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# High-Quality Charter Authorizing Policy Profiles: California

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# California: Overview of State Law and Snapshot of Quality Authorizing Practices

## Introduction and Methodology

The National Charter School Resource Center (NCSRC) created the [Policy Framework for High-Quality Charter Authorizing Practices \(Framework\)](#) as a tool for assessing a State policy environment's support for high-quality authorizing practices. The Framework is based on a review of high-quality authorizing practices referenced in the Every Student Succeeds Act (ESSA) and literature by the National Association of Charter School Authorizers (NACSA) and the National Alliance of Public Charter Schools (Alliance).<sup>1</sup> NCSRC staff used this review to identify common themes or categories of policies that are essential to State support for high-quality authorizing and incorporated them into the Framework.

NCSRC then created High-Quality Charter Authorizing Policy Profiles (State Authorizing Profiles) that describe states' authorizing policy contexts based on the Framework. As of winter 2020, NCSRC staff created 19 profiles for the States that were awarded Charter School Programs (CSP) State Entities grants between FY2017 and FY2019, including:

- Alabama
- Arizona
- Arkansas
- Colorado
- Delaware
- Idaho
- Indiana
- Maryland
- Michigan
- Minnesota
- Mississippi
- New Mexico
- New York
- North Carolina
- Oklahoma
- Rhode Island
- Texas
- Washington
- Wisconsin

NCSRC created eight additional profiles in the summer of 2021 for the seven states that were awarded CSP State Entities grants in FY 2020 and for New Hampshire:<sup>1</sup>

- California
- District of Columbia
- Florida
- New Hampshire
- New Jersey
- Nevada
- Pennsylvania
- South Carolina

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<sup>1</sup> New Hampshire was a 2019 grantee, but because of a delay in accepting grant funds, we created the profile in 2020. Also, Texas was a 2020 grantee, but we had already created its profile since it was a 2017 grantee, as well.

CSP State Entity (SE) Grants provide funding for state entities to support eligible applicants in planning and preparation for the opening of new charter schools and the replication and expansion of high-quality charter schools. Grant funds must also be used by the state entity to provide technical assistance to eligible applicants and to improve the quality of authorizing.

More State Authorizing Profiles may be added in the future. In addition, NCSRC may publish updated versions of State Authorizing Profiles to reflect changes in state policy.

The State Authorizing Profiles are intended to be used by state policymakers and practitioners to learn about their own authorizing policy environments and those of their peers. They may also be useful to charter school support organizations and charter management organizations that want to learn about different states' policy contexts.

Each state profile includes (1) a Framework Snapshot, which is an assessment of a state's authorizing practices using the Framework described in the first paragraph above and (2) a more detailed description of the state context for each practice. The basis for the state profiles was a review of the charter law and significant state policies for applicable states. Significant state policies included those issued by the state education agency and/or state board of education. NCSRC used this review to identify whether the authorizing practices specified in the Framework were present in state law or policy. That is, boxes that were checked in the Framework Snapshot indicated that particular aspects of an authorizing practice(s) were included in state law or policy.

The State Authorizing Profiles provide a foundation for understanding authorizing practices in the state. The profiles are not an exhaustive review of the state's authorizing policies and practices; they are intended to describe the key elements of the state's policy context for supporting high-quality authorizing practices. Therefore, it is possible that certain state policies are not reflected in the profiles and that individual authorizers within a state are implementing other practices, as well. In addition, the review does not assess the quality of implementation of the policies; it is possible that state policy or statute articulates a quality practice that authorizers do not implement with fidelity.

Finally, state policy is one strategy for advancing high-quality authorizing practices and is the focus of these profiles. However, there are other strategies and sources of support, including technical assistance and resources provided by state, regional, and local charter support associations. While this report does not address those other strategies, it provides a narrative of the policy context in which authorizers operate. We articulate this context to support authorizers and authorizer support organizations in understanding how to implement quality authorizing practices in their states.

