

CALIFORNIA

(Law passed in 1992; 11th strongest of the nation's 43 charter laws)



California has a relatively strong charter school law. Schools may receive blanket waivers from various regulations, including the freedom of teachers to not belong to a union. The law is weak, however, regarding charter authorizers. Currently only local or county school boards and the state board in very specific situations can authorize. Because of this, while there are nearly 1,200 charter schools in California, they are clustered only in districts that support reform. In 2014, there was some facilities funding expansion, but charter supporters annually are faced with legislative attempts to roll back progress and growth.

INDEPENDENT OR MULTIPLE AUTHORIZERS - YES (2)

APPROVAL	School boards and county boards can serve as authorizers. A charter can apply directly to the State Board of Education if its schools will provide instructional services that may have impact statewide, not just within one district. If approved, the school may operate multiple campuses throughout the state. Only three charter networks were approved by the state and after a lengthy court battle that Aspire Schools lost to the teachers unions, it is unlikely another state charter will be approved.
APPEAL	Yes. Applications denied by the school board may be appealed to the county board and then to the State Board of Education. Decisions by the state board are subject to judicial review and are binding, and the entity that approves the application becomes the school's sponsor.

OPERATIONAL AUTONOMY

STATE	Yes. Charter schools receive a blanket waiver from most rules and regulations governing traditional public schools. Oversight by the state over time has become more burdensome. Virtual schools are allowed. Management contracts with ESPs are not restricted, but are regulated.
LOCAL	Yes. A blanket waiver applies to most local policies, but districts have latitude to limit a charter's autonomy. Charter schools are not LEAs unless they choose to become one for the purposes of special education. Fiscal autonomy is subject to the district's terms and specified in the charter.
TEACHER FREEDOM	Yes. Teachers may remain covered by the district bargaining agreement, negotiate as a separate unit with the charter school governing body, or work independently. If a charter school chooses to participate in the state teachers' retirement system, all qualified employees shall be covered.

NUMBER OF SCHOOLS ALLOWED

CAP	One hundred additional charters are added each year. Unused charters roll over to the following year. The cap is currently at 1,850 charters.
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EQUITY

<p>STUDENT FUNDING</p>	<p>Funds pass through the district. In 2014, the State Board of Education enacted regulations to implement law changes adopted in 2013 that drastically change funding formulas, largely for the better for charters, and accountability parameters by increasing reporting requirements. Charters by law should be funded using a weighted student funding formula in the same way as traditional public schools. However charters that serve large numbers of low-income and/or ELL students will not receive the same amount of funds as traditional schools serving the same populations. Authorizers can charge up to three percent administrative fees from charter school revenues.</p> <p>“The Superintendent shall annually compute a general-purpose entitlement, funded from a combination of state aid and local funds, for each charter school as follows: (a) The Superintendent shall annually compute the statewide average amount of general-purpose funding per unit of average daily attendance received by school districts for each of four grade level ranges...The Superintendent shall multiply each of the four amounts computed in subdivision (a) by the charter school’s average daily attendance in the corresponding grade level ranges. The resulting figure shall be the amount of the charter school’s general-purpose entitlement, which shall be funded through a combination of state aid and local funds” Cal. Educ. Code § 47633 (West). Additionally, charter schools are eligible for a transfer of funds from their sponsoring LEAs in lieu of property taxes Cal. Educ. Code § 47635 (West).</p>
<p>FACILITIES FUNDS</p>	<p>There are propositions to help obtain facilities, implemented by Cal. Educ. Code § 47614 (West), which require districts to find facilities for charter schools the same way they do for traditional public schools, and charge the same pro-rated rates, but districts have not been following the letter of the law. Additionally, this setup leaves the ownership of facilities in the hands of the school district.</p> <ul style="list-style-type: none"> • The Charter School Facility Grant Program provides assistance with facilities, rent and lease costs for charter schools. Eligible schools can receive up to \$750 per pupil where at least 60 percent of students qualify for free and reduced lunch (it was 70 percent). [Cal Ed Code § 47614.5] • Proposition 39 - School districts are required to provide equivalent facilities to charter schools, although this is not always followed by district. • Propositions 1D, 47 and 55 - Charters may access per-pupil facility grant funding for 50 percent of the total cost of the construction or renovation. These propositions have placed more than \$800 million in a fund for charter facility development. • The Charter School Revolving Loan Fund provides low-interest loans for up to \$250,000 to new charter schools for facilities and other purposes. [Cal Ed Code § 41365]

[LINK TO THE CALIFORNIA CHARTER SCHOOL LAW](#)