



LOS ANGELES UNIFIED SCHOOL DISTRICT
Charter Schools Division

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Dear Charter School Governing Board President and Charter School Leader:

The Charter Schools Division (CSD) hopes your 2023-2024 school year is going well thus far! In preparation for the start of the school year, this communication highlights pertinent information and updates related to charter school oversight. Please review this material early and closely so that your school(s) and staff are positioned for success throughout the school year and in advance of any oversight visit(s) to your school(s).

As always, the CSD is excited to embark upon another productive year together on behalf of students and families in Los Angeles.

Senate Bill 114

On July 10, 2023, Governor Gavin Newsom signed into law Senate Bill (SB) 114 as part of the Education Omnibus Budget Trailer Bill, which, among other updates, made changes to charter school renewal terms, the moratorium on the establishment of nonclassroom-based charter schools, and the circumstances under which the State Board of Education on appeal may reverse the local decisions under an abuse of discretion standard. Key provisions include the following:

- Requires charter schools whose term expires on or between January 1, 2024, and June 30, 2027, inclusive, to have their term extended by one additional year.
- Extends the prohibition on approving a petition for the establishment of a new charter school offering non-classroom-based instruction by one year, to instead be until January 1, 2026.
- Clarifies that the State Board of Education (SBE) would reverse charter school renewal decisions only upon a determination that there was an abuse of discretion by both the school district and the county board of education.

Thus, for those charter schools who were preparing for renewal this 2023-2024 school year, please note that in light of this recent legislation, charter school renewals will resume in 2024-2025 instead. We look forward to further communication later this school year with the charter schools scheduled for renewal.

Please see the below section *Highlights of New Laws* for additional information pertaining to the Education Omnibus Budget Trailer Bill.

Updates to Verified Data

As part of charter school renewals, California Education Code requires charter school authorizers to consider “verified data” for renewals of charter schools identified by the California Department of Education (CDE) as middle-performing or low-performing, based on California School Dashboard data. Verified data is defined as, “assessment data from nationally-recognized, valid, peer-reviewed, and reliable sources that are externally produced.” It also includes postsecondary outcomes which is defined as, “college enrollment, persistence, and completion rates equal to similar peers.”

At its May 2023 meeting, the State Board of Education (SBE) adopted ten (10) additional academic progress indicators for inclusion within the approved list of verified data assessments. The SBE also amended criteria for defining verified data, updated procedures for using verified data, and revised the previously approved list to include grade levels and programmatic name changes.

For additional information, the current list of verified data may be accessed here: ([Academic Progress Indicators](#)). The updated definitions to the *Criteria to Define Verified Data* and the updated implementation process for *Data Use Procedures Related to Verified Data* are located here: ([Define Verified Data and Use Procedures](#)).

Charter School Incident Report Protocol

On August 15, 2023, the CSD provided communication regarding the protocol for reporting significant incidents that take place on independent charter school campuses. As reiterated in that correspondence, charter schools are expected to notify the CSD within 24 hours of any emergency or serious threat to the health and safety of students or staff. The incident report should include the contact information of the reporting person; the type of incident; a summary of the incident; and the charter school's response to the incident.

For co-located charter schools, this protocol replaced the requirement to have a District school create an Incident System Tracking Accountability Report (iSTAR). However, the co-located charter school is still required to inform the District principal of any significant incidents that occur on the campus as immediately as possible.

Please refer to the August 15 correspondence for details on the reporting protocol: <https://www.lausd.org/site/default.aspx?PageID=1835>. For additional information, you may also contact your assigned CSD Specialist or CSD Operations Coordinator.

Moves within the Community

When a charter school is planning any change to facilities (moves, additional sites, etc.), the charter school should contact their assigned specialist as soon as possible. If the CSD determines the proposed change(s) do not constitute a material revision of the charter, the charter school may send its requested change(s) in writing to the CSD administrator assigned to the school to be considered for approval as a non-material amendment to the charter. Regardless of whether the change in the charter is deemed to be "material" or "non-material," the CSD will still review the request using the standards and criteria for consideration of a material revision. The "Request to Change Charter Information" form (revised 2-17-23) can no longer be used to update facility information.

Notification to the District Reminder

As previously shared, it is important and required to notify the District regarding student enrollment. Specifically, as indicated in the *Federal, State and District Required Language*, "If a pupil is expelled or leaves Charter School without graduating or completing the school year for any reason, Charter School shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card, and health information. (Ed. Code § 47605(e)(3).)"

Please ensure the requisite information is provided in a timely manner for any pupil whose last known address is within the LAUSD by using the Google form entitled, "Notification to the Superintendent" which can be found on the CSD website and accessed via this link: https://docs.google.com/forms/d/e/1FAIpQLScMCiK1D4yqSCYInRw_-dfkV7JuBlbj07xCrVzWiQ6Df_7aAA/viewform

Updates to the 2023-2024 Annual Performance-Based Oversight Visit Tool and Guide

As you prepare for this year’s Annual Performance-Based Oversight Visit, we want to highlight some of the key changes contained in the Annual Performance-Based Oversight Visit tool and Oversight Preparation Guide. The updates were made as part of the Charter Schools Division’s annual reflection process, inclusive of feedback from charter school leaders during oversight. Changes to the oversight process and tools include, but are not limited to, a restructured evidence preparation list and clearer criteria for rating school performance. Please see below for specific details. To facilitate effective and efficient review on the day of the visit, please adhere to the guidance provided in the Annual Performance-Based Oversight Visit Preparation Guide 2023-2024 for the preparation of the school’s compliance documentation.