## Overview of State Law

The California Legislature passed the Charter Schools Act of 1992. This law was intended, in part, to “hold the schools established...accountable for meeting measurable pupil outcomes, and provide the schools with a method to change from rule-based to performance-based accountability systems” and to “provide vigorous competition within the public school system to stimulate continual improvements in all public schools.”<sup>ii</sup>

In California, a charter school may elect to operate as or be operated by a nonprofit public benefit corporation.<sup>iii</sup> In addition, “a petition for the establishment of a charter school within a school district may be circulated by one or more persons seeking to establish the charter school.”<sup>iv</sup> The law also allows for the conversion of traditional public schools to charter schools.<sup>v</sup> Charter school applications must be “signed by either a number of parents or legal guardians of pupils that is equivalent to at least one-half of the number of pupils that the charter school estimates will enroll in the school for its first year of operation” or “by a number of teachers that is equivalent to at least one-half of the number of teachers that the charter school estimates will be employed at the charter during its first year of operation.”<sup>vi</sup>

In 2019, the state’s charter school law was amended by the enactment of Assembly Bill 1505. This bill, in part, requires authorizers to take a deeper look into how new charter schools, if approved, will impact the community in which they propose to locate.<sup>vii</sup> (This is further discussed below in the evaluation review process section.)

# State Authorizing Profile: California

## Framework Snapshot<sup>2</sup>

### **Authorization**

- Does not cap charter school growth
- Provides for more than one authorizing pathway

*Application includes the following:*

- Specific application criteria
- Timelines
- Evaluation review process
- Process for denied applications

*Performance-based contract includes and provides for the following:*

- Separate post-application agreement
- Rights and responsibilities of authorizer and school
- Academic, financial, and operational performance expectations for schools
- Initial term of not more than five years
- Fiscal, legal, and programmatic autonomy for schools
- Independent charter school governing boards

### **Performance Monitoring**

- Provides for annual authorizer evaluation of schools based on the performance goals and expectations set forth in performance-based contract
- Establishes a comprehensive accountability/monitoring system that includes performance expectations and compliance requirements
- Minimizes schools' administrative and reporting burden
- Articulates authorizer action for schools that fail to meet performance expectations (e.g., probation, sanction, or turnaround)

### **Renewal/Revocation**

- Establishes a clear renewal process and decision-making criteria
- Requires that decisions to renew/revoke be based on student academic achievement
- Requires clear school closure procedures (e.g., parent notification, student enrollment, student record transfer, and disposition of assets)

### **Authorizer Accountability**

- Provides for a registration process for eligible authorizing entities
- Requires the State entity to review authorizers' performance
- Requires authorizers to adhere to standards for high-quality authorizing

### **Authorizer Leadership, Student Access, and Student Services**

- Requires a mission or strategic vision for authorizing
- Promotes quality authorizing by requiring technical assistance or professional development for authorizers and/or charter school applicants
- Ensures equitable access to all students
- Requires appropriate services for educationally disadvantaged students (e.g., students with special needs, English learners, students in foster care, or unaccompanied homeless youth)

### **Authorizer Funding**

- Provides a mechanism for guaranteed access to authorizer funding
- Includes a process for holding authorizers accountable for how funding is used

**Source(s):** California Education Code (Education Code) § 47600, et seq.

<sup>2</sup> As noted in the Introduction and Methodology, boxes checked in the framework snapshot indicate that aspects of an authorizing practice were included in state law or policy. If individual authorizers create and follow a certain policy that is not in state statute or policy, then the box will not be checked for the entire state.

