

Los Angeles County Office of Education

Charter School Office
12830 Columbia Way
Downey, CA 90242
(562) 922-8806

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

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 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.

The petitioner is responsible to provide district verification that the petition and supporting documents submitted to the County Board are the ones on which the 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 *EC 47605(c)*.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 (e.g., special education, dispute resolution, closure procedures, fiscal reporting). 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.*
4. Documentation that the school's governing body has approved the petition, proposed budget and submission of the petition to the County Board.
5. Completed and signed forms: *Notice of Submission: Appeal of a Denied Charter Petition to Establish* and *Required Documents: Appeal of a Denied Charter Petition to Establish*.

Items 1 – 5 constitute a complete Submission Package; receipt of all required documentation 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 submitted to LACOE, no additional documents will be considered.

Verification Process

Prior to reviewing a petition, LACOE verifies:

1. The appeal was received within the statutory timelines: The appeal of a denied petition to establish a charter must be received within 30 calendar days of the district's denial action.
2. The submitted petition (including budgets and all supporting documents) is the same one acted on by the local district.
3. The submission complies with statutory and regulatory requirements. 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.

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.

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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 addition to reviewing the petition and supporting documents, LACOE reviews:

Publicly available information regarding the school, the petitioners, and other schools the petitioners have been associated with. Information reviewed includes school level data available through the CDE DataQuest website, as well as other publicly available documents such as news articles and financial audits.

The authenticity of petition signatures:

- (A) Teacher signatories must have been meaningfully interested in being employed at the school in the first year of operation;
- (B) Parent signatories had children who were or would be eligible to attend the charter; and
- (C) Signatories had the opportunity to review the petition

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 the background necessary to implement and fulfill the educational program outlined in the proposed charter. Information from the interview 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 60 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 including the school's mission, the educational design and how the proposed school will fulfill the legislative intent of the *Charter Schools Act (EC 47601)*.
2. Staff Report on Findings of Fact and County Board Action – Held within 90 calendar days of receipt of a Submission Package unless both parties agree to an extension of up to 30 days. (The request for an extension must be made prior to the County Board taking a vote to approve or deny the charter petition.) 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 Tuesdays of the month. The County Board calendar is available at <https://www.lacoe.edu/Board-of-Education/Board-Agendas-Minutes-Meeting>.

Notification

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

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

Petitioners may contact the Charter School Office (CSO) at (562) 922-8806 for additional information.

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Notice of Submission: Appeal of a Denied Charter Petition to Establish

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: _____

Telephone number(s): _____

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: _____

*If more than one site, provide main site here &
attach a list of additional site addresses*

Notice of Appeal:

Signature of lead petitioner(s): _____

Date of Charter Petition Appeal Submission: _____

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Required Documents: Appeal of a Denied Charter Petition to Establish

Directions:

- Submit all documents within the submission package noted below simultaneously in a loose-leaf (3-ring) binder with numbered dividers inserted to match the sections noted below.
- Continuously page number (paginate) the entire document (excluding dividers) and ensure the pagination is accurately reflected within the Table of Contents.
- Also submit an electronic copy via Flash Drive of all items and sections to directly mirror the hardcopy.
 - Items 1 – 2 may be combined as one file.
 - Table of Contents and each section shall be submitted as separate files.
 - Submit Section III as three separate files (III.1, III.2, III.3).
 - Submit Section IV as ten separate files; budgets and projections must be submitted as unlocked spreadsheets in excel format (displaying formulas).

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

Check items submitted and submit this form with petition documents

- 1. Completed and signed *Notice of Submission: Appeal of a Denied Charter Petition* Form
- 2. Completed and signed *Required Documents: Appeal of a Denied Charter Petition* Form
- Table of Contents for Sections I – VII with page numbers**

Section I

- I.1 Evidence of the school board’s action of denial (signed letter and/or stamped 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)
- I.4 Evidence the school’s governing body approved submission of the petition appeal to the County Board

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 (verified by the district)
- 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

Section IV

- IV.1 Proposed first year operational, including start-up costs, cash-flow, budget narratives and assumptions as denied by the local district board
- IV.2 Financial projections for the first five years of operation (multi-year projection) in excel format
 - (1) Budget Narratives and Assumptions
 - (2) Three-Year Cash Flow
 - (3) Staffing Salary Schedule with object codes, position, salary and benefits

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- IV.3 Organizational Chart including CMO (if applicable)
- IV.4 Copies of the three most recent Independent Financial Audit(s) of 501(c)(3) (if applicable)
- IV.5 Fiscal Policies with evidence that they were approved by the governing board
- IV.6 General Ledger for both the non-profit entity holding the charter and the school for the three months prior to petition submission to local district (if applicable)
- IV.7 Debt Schedule including total principal, interest due and term of debt (if applicable). Include all loans, bonds, lines of credit, inter-company borrowing or transfer agreements including repayment terms, and commitment letters (sale of receivables)
- IV.8 All Bank Statements including any related foundations such as Parent Teacher Organization (PTO), petty cash accounts with monthly reconciliation for the three months prior to petition submission to local district (if applicable)
- IV.9 Contracts (if applicable):
 - Board approved contract and share allocated costs agreement (i.e., CMO fees, indirect cost, or any fees charged by the non-profit entity holding the charter)
 - Signed Contracts exceeding \$5,000 annually
- IV.10 Public Charter Schools Grant Program application and budget (if applicable)

Section V

- V.1 List of Board members and Resumes with contact information for all key individuals (petitioner(s), school leadership, etc.)

Section VI

- VI.1 Bylaws of 501(c)(3)
- VI.2 Current Approved and Stamped Articles of Incorporation of 501(c)(3)

Section VII

- VII.1 Lease/Rental Agreement(s) or Similar Documents (if site has been secured and not included in section III.1)
- VII.2 Certificate(s) of Occupancy (if site has been secured and not included in section III.1)

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Petitioner's certification will provide an assurance that the petition submission is complete. Following the charter submission, LACOE will notify the petitioner in writing of charter submission receipt.

In preparation for a scheduled public hearing, the petitioner shall have no less than five working days to submit redacted versions of sensitive documents. All submission documents are made available to the public as well as the County Board and LACOE staff. It is the petitioner's responsibility to redact sensitive information (i.e. personal contact information, bank account numbers, etc.) and provide a digital version of these redacted documents.

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

Required Certification

Submission of a petition and this signed document certifies that:

1. The governing board has taken action to approve the submitted appeal of the denied petition, including budget and supporting documents to the County Board.
2. The governing board and lead petitioner(s) have **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 and Administrative Regulations regarding Charter Schools**; and the *Charter School Monitoring and Oversight Memorandum of Understanding (MOU)****.
3. The governing board and lead petitioner(s) certify that this charter petition submission is deemed complete, true, and correct.

Printed name of board signatory: _____

Signature of board signatory: _____ Date: _____

Printed name of lead petitioner(s): _____

Signature of lead petitioner(s): _____ 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://gamutonline.net/district/lacoe/>

***The Charter School Monitoring and Oversight MOU is available at
[https://www.lacoe.edu/Portals/0/LACOE/CharterSchools/1%20MOU Template FINAL 11-2018.pdf?ver=2019-01-29-103437-473](https://www.lacoe.edu/Portals/0/LACOE/CharterSchools/1%20MOU%20Template%20FINAL%2011-2018.pdf?ver=2019-01-29-103437-473)