Professional Development</td>
</tr>
</tbody>
</table>

**TUESDAY–FRIDAY: REGULAR INSTRUCTIONAL DAY**

<table>
<thead>
<tr>
<th>Time</th>
<th>Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>9:00 - 9:20</td>
<td>Synchronous Inclusion Activity (SEL)</td>
</tr>
<tr>
<td>9:20 - 10:05</td>
<td>Core Subject 1 (ELA or Math) Synchronous and Asynchronous</td>
</tr>
<tr>
<td>10:05 - 10:15</td>
<td>Break</td>
</tr>
<tr>
<td>10:15 - 11:00</td>
<td>Core Subject 2 (ELA or Math) Synchronous and Asynchronous</td>
</tr>
<tr>
<td>11:00 - 11:10</td>
<td>Break</td>
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<tr>
<td>11:10 - 11:55</td>
<td>CORE Subject 3 Music/Art/Science/Social Science/Health/PE Synchronous and Asynchronous</td>
</tr>
<tr>
<td>11:55 - 12:25</td>
<td>Lunch</td>
</tr>
<tr>
<td>12:25 - 1:10</td>
<td>Tiered support (ELD/MELD/Small-group) Synchronous and Asynchronous</td>
</tr>
<tr>
<td>1:10 - 1:40</td>
<td>Tiered support (Small-group) Synchronous and/or Asynchronous</td>
</tr>
<tr>
<td>1:40 - 2:15</td>
<td>Office hours by appointment and planning time</td>
</tr>
<tr>
<td>Grade Level</td>
<td>State Minimum for Daily Instructional Minutes</td>
</tr>
<tr>
<td>-------------</td>
<td>---------------------------------------------</td>
</tr>
<tr>
<td>4-5 (6)</td>
<td>240 min.</td>
</tr>
</tbody>
</table>

**MONDAY: INSTRUCTIONAL SUPPORT DAY**

<table>
<thead>
<tr>
<th>Time</th>
<th>Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>9:00 - 9:20</td>
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</tr>
<tr>
<td>9:30 - 10:15</td>
<td>Core Subject 1 (ELA or Math) Synchronous and Asynchronous</td>
</tr>
<tr>
<td>10:15 - 10:25</td>
<td>Break</td>
</tr>
<tr>
<td>10:25 - 11:10</td>
<td>Core Subject 2 (ELA or Math) Synchronous and Asynchronous</td>
</tr>
<tr>
<td>11:10 - 11:20</td>
<td>Break</td>
</tr>
<tr>
<td>11:20 - 12:05</td>
<td>CORE Subject 3 Music/ Art/ Science/ Social Science/ Health/ PE Synchronous and Asynchronous</td>
</tr>
<tr>
<td>12:05 - 12:35</td>
<td>Lunch</td>
</tr>
<tr>
<td>12:35 - 1:15</td>
<td>Tiered support (ELD/MELD/Small-group) Synchronous and Asynchronous</td>
</tr>
<tr>
<td>1:15 - 2:15</td>
<td>Grade-Level Meetings/Planning Time/Professional Development</td>
</tr>
</tbody>
</table>

**TUESDAY–FRIDAY: REGULAR INSTRUCTIONAL DAY**

<table>
<thead>
<tr>
<th>Time</th>
<th>Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>9:00 - 9:30</td>
<td>Synchronous Inclusion Activity (SEL)</td>
</tr>
<tr>
<td>9:30 - 10:15</td>
<td>Core Subject 1 (ELA or Math) Synchronous and Asynchronous</td>
</tr>
<tr>
<td>10:15 - 10:25</td>
<td>Break</td>
</tr>
<tr>
<td>10:25 - 11:10</td>
<td>Core Subject 2 (ELA or Math) Synchronous and Asynchronous</td>
</tr>
<tr>
<td>11:10 - 11:20</td>
<td>Break</td>
</tr>
<tr>
<td>11:20 - 12:05</td>
<td>CORE Subject 3 Music/ Art/ Science/ Social Science/ Health/ PE Synchronous and Asynchronous</td>
</tr>
<tr>
<td>12:05 - 12:35</td>
<td>Lunch</td>
</tr>
<tr>
<td>12:35 - 1:20</td>
<td>Tiered support (ELD/MELD/Small-group) Synchronous and Asynchronous</td>
</tr>
<tr>
<td>1:20 - 1:50</td>
<td>Tiered support Synchronous and/or Asynchronous</td>
</tr>
<tr>
<td>1:50 - 2:15</td>
<td>Office hours by appointment and planning time</td>
</tr>
</tbody>
</table>
SECONDARY 6-PERIOD DAY