## Authorization

- Does not cap charter school growth
- Provides for more than one authorizing pathway

### Does not cap charter school growth

California law capped charter school growth at 250 schools for the 1998-99 school year, with the exception that in each successive school year an additional 100 charter schools may be added in the state.<sup>viii</sup>

### Provides for more than one authorizing pathway

State law permits local school district governing boards and county offices of education to authorize charter schools.<sup>ix</sup> The State Board of Education was previously able to authorize charter schools; however, it is no longer able to do so pursuant to Assembly Bill 1505 (approved by the governor in October 2019).<sup>x</sup>

*Application includes the following:*

- Specific application criteria
- Timelines
- Evaluation review process
- Process for denied applications

### Specific application criteria

California law establishes 15 specific application (or “petition”) criteria, including details about the school’s

1. Educational program,
2. Measurable student outcomes,
3. Student progress measurement,
4. Governance structure,
5. Employee qualifications,
6. Health and safety procedures,
7. Means to achieve balanced enrollment<sup>xi</sup>,
8. Admissions requirements,
9. Annual financial audits,
10. Suspension and expulsion procedures,
11. Employee retirement systems,
12. Public school attendance alternatives,
13. Rights of district employees,
14. Mandatory dispute resolution, and
15. Charter school closure procedures.<sup>xii</sup>

The law also requires petitioners to provide supplemental information/data, as well (i.e., proposed budget and administrative plan).<sup>xiii</sup>

### Timelines

The law provides charter school application timelines based on authorizer type. For example, within 60 days of receipt of the application, a district governing board is required to hold a public hearing on the application; staff recommendations must be published 15 days before the public hearing. The governing board must then make a determination within 90 days of receiving the application, though the law permits an extension of up to 30 days if mutually agreed to by both parties.<sup>xiv</sup>

## Evaluation review process

California statute requires that the application evaluation review process be based on the mandated content articulated above. The law, in part, states that school district governing boards cannot “deny a petition for the establishment of a charter school unless it makes written factual findings [that set] forth specific facts to support one or more of the following findings:

1. The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.
2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
3. The petition does not contain reasonably comprehensive descriptions of the [15 required application elements referenced above].”<sup>xv</sup>

The law further prohibits approving applications proposing to serve students in a grade level that is not currently served by the “school district of the governing board considering the petition, unless the petition proposes to serve [students] in all of the grade levels served by that school district.”<sup>xvi</sup> In evaluating applications, authorizers must “be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system” and “consider the academic needs of the pupils the school proposes to serve.”<sup>xvii</sup>

In addition, the law requires assessing the impact a proposed charter school may have on the district in which it will be located. To this end, authorizers must evaluate whether a proposed school is “demonstrably unlikely to serve the interests of the entire community...[and] analysis of this finding shall include consideration of the fiscal impact of the proposed charter school.” Authorizers are also directed to provide written factual findings with the “specific facts and circumstances [based on] the following factors:

1. the extent to which the proposed charter school would substantially undermine existing services, academic offerings, or programmatic offerings, and
2. whether the proposed charter school would duplicate a program currently offered within the school district and the existing program has sufficient capacity for the pupils proposed to be served within reasonable proximity to where the charter school intends to locate.”<sup>xviii</sup>

Lastly, the law indicates that authorizers can grant applications if they are “satisfied that granting the charter is consistent with sound educational practice and with the interests of the community in which the school is proposing to locate.”<sup>xix</sup>

## Process for denied applications

State statute details various processes for denied charter applications depending on which authorizer denies the initial application. For example, if a school district governing board denies an application, it must provide written factual findings.<sup>xx</sup> In this instance, the applicant can also submit the application to the county board of education within 30 days of the governing board’s denial.<sup>xxi</sup> If the application contains “different material terms,” the county board must return the application to the school district governing board for reconsideration within 30 days, and if the governing board denies the resubmitted application, the applicant can submit its revised application to the county board of education.<sup>xxii, xxiii</sup>



*Performance-based contract includes and provides for the following:*

- Separate post-application agreement
- Rights and responsibilities of authorizer and school
- Academic, financial, and operational performance expectations for schools
- Initial term of not more than five years
- Fiscal, legal, and programmatic autonomy for schools
- Independent charter school governing boards

### **A separate post-application agreement**

California law states that applications become charter schools' contracts upon approval; however, a separate post-application agreement is not required.<sup>xxiv</sup>

### **Rights and responsibilities of authorizer and school**

While the law requires that applications include schools' rights and responsibilities, it does not require the inclusion of authorizers' rights and responsibilities.