2023-2024 Annual Performance-Based Oversight Visit Report (“APBOV Report”)

Updates to the Annual Performance Based Oversight Report are highlighted below.

Governance

- o Overall category score impact: A charter school cannot receive a rating greater than “3” in this category if it receives an overall rating of “2” or “1” in any other category: Student Achievement and Educational Performance; Organizational Management, Programs, and Operations; or Fiscal Operations.
- o Changes to indicators in the Governance category are noted below:
 - “Governance Structure and Evaluation of School Leaders” has been revised to “Governance Structure and Compliance Monitoring.” Evidence of evaluation of school leaders will be considered as part of indicator G4 (Responsive and Accountable Governance – Staffing and Evaluations).
 - “Brown Act” has been removed as an individual indicator. Evidence of adherence to all provisions of applicable open meeting requirements (e.g., Brown Act) will be considered as part of the review of evidence provided for indicator G1 (Governance Structure and Compliance Monitoring).
 - “Responsive and Accountable Governance” has been split into “Responsive and Accountable Governance – Educational Program” and “Responsive and Accountable Governance – Staffing and Evaluations.”
- o Updates to Rubrics for select indicators:
 - Indicator G1 (Governance Structure and Compliance Monitoring): The description and rubric for this indicator have been updated to add open meeting requirements (e.g., Brown Act).
 - Indicator G3 (Responsive and Accountable Governance – Educational Program): Strengthened rubric for a rating of “4” by including pupil outcomes.
- o Governance Quality Indicator #5 (G5) Rubric – Fiscal Condition:
 - Strengthened rubric for a rating of “4” by requiring the charter school to meet all recommended financial ratios in the most current two annual independent audits, as identified as part of the Supplemental Criteria within the Fiscal Operations Rubrics section (see further information below), in addition to the existing criteria.

Student Achievement and Educational Performance

- o The color-coded performance levels will be reported on the 2023 Dashboard. Accordingly, indicators in the Student Achievement and Educational Performance category for the 2023-2024 Annual Performance-Based Oversight Visit Report are scored based on 2023 Performance level data except for the College/Career Indicator

- (CCI). CCI will be reported using Status levels only on the 2023 Dashboard, and will be scored based on 2023 Status level data.
- **A1, A3, A5, and A8-A10: Dashboard Indicator** Performance will be scored as follows:
 - 4: Blue
 - 3: Green or Yellow and at/above the State
 - 2: Yellow and below the State or Orange
 - 1: Red
 - **A2, A4, and A7: Dashboard Indicators** will be scored based on student group performance as compared to statewide averages.
 - **A6: Dashboard Indicator** Status will be scored as follows:
 - 4: Very High
 - 3: High or Medium and at/above statewide percentage
 - 2: Medium and below statewide percentage or Low
 - 1: Very Low

Organizational Management, Programs, and Operations

- Changes to indicators in the Organizational Management, Programs, and Operations category are noted below:
 - “School Health and Safety Plans and Procedures” and “Health and Safety Training and Preparation” have been removed as individual indicators. Review of evidence related to health and safety will be noted on a “Review of Health and Safety Compliance Items” checklist. Failure to have any of the applicable items in place may lead to tiered intervention, as appropriate, and restrict the overall rating in the Organizational Management, Programs, and Operations category.
 - “Professional Development” has been removed as an individual indicator. Evidence of implementation of the school’s professional development program will be considered as part of the review of evidence provided for indicators O1 (Implementation of the Educational Program), O2 (Meeting the Needs of All Students; Student Group Data Analysis), O3 (Special Education), and O4 (School Climate and Student Discipline).
 - “Transparency for Stakeholders” has been removed as an individual indicator. Review of evidence related to transparency for stakeholders will be noted on a “Review of Transparency and Stakeholder Information Compliance Items” checklist. Failure to have any of the applicable items in place may lead to tiered intervention, as appropriate, and restrict the overall rating in the Organizational Management, Programs, and Operations category.
 - “Evaluation of School Staff” has been removed as an individual indicator. Evidence of staff evaluations will be considered as part of indicator G4 (Responsive and Accountable Governance – Staffing and Evaluations) in the Governance category.
- Updates to Rubrics for select indicators:
 - Indicators O1 (Implementation of the Educational Program) and O2 (Meeting the Needs of All Students; Student Group Data Analysis): Strengthened rubrics for a rating of “4” by requiring the charter school to demonstrate accomplished student achievement as evidenced by an overall score of “3” or “4” in the Student Achievement and Educational Performance category.