<table>
<thead>
<tr>
<th>State Minimum for Daily Instructional Minutes</th>
<th>Minimum Number of Synchronous Minutes Student Receives:</th>
<th>Approximate Number of Asynchronous Minutes for Students:</th>
</tr>
</thead>
<tbody>
<tr>
<td>240 min.</td>
<td>90 min. on Monday 150 min. on Tuesday-Friday</td>
<td>90-150 minutes</td>
</tr>
</tbody>
</table>

MONDAY: INSTRUCTIONAL SUPPORT DAY

*Even and odd periods alternate weeks*

<table>
<thead>
<tr>
<th>Time</th>
<th>Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>9:00 - 10:00</td>
<td>Period 1/2 Additional Support/Intervention</td>
</tr>
<tr>
<td></td>
<td>(Synchronous and Asynchronous)</td>
</tr>
<tr>
<td>10:05 - 11:05</td>
<td>Period 3/4 Additional Support/Intervention</td>
</tr>
<tr>
<td></td>
<td>(Synchronous and Asynchronous)</td>
</tr>
<tr>
<td>11:10 - 12:10</td>
<td>Period 5/6 Additional Support/Intervention</td>
</tr>
<tr>
<td></td>
<td>(Synchronous and Asynchronous)</td>
</tr>
<tr>
<td>12:10 - 12:40</td>
<td>Lunch</td>
</tr>
<tr>
<td>12:40 - 1:15</td>
<td>Parent outreach time/Office hours</td>
</tr>
<tr>
<td>1:15 - 2:15</td>
<td>Planning Time/Professional Development</td>
</tr>
</tbody>
</table>

TUESDAY – FRIDAY: REGULAR INSTRUCTIONAL DAY

<table>
<thead>
<tr>
<th>Time</th>
<th>Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>9:00 - 10:10</td>
<td>Period 1/2 (Synchronous and Asynchronous)</td>
</tr>
<tr>
<td>10:15 - 11:25</td>
<td>Period 3/4 (Synchronous and Asynchronous)</td>
</tr>
<tr>
<td>11:30 - 12:00</td>
<td>Student Support Advisory 1 (Synchronous)</td>
</tr>
<tr>
<td>12:00 - 12:30</td>
<td>Lunch</td>
</tr>
<tr>
<td>12:30 - 1:00</td>
<td>Student Support Advisory 2 (Synchronous)</td>
</tr>
<tr>
<td>1:05 - 2:15</td>
<td>Period 5/6 (Synchronous and Asynchronous)</td>
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</table>
### SECONDARY 7-PERIOD DAY

<table>
<thead>
<tr>
<th>State Minimum for Daily Instructional Minutes</th>
<th>Minimum Number of Synchronous Minutes Student Receives:</th>
<th>Approximate Number of Asynchronous Minutes for Students:</th>
</tr>
</thead>
<tbody>
<tr>
<td>240 min.</td>
<td>100 min. on Monday 170 min. on Tuesday-Friday</td>
<td>70-140 minutes</td>
</tr>
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</table>