### **Academic, financial, and operational performance expectations for schools**

As noted above, charter applications must describe the school's academic, financial, and operational performance expectations. Charter schools are further required to submit independent financial audit reports to their authorizers each year.<sup>xxv</sup> Significantly, all schools in the state are required to adopt Local Control Accountability Plans (LCAPs) that are based on the state's eight priority areas and include such metrics as annual goals, expenditure lists, and student performance expectations.<sup>xxvi</sup> These plans are not part of the charter application, but must be updated annually.

### **An initial term of not more than five years**

Under California law, initial charter terms cannot exceed five years.<sup>xxvii</sup>

### **Fiscal, legal, and programmatic autonomy for schools**

California statute affords certain autonomies for charter schools, including the ability to enter into contracts, to receive and disburse funds, and to determine how the school will be operated.<sup>xxviii, xxix</sup>

### **Independent charter school governing boards**

State law does not expressly require that governing boards oversee charter schools; however, it does address governing boards' responsibilities, such as adopting and implementing conflict of interest policies and ensuring transactions, contracts, and agreements are in the best interests of the school.<sup>xxx</sup> The law also requires that applications describe the school's governing structure.<sup>xxxi</sup> Furthermore, if the school will be operated by or as a nonprofit public benefit corporation, the application must include "the names and relevant qualifications of all persons... nominate[d] to serve on the governing body of the charter school."<sup>xxxii</sup>

## Performance Monitoring

- Provides for annual authorizer evaluation of schools based on the performance goals and expectations set forth in performance-based contract
- Establishes a comprehensive accountability/monitoring system that includes performance expectations and compliance requirements
- Minimizes schools' administrative and reporting burden
- Articulates authorizer action for schools that fail to meet performance expectations (e.g., probation, sanction, or turnaround)

### **Provides for annual authorizer evaluation of schools based on the performance goals and expectations set forth in performance-based contract**

California law establishes annual authorizer reviews of charter schools in that the application must include annual performance expectations, and the application becomes the contract upon approval. Specifically, schools must submit an annual report to its authorizer and the county superintendent of schools (or only to the county superintendent of schools if the county board of education is the chartering authority). The contents of the annual report include, but are not limited to, a preliminary budget and an LCAP by July 1, an interim financial report by December 15, a second interim financial report by March 15, and a final unaudited report by September 15.<sup>xxxiii</sup>

### **Establishes a comprehensive accountability/monitoring system that includes performance expectations and compliance requirements**

Under state law, authorizers are required to (1) visit each charter school at least annually; (2) ensure that each school under its authority complies with all reports required of charter schools by law, including the [LCAP] and annual update[s] to the plan; and (3) monitor the fiscal condition of each school.<sup>xxxiv, xxxv</sup>

### **Minimizes schools' administrative and reporting burden**

The law does not address minimizing schools' administrative burden.

### **Articulates authorizer action for schools that fail to meet performance expectations (e.g., probation, sanction, or turnaround)**

The law articulates authorizer action for charter schools that fail to meet their performance expectations. Specifically, upon the recommendation of the superintendent, the State Board of Education may take appropriate action, including revoking the school's charter if it finds "(1) gross financial mismanagement that jeopardizes the school's financial stability; (2) illegal or substantially improper use of school funds for the personal benefit of any officer, director, or fiduciary of the school; (3) substantial and sustained departure from measurably successful practices that could jeopardize students' educational development; or (4) a failure to improve the student outcomes identified in the school's charter."<sup>xxxvi</sup>

