Overview of the Process for Considering a Charter Petition Received on Appeal

The Los Angeles County Office of Education (LACOE) receives and reviews petitions on behalf of the Los Angeles County Board of Education (County Board). The appeal of a previously denied petition to establish or renew a charter is considered to have been received when the petitioner has submitted all of the following:

1. A complete copy of the charter petition as denied by the school district board including all supporting documents provided to the district without change or omission; budget documents; and required signatures (not applicable to a renewal petition).

   The petition to renew a charter must additionally contain documentation that the charter school met at least one of the renewal criteria specified in Education Code 47607(b) and a reasonably comprehensive description of how the charter school has met all new charter school requirements enacted into law after the charter was originally granted or last renewed (California Code of Regulations, Title 5, 11966.4).

   The petitioner is responsible to provide district verification that the petition and supporting documents submitted to the County Board are the same ones upon which the school district board based its denial.

2. Evidence of the school district board's action to deny the petition (e.g., meeting minutes) and its written factual findings specific to the particular petition, setting forth specific facts to support one or more of the grounds for denial as specified in Education Code 47605(b).1

3. A description of any changes to the petition necessary to reflect the County Board as the chartering entity. The description shall be submitted as a separate document that identifies where substantive changes to the petition may be necessary to reflect the County Board as the chartering entity based on the inherent structure of the county office or County Board Policies. It is not necessary to identify each technical adjustment where the name of the district would change to the County Board or LACOE. The document should identify petition elements and page numbers where the proposed changes would be made. Do not submit as a “redline” or "track-changes" version of the petition.


   Items 1 – 4 constitute a Submission Package; receipt triggers the timeline for County Board Action.

Additional documents: If the petitioner elects to submit a rebuttal to the district board’s findings, it must be submitted with the petition. Once the petition is considered to have been received, no additional documents will be considered unless requested by LACOE. Additional information may be requested during the review process, especially if the school is already in operation.

Verification Process

Timeline: LACOE verifies that the appeal was received within 180 calendar days of district denial for a petition to establish a charter school or within 30 days of district denial for a renewal petition (unless a written request to extend the 30-day appeal timeline was agreed to by the County Board and the petitioner).

Petition: Prior to review of a petition received on appeal, LACOE verifies that the submitted petition (including budgets and all supporting documents) is the same one acted on by the local district. LACOE obtains a copy of the petition and all supporting documents from the denying district.

Signatures: LACOE verifies the authenticity of petition signatures, that teacher signatories were meaningfully interested in and qualified to work at the charter at the time of signature, that parent signatories had children

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1 If a district board denies a petition to establish or renew a charter without written findings of fact the County Board will not hear the appeal.
who were or would be eligible to attend the charter, and that signatories had the opportunity to review the petition.

Incomplete Submissions: If LACOE determines the petitioner has not submitted all required documents, the petitioner will be given the option of withdrawing and resubmitting the petition or informing LACOE that it should complete the review based on documents submitted. LACOE shall inform the petitioner of the applicable statutory and regulatory timelines and permissible extensions of those timelines to support the petitioner in making an informed decision. LACOE submits requests for timeline extensions to the County Board for action.

Review Process

LACOE utilizes a review protocol to evaluate petitions. The protocol is based on the model and standards developed by the California Department of Education (CDE). It has been modified to reflect the County Board as the authorizer.

In the case of a renewal, LACOE will also determine whether the charter school has met at least one (1) of the criteria specified in Education Code section 47607(b) and that the petition reflects changes to law since the charter was first authorized or last renewed. When considering a petition for renewal, the County Board will consider the past performance of the school with regard to academics, finance, and operation in evaluating the likelihood of success along with any evidence of future plans for improvement.

Capacity Interview

LACOE interviews the governing board and leadership team to help determine if the board has the capacity to govern the school and the leadership team has sufficient experience and knowledge to implement the charter. Information from the interviews is included in the staff report.

Presentations to the County Board (Board Meeting Dates)

The County Board typically considers a petition at two (2) separate regularly scheduled meetings:

1) Public Hearing – Held within 30 calendar days of receipt of a Submission Package. It is the petitioner's opportunity to demonstrate support for the charter and provide an overview of the school’s proposed educational program.

2) Staff Report on Findings of Fact and County Board Action – Held within 60 calendar days of receipt of a Submission Package unless both parties agree to an extension of up to 30 days. The petitioner may address the County Board, and the County Board may ask questions of LACOE staff and the petitioner.

The County Board typically meets the first three (3) Tuesdays of the month. The Board calendar is available at http://www.lacoe.edu/includes/templates/document_frame.cfm?toURL=documents&id=11618&OrgID=123

Notification

LACOE notifies the petitioner in writing when (1) the Submission Package has been received; (2) the date and time of the Capacity Interview; and (3) the dates of the Public Hearing, Report, and Board Action.

Please review the documents entitled, Notice of Appeal: Appeal of Denied Charter Petition and Required Documents Form: Appeal of Denied Charter Petition for further information regarding submitting a petition on appeal.

