SUMMARY
AB 1360 ensures charter schools, as part of the statewide public school system, have nondiscriminatory admission, as well as suspension and expulsion policies that guarantee students appropriate due process.

BACKGROUND
Charter schools are public institutions that were created to improve student learning and increase educational opportunities for all students, with a special emphasis on expanded learning experiences for students who are identified as academically low achieving. Although charters are publically funded, they are generally exempt from many of the state statutes and regulations that are applied to school districts. According to the Department of Education, there are currently 982 active charter schools and eight all-charter districts in California. There are approximately 572,752 or approximately nine percent of the public school student population enrolled in charter schools in California.

Admission Policies
The California Education Code states, “a charter school shall admit all pupils who wish to attend the school.” Current law also specifies that a charter school petition shall contain “reasonably comprehensive” descriptions of specified information including, among others, the school’s admission requirements.

Charter schools must give attendance preferences to pupils (or siblings of pupils) currently attending the charters school and pupils who reside in the district if the number of applicants exceeds the school’s capacity. Other preferences may be permitted on an individual school basis if consistent with law.

Expulsion and Suspension Policies
Under current law, charter schools are not required to delineate its policies for suspending or expelling students in its petition to become a charter school. Charter schools are also exempted from following the existing statutory due process protections relating to the suspension and expulsion of students at public schools.

THE NEED FOR THE BILL
Since charter schools are not required to follow existing statute related to the admission and the suspension or expulsion of pupils enrolled in non-charter public schools, there have been examples of charter schools in the state that have been found to have selective and discriminatory policies. Some of these discriminatory admission requirements include mandatory parental volunteer hours, minimum English proficiency requirements, or a minimum GPA.

There have also been examples of unfair suspension and expulsion policies. While charter schools have a process of “disenrollment” they do not have a formal expulsion process requiring appropriate due process. There is also an issue that arises when an expelled student enrolls at a new public school. There are times when the new school is unaware of the reason for the student’s dismissal and has no knowledge if that student is in need of counseling or other services.

All California schools, including charter schools should offer children equal access to public education opportunities. Equal access means nondiscriminatory admission practices and ensuring due process for all students.

SOLUTION
AB 1360:
- Prohibits a charter school from establishing discriminatory admission requirements
- Requires charter schools to comply with the suspension and expulsion provisions within
the Education Code in order to ensure that students receive constitutionally appropriate due process before they are suspended or expelled.

- Requires a charter school, after an expulsion, to inform the schools district’s superintendent of the reason for that student’s dismissal and to provide the student’s complete record to the new school of enrollment.
- Collects data around student and teacher turnover in the charter school environment to help guide policy moving forward.

**SUPPORT**
California Teachers Association (cosponsor)
Alliance for Boys and Men of Color (cosponsor)
American Civil Liberties Union (ACLU) (cosponsor)
California Federation of Teachers (cosponsor)
California School Employees Association (cosponsor)
Public Advocates (cosponsor)

**OPPOSITION**
None on file.

**CONTACT**
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