## Renewal/Revocation

- ☒ Establishes a clear renewal process and decision-making criteria
- ☒ Requires that decisions to renew/revoke be based on student academic achievement
- ☒ Requires clear school closure procedures (e.g., parent notification, student enrollment, student record transfer, and disposition of assets)

### Establishes a clear renewal process and decision-making criteria

California statute establishes a clear renewal process and decision-making criteria for charter schools. Authorizers can deny a school’s renewal request if it finds that the school is demonstrably (1) unlikely to successfully implement the program in its charter as a result of substantial fiscal or governance factors or (2) is not serving all students.<sup>xxxvii</sup> Before denying a renewal application, the authorizer must provide at least 30 days’ notice of the alleged violation and an opportunity for the school to rectify the violation, which can include a corrective action plan proposed by the school.<sup>xxxviii</sup> The nonrenewal/revocation decision must be grounded on one of the following findings:

1. “The corrective action proposed by the charter school has been unsuccessful.
2. The violations are sufficiently severe and pervasive as to render a corrective action plan unviable.”<sup>xxxix</sup>
3. A charter may also be revoked if the “charter school did any of the following: committed a material violation of any of the conditions, standards, or procedures set forth in the charter; failed to meet or pursue any of the pupil outcomes identified in the charter; failed to meet generally accepted accounting principles, or engaged in fiscal mismanagement; or violated any law.”<sup>xl</sup>

In addition, the law prohibits authorizers from denying a school’s renewal request if the following conditions are met either in the two consecutive years immediately preceding the renewal decision or if one of those two preceding years include the 2019–20 school year:

1. “[T]he school has received the two highest performance levels schoolwide on all the state indicators included in the evaluation rubrics adopted pursuant to Section 52064.5 for which it receives performance levels, or
2. for all measurements of academic performance, the school has received performance levels schoolwide that are the same or higher than the state average and, for a majority of subgroups performing statewide below the state average in each respective year, received performance levels that are higher than the state average.”<sup>xli, xlii</sup>

### Requires that decisions to renew/revoke be based on student academic achievement

As established above, California law requires nonrenewal and revocation decisions to be based on student academic achievement.<sup>xliii</sup> As noted, renewal decisions can also be based on fiscal and/or governance reasons, and the law specifies instances when authorizers are prohibited from denying a school’s renewal request.<sup>xliv, xlv</sup>

### Requires clear school closure procedures

Under state law, charter applications must include school closure procedures that provide for a final audit of the school to determine the disposition of all assets and liabilities, including plans for disposing of any net assets and for the maintenance and transfer of pupil records.<sup>xlvi</sup>

## Authorizer Accountability

- Provides for a registration process for eligible authorizing entities
- Requires the State entity to review authorizers' performance
- Requires authorizers to adhere to standards for high-quality authorizing

### Provides for a registration process for eligible authorizing entities

Neither state law nor policy requires a registration process for eligible authorizing entities.

### Requires the state entity to review authorizers' performance

The law does not require a state entity to regularly review authorizers' performance; however, it does permit the governor and/or legislature to review authorizers at any time.

### Requires authorizers to adhere to standards for high-quality authorizing

Neither state law nor policy requires authorizers to adhere to standards for high-quality authorizing.

## Authorizer Leadership, Student Access, and Student Services

- Requires a mission or strategic vision for authorizing
- Promotes quality authorizing by requiring technical assistance or professional development for authorizers and/or charter school applicants
- Ensures equitable access to all students
- Requires appropriate services for educationally disadvantaged students (e.g., students with special needs, English learners, students in foster care, or unaccompanied homeless youth)

### Requires a mission or strategic vision for authorizing

Neither state law nor policy requires a mission or strategic vision for authorizing.

