

Key Charter School Policy Issues

The following are key questions the Oakland Unified School District Board should consider related to charter school issues that are likely to be raised for discussion in the Legislature in 2019.

Transparency and Disclosures

- Should charter schools be subject to the same public transparency and conflict of interest requirements as other public agencies, including requirements related to the Brown Act, Bagley-Keene Act, Public Records Act, and Government Code Section 1090 (regulating conflict of interest)?
- Should charter petitioners be required to provide fiscal policy and practices as part of its petition and renewal request? And should approved or renewed charter schools be required to adopt and provide a three-year multiyear budget projection?
- Should charter schools be required annually to provide information to their authorizers and/or the California Department of Education about student demographics (by student group and grade level), including but not limited to student retention and performance?
- Should the governing boards of charter schools be required to approve the school's Local Control and Accountability Plan (LCAP), and should the authorizer be required to review the LCAP with an opportunity to comment on the LCAP, requiring a written response?
- What disclosures, if any, should charter schools be required to make with respect to their governing board members?

Approval, Renewal, and Appeals

- Petition:
 - *Does law warrant amendment to include other elements as part of a charter petition (i.e., fiscal impact, enrollment as a ratio of authorizer enrollment, etc.)?*
- Approval:
 - The timeline for charter petition review and approval by authorizers has drawn scrutiny with some arguing that the current 60-day limit is insufficient for a comprehensive review.

Should the time to approve a charter petition be extended and, if so, what would be an appropriate timeline for review and approval?
 - Current statute requires charter school petitions to be approved unless the petition does not satisfy one or more of the statutory criteria.

Should law be changed to repeal the default approval of charter petitions by replacing "shall approve" with "may approve"?

- Renewal:
 - The timeline to submit a request for a petition renewal has been debated. Some wish to require charter schools to submit requests for renewal 12-18 months prior to the expiration of initial approval or renewal. This draws concerns that charter school students may begin disenrolling from the school if a renewal is not granted before the approval or renewal term expires.

Should the time to submit a renewal request be amended and, if so, what would be an appropriate timeline for renewal submission?

- When a charter renewal is granted, statute requires that a renewal period be no less than five years.

Should authorizers have greater discretion to set a renewal term (less than five years)? Should they be given the authority to establish conditional renewal, requiring specific benchmarks to obtain renewal?

- Appeals
 - Current law provides broad discretion with respect to pursuing a charter appeal.

Should law restrict appeals to address procedural errors or abuse of discretion matters and who should preside over appeals? The State Board of Education? An Administrative Law Judge? Other?

Facilities

How, if at all, should the law be changed to address co-location and Proposition 39 facilities requests?