- Indicator O4 (School Climate and Discipline): Strengthened rubric for a rating of “3” or “4” by establishing specific thresholds for disciplinary incidents (i.e., suspension event rate and suspension event rate disproportionalities for African American students and Students with Disabilities).
- Indicator O5 (Stakeholder Engagement and Involvement): The description and rubric for this indicator have been updated to add a Parent Advisory Committee (PAC) as a possible means to meet applicable requirements for stakeholder engagement and involvement.
- Fiscal Operations Rubrics:
 - Strengthened rubric for a rating of “4” by requiring an existing school: (1) Not exceeding five (5) items cited in Other Observations for the most current year; and (2) Meeting all recommended financial ratios in the most current two annual independent audits, as identified as part of the Supplemental Criteria within the Fiscal Operations Rubrics section (i.e., the minimum reserve for economic uncertainties as defined in *California Code of Regulations (CCR), Title 5, Section 15450*, cash reserve, current ratio, and debt ratio), in addition to the existing criteria from prior years
 - New Supplemental Criteria that may influence the Fiscal Operations rating (Existing Schools): (1) Timely submission of the most current annual independent audit by December 15 following the end of the fiscal year (per California Education Code 47605(m)), or by the extended deadline granted by the charter authorizer due to extraordinary reason(s) or approved by law; and (2) Timely submission of the preliminary budget, first interim financial report, second interim financial report, and the unaudited actuals report for the preceding fiscal year to the appropriate agencies, including the school’s charter authorizer, pursuant to the timelines established in California Education Code 47604.33(a)(1,3,4,5)
 - Clarification regarding the Supplemental Criteria for a rating of “3” and “2” (Existing Schools): All four recommended financial ratios (i.e., Criteria #1 through #4) pertain to the most current annual independent audit
 - An existing school that meets, at a minimum, all of the Required Criteria and Supplemental Criteria would be assessed eligible to be considered as *Accomplished* [Rating of 4]
 - An existing school that meets, at a minimum, all of the Required Criteria and five or four of the Supplemental Criteria would be assessed eligible to be considered as *Proficient* [Rating of 3] or *Developing* [Rating of 2], respectively

Annual Performance-Based Oversight Visit Preparation Guide 2023-2024 (“Prep Guide”)

- The Prep Guide has been reorganized to align with categories and indicators on the APBOV report. For example, “Binder 1” has been renamed to “Governance” and includes subfolders such as G1: Governance Structure and Compliance Monitoring, and G2: Due Process in alignment to the indicators included in the Governance category.
- The Prep Guide has been updated to include specific documents as evidence for some indicators to provide greater clarity.
- The Prep Guide includes updated directions for submitting the ESSA grid along with complete documentation for the Triannual submission and for updates submitted at the time of the oversight visit.
- The Prep Guide has been updated to specify that all oversight documentation should be provided for review **ten (10) business days prior to the annual oversight visit.**

Fiscal Operations Documentation:

- Information from charter schools upon submission of Fiscal Operations Documentation

- Charter schools providing requested documentation, including the specific pending items, if any, and the expected date of submission of these items in their response (no later than three weeks after the Fiscal Operations Documentation request)
- o Clarification and/or additions (where noted with underlines below) regarding the CSD Fiscal Team's existing requests:
 - Monthly Cash Flow Projections (i.e., Item #1c.)
 - Minutes of the meeting and the board packet pertaining to fiscal reports as described under Items #1a., 1b., and 1c. (i.e., Item #2)
 - A summary (in Microsoft Excel format) of the compensation paid for all executives, school leaders, administrators, directors, and non-certificated staff, who may have decision-making authority over the charter school, with a breakdown that includes the name of the employee, job title, regular pay, overtime pay, other pay, benefits, and total pay and benefits (i.e., Item #14)
 - Copies of the most current signed and executed agreements/contracts, including contract amendments, with the administrative services provider, the back office services provider, and/or the charter management organization (i.e., Item #16)
 - Check registers or a list of all issued checks/cash disbursements, including voided checks (i.e., Item #20)
 - A list of all active credit card account, including the card holders' respective approved/authorized credit card limits (i.e., Item #21a.)
 - All credit card statements in PDF format, and all credit card transactions in Microsoft Excel format (if applicable), for the most current six months (i.e., Item #21c.)
 - Student body financial records for the most current six months (i.e., Item #23)
 - The webpage address where the charter school posts the Education Protection Account (EPA) revenue and expenditures report (i.e., Item #25)
 - The webpage address(es) where the charter school posts the current (1) Audited Financial, and (2) Local Control and Accountability Plan (LCAP), respectively (i.e., Item #26)
 - Documentation regarding the charter school's plan(s) for the purchase, new lease, relocation, and/or expansion to new school site(s), facilities-related expansions, and/or major improvements to the existing and/or new school site(s), including a copy of the lease agreement (if applicable) (i.e., Item #29)

New items:

- If applicable, a list of other prepaid commercial cards such as PEX cards in Microsoft Excel Format that includes the last four digits of each prepaid card number, the legal name and the job title of each card holder, and their respective approved/authorized card limit(s) (i.e., Item #22g.)
- If applicable, the financial records for fundraising that are handled by a separate entity from the charter school, such as the Parent Teacher Association (PTA), Parent Teacher Organization (PTO), Booster Club or Foundation (i.e., Item #23)
- A copy of the current facility lease agreement(s) for the school's private site(s), if applicable, along with the approved meeting minutes of the school governing board's approval of the lease agreement(s) (Item #28).

In an effort to provide charter schools and the CSD additional flexibility during the oversight visit, the CSD fiscal staff may begin their oversight reviews and/or segregation of duties interviews prior to the scheduled oversight visits, including via videoconference.