### Promotes quality authorizing by requiring technical assistance or professional development for authorizers and/or charter school applicants

California law directs the State Board to adopt evaluation rubrics to assist authorizers in identifying charter schools in need of technical assistance.<sup>xlvii</sup> The law requires authorizers to provide technical assistance to schools that are failing to improve student outcomes for three or more student subgroups using an evaluation rubric.<sup>xlviii</sup> The law further requires the county superintendent of schools in which a school is located to “provide technical assistance focused on building the charter school’s capacity to develop and implement actions and services responsive to pupil and community needs.”<sup>xlix</sup> In practice, however, this requirement is not upheld.

### Ensures equitable access for all students

The statute requires that charter schools admit all students who wish to attend.<sup>1</sup> State law requires that applications describe “the means by which the school will achieve a balance of racial and ethnic pupils, special education pupils, and English learner pupils...that is reflective of the general population residing within the territorial jurisdiction of the school district to which the petition is submitted.”<sup>li</sup> It further prohibits admission preferences that “limit enrollment access for pupils with disabilities, academically low-achieving pupils, English learners, neglected

or delinquent pupils, homeless pupils, or pupils who are economically disadvantaged, as determined by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation.”<sup>iii</sup>

### **Requires appropriate services for educationally disadvantaged students (e.g., students with special needs, English learners, students in foster care, or unaccompanied homeless youth)**

State law permits charter schools to apply to be their own local education agency (LEA) for special education purposes.<sup>liii</sup> The law states that “[students] with disabilities attending the school shall receive special education instruction or designated instruction and services, or both, in the same manner as [students] with disabilities who attend another public school of that LEA.”<sup>liiv</sup> California case law further establishes that “charter schools enrolling [English learners (ELs)] have a dual obligation, as do all LEAs, to provide a program for ELs designed to overcome language barriers and provide access to the core curriculum.”<sup>liiv</sup>

## **Authorizer Funding**

- Provides a mechanism for guaranteed access to authorizer funding
- Includes a process for holding authorizers accountable for how funding is used

### **Provides a mechanism for guaranteed access to authorizer funding**

California statute permits authorizers to charge for “the actual costs of supervisory oversight of a charter school not to exceed one percent of the revenue of the charter school...[and] not to exceed three percent of the revenue of the charter school if the charter school is able to obtain substantially rent free facilities from the chartering authority.”<sup>livi</sup>

### **Includes a process for holding authorizers accountable for how funding is used**

Neither state law nor policy includes a process for holding authorizers accountable for how funding is used.

## Endnotes

<sup>i</sup> Language in ESSA Framework Details section below was taken directly and adapted from Title IV, Part C of the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act (ESSA), §§ 4301 to 4311 (20 U.S.C. §§ 7221 to 7221j)—<https://oese.ed.gov/offices/office-of-discretionary-grants-support-services/charter-school-programs/state-entities/funding-and-legislation/>; Language in the NACSA: Framework Details section below were taken directly or adapted from the following resources: National Association of Charter School Authorizers: Quality Authorizing Practices; Reinvigorating the Pipeline; Authorizer Accountability Model Language; Higher Education Institution Authorizers; Leadership, Commitment, Judgment: Elements of Successful Charter School Authorizing; Findings from the Quality Practice Project; Principles and Standards for Quality Charter School Authorizing; Putting an End to Authorizer Shipping; Language in the Alliance: Framework Details section below were taken directly or adapted from the following resources: National Alliance for Public Charter Schools: 2019 State Charter Law Ranking—<https://www.publiccharters.org/ranking-state-public-charter-school-laws-2019>; 2016 Model Charter School Law—<https://www.publiccharters.org/sites/default/files/migrated/wp-content/uploads/2016/10/2016ModelCharterSchoolLaw.pdf>

<sup>ii</sup> Education Code § 47601.

<sup>iii</sup> Education Code § 47604(a).

<sup>iv</sup> Education Code § 47605(a).

<sup>v</sup> Education Code § 47606.

<sup>vi</sup> Education Code § 47605.