Petitioners may contact the Charter School Office at (562) 922-8806 for additional information.
Notice of Appeal: Denied Charter Petition

Type: ☐ Denied Initial Petition ☐ Denied Renewal Petition

Submit form with petition documents. Please print or type

Name of charter school: ________________________________

Contact Information:
Name of lead petitioner(s)/relationship to charter school: ________________________________
__________________________________________

Name of lead contact (if not petitioner): ________________________________

Address: Street ____________________________________________
City ____________________________________________
State/Zip code ____________________________________________

Telephone number(s): Office ____________________________________________
Mobile ____________________________________________

FAX number: ____________________________________________

Email: ____________________________________________

School Information:

Proposed enrollment: First year: __________ Fully implemented: __________

Proposed grade levels: First year: __________ Fully implemented: __________

Proposed opening date: ____________________________________________

Proposed or actual school location/address: Street ____________________________________________
City ____________________________________________
State/Zip code ____________________________________________

Notice of Appeal:

Signature of lead petitioner(s): ____________________________________________

Date: ____________________________________________

Appeals: Page 3 of 5
Required Documents Form: Appeal of Denied Charter Petition

☐ To Establish a Charter ☐ To Renew a Charter

Submission Package: Submit one (1) set of the following required documents to the Los Angeles County Office of Education (LACOE) Charter School Office.

Check items submitted and submit form with petition documents

☐ 1. Notice of Appeal – completed and signed
☐ 2. Required Documents: Appeal of Denied Charter Petition – completed and signed

☐ Table of Contents for Sections I – VII

Section I

☐ I.1 Evidence of the school board’s action of denial (letter and/or board minutes)
☐ I.2 School board’s written Findings of Fact specific to the denied petition
☐ I.3 Petitioner’s response to Findings of Fact (optional)

Section II

☐ A separate narrative containing a description of changes to the petition necessary to reflect the County Board as the authorizer (e.g., special education, dispute resolution, closure procedures, fiscal reporting). Indicate page numbers and elements of changes. Do not submit as redline or “track-change” petition.*

Section III

☐ III.1 Complete copy of charter petition as denied by local school board
☐ III.2 All supporting documents to the petition submitted to the district
☐ III.3 Signature page of interested parents or teachers with complete contact information (not applicable if a renewal petition)

Section IV

☐ IV.1 Proposed start-up and three-year budgets (including assumptions) as denied by local school board
☐ IV.2 A copy of the two (2) most recent Independent Financial Audits of 501(c)(3) (if applicable & not included in petition)

Section V

☐ Resumes for the petitioner(s) and members of the Board of Directors (if not included in petition)

Section VI

☐ VI.1 Bylaws of 501(c)(3) (if not included in petition)
☐ VI.2 Articles of Incorporation of 501(c)(3) (if not included in petition)

Section VII

☐ VII.1 Lease/Rental Agreement(s) or Similar Document (if not included in petition)
☐ VII.2 Certificate of Occupancy(ies) (if not included in petition)

Submit all documents simultaneously in a loose-leaf (3-ring) binder with numbered dividers inserted between sections. Copies are to be single-sided. Also submit an electronic copy of items 1 – 2, Table of Contents, and Sections I – VII via CD or Flash Drive. Items 1 – 2 may be combined as one file; Table of Contents and each

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section shall be submitted as separate files. Section III must be submitted as three (3) separate files (III.1, III.2, III.3). Section IV.1 (Budgets) shall be submitted as unlocked spreadsheets.

Once LACOE verifies that all required documents have been submitted, it will notify the petitioner in writing. The petitioner shall have no less than five (5) working days to submit 22 collated, two-sided (back-to-back), three-hole punched, rubber banded copies of Sections I through VII.

LACOE reserves the right to request additional documents and information as necessary to provide the County Board with a complete understanding of the proposed charter.

LACOE will conduct a facilities inspection as part of the petition review process or prior to opening, if authorized.

**Petitioner’s Required Certification**

Submission of a petition and this signed document certifies that I have received, read, understand, and intend to adhere to the requirements outlined in this document, the *Overview of the Process for Considering a Charter Petition Received on Appeal*, Los Angeles County Board Policies regarding Charter Schools, Los Angeles County Office of Education Administrative Regulations regarding Charter Schools** and the *Charter School Monitoring and Oversight Memorandum of Understanding (MOU)***.

Printed name of lead petitioner: _____________________________________________________________

Signature of lead petitioner: ___________________________________________ Date: ____________

Printed name of lead petitioner: _____________________________________________________________

Signature of lead petitioner: ___________________________________________ Date: ____________

*Please review the document, *Overview of the Process for Considering a Charter Petition Received on Appeal* or contact the Charter School Office for additional information.

**Los Angeles County Board Policies and Regulations are available at [http://www.lacoe.edu/orgs/107/index.cfm?ModuleId=11](http://www.lacoe.edu/orgs/107/index.cfm?ModuleId=11)