

Introduced by Senator BeallFebruary 16, 2018

An act to amend Section 47605 of, and to add and repeal Section 47648 of, the Education Code, relating to charter schools.

LEGISLATIVE COUNSEL'S DIGEST

SB 1362, as introduced, Beall. Charter schools: petitions: fiscal impact on a school district: charter school special education local plan area study by the Legislative Analyst.

(1) Existing law, the Charter Schools Act of 1992 (the Charter Schools Act), specifies the petition process for the establishment of a charter school within a school district. The Charter Schools Act prohibits the governing board of a school district from denying a petition unless it makes written factual findings, specific to the particular petition, to support one or more specific findings, including that the petition does not contain a reasonably comprehensive description of, among other things, the means by which the charter school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district.

This bill would instead prohibit the governing board of a school district from denying a petition unless, instead of the specific finding described above, the governing board of the school district makes a finding that the petition does not contain a reasonably comprehensive description of the means by which the charter school will achieve a racial and ethnic balance among its pupils, and a balance of pupils receiving special education services, that is reflective of the general population residing within the territorial jurisdiction of the school district. The bill would also add having a negative fiscal impact on the

school district to the list of specific findings sufficient to authorize the governing board of a school district to deny a petition.

(2) Existing law authorizes a charter school to be deemed a local educational agency for purposes of special education funding or to be deemed a public school of the local educational agency that granted the charter for those purposes. Existing law requires that individuals with exceptional needs attending charter schools be served in the same manner as individuals with exceptional needs are served in other public schools.

Existing law requires every school district to submit to the Superintendent of Public Instruction a local plan for the education of all individuals with exceptional needs either on its own, in conjunction with one or more school districts, or with the county office of education, as specified. Existing law requires the service area covered by the local plan to be known as the special education local plan area.

This bill would require the Legislative Analyst, on or before July 1, 2020, to submit a report to the Legislature on the impact that a charter school special education local plan area serving over 250 charter schools has on special education services provided to California pupils, and would require the report to include policy recommendations and take certain considerations into account.

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. The Legislature finds and declares all of the
2 following:

3 (a) Pupils with exceptional needs must be educated in the most
4 appropriate placement and many of these children can benefit by
5 instruction in regular education classes. Caseload limits are vital
6 to supporting educators' efforts to educate these pupils, and full
7 funding is crucial to a program's success.

8 (b) The federal Individuals with Disabilities Education Act
9 (IDEA) is a law ensuring services to children with disabilities
10 throughout the nation. IDEA governs how states and public
11 agencies provide early intervention, special education, and related
12 services to more than 6.5 million eligible infants, toddlers, children,
13 and youth with disabilities across the nation.

1 (c) When the precursor to the IDEA, the federal Education for
2 All Handicapped Children Act, was passed in 1975, the law
3 included a commitment to pay 40 percent of the average per-pupil
4 cost for every special education pupil. That commitment has never
5 been met, and while Congress has made significant progress in
6 recent years, it is still only funding 18 percent of that cost.

7 (d) School districts are being forced to redirect more and more
8 dollars from their general education budgets to cover the federal
9 shortfall, which hurts all pupils — those in general education and
10 those in special education. Since 1975, the unfunded federal portion
11 has cost local public schools and taxpayers more than \$300 billion.

12 (e) For too long, Congress has failed to live up to its
13 commitment to fund special education. This continued
14 underfunding forces school districts to either raise taxes or dip into
15 general education budgets to make up for the shortfall, cutting
16 other critical services.

17 (f) Over the past 10 years, the number of pupils enrolled in
18 special education programs in the United States has risen 30
19 percent. Three out of every four pupils with disabilities spend part
20 or all of their schoolday in a general education classroom. In turn,
21 nearly every general education classroom across the country
22 includes pupils with disabilities. Each school and school district
23 must determine the best way to conduct programs and figure out
24 how to pay for them.

25 (g) Local public schools are now educating millions of disabled
26 children, and a growing number of them are graduating from high
27 school. Only three decades ago, these same children would have
28 been isolated in separate institutions or simply kept at home, with
29 little or no chance of ever becoming independent, productive,
30 taxpaying citizens.

31 SEC. 2. Section 47605 of the Education Code is amended to
32 read:

33 47605. (a) (1) Except as set forth in paragraph (2), a petition
34 for the establishment of a charter school within a school district
35 may be circulated by one or more persons seeking to establish the
36 charter school. A petition for the establishment of a charter school
37 shall identify a single charter school that will operate within the
38 geographic boundaries of that school district. A charter school
39 may propose to operate at multiple sites within the school district
40 if each location is identified in the charter school petition. The

1 petition may be submitted to the governing board of the school
2 district for review after either of the following conditions is met:

3 (A) The petition is signed by a number of parents or legal
4 guardians of pupils that is equivalent to at least one-half of the
5 number of pupils that the charter school estimates will enroll in
6 the charter school for its first year of operation.