### MONDAY: INSTRUCTIONAL SUPPORT DAY

*Even and odd periods alternate weeks*

<table>
<thead>
<tr>
<th>Time</th>
<th>Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>9:00 - 9:45</td>
<td>Period 1/2 Additional Support/Intervention (Synchronous and Asynchronous)</td>
</tr>
<tr>
<td>9:50 - 10:35</td>
<td>Period 3/4 Additional Support/Intervention (Synchronous and Asynchronous)</td>
</tr>
<tr>
<td>10:40 - 11:25</td>
<td>Period 5/6 Additional Support/Intervention (Synchronous and Asynchronous)</td>
</tr>
<tr>
<td>11:25 - 11:55</td>
<td>Lunch</td>
</tr>
<tr>
<td>11:55 - 12:40</td>
<td>Period 7 Additional Support/Intervention (Synchronous and Asynchronous)/ Advisory (synchronous)</td>
</tr>
<tr>
<td>12:40 - 1:15</td>
<td>Parent outreach time/Office hours</td>
</tr>
<tr>
<td>1:15 - 2:15</td>
<td>Planning Time/Professional Development</td>
</tr>
</tbody>
</table>

### TUESDAY – FRIDAY: REGULAR INSTRUCTIONAL DAY

<table>
<thead>
<tr>
<th>Time</th>
<th>Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>9:00 - 10:05</td>
<td>Period 1 (Synchronous and Asynchronous)</td>
</tr>
<tr>
<td>10:10 - 11:15</td>
<td>Period 3 (Synchronous and Asynchronous)</td>
</tr>
<tr>
<td>11:20 - 12:25</td>
<td>Period 5 (Synchronous and Asynchronous)</td>
</tr>
<tr>
<td>12:25 - 12:55</td>
<td>Lunch</td>
</tr>
<tr>
<td>12:55 - 2:00</td>
<td>Period 7 (Synchronous and Asynchronous)</td>
</tr>
<tr>
<td>2:00 - 2:15</td>
<td>Office hours</td>
</tr>
<tr>
<td>9:00 - 10:05</td>
<td>Period 2 (Synchronous and Asynchronous)</td>
</tr>
<tr>
<td>10:10 - 11:15</td>
<td>Period 4 (Synchronous and Asynchronous)</td>
</tr>
<tr>
<td>11:20 - 12:25</td>
<td>Period 6 (Synchronous and Asynchronous)</td>
</tr>
<tr>
<td>12:25 - 12:55</td>
<td>Lunch</td>
</tr>
<tr>
<td>12:55 - 1:25</td>
<td>Student Support Advisory 1 (Synchronous)</td>
</tr>
<tr>
<td>1:30 - 2:00</td>
<td>Student Support Advisory 2 (Synchronous)</td>
</tr>
<tr>
<td>2:00 - 2:15</td>
<td>Office hours</td>
</tr>
</tbody>
</table>
### SECONDARY 8-PERIOD DAY (OPTION 1)

<table>
<thead>
<tr>
<th>State Minimum for Daily Instructional Minutes</th>
<th>Minimum Number of Synchronous Minutes Student Receives:</th>
<th>Approximate Number of Asynchronous Minutes for Students:</th>
</tr>
</thead>
<tbody>
<tr>
<td>240 min.</td>
<td>100 min. on Monday 150 min. on Tuesday-Friday</td>
<td>90-140 minutes</td>
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</tbody>
</table>

### MONDAY: INSTRUCTIONAL SUPPORT DAY

*Even and odd periods alternate weeks*

<table>
<thead>
<tr>
<th>Time</th>
<th>Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>9:00 - 9:45</td>
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</tr>
<tr>
<td>9:50 - 10:35</td>
<td>Period 3/4 Additional Support/Intervention (Synchronous and Asynchronous)</td>
</tr>
<tr>
<td>10:40 - 11:25</td>
<td>Period 5/6 Additional Support/Intervention (Synchronous and Asynchronous)</td>
</tr>
<tr>
<td>11:25 - 11:55</td>
<td>Lunch</td>
</tr>
<tr>
<td>11:55 - 12:40</td>
<td>Period 7/8 Additional Support/Intervention (Synchronous and Asynchronous)</td>
</tr>
<tr>
<td>12:40 - 1:15</td>
<td>Parent outreach time/Office hours</td>
</tr>
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<td>1:15 - 2:15</td>
<td>Planning Time/Professional Development</td>
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### TUESDAY – FRIDAY: REGULAR INSTRUCTIONAL DAY

