
September 27, 2019

To: District Business Officials

From: Shelley Stiles, Director External Fiscal Services
Nancy Linder, District Fiscal Management Advisor

Subject: **Special Edition – Charter Schools Legislative Update**

While this legislation hasn't been signed into law, we wanted to make you aware of three charter bills pending. The following is an excerpt from the CASBO newsbreak email on 9/18/2019 to all CASBO members, regarding AB 1505, AB 1507 and AB 967:

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The 2019 Legislative Session Adjourns

By Sara C. Bachez and Elizabeth Esquivel, Governmental Relations

On Saturday, September 14, 2019 at 3:00 a.m., the 2019 Legislative Session adjourned. Every end of session is expected to run late, to see posturing and political flexing from both legislative houses, but the evening was marked by a major disturbance that halted the Senate's work for three hours, after a woman in the Senate gallery tossed what the California Highway Patrol said was a substance that "appeared to be blood" onto the Senate Floor, in protest of SB 276 by Senator Pan (D-Sacramento), which will require stricter immunization exemptions.

In the end, the Legislature transmitted 772 legislative proposals over to the Governor's desk, and he has until Sunday, October 13, 2019 to act.

On the Governor's Desk

[AB 1505 \(O'Donnell\): Charter schools: petitions.](#) This bill would make reforms to charter school authorization, oversight, appeals and renewals as follows:

Approval of Initial Charter School Petitions

- Allows charter authorizers to consider, when reviewing a petition for a new charter school, or a charter that is expanding sites or grade-levels, how the charter school would financially impact the community and the neighborhood schools.
- Allows a charter authorizer to deny a charter school when the district is in fiscal distress, as determined by the county superintendent of schools.

County & State Board Approved Charters

- Authorizes county-wide benefit charter schools.
- Eliminates state-wide benefit charter schools.
- Transitions the charter schools currently authorized by the State Board to have oversight by their local school district or county office of education.

Charter School Appeals

- Authorizes a full appeal to the county board of education.
- Establishes a limited appeal process to the State Board, which will hear appeals for a charter school that can show the district or county abused its discretion.

Charter School Teacher Credentials

- Clarifies that charter school teachers must have a state level background check and the required credential for their assignment, with a transition period.

Virtual Schools

- Establishes a 2-year moratorium on non-classroom-based charter schools, with a commitment to reform the sector in the next two years.

Charter School Renewals

- Requires charter authorizers to use the state accountability system as the basis for charter school renewal.
 - Authorizes charter renewals of 5-7 years for high performing charter schools.
 - Authorizes charter renewals for 5 years for middle performing charter schools.
 - Specifies that charter authorizers shall not renew low performing charter schools.
 - Requires charter authorizers to consider alternative data, approved by the State Board, for middle and low performing charters, during a transition period. If the authorizer makes specific written findings, then a low performing charter may be renewed for 2 years using alternative data.
- Allows charter authorizers to close a charter school for fiscal and governance concerns or if the charter school is not serving all student populations.
- Eliminates the requirement that academics be the highest priority during renewal and revocation.
- Requires that charter schools receive differentiated assistance and intervention for academic concerns on the same terms as school districts.

Data Collection

- Requires CDE to collect and monitor data on implementation of the bill, including patterns in authorization and appeals.

Position: Support

Staff: Elizabeth

[AB 1507 \(Smith\): Charter schools: location: resource center.](#) This bill would eliminate the authorization for a charter school to be located outside the boundaries of their authorizer in specified instances; and, authorizes a non-classroom-based charter school to establish one resource center within the jurisdiction of the school district where the charter school is located.

Position: Support

Staff: Elizabeth

[AB 967 \(Smith\): Local control and accountability plans.](#) This bill would require the development, adoption, and transparency requirements for local control and accountability plans and the updates to those plans that apply to the governing boards of school districts, superintendents of school districts, and county superintendents of schools, to also apply to the governing bodies of charter schools, administrators of charter schools, and chartering authorities.

Position: Support

Staff: Elizabeth