

AMENDED IN SENATE APRIL 22, 1997

AMENDED IN SENATE APRIL 9, 1997

**SENATE BILL**

**No. 1318**

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**Introduced by Senator Polanco**

February 28, 1997

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An act to add Section 47605.5 to the Education Code, relating to education, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 1318, as amended, Polanco. Education: charter schools: county offices of education.

Existing law, known as the Charter Schools Act of 1992, authorizes a procedure for the establishment of charter schools. Under existing law, charter schools receive public funding in accordance with specified provisions, but are not generally subject to the laws governing school districts. Existing law authorizes school districts to review petitions for the establishment of, and to grant charters for the operation of, charter schools, as specified.

This bill would express legislative findings and declarations with respect to the Charter Schools Act of 1992. The bill would provide that, for the purposes of the review of petitions for the establishment of, and the granting of a charter for the operation of, a charter school under the act, "school districts" shall include county offices of education. ~~The~~ *Except for the granting or renewing of a charter the application for which was previously denied by a school district, the* bill would limit

the charters granted by county offices of education to educational programs serving students in county community schools.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: <sup>2</sup>/<sub>3</sub>. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

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

1 SECTION 1. The Legislature finds and declares both  
2 of the following:

3 (a) The intent of Chapter 781 of the Statutes of 1992  
4 (Senate Bill No. 1448 of the 1991–92 Regular Session) was  
5 to authorize school districts and county offices of  
6 education to approve applications for charter schools.

7 (b) While a number of county offices of education  
8 have already approved charter applications, clarifying  
9 legislation is necessary to ensure that *charters approved*  
10 *by* county offices of education ~~charters~~ are limited to  
11 programs statutorily delegated to county offices of  
12 education.

13 SEC. 2. Section 47605.5 is added to the Education  
14 Code, to read:

15 ~~47605.—~~

16 47605.5. (a) For purposes of the review of petitions  
17 for the establishment of, and the granting of a charter for  
18 the operation of, a charter school under this chapter,  
19 “school districts” shall be defined to include county  
20 offices of education.

21 (b) ~~Charter—schools~~ *Except for the granting or*  
22 *renewing of a charter the application for which was*  
23 *previously denied by a school district, charter* authorized  
24 by county offices of education shall be limited to charters  
25 for educational programs serving students in accordance  
26 with Section 1981.

27 SEC. 3. This act is an urgency statute necessary for the  
28 immediate preservation of the public peace, health, or  
29 safety within the meaning of Article IV of the



1 Constitution and shall go into immediate effect. The facts  
2 constituting the necessity are:  
3 In order to ensure the continued delivery of  
4 educational services to pupils served by county  
5 community schools, it is necessary that this act take effect  
6 immediately.

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