Triannual Electronic Document Submission

In an ongoing effort to streamline the documents charter schools send to the Charter Schools Division, document submissions have been consolidated so they are submitted by established deadlines. This is organized into a triannual calendar (i.e., T1, T2, and T3) for the electronic sharing of documents three times per year. The triannual submission calendar, including due dates and list of items required, is as follows:

T1: DUE November 3, 2023

- English Learner Master Plan Certification
- English Learner Master Plan (if not using the District's)
- Compliance Monitoring and Certification of Board Compliance Review (Administrator Certification)
- Lottery Form (the form used to apply for the 2024-2025 school year)
- Certification of Clearances, Credentialing, and Mandated Training (ESSA Grid) [**include all supporting documentation (i.e., DOJ clearance forms, credentials, documentation of mandated trainings, and vendor certification forms)**]
- If Charter School is offering Independent Studies (IS), provide an updated IS policy that complies with the updates in the 2022 Education Omnibus Budget Trailer Bill (AB 181)
- 2023-2024 Charter School's Reclassification Criteria for all grade levels served

T2: DUE January 12, 2024

- Compliance Monitoring and Certification of Board Compliance Review (Governing Board Certification)

T3: DUE July 1, 2024

- Local Control Accountability Plan (LCAP) Report for the 2024-2025 Plan Year (approved by the charter school's Board of Directors)
- Charter School Contact Information
- Governing Board Contact Information 2024-2025
- Governing Board Meeting Calendar 2024-2025
- Bell Schedule 2024-2025

Dropbox

Please continue to use the same Dropbox folder from the prior school year (2022-2023) to submit this year's triannual submission items. However, you will need to create a new folder within the school's Dropbox folder labeled "2023-2024". Please be sure to name your triannual submission folders (e.g., T1, T2, T3) accordingly within the "2023-2024" folder. If you do not currently have access to your school's Dropbox folder, please contact Mr. Gustavo Birrueta at gustavo.birrueta@lausd.net to inform him of staff's name(s) in your school who will need access. If you are a new school and require further assistance on Dropbox support, please also reach out to Mr. Birrueta at the noted email address above.

Please be advised all triannual submission items should be submitted via Dropbox within their respective folders. At the appropriate time, please send an e-mail to the charterschools@lausd.net to confirm that you have completed uploading of files. Dropbox will also be the means by which you will share documents for the Annual Performance-Based Oversight Visits.

Highlights of New Laws

An ongoing and important aspect of charter school governance and operations is to ensure compliance with applicable laws and regulations. All LAUSD-authorized charter schools are to stay abreast of all legislative changes that affect charter schools. We encourage charter school leaders and governing boards, in consultation with their legal counsel, to conduct an annual review of relevant new federal and state laws and regulations and make any necessary changes to their policies and practices.

Below are some key legislative updates that apply to charter schools. (Please note that these items are not exhaustive and are not intended as nor constitutes legal advisement). These bills were signed by the Governor in fall of 2022. Unless otherwise noted, they took effect on January 1, 2023. The new laws can be accessed here: <http://leginfo.legislature.ca.gov/>.

SB 955 (Levva D) Pupil attendance: excused absences: civic or political events.

Status: Chaptered, Chapter Number 921, Signed on September 30, 2022

Summary: Would require a middle school or high school pupil who is absent from school to engage in a civic or political event to be excused for only one schoolday-long absence per school year. The bill would also authorize a middle school or high school pupil who is absent from school to engage in a civic or political event to be permitted additional excused absences in the discretion of a school administrator, as provided. To the extent that this bill would impose additional duties on local educational entities, the bill would impose a state-mandated local program.

AB 452 (Friedman D) Pupil safety: parental notification: firearm safety laws.

Status: Chaptered, Chapter Number 199, Signed on August 29, 2022

Key Date(s): On or before July 1, 2023, the State Department of Education shall develop, and subsequently update model language for the notice. LEAs required to send out notice beginning of school year 23-24.

Summary: Would require a school district, county office of education, and charter school to annually inform parents and guardians of pupils at the beginning of the first semester or quarter of the regular school term of California's child access prevention laws and laws relating to the safe storage of firearms, as specified. By imposing additional duties on school districts, county offices of education, and charter schools, the bill would impose a state-mandated local program. The bill would require the State Department of Education, on or before July 1, 2023, to develop, and subsequently update as provided, in consultation with the Department of Justice, and provide to school districts, county offices of education, and charter schools, and, upon request, to provide to private schools, model language for the notice regarding those child access prevention and safe storage of firearms laws. The bill would make a school district, county office of education, charter school, private school, and the department immune from civil liability for any damages relating to the notice, as specified.

SB 906 (Portantino D) School safety: homicide threats.

Status: Chaptered, Chapter Number 144, Signed on July 21, 2022

Key Date(s): Requires CDE to develop model content by 7/1/2023 that informs parents or guardians of California's child access prevention laws and laws relating to the safe storage of firearms. Commencing with the 2023–24 school year, LEAs are required to be informed by the model content, include information related to the safe storage of firearms in an annual notification provided to the parents or guardians of pupils.

