

## Senate Bill No. 1416

### CHAPTER 467

An act to amend Section 1 of Chapter 58 of the Statutes of 1997, relating to charter schools.

[Approved by Governor September 11, 2002. Filed with Secretary of State September 11, 2002.]

#### LEGISLATIVE COUNSEL'S DIGEST

SB 1416, Polanco. Charter schools: community day schools.

Existing law provides that a charter school that serves at-risk pupils and operates under a charter approved before June 1, 1997, by the Los Angeles County Board of Education may continue to operate until June 30, 2003.

This bill would extend the date until June 30, 2008, provided that the authority to continue operation is approved by the county board of education.

Existing law requires the county board of education to establish specific accountability criteria, to annually measure the performance of the charter school, and requires the performance criteria to include specified requirements.

This bill would delete the specified performance criteria requirements and instead require the county board of education to establish accountability criteria that are in compliance with the alternative accountability system developed by the Superintendent of Public Instruction for schools with fewer than 100 test scores contributing to the school's Academic Performance Index. The bill would require the county board of education to annually report the measurement to the State Department of Education, the Department of Finance, the Assembly Committee on Education, the Assembly Committee on Appropriations, the Senate Committee on Education, and the Senate Committee on Appropriations.

This bill would make certain findings and declarations regarding the inapplicability of a general statute within the meaning of Section 16 of Article IV of the California Constitution.

*The people of the State of California do enact as follows:*

SECTION 1. Section 1 of Chapter 58 of the Statutes of 1997, as amended by Chapter 19 of the Statutes of 2000, is amended to read:



Sec. 1. (a) A charter school operating under a charter approved before June 1, 1997, by the county board of education of a county of the first class to serve at-risk pupils, may operate until June 30, 2008. The continuation of the authority of a charter school to operate pursuant to this subdivision after June 30, 2003, shall be subject to the approval of that county board of education.

(b) Notwithstanding any other provisions of the Education Code, except as set forth in subdivision (c), for the 1999–2000 fiscal year and each fiscal year thereafter, up to and including the 2007–08 fiscal year, the attendance of pupils in a charter school to which this section applies shall be funded at the same rates for the same categories of pupils as community schools and community day schools in the same county.

(c) A charter school operated pursuant to subdivision (a) may, if its charter so provides, operate one or more community day schools in compliance with Article 3 (commencing with Section 48660) of Chapter 4 of Part 27 of the Education Code, except for compliance with the employment requirements in subdivision (a) of Section 48663 and subdivision (c) of Section 48664, and the funded average daily attendance limitations of paragraphs (1) and (2) of subdivision (a) of Section 48664, and be funded for not more than 2,000 units of average daily attendance in any fiscal year, to the extent that funding is appropriated therefor, pursuant to subdivision (a) of Section 48664 as if it were a community day school operated by a county. The average daily attendance of a charter school operating pursuant to this section shall not be in addition to the average daily attendance limitation provided pursuant to subdivision (a) of Section 48664 of the Education Code.

(d) The Legislative Analyst shall include, in the Analysis of the 2007–08 Governor’s Budget, a report on the need to continue community day school funding rates for a charter school operated pursuant to subdivision (a).

(e) A county board of education that has approved a charter school as set forth in subdivision (a) shall establish specific accountability criteria to annually measure the performance of the charter school. The county board of education shall annually report the measurement to the State Department of Education, the Department of Finance, the Assembly Committee on Education, the Assembly Committee on Appropriations, the Senate Committee on Education, and the Senate Committee on Appropriations. The accountability criteria shall comply with the accountability system described by subdivision (h) of Section 52052 of the Education Code.

(f) If a charter school does not comply with the performance criteria described in subdivision (e), the charter school shall submit to the county board of education a plan for improvement that is designed to enable the



charter school to comply with the criteria within a time determined by the county board of education.

SEC. 2. Due to the unique circumstances resulting from the intensely urbanized nature of the affected county, it is necessary to extend the authorization for charter schools as set forth in Section 1, and the Legislature finds and declares that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution.

