



CLIENT NEWS BRIEF

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STATE BOARD OF EDUCATION ADOPTS NEW REGULATIONS REGARDING CHARTER SCHOOL RENEWALS

The State Board of Education (SBE) has adopted new regulations which add substantial detail to the procedure for renewing charter school petitions. These new regulations – which include a procedure for the automatic renewal of charters – took effect on November 23, 2011. The more noteworthy of the new regulations are reviewed below.

Automatic Renewal of Charters

The newly-adopted regulations allow for the automatic renewal of a charter school petition, if a school district fails to make written factual findings to support a denial within 60 days of the district's receipt of a petition. (Cal. Code Regs., tit. 5, § 11966.4 (c).)

Due to this provision, school districts will need to pay increased attention to the 60-day deadline. The term of a charter school renewal is five years, a considerable amount of time to allow a charter school to operate if its petition should not have been renewed.

Signature Requirement Inapplicable to Charter Renewal Petitions

Petitions to initially establish a charter school require a threshold number of parents' or teachers' signatures. The new regulations provide that the signature requirement is not applicable to a petition for renewal. (Cal. Code Regs., tit. 5, § 11967.5 (d).)

Review of Charter Renewal Petitions

The new regulations specifically state that when reviewing a charter renewal petition, chartering authorities may look to the charter school's past performance and plans for future improvements. (Cal. Code Regs., tit. 5, § 11966.4 (b)(1).)

A charter school must now provide documentation with its petition for renewal showing that it has satisfied at least one of the academic performance criteria specified in Education Code section 47607, subdivision (b). (Cal. Code Regs., tit. 5, § 11966.4 (a)(1).)

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If you have any questions about these new regulations and how to apply them to your school district's review of charter renewal petitions, please contact one of our [eight offices](#) located statewide, visit our [website](#), or follow Lozano Smith on [Facebook](#).

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