Summary: Requires, on or before July 1, 2023, the State Department of Education, in consultation with relevant local educational agencies, civil rights groups, and the Department of Justice, to develop model content that includes, at a minimum, content that informs parents or guardians of California's child access prevention laws and laws relating to the safe storage of firearms. The bill would require, commencing with the 2023–24 school year, local educational agencies maintaining kindergarten or any of grades 1 to 12, inclusive, to, informed by the model content, include information related to the safe storage of firearms in an annual notification provided to the parents or guardians of pupils. The bill would require a school official whose duties involve regular contact with pupils in any of grades 6 to 12, inclusive, as part of a middle school or high school, and who is alerted to or observes any threat or perceived threat to immediately report the threat or perceived threat to law enforcement, as provided. The bill would require, with the support of the local educational agency, the local law enforcement agency or schoolsite police, as applicable, to immediately conduct an investigation and

threat assessment, as specified. The bill would require the investigation and threat assessment to include a review of the firearm registry of the Department of Justice and, if justified by a reasonable suspicion that it would produce evidence related to the threat or perceived threat, a schoolsite search.

SB 941 (Portantino D) Local educational agency instruction collaboration agreements: science, technology, engineering, and mathematics: dual language immersion programs.

Status: Chaptered, Chapter Number 711, Signed on September 28, 2022

Key Date(s): Bill sunsets July 1, 2029 and is repealed on January 1, 2030.

Summary: Current law authorizes the governing board of a school district to accept pupils from other school districts by adopting a resolution to become a school district of choice, as defined, in accordance with specified procedural requirements and limitations. This bill authorizes the governing board of a school district, a county board of education, or the governing body of a charter school to enter into an agreement with one or more local educational agencies to offer the same or similar corresponding individual courses and coursework to pupils from other local educational agencies who have been impacted by disruptions, cancellations, or teacher shortages in science, technology, engineering, or mathematics classes, or dual language immersion programs, as provided. The bill requires a local educational agency subject to the agreement to accept pupils through an unbiased process that prohibits an inquiry into, or evaluation or consideration of, specified pupil characteristics, as provided, to hold random drawings to determine approval for study when the number of pupils seeking a classroom opportunity exceeds the available number of seats in a classroom, as provided, and to publicly post certain information related to these opportunities. The bill would require the department, on or before January 1, 2028, to evaluate the success of these local educational agency collaborations, as provided.

AB 1703 (Ramos D) California Indian Education Act: California Indian Education

Task Forces.

Status: Chaptered, Chapter Number 477, Signed on September 23, 2022

Summary: Would establish the California Indian Education Act and encourage school districts, county offices of education, and charter schools to form California Indian Education Task Forces with California tribes local to their regions or tribes historically located in the region. The bill would encourage task force participants to discuss issues of mutual concern and to undertake certain work. The bill would require California Indian Education Task Forces to submit, within one year of formation and annually thereafter, a report of findings to the department, as provided. The bill would require the department to submit, within one year of receiving task force reports and annually thereafter, a report to certain education committees of both houses of the Legislature regarding the narrowing of the achievement gap and the adoption of curriculum, as provided. The bill would authorize California Indian Education Task Forces to submit curricular materials to the county office of education, or consortium of county offices of education, that contracted to develop the model curricula related to Native American studies. The bill would require the contracted county office of education, or consortium of county offices of education, to consider these submitted materials for inclusion in the model curriculum.

AB 408 (Quirk-Silva D) Homeless children and youths: reporting.

Status: Chaptered, Chapter Number 904, Signed on September 30, 2022

Summary: The McKinney-Vento Homeless Assistance Act requires a state plan submitted for the receipt of the grant to include assurances that local educational agencies will designate an appropriate staff person to act as a local educational agency liaison for homeless children and youths and a description of how the state will ensure that local educational agencies and their liaisons will comply with specified requirements of the act, including the identification of homeless children and youths. Current federal law, the American Rescue Plan Act of 2021, also allocates funds for states to provide

services for homeless children and youth, as provided. Under current state law, public schools, including charter schools, and county offices of education are required to immediately enroll a homeless child or youth seeking enrollment, except as specified. Current law requires a local educational agency liaison for homeless children and youths to ensure that public notice of the educational rights of homeless children and youths is disseminated in schools within the liaison's local educational agency that provide services pursuant to the act. Current law also requires the department to develop best practices that a local educational agency may use to identify and obtain accurate data on all homeless children and youths and unaccompanied youths enrolled in schools of the local educational agency and a model housing questionnaire, and to post this information on its internet website. This bill would require a local educational agency, as defined to include a school district, county office of education, charter school, or special education local plan area, to establish homeless education program policies that are consistent with specified state laws and use the above-described resources developed and posted on the department's internet website and resources developed by homeless education technical assistance centers established using certain federal funds.

SB 532 (Caballero D) Pupil instruction: high school coursework and graduation requirements: exemptions and alternatives.