<sup>vii</sup> Assembly Bill 1505 Charter Schools: petitions and renewals, (2019-20), [https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201920200AB1505](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1505)

<sup>viii</sup> Education Code § 47602(a).

<sup>ix</sup> Education Code § 47605.

<sup>x</sup> Assembly Bill 1505 Charter Schools: Petitions and Renewals (2019-20), [https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201920200AB1505](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1505)

<sup>xi</sup> Balanced enrollment means “a balance of racial and ethnic pupils, special education pupils, and English learner pupils, including redesignated fluent English proficient pupils, as defined by the evaluation rubrics in Section 52064.5, that is reflective of the general population.” Education Code § 47605(c)(5)(G).

<sup>xii</sup> Education Code § 47605(c)(5).

<sup>xiii</sup> Education Code §§ 47605(c)-(o).

<sup>xiv</sup> Education Code § 47605(b).

<sup>xv</sup> Education Code § 47605(c)(5).

<sup>xvi</sup> *Id.*

<sup>xvii</sup> Education Code § 47605(c).

<sup>xviii</sup> Education Code § 47605(c)(7)(A) and (B).

<sup>xix</sup> *Id.*

<sup>xx</sup> *Id.*

<sup>xxi</sup> Education Code § 47605(k)(1)(A)(i).

<sup>xxii</sup> *Id.*

<sup>xxiii</sup> See also Education Code § 47607(h).

<sup>xxiv</sup> “Upon the approval of the petition by the county board of education, the petition or petitioners shall provide written notice of that approval, including a copy of the petition, to the governing board of the school district in which the charter school is located, the department, and the State Board.” Education Code § 47605(k)(6).

<sup>xxv</sup> Education Code § 47605(m).

<sup>xxvi</sup> Education Code § 52060, et seq.

<sup>xxvii</sup> Education Code § 47607(a)(1).

<sup>xxviii</sup> Education Code § 47630, et seq.

<sup>xxix</sup> Education Code § 47605(h).

<sup>xxx</sup> Education Code § 11963.3.

<sup>xxxi</sup> Education Code § 47605(b)(5)(D).

<sup>xxxii</sup> Education Code § 47605(h).

<sup>xxxiii</sup> Education Code § 47604.33.

<sup>xxxiv</sup> Education Code § 47604.32.

<sup>xxxv</sup> See also Education Code §§ 47606.5 and 52064.

<sup>xxxvi</sup> Education Code § 47604.5.

<sup>xxxvii</sup> Education Code § 47607(e).

<sup>xxxviii</sup> *Id.*

<sup>xxxix</sup> *Id.*

<sup>xl</sup> *Id.*

<sup>xli</sup> Education Code § 47607(c)(2)(A)(i).

<sup>xlii</sup> Education Code § 47607(c)(2)(A)(ii).

<sup>xliii</sup> Education Code § 47607(e).

<sup>xliv</sup> *Id.*

<sup>xlv</sup> Education Code § 47607(c)(2)(A).

<sup>xlvi</sup> Education Code § 47605(c)(5)(O).

<sup>xlvii</sup> Education Code § 52064.5.

<sup>xlviii</sup> Education Code § 47607.3.

<sup>xlix</sup> Education Code § 47607.3(a).

<sup>l</sup> Education Code § 47605(e).

<sup>li</sup> Education Code § 47605(c)(5)(G).

<sup>lii</sup> Education Code § 47605(e)(2)(B).

<sup>liii</sup> Education Code § 47641.

<sup>liv</sup> Education Code § 47646(a).

<sup>lv</sup> *Castañeda v. Pickard*, 648 F.2d 989 (5th Cir. 1981). See also California Department of Education, Reminder of Legal Obligations to English Learners, <https://www.cde.ca.gov/sp/el/er/charterschoolelltr.asp>

<sup>lvi</sup> Education Code § 47613(a)-(b).