



Charter School Appeal Submission Packet Following Denial by a School District

District Financial Services
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Charter School Appeal Submission Packet
Following Denial by a School District

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Petition Appeal Review Timeline

Action	Timeline
Petitioner submits: <ul style="list-style-type: none"> Form A: Notice of Appeal: Denied Initial Petition Form A: Notice of Appeal: Denied Renewal Petition A <u>Complete Petition Packet</u> (as described on the submission process section on page 3) <i>SDCOE Charter School Petition Review Checklist</i> - indicating where each of the required elements can be located in the petition. 	<p>Within 180 days of denial</p> <p>Within 30 days of non-renewal</p> <p>➡ Petitioner must submit the completed documents as described (changes to the petition can only be made in order to comply with SDCOE requirements)</p>
<p>* Upon determination that the documents submitted are complete, a public hearing is scheduled</p>	<p>➡ 30 days from receipt of all required documents</p>
<p>** Decision by the County Board of Education at a public meeting</p>	<p>➡ 60 days from receipt of all required documents</p>
<p>Agreement by petitioner and SDCOE that additional time is required (<i>optional</i>)</p>	<p>➡ 30 day extension of timeline</p>

* SDCOE determines whether the petition documents are complete.

** If the County Board approves the petition, the petitioner must submit written notice of approval and a copy of the petition to the affected school district within the county, the CDE and the SBE. If the County Board denies the petition, a Finding of Facts will be prepared and sent to the charter school petitioner, and a copy to the School District that denied the original petition.

Charter Submission Process

Petition Presented on Appeal Following Denial by a School District

A. Submitting the Appeal

Submission must be within 180 days of denial by District (and within 30 days for Non-Renewal Appeals). Only complete submission packets will be reviewed. *The charter appeal review timeline becomes effective after all of the following documents have been submitted.*

- ❖ **SDCOE Charter School Petition Review Checklist** with page numbers identifying the location of required information.

Please assemble fifteen (15) binders plus one electronic copy on a thumb drive (in PDF format) containing the following items with tabs separating each requirement

- ❖ **Table of Contents**
- ❖ **▶ Form A** Notice of Appeal: Denied Charter Petition

Attach Articles of Incorporation and By-Laws for the non-profit organization, or provide a written explanation of why these have not yet been developed.
- ❖ **The original charter petition and supporting documents considered by District when petition was denied**
 - ✓ Include proposed start-up and three-year budgets (including assumptions) as denied by local school board.
 - ✓ Renewal petitions must contain documentation that the school met at least one of the renewal criteria specified in Education Code 47607(b) and a description of how the school has met all new charter requirements enacted into law since the charter was granted or last renewed (*California Code of Regulations*, Title 5, 11966.4).
- ❖ Copy of signature pages– 50% of meaningfully interested teachers or 50% of meaningfully interested parents. (not applicable to renewal petition)
- ❖ **Appeal documentation, including:**
 - ✓ A copy of the District governing board's action of denial of the petition and the governing board's written factual findings specific to the particular petition, as required by E.C. section 47605(b).
 - ✓ OPTIONAL: A brief written response of the charter petitioners to the district board's findings (no more than 5 pages).
 - ✓ Signed certification that the petitioner(s) will comply with all applicable law, including, but not limited to, the provisions of Education Code Section 47605(d) *et seq.*
 - ✓ A narrative description of any changes to the petition necessary to reflect the County Board of Education as the chartering entity.

The above items must be hand delivered to the District Financial Services office of the San Diego County Office of Education, 6401 Linda Vista Rd., Room 609, San Diego, CA 9211

B. Public Hearing

The County Board of Education shall hold a public hearing on the provisions of the charter petition. The level of support for the petition by teachers employed by the county or district, other employees of the county or district, and parents, shall be considered. Prior to the Board hearing, Staff will notify petitioners to give final guidance regarding the process of the Public Hearing, and discuss any relevant questions specific to the charter school that will need to be addressed at the public hearing.

C. Petition Review

Upon receipt of a charter school petition, the Charter School Review Team will review the petition to evaluate its comprehensiveness of the required criteria to determine the likelihood that the petitioner will be able to successfully implement the program of the proposed charter. Individuals knowledgeable in curriculum and instruction, human resources, risk management, student support services, school business, and special education may be included on the review team. The team will provide a written report and analysis to the County Superintendent to support the approval or denial of the charter petition. Petitioners will be notified of the staff's completion of its analysis.

D. Capacity Interview (*at the request of SDCOE*)

In addition to a review of the charter petition, the San Diego County Office of Education (SDCOE) may require an interview with 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 may be included in the staff report.

E. San Diego County Board of Education Approval Process

Within the guidelines delineated in Education Code § 47605, the County Board of Education will make a final decision regarding the granting or denial of the charter petition. Petitions may be approved with conditions, including but not limited to the execution of an agreement/memorandum of understanding.

The Board will not deny a petition unless it makes written factual findings setting forth specific facts to support one or more of the following findings:

1. The charter school presents an unsound educational program for students;
2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition;
3. The petition does not contain the required number of signatures;
4. The petition does not contain the necessary affirmations;
5. The petition does not contain reasonably comprehensive descriptions of the sixteen required elements.

If you have any questions about the application process
Please do not hesitate to contact the
District Financial Services Office at
858.292.3810
Email inquiries can be addressed to erin.garcia@sdcoe.net

Form A

Notice of Appeal: Denied Charter Petition

Type: ☐ Denied Initial Petition ☐ Denied Renewal Petition

CHARTER SCHOOL INFORMATION

Name of proposed charter school: _____

General location (including district) of proposed school: _____

Proposed grade levels: _____ Proposed total enrollment: _____ Proposed school opening date: _____

LEAD PETITIONER INFORMATION

Name of lead petitioner: _____

Position with proposed charter school: _____

Address: _____ City: _____ Zip: _____

Daytime Phone Number(s): _____ FAX _____

Email address: _____

LIST CHARTER DEVELOPMENT TEAM MEMBERS (name/position with proposed charter school)

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

CERTIFICATION

I/we certify that we are interested in applying for a Charter School within San Diego County.

Print Name: _____ Signature: _____ Date: _____

Attach Articles of Incorporation and By-Laws of non-profit corporation or explanation of why these have not yet been developed.

OFFICE USE ONLY

Received by: _____

Print Name: _____ Signature: _____ Date: _____