Status: Chaptered, Chapter Number 918, Signed on September 30, 2022

Summary: Current law requires a local educational agency, as defined, to exempt a pupil in foster care, a pupil who is a homeless child or youth, a former juvenile court school pupil, a pupil who is a child of a military family, or a pupil who is a migratory child who transfers between schools any time after the completion of the pupil's 2nd year of high school, or a pupil participating in an English language proficiency program for newly arrived immigrant pupils and who is in their 3rd or 4th year of high school, from all coursework and other requirements adopted by the governing body of the local educational agency that are in addition to the statewide coursework requirements necessary to receive a diploma of graduation from high school, unless the local educational agency makes a finding that the pupil is reasonably able to complete the local educational agency's graduation requirements in time to graduate from high school by the end of the pupil's 4th year of high school. This bill, among other things, would require the local educational agency to instead consult with a pupil described above and the person holding the right to make educational decisions for the pupil, of the option to remain in school for a 5th year if the local educational agency determines the pupil is reasonably able to complete the local educational agency's graduation requirements within the pupil's 5th year of high school and would, until January 1, 2028, require that consultation and option to be provided if the local educational agency determines the pupil is not reasonably able to complete the local graduation requirements within a 5th year but is reasonably able to complete the statewide graduation requirements within the pupil's 5th year of high school, as provided.

AB 2072 (Gabriel D) Mental health professionals: natural disasters: county offices of education: personnel sharing agreements.

Status: Chaptered, Chapter Number 909, Signed on September 30, 2022

Key Date(s): COEs are required to finalize coordination by November 1, 2024.

Summary: Would require, on or before November 1, 2024, county offices of education, in consultation with the State Department of Education and other relevant state and local agencies, to coordinate agreements between school districts and charter schools within the county to develop a system for rapidly deploying qualified mental health professionals and other key school personnel employed by individual school districts and charter schools throughout the county to areas of the county that experienced a natural disaster or other traumatic event, as provided. The bill would require county offices of education, in developing these agreements, to consider cost, criteria for a local educational agency to request the use of mental health professionals and other key school personnel, and reimbursements between local educational agencies and for travel expenses, as provided.

AB 2158 (Fong, Mike D) Local educational agencies: ethics training.

Status: Chaptered, Chapter Number 279, Signed on September 13, 2022

Summary: Current law requires a local agency to provide information on available ethics training to its officials and authorizes a local agency or an association of local agencies to offer the ethics training, as provided. Current law requires a local agency to maintain specified records related to the ethics training of its officials. Current law defines “local agency” and “local agency official” for these purposes. This bill would include in the definition of “local agency” a school district, county office of education, and charter school for purposes of those ethics training requirements and would include in the definition of “local agency official” a member of the governing board of a school district, a county board of education, or the governing body of a charter school, whether or not the member receives any type of compensation, salary, or stipend or reimbursement for actual and necessary expenses incurred in the performance of official duties. The bill would require each of those members in service as of January 1, 2025, except for members whose term of office ends before January 1, 2026, to receive that ethics training before January 1, 2026, and at least once every 2 years thereafter.

AB 2355 (Salas D) School cybersecurity.

Status: Chaptered, Chapter Number 498, Signed on September 23, 2022

Summary: Existing law prohibits a school district from permitting access to pupil records to a person without written parental consent or under judicial order except as authorized by specified state and federal law. This bill would require a school district, county office of education, or charter school to report any cyberattack, as defined, impacting more than 500 pupils or personnel to the California Cybersecurity Integration Center. By imposing new duties on local educational agencies, the bill would constitute a state-mandated local program. The bill would require the California Cybersecurity Integration Center to establish a database that tracks reports of cyberattacks submitted by local educational agencies and to annually, by January 1, submit a report to the Governor and the relevant policy committees of the Legislature with specified information related to cyberattacks or data breaches of local educational agencies. This bill contains other related provisions and other existing laws.

AB 558 (Nazarian D) School meals: Child Nutrition Act of 2022.

Status: Chaptered, Chapter Number 905, Signed on September 30, 2022

Key Date(s): Requires State to post guidance by July 1, 2023; notification not required of the State.

Summary: Current law, commencing with the 2022–23 school year, requires a school district or county superintendent of schools maintaining kindergarten or any of grades 1 to 12, inclusive, or charter school to provide 2 nutritiously adequate school meals free of charge during each schoolday to any pupil who requests a meal without consideration of the pupil’s eligibility for a federally funded free or reduced-priced meal, with a maximum of one free meal for each meal service period, as provided. This bill would require the State Department of Education, in consultation with the State Department of Social Services, to develop, and to post on its internet website by July 1, 2023, guidance for local educational agencies participating in the federal School Breakfast Program that maintain kindergarten or any of grades 1 to 6, inclusive, on how to serve eligible nonschoolaged children breakfast or a morning snack at a local educational agency schoolsite. The bill would define “eligible nonschoolaged child” to mean a child who is not enrolled in school and who is a sibling, half sibling, or stepsibling of, or a foster child residing with, a pupil who is eligible for a free or reduced-price breakfast. The bill would require a guardian of an eligible nonschoolaged child to be present in order for the nonschoolaged child to receive breakfast or a morning snack.

AB 58 (Salas D) Pupil health: suicide prevention policies and training.

Status: Chaptered, Chapter Number 428, Signed on September 19, 2022

Key Date(s): Updates required by January 1, 2025.

