

# Establishment of All Charter School Districts

Office of the General Counsel

Presentation to the Budget, Facilities and Audit Committee

November 17, 2015

# Education Code on Establishment of All Charter Districts (“ACD”)

## Ed. Code 47606

(a) A school district may convert all of its schools to charter schools under this part only if it meets all of the following conditions:

- (1) Fifty percent of the teachers within the school district sign the charter petition.
- (2) The charter petition contains all of the requirements set forth in subdivisions (b), (c), (d), (e), and (f) of Section 47605 and a provision that specifies alternative public school attendance arrangements for pupils residing within the school district who choose not to attend charter schools.

(b) Notwithstanding subdivision (b) of Section 47605, the districtwide charter petition shall be approved only by joint action of the Superintendent of Public Instruction and the State Board of Education.

# ACD Petition Requirements

- ACD petition is evaluated pursuant to section 47605 standards:
  - Sound educational program
  - Demonstrably likely to successfully implement the program (finances, operations, instruction)
  - Signatures
  - Affirmations
  - Reasonably comprehensive description in Elements 1-16
  - Shall not require any pupil to attend a charter school
  - Shall not require any employee of the school district to be employed in a charter school

# Specification of Alternative Public School Arrangements

- Previous example of alternative public school arrangement:

In 2008, Auburn School District agreed to enroll students from the neighboring Ackerman School District (who was converting to an ACD) who chooses not to attend a charter school.

# Joint Action by SPI and SBE

- The SPI and the SBE separately approve an ACD petition –both need to approve. It goes to the SPI first.

# Oversight of All Charter Districts

- The SBE would have oversight responsibilities over the All Charter Districts
- Oversight fees pursuant to Ed Code section 47613 would be collected from all-charter districts (1% of revenue of the all-charter district)
- Renewals and revocation statutes under Ed Code section 47607 applies to ACDs

# Funding

47613.1. (a) The Superintendent shall make all of the following apportionments on behalf of a charter school in a school district in which all schools have been converted to charter schools pursuant to Section 47606:

(1) From funds appropriated to Section A of the State School Fund for apportionment for that fiscal year pursuant to Article 2 (commencing with Section 42238) of Chapter 7 of Part 24 of Division 3, an amount for each unit of current fiscal year regular average daily attendance in the charter school multiplied by the funding rates calculated pursuant to Section 42238.02, as implemented by Section 42238.03, except that average daily attendance generated by pupils who are residents of the school district may be funded pursuant to paragraph (1) of subdivision (a) of Section 42238.05.

# Funding (contd.)

(2) For each pupil enrolled in the charter school who is entitled to special education services, the state and federal funds for special education services for that pupil that would have been apportioned for that pupil to the school district to which the charter petition was submitted.

(3) Funds for the programs described in former clause (i) of subparagraph (B) of paragraph (1) of subdivision (a) of Section 54761, as that section read on June 30, 2005, and Sections 63000 and 64000, to the extent that any pupil enrolled in the charter school is eligible to participate.



# California's All Charter Districts

District	School District's Name	Population
1	Pioneer Union Elementary (3 Schools)	1,040
2	Kingsburg Elementary (7 Schools)	1,495
3	Delta View Joint Union Elementary (1 school)	*
4	Hickman Community Charter (3 schools)	363
5	Alvina Elementary Charter (1 School)	114
6	Island Union Elementary Charter	245
7	Kings River-Hardwick Union Elem. (1 School)	499
8	Jacoby Creek Elementary (1 School)	287
9	Ackerman Elementary (1 School)	344

\*Closed in 2009. Students from Delta View Union Elementary are now students of Kit Carson Union Elementary.