

**Senate Bill No. 1883**

**CHAPTER 849**

An act to amend Section 47602 of the Education Code, relating to charter schools.

[Approved by Governor September 23, 1996. Filed with Secretary of State September 24, 1996.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1883, Hayden. Charter schools.

The Charter Schools Act of 1992 provides a procedure for the establishment of not more than 100 charter schools, with no more than 10 charter schools in any single school district, that receive public funding but are not subject to the laws generally governing school districts.

This bill would authorize school districts that maintain an enrollment of more than 600,000 pupils to operate 12 charter schools in addition to the 100 charter schools that school districts may operate in this state and the 10 charter schools that a single school district may operate. To the extent that a school district would be required to review and respond to any additional petitions to establish charter schools that are filed in any school district that maintains an enrollment of more than 600,000 pupils, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

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

SECTION 1. Section 47602 of the Education Code is amended to read:

47602. (a) Except as provided in subdivision (b), the total number of charter schools operating in this state in any school year shall not exceed 100, with not more than 10 charter schools in any single school district. For the purposes of implementing this section,



the State Board of Education shall assign a number to each charter notice it receives pursuant to subdivision (i) of Section 47605, based on the chronological order in which the notice is received.

(b) In addition to the total number of charter schools that school districts may operate in this state pursuant to subdivision (a) and the 10 charter schools that a single school district may operate pursuant to subdivision (a), a school district that maintains an enrollment of more than 600,000 pupils in the current school year may operate 12 charter schools for a maximum of 22 charter schools in these types of school districts.

(c) No charter shall be granted under this part that authorizes the conversion of any private school to a charter school.

SEC. 2. Notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars (\$1,000,000), reimbursement shall be made from the State Mandates Claims Fund.

Notwithstanding Section 17580 of the Government Code, unless otherwise specified, the provisions of this act shall become operative on the same date that the act takes effect pursuant to the California Constitution.