Summary: Current law requires the governing board or body of a county office of education, school

district, state special school, or charter school that serves pupils in kindergarten and grades 1 to 12, inclusive, to adopt a policy on pupil suicide prevention that specifically addresses, among other things, procedures relating to suicide prevention, intervention, and postvention, and any training on suicide awareness and prevention to be provided to teachers of pupils in all of the grades served by the local educational agency. Current law requires the State Department of Education to develop and maintain a model policy in accordance with these provisions to serve as a guide for local educational agencies in developing policies for pupil suicide prevention. This bill would require a local educational agency, on or before January 1, 2025, to review and update its policy on pupil suicide prevention, and revise its training materials, to incorporate best practices identified by the department in the department's model policy.

[AB 748 \(Carrillo D\)](#) Pupil mental health: mental health assistance posters.

Status: Chaptered, Chapter Number 431, Signed on September 19, 2022

Key Date(s): Start of the 2023–24 school year.

Summary: Would require, on or before the start of the 2023–24 school year, each schoolsite in a school district, county office of education, or charter school, serving pupils in any of grades 6 to 12, inclusive, to create a poster that identifies approaches and shares resources regarding pupil mental health. The bill would require the poster to be prominently and conspicuously displayed in appropriate public areas that are accessible to, and commonly frequented by, pupils at each schoolsite, as provided. The bill would provide that no basis for civil liability is created by the above provisions for those local educational agencies. By imposing additional duties on school districts, county offices of education, and charter schools, the bill would impose a state-mandated local program.

[AB 2072 \(Gabriel D\)](#) Mental health professionals: natural disasters: county offices of education: personnel sharing agreements.

Status: Chaptered, Chapter Number 909, Signed on September 30, 2022

Key Date(s): COEs are required to finalize coordination by November 1, 2024.

Summary: Would require, on or before November 1, 2024, county offices of education, in consultation with the State Department of Education and other relevant state and local agencies, to coordinate agreements between school districts and charter schools within the county to develop a system for rapidly deploying qualified mental health professionals and other key school personnel employed by individual school districts and charter schools throughout the county to areas of the county that experienced a natural disaster or other traumatic event, as provided. The bill would require county offices of education, in developing these agreements, to consider cost, criteria for a local educational agency to request the use of mental health professionals and other key school personnel, and reimbursements between local educational agencies and for travel expenses, as provided.

[AB 2640 \(Valladares R\)](#) Pupil health: food allergies: California Food Allergy Resource internet web page.

Status: Chaptered, Chapter Number 794, Signed on September 29, 2022

Summary: Would require the State Department of Education to create the California Food Allergy Resource internet web page to provide voluntary guidance to school districts, county offices of education, and charter schools to help protect pupils with food allergies. The bill would require the department to ensure that the internet web page provides practical information, planning steps, and strategies for reducing allergic reactions to food within schools and early education centers. The bill would require the internet web page to include specified content, including state and federal resources available to pupils with food allergies, methods for pupils, or their parents and guardians, to initiate individualized food allergy management and prevention plans and to obtain food ingredient lists from school food providers, and strategies to minimize the risk of food anaphylaxis in school. The bill would encourage local educational agencies to consult the internet web page and use it as an equitable

resource to ensure the inclusiveness of pupils with food allergies at school and to make it available to pupils, parents, and guardians annually.

SB 1479 (Pan D) COVID-19 testing in schools: COVID-19 testing plans.

Status: Chaptered, Chapter Number 850, Signed on September 29, 2022

Key Date(s): Sunsets January 1, 2026.

Summary: Would require the State Department of Public Health to coordinate specified school district, county office of education, and charter school COVID-19 testing programs that are currently federally funded or organized under the California COVID-19 Testing Task Force, as provided. The bill would authorize the department to provide supportive services, including technical assistance, vendor support, guidance, monitoring, and testing education, related to testing programs for teachers, staff, and pupils to help schools reopen and keep schools operating safely for in-person learning. The bill would also encourage the department to expand its contagious, infectious, or communicable disease testing guidance and other public health mitigation efforts to include prekindergarten and childcare centers, as provided.

AB 2329 (Carrillo D) Pupil health: eye examinations: schoolsites.

Status: Chaptered, Chapter Number 911, Signed on September 30, 2022

Summary: This bill would authorize a local educational agency, as defined, to enter into a memorandum of understanding with a nonprofit eye examination provider, including, but not limited to, a nonprofit mobile eye examination provider, as defined, to provide noninvasive eye examinations consisting of providing eyeglasses to pupils at any schoolsite within the local educational agency. The bill would require eye examinations provided pursuant to the bill's provisions to be supplemental to, and to not replace, the above-referenced vision appraisals or screenings provided pursuant to existing law. The bill would require a school to provide parents and guardians with an opportunity to opt out their child from receiving these eye care services, as provided. The bill would require the State Department of Education to develop and post on appropriate department internet websites a model opt-out form for these purposes. This bill contains other related provisions and other existing laws.

AB 1810 (Levine D) Pupil health: seizure disorders.

Status: Chaptered, Chapter Number 906, Signed on September 30, 2022

Key Date(s): Requires the Superintendent of Public Instruction to establish standards of training and response by July 1, 2023.

