

AMENDED IN SENATE AUGUST 19, 2016  
AMENDED IN SENATE JUNE 6, 2016  
AMENDED IN ASSEMBLY JANUARY 4, 2016  
CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1084**

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**Introduced by Assembly Member Bonilla**

February 27, 2015

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An act to ~~add Section 47604.2 to~~ amend Section 47604 of the Education Code, relating to charter schools.

LEGISLATIVE COUNSEL'S DIGEST

AB 1084, as amended, Bonilla. Charter schools: ~~for-profit entities; operation.~~

Existing law, the Charter Schools Act of 1992, authorizes a charter school to elect to operate as, or be operated by, a nonprofit public benefit corporation, as specified.

This bill, ~~commencing with the 2017–18 school year and each school year thereafter, would do both of the following: (1) prohibit a virtual or online charter school, as defined, from being owned or operated by, or operated as, a for-profit entity; and (2) prohibit a nonprofit online charter school, nonprofit charter virtual academy, and a nonprofit entity that operates an online or virtual charter school from contracting with a for-profit entity for the provision of instructional services: on July 1, 2017, would instead require that a charter school only operate as, or be operated by, a nonprofit public benefit corporation, a school district, a county office of education, or the University of California.~~

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

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

1     SECTION 1. Section 47604 of the Education Code is amended  
2     to read:

3     47604. (a) ~~Charter schools may elect to operate~~ On and after  
4     July 1, 2017, a charter school shall only operate as, or be operated  
5     by, a nonprofit public benefit corporation, formed and organized  
6     pursuant to the Nonprofit Public Benefit Corporation Law (Part 2  
7     (commencing with Section 5110) of Division 2 of Title 4) 1 of the  
8     Corporations-Code), a school district, a county office of  
9     education, or the University of California.

10    (b) The governing board of a school district that grants a charter  
11    for the establishment of a charter school formed and organized as  
12    a nonprofit public benefit corporation pursuant to this section shall  
13    be entitled to a single representative on the board of directors of  
14    the nonprofit public benefit corporation.

15    (c) An authority that grants a charter to a charter school to be  
16    operated by, or as, a nonprofit public benefit corporation is not  
17    liable for the debts or obligations of the charter school, or for  
18    claims arising from the performance of acts, errors, or omissions  
19    by the charter school, if the authority has complied with all  
20    oversight responsibilities required by law, including, but not  
21    necessarily limited to, those required by Section 47604.32 and  
22    subdivision (m) of Section 47605.

23    SECTION 1. ~~Section 47604.2 is added to the Education Code,~~  
24    to read:

25    47604.2. ~~Notwithstanding any other law, commencing with~~  
26    the 2017–18 school year, and each school year thereafter:

27    (a) ~~A virtual or online charter school shall not be owned or~~  
28    operated by, or operated as, a for-profit entity. For purposes of this  
29    section, “virtual or online charter school” means a charter school  
30    in which at least 80 percent of teaching and pupil interaction occurs  
31    via the Internet.

32    (b) ~~A nonprofit online charter school, nonprofit charter virtual~~  
33    academy, or a nonprofit entity that operates an online or virtual  
34    charter school shall not contract with a for-profit entity for the  
35    provision of instructional services.