

CLIENT NEWS BRIEF

Charter School Prop. 39 Facilities Requests are Due November 1

Commonly referred to as "Prop. 39", Education Code section 47614 requires that school districts provide facilities to charter schools. Charter schools must request facilities for the 2016-2017 school year, in writing, by **November 1, 2015**. Because Prop 39 triggers certain obligations for a school district, it is best to be prepared for the upcoming facilities request season.

Once a school district receives a facilities request from a charter school, the following deadlines are triggered:

December 1 - Deadline for a school district to express, in writing, any objections to the charter school's projected average daily attendance (ADA). If this deadline passes without objection by the district, the district will likely be required to base its facilities offer on the charter school's in-district ADA projections.

January 2 - Deadline for the charter school to respond to any objections raised by the school district regarding ADA projections.

February 1 - Deadline for the school district to provide a preliminary offer of facilities to the charter school, along with detailed information about the offer and a draft facilities use agreement.

March 1 - Deadline for the charter school to respond to the preliminary offer.

April 1 - Deadline for a final offer of facilities by the school district.

May 1 - Deadline for acceptance of offer of facilities by charter school.

Given these tight timelines, it is critical that a facilities request be reviewed shortly after receipt to determine the reasonableness of the charter school's ADA projections and to contemplate the facilities to be offered. Also keep in mind that in certain circumstances, even proposed charter schools may request facilities, so a request from a school that has not yet been approved is a possibility.

For assistance with processing Prop. 39 facilities requests or with any charter school matter, please contact one of our [nine offices](#) located statewide. You can also visit our [website](#), follow us on [Facebook](#) or [Twitter](#), or download our [Client News Brief App](#).

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