Summary: Would, if a pupil diagnosed with seizures, a seizure disorder, or epilepsy has been prescribed an emergency anti-seizure medication by the pupil's health care provider, authorize the pupil's local educational agency, upon receipt of a request from the pupil's parent or guardian, to designate one or more volunteers at the pupil's school to receive initial and annual refresher training regarding the emergency use of anti-seizure medication. The bill would require the Superintendent of Public Instruction to establish minimum standards of training for the administration of emergency anti-seizure medication, as provided. The bill would authorize a school nurse or, if the school does not have a school nurse or the school nurse is not onsite or available, a volunteer who has been designated and received training regarding the emergency use of anti-seizure medication, to administer emergency anti-seizure medication to a pupil diagnosed with seizures, a seizure disorder, or epilepsy if the pupil is suffering from a seizure. The bill would require any local educational agency or school upon receipt of a parent or guardian's request to distribute a related notice at least once per school year to all staff.

SB 114 (Committee on Budget and Fiscal Review) Education Omnibus Budget Trailer Bill

Status: Chaptered, Chapter Number 48, Signed on July 10, 2023

Summary:

Sec. 24 (Amends EDC 42238.02)

- Allows acquiring charter school’s LCFF to be based on the pupil and unduplicated pupil counts from the original charter school for one more year, until July 1, 2026, at which time this provision becomes inoperative.

Sec. 26 (Amends ECS 42238.025)

- Extends the charter school acquisition economic recovery target sunset to 2026.

Sec. 27 (Amends ECS 42238.03)

- Extends the sunset for restructured charter school acquisition calculated using provisions under section 47653 to 2026.

Sec. 41 (Amends ECS 47605)

- Clarifies that if a county board denies a petition and if the state board hears the appeal, abuse of discretion is the most deferential standard of review.

Sec. 42 (Amends ECS 47606.5)

- Requires charter schools to provide an annual report on local control and accountability budget formula for review before February 28 of each year.

Sec. 43 (Amends ECS 47607.4)

- Extends terms of charter schools whose term expires on or between January 1, 2024, and June 30, 2027 by one additional year.

Sec. 44 (Amends ECS 47612.7)

- Requires the Legislative Analyst and the County Office Fiscal Crisis and Management Assistance Team to study the processes used to determine funding for nonclassroom-based charter schools no later than October 1, 2023.
- Requires the Legislative Analyst and the County Office Fiscal Crisis and Management Assistance Team to report a result of the study no later than March 1, 2024.
- Extends the sunset from 2026 to 2027.

Sec. 45 (Amends ECS 47654)

- Extends the sunset of the definition of “acquiring a charter school” from 2026 to 2027.

Sec. 46 (Amends ECS 47655)

- Extends the sunset of liability for acquired charter schools assuming all debt owed to the state from the original charter school from 2026 to 2027.

[SB 115: Proposition 28: Arts and Music in Schools](#)

Bill Status: Chaptered, Chapter Number 49, Signed on July 10, 2023

Summary:

- The Director of Finance shall calculate and publish the amount of funding required by Proposition 28. The total funding will be made available and considered final as of the Governor’s May Revise.
 - 70% is allocated on a per-pupil basis statewide
 - 30% allocated as supplementary funding for economically disadvantaged pupils
 - Calculation for determining number of economically disadvantaged preschoolers: the enrollment of preschool pupils in the prior fiscal year times the same percentage of pupils that are economically disadvantaged at the elementary schoolsite with the highest percentage of economically disadvantaged pupils in the prior year within the preschool’s local educational agency.
- For each schoolsite or preschool, the principal or program director shall develop an expenditure plan for the funds.

- LEAs have three years to use funds, after which time they revert to CDE to be re-allocated the following year. LEAs are required to report to CDE the amount of unexpended funds by Oct. 1 following the conclusion of the expenditure period.
- The LEA must certify that such funds received will be used to supplement funding for arts education programs and that funds expended in the prior fiscal year were, in fact, used to supplement arts education programs.
- The LEA must submit an annual board- or body-approved report in a manner determined by the Superintendent, that shall be posted on the local educational agency's and the department's internet websites and that details the type of arts education programs funded by the program, the number of full-time equivalent teachers, classified personnel, and teaching aides, the number of pupils served, and the number of schoolsites providing arts education programs with those funds.
- CDE may grant a waiver, for good cause shown, from the requirement that 80% of funds will be used to employ arts staff.
- Annual audits conducted in accordance with Section 41020 shall include all funds received and distributed by the LEA pursuant to this section.

Thank you for taking time to review this information as part of our effort to provide clear and accessible information to you as part of oversight. Please continue to communicate with your assigned CSD administrator and fiscal services administrator as your primary contacts in the Division to communicate key matters and for questions you might have.

Sincerely,



José Cole-Gutiérrez
Director, Charter Schools Division

Attachments:

- Attachment A: Annual Performance-Based Oversight Visit Preparation Guide 2023-2024
- Attachment B: Certification of Clearances Guide and Form 2023-2024
- Attachment C: Criminal Background Clearance Certification 2023-2024
- Attachment D: Vendor Certification of Criminal Background Clearance, Tuberculosis (TB) Clearance, and Credential Verification 2023-2024
- Attachment E: Charter School Compliance Monitoring 2023-2024
- Attachment F: Annual Performance-Based Oversight Visit Report 2023-2024
- Attachment G: Charter School Transparency Resolution 017-15/16
- Attachment H: Facilities Information 2023-2024
- Attachment I: Master Plan for English Learners' Certification 2023-2024
- Attachment J: Calendar of Significant Deadlines 2023-2024
- Attachment K: Title IX