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<td>12:20 - 12:50</td>
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</tr>
<tr>
<td>12:50 - 1:20</td>
<td>Student Support Advisory 2 (Synchronous)</td>
</tr>
<tr>
<td>1:25 - 2:15</td>
<td>Period 7/8 (Synchronous and Asynchronous)</td>
</tr>
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</table>
**8 PERIOD SCHEDULE (OPTION 2)**

<table>
<thead>
<tr>
<th>State Minimum for Daily Instructional Minutes</th>
<th>Minimum Number of Synchronous Minutes Student Receives:</th>
<th>Approximate Number of Asynchronous Minutes for Students:</th>
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**MONDAY: INSTRUCTIONAL SUPPORT DAY**

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**TUESDAY – FRIDAY: REGULAR INSTRUCTIONAL DAY**

<table>
<thead>
<tr>
<th>Time</th>
<th>Tuesday</th>
<th>Wednesday</th>
<th>Thursday</th>
<th>Friday</th>
</tr>
</thead>
<tbody>
<tr>
<td>9:00 - 10:45</td>
<td>Period 1 (Synchronous and Asynchronous)</td>
<td>Period 3 (Synchronous and Asynchronous)</td>
<td>Period 5 (Synchronous and Asynchronous)</td>
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<td>10:50 - 11:20</td>
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</tr>
<tr>
<td>12:30 - 2:15</td>
<td>Period 2 (Synchronous and Asynchronous)</td>
<td>Period 4 (Synchronous and Asynchronous)</td>
<td>Period 6 (Synchronous and Asynchronous)</td>
<td>Period 8 (Synchronous and Asynchronous)</td>
</tr>
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</table>
**SECONDARY COPERNICAN 4x4 SCHEDULE**

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TAB 3
Dr. McKenna - Commemorating the Life and Legacy of Member of Congress John Lewis (Res-003-20/21) (Waiver of Board Rule 72)

Whereas, Congressman John Robert Lewis was born on February 21, 1940, near Troy, Alabama and died on July 17, 2020 at the age of 80;

Whereas, John Lewis has devoted his life to safeguarding human rights, protecting civil liberties, and building what he calls “the Beloved Community” in the United States;

Whereas, Fifty years later, the legacy of John Lewis continues to inspire people of color and all Americans, adults, children, low-income people, people of faith and all people of conscience to campaign for human dignity until such basic rights as food, water, stable housing, equality at work and home and fair access to public transportation are basic guarantees; and

Whereas, From 1963 to 1966, at a pivotal point in the Civil Rights Movement, John Lewis was named Chairman of the Student Nonviolent Coordinating Committee, which he helped found, orchestrating student activism in the Movement, including sit-ins, voter registration drives, community action programs, and other activities; Whereas

Whereas, Along with many others, John Lewis demonstrated great courage by risking his life and casting light on the senseless cruelty of the time when he was brutally attacked while leading over 600 peaceful orderly protestors across the Edmund Pettus Bridge in Selma, Alabama, to demonstrate the need for voting rights, on March 7, 1965, which later became known as “Bloody Sunday”, expediting the passage of the Voting Rights Act of 1965

Whereas, In 1968, John Lewis portrayed wisdom in balancing his advocacy with family, taking Lillian Miles Lewis as his wife and later raising their son, John Miles Lewis, together;

Whereas, John Lewis was elected in 1986 to serve as the United States Representative for Georgia’s Fifth Congressional District and has capably and effectively served his constituency since then, serving as Ways and Means Chairman, Subcommittee on Oversight and Chief Deputy Whip for the House Democratic caucus; and

Whereas, John Lewis’s unwavering ethical and moral principles have garnered admiration and respect from his colleagues on both sides of the aisle; now, therefore, be it

Resolved, That the Los Angeles Unified School District commends Congressman John Lewis of Georgia and commemorates his legacy of tirelessly working to secure civil liberties for all, thereby building and ensuring a more perfect Union.