

AMENDED IN SENATE MAY 14, 2002
AMENDED IN SENATE MAY 1, 2002
AMENDED IN SENATE MARCH 20, 2002

SENATE BILL

No. 1416

Introduced by Senator Polanco

February 14, 2002

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

LEGISLATIVE COUNSEL'S DIGEST

SB 1416, as amended, 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, in the County of Los Angeles 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 a county board of education that approves a charter to establish accountability criteria, which include certain specific requirements, applicable to these charter schools and requires charter schools that are not in compliance with the criteria to submit a plan for improvement.

This bill would delete the specific requirements and instead require a county board of education that approves a charter to establish accountability criteria that are in compliance with an alternative accountability system developed by the Superintendent of Public Instruction, ~~thereby imposing 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.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

~~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.~~

~~Vote: majority. Appropriation: no. Fiscal committee: yes-no. State-mandated local program: yes-no.~~

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

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

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

10 (b) Notwithstanding any other provisions of the Education
11 Code, except as set forth in subdivision (c), for the 1999–2000
12 fiscal year and each fiscal year thereafter, up to and including the
13 2007–08 fiscal year, the attendance of pupils in a charter school to
14 which this section applies shall be funded at the same rates for the
15 same categories of pupils as community schools and community
16 day schools in the same county.

17 (c) A charter school operated pursuant to subdivision (a) may,
18 if its charter so provides, operate one or more community day
19 schools in compliance with Article 3 (commencing with Section
20 48660) of Chapter 4 of Part 27 of the Education Code, except for
21 compliance with the employment requirements in subdivision (a)
22 of Section 48663 and subdivision (c) of Section 48664, and the
23 funded average daily attendance limitations of paragraphs (1) and
24 (2) of subdivision (a) of Section 48664, and be funded for not more
25 than 2,000 units of average daily attendance in any fiscal year, to
26 the extent that funding is appropriated therefor, pursuant to



1 subdivision (a) of Section 48664 as if it were a community day
2 school operated by a county. The average daily attendance of a
3 charter school operating pursuant to this section shall not be in
4 addition to the average daily attendance limitation provided
5 pursuant to subdivision (a) of Section 48664 of the Education
6 Code.

7 (d) The Legislative Analyst shall include, in the Analysis of the
8 2007–08 Governor’s Budget, a report on the need to continue
9 community day school funding rates for a charter school operated
10 pursuant to subdivision (a).

11 (e) A county board of education that has approved a charter
12 school as set forth in subdivision (a) shall establish specific
13 accountability criteria to annually measure the performance of the
14 charter school. The accountability criteria shall comply with the
15 accountability system described by subdivision (h) of Section
16 52052 of the Education Code.

17 (f) If a charter school does not comply with the performance
18 criteria described in subdivision (e), the charter school shall
19 submit to the county board of education a plan for improvement
20 that is designed to enable the charter school to comply with the
21 criteria within a time determined by the county board of education.

22 ~~SEC. 2. No reimbursement is required by this act pursuant to~~
23 ~~Section 6 of Article XIII B of the California Constitution because~~
24 ~~the only costs that may be incurred by a local agency or school~~
25 ~~district are the result of a program for which legislative authority~~
26 ~~was requested by that local agency or school district, within the~~
27 ~~meaning of Section 17556 of the Government Code and Section~~
28 ~~6 of Article XIII B of the California Constitution.~~

29 *SEC. 2. Due to the unique circumstances resulting from the*
30 *intensely urbanized nature of the affected county, it is necessary to*
31 *extend the authorization for charter schools as set forth in Section*
32 *1, and the Legislature finds and declares that a general statute*
33 *cannot be made applicable within the meaning of Section 16 of*
34 *Article IV of the California Constitution.*

