



# CALIFORNIA STATE BOARD OF EDUCATION

## MARCH 2004 AGENDA

<b>SUBJECT</b>  Request by the Ridgecrest Charter School for Renewal of its State Board of Education-Approved Charter	<input checked="" type="checkbox"/> <b>Action</b>
	<input checked="" type="checkbox"/> <b>Information</b>
	<input checked="" type="checkbox"/> <b>Public Hearing</b>

### RECOMMENDATION

The following item is provided to the State Board of Education (SBE) for information and action as deemed necessary and appropriate. A recommendation will be provided as a last minute memorandum.

### SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

SBE Authority to Grant Charters: Pursuant to *Education Code* Section 47605(j), as of January 1, 1999, a charter school that has been denied approval by a local chartering entity may petition the SBE to approve the charter. As of January 1, 2003, a charter school must be denied by both a local school district and county office of education before it may petition the SBE to approve the charter. *Education Code* Section 47607(a)(1) states that a charter may be granted for a period not to exceed five years. However, the SBE has chosen to grant three-year terms to the charter schools it has approved on appeal to date.

Previous Requests: Since January 1999, the SBE has reviewed several charter petitions that have been denied at the local level and has to date approved nine such requests. At its December 2000 meeting, the SBE approved two charter schools: the Oakland Military Institute in Alameda County and Ridgecrest Charter School in Kern County. In July 2001, the SBE approved the renewal of the Edison Charter Academy in San Francisco, which had been denied renewal by the district. At its December 2001 meeting, the SBE approved the New West Charter Middle School and the Animo Inglewood Charter High School, both of which are located in Los Angeles County. In February 2003, the SBE approved the Knowledge is Power Program (KIPP) Summit Academy in Alameda County. Finally, in November 2003, the SBE approved the Academy of Culture and Technology in Los Angeles County and Leadership Public Schools – San Rafael in Marin County.

Oversight of Charter Schools by the SBE: At the request of the SBE, California Department of Education (CDE) staff presented an issue paper at its May 2000 meeting that outlined a comprehensive proposal for the review, approval, and oversight of previously denied charters. The issue paper proposed that the SBE adopt regulations that define a process for review of a charter petition that has been denied locally. Regulations were developed and approved by the SBE at its December 2001 meeting and are currently in use.

## **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION - CONTINUED**

At its October 2001 meeting, the SBE also appointed members to the Advisory Commission on Charter Schools (ACCS), which was established by Senate Bill 740 (Chapter 892, Statutes of 2001), and charged it with a number of responsibilities, including advising the SBE on charter petitions that have been denied at the local level.

Ridgecrest Charter School (RCS): RCS had previously been denied a charter by the Sierra Sands Unified School District governing board. RCS has been operating for the past three years under an oversight agreement between the SBE and the school. CDE staff, on behalf of the SBE, has been responsible for the oversight and monitoring of the school. The three-year period of operation for RCS will expire September 3, 2004, unless the SBE renews the charter prior to that date.

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## **SUMMARY OF KEY ISSUES**

Charter school law (Education Code Section 47605(k)(3)) requires a charter school that has been granted a charter through an appeal to the State Board to seek renewal of that charter through the school district that originally denied the charter before the school may submit a petition for renewal to the SBE. RCS submitted its request for renewal of its charter to the Sierra Sands Unified School District on July 21, 2003. The district denied the renewal on September 18, 2003. The renewal request was subsequently submitted to the SBE on December 29, 2003. The ACCS will review this petition and hear testimony from the petitioners and representatives of the district that denied the renewal at its February 19, 2004 meeting, at which time the ACCS is expected to make a recommendation on this petition.

If the SBE approves the charter renewal, it must be for a five-year period. Unlike the original approval, *Education Code* Section 47607(a)(1) requires that renewals be for a five-year period.

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## **FISCAL ANALYSIS (AS APPROPRIATE)**

Approval of the request to renew the charter of RCS will result in continuing oversight and monitoring responsibilities for CDE staff. Two positions are currently funded for this work; one by the SBE and the other from the one percent oversight fee charged against the revenues of all SBE-approved charter schools. However, Assembly Bill 1137 (Chapter 892, Statutes of 2003) reduces the charter school revenues upon which the oversight fee may be charged. CDE staff is currently determining the impact of this reduction.

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## **ATTACHMENT**

Attachment 1: Ridgecrest Charter School Appeal for Renewal (30 Pages) (This attachment is not available for Web viewing. A printed copy is available for viewing in the State Board office)

Attachment 2: District Reasons for Denying the Ridgecrest Charter Petition and School Response to District Reasons for Denial (34 Pages) (This attachment is not available for Web viewing. A printed copy is available for viewing in the State Board office.)

**ATTACHMENT - CONTINUED**

The CDE staff analysis and findings will be presented at the March 2004 meeting as a Last Minute Memorandum.