7 (B) The petition is signed by a number of teachers that is
8 equivalent to at least one-half of the number of teachers that the
9 charter school estimates will be employed at the charter school
10 during its first year of operation.

11 (2) A petition that proposes to convert an existing public school
12 to a charter school that would not be eligible for a loan pursuant
13 to subdivision (c) of Section 41365 may be circulated by one or
14 more persons seeking to establish the charter school. The petition
15 may be submitted to the governing board of the school district for
16 review after the petition is signed by not less than 50 percent of
17 the permanent status teachers currently employed at the public
18 school to be converted.

19 (3) A petition shall include a prominent statement that a
20 signature on the petition means that the parent or legal guardian
21 is meaningfully interested in having his or her child or ward attend
22 the charter school, or in the case of a teacher's signature, means
23 that the teacher is meaningfully interested in teaching at the charter
24 school. The proposed charter shall be attached to the petition.

25 (4) After receiving approval of its petition, a charter school that
26 proposes to establish operations at one or more additional sites
27 shall request a material revision to its charter and shall notify the
28 authority that granted its charter of those additional locations. The
29 authority that granted its charter shall consider whether to approve
30 those additional locations at an open, public meeting. If the
31 additional locations are approved, there shall be a material revision
32 to the charter school's charter.

33 (5) A charter school that is unable to locate within the
34 jurisdiction of the chartering school district may establish one site
35 outside the boundaries of the school district, but within the county
36 in which that school district is located, if the school district within
37 the jurisdiction of which the charter school proposes to operate is
38 notified in advance of the charter petition approval, the county
39 superintendent of schools and the Superintendent are notified of

1 the location of the charter school before it commences operations,
2 and either of the following circumstances exists:

3 (A) The school has attempted to locate a single site or facility
4 to house the entire program, but a site or facility is unavailable in
5 the area in which the school chooses to locate.

6 (B) The site is needed for temporary use during a construction
7 or expansion project.

8 (6) Commencing January 1, 2003, a petition to establish a charter
9 school ~~may~~ *shall* not be approved to serve pupils in a grade level
10 that is not served by the school district of the governing board
11 considering the petition, unless the petition proposes to serve pupils
12 in all of the grade levels served by that school district.

13 (b) No later than 30 days after receiving a petition, in accordance
14 with subdivision (a), the governing board of the school district
15 shall hold a public hearing on the provisions of the charter, at
16 which time the governing board of the school district shall consider
17 the level of support for the petition by teachers employed by the
18 school district, other employees of the school district, and parents.
19 Following review of the petition and the public hearing, the
20 governing board of the school district shall either grant or deny
21 the charter within 60 days of receipt of the petition, provided,
22 however, that the date may be extended by an additional 30 days
23 if both parties agree to the extension. In reviewing petitions for
24 the establishment of charter schools pursuant to this section, the
25 chartering authority shall be guided by the intent of the Legislature
26 that charter schools are and should become an integral part of the
27 California educational system and that the establishment of charter
28 schools should be encouraged. The governing board of the school
29 district shall grant a charter for the operation of a school under this
30 part if it is satisfied that granting the charter is consistent with
31 sound educational practice. The governing board of the school
32 district shall not deny a petition for the establishment of a charter
33 school unless it makes written factual findings, specific to the
34 particular petition, setting forth specific facts to support one or
35 more of the following findings:

36 (1) The charter school presents an unsound educational program
37 for the pupils to be enrolled in the charter school.

38 (2) The petitioners are demonstrably unlikely to successfully
39 implement the program set forth in the petition.

1 (3) The petition does not contain the number of signatures
2 required by subdivision (a).

3 (4) The petition does not contain an affirmation of each of the
4 conditions described in subdivision (d).

5 (5) The petition does not contain reasonably comprehensive
6 descriptions of all of the following:

7 (A) (i) The educational program of the charter school, designed,
8 among other things, to identify those whom the charter school is
9 attempting to educate, what it means to be an “educated person”
10 in the 21st century, and how learning best occurs. The goals
11 identified in that program shall include the objective of enabling
12 pupils to become self-motivated, competent, and lifelong learners.

13 (ii) The annual goals for the charter school for all pupils and
14 for each subgroup of pupils identified pursuant to Section 52052,
15 to be achieved in the state priorities, as described in subdivision
16 (d) of Section 52060, that apply for the grade levels served, or the
17 nature of the program operated, by the charter school, and specific
18 annual actions to achieve those goals. A charter petition may
19 identify additional school priorities, the goals for the school
20 priorities, and the specific annual actions to achieve those goals.

21 (iii) If the proposed charter school will serve high school pupils,
22 the manner in which the charter school will inform parents about
23 the transferability of courses to other public high schools and the
24 eligibility of courses to meet college entrance requirements.
25 Courses offered by the charter school that are accredited by the
26 Western Association of Schools and Colleges may be considered
27 transferable and courses approved by the University of California
28 or the California State University as creditable under the “A to G”
29 admissions criteria may be considered to meet college entrance
30 requirements.

31 (B) The measurable pupil outcomes identified for use by the
32 charter school. “Pupil outcomes,” for purposes of this part, means
33 the extent to which all pupils of the charter school demonstrate
34 that they have attained the skills, knowledge, and attitudes specified
35 as goals in the charter school’s educational program. Pupil
36 outcomes shall include outcomes that address increases in pupil
37 academic achievement both schoolwide and for all groups of pupils
38 served by the charter school, as that term is defined in subparagraph
39 (B) of paragraph (3) of subdivision (a) of Section 47607. The pupil
40 outcomes shall align with the state priorities, as described in

1 subdivision (d) of Section 52060, that apply for the grade levels
2 served, or the nature of the program operated, by the charter school.

3 (C) The method by which pupil progress in meeting those pupil
4 outcomes is to be measured. To the extent practicable, the method
5 for measuring pupil outcomes for state priorities shall be consistent
6 with the way information is reported on a school accountability
7 report card.

8 (D) The governance structure of the charter school, including,
9 but not limited to, the process to be followed by the charter school
10 to ensure parental involvement.

11 (E) The qualifications to be met by individuals to be employed
12 by the charter school.

13 (F) The procedures that the charter school will follow to ensure
14 the health and safety of pupils and staff. These procedures shall
15 include the requirement that each employee of the charter school
16 furnish the charter school with a criminal record summary as
17 described in Section 44237.

18 (G) The means by which the charter school will achieve a racial
19 and ethnic balance among its ~~pupils~~ *pupils, and a balance of pupils*
20 *receiving special education services*, that is reflective of the general
21 population residing within the territorial jurisdiction of the school
22 district to which the charter petition is submitted.

23 (H) Admission policies and procedures, consistent with
24 subdivision (d).

25 (I) The manner in which annual, independent financial audits
26 shall be conducted, which shall employ generally accepted
27 accounting principles, and the manner in which audit exceptions
28 and deficiencies shall be resolved to the satisfaction of the
29 chartering authority.

30 (J) The procedures by which pupils can be suspended or expelled
31 from the charter school for disciplinary reasons or otherwise
32 involuntarily removed from the charter school for any reason.
33 These procedures, at a minimum, shall include an explanation of
34 how the charter school will comply with federal and state
35 constitutional procedural and substantive due process requirements
36 that is consistent with all of the following:

37 (i) For suspensions of fewer than 10 days, provide oral or written
38 notice of the charges against the pupil and, if the pupil denies the
39 charges, an explanation of the evidence that supports the charges

1 and an opportunity for the pupil to present his or her side of the
2 story.

3 (ii) For suspensions of 10 days or more and all other expulsions
4 for disciplinary reasons, both of the following:

5 (I) Provide timely, written notice of the charges against the pupil
6 and an explanation of the pupil’s basic rights.

7 (II) Provide a hearing adjudicated by a neutral officer within a
8 reasonable number of days at which the pupil has a fair opportunity
9 to present testimony, evidence, and witnesses and confront and
10 cross-examine adverse witnesses, and at which the pupil has the
11 right to bring legal counsel or an advocate.

12 (iii) Contain a clear statement that no pupil shall be involuntarily
13 removed by the charter school for any reason unless the parent or
14 guardian of the pupil has been provided written notice of intent to
15 remove the pupil no less than five schooldays before the effective
16 date of the action. The written notice shall be in the native language
17 of the pupil or the pupil’s parent or guardian or, if the pupil is a
18 foster child or youth or a homeless child or youth, the pupil’s
19 educational rights holder, and shall inform him or her of the right
20 to initiate the procedures specified in clause (ii) before the effective
21 date of the action. If the pupil’s parent, guardian, or educational
22 rights holder initiates the procedures specified in clause (ii), the
23 pupil shall remain enrolled and shall not be removed until the
24 charter school issues a final decision. For purposes of this clause,
25 “involuntarily removed” includes disenrolled, dismissed,
26 transferred, or terminated, but does not include suspensions
27 specified in clauses (i) and (ii).

28 (K) The manner by which staff members of the charter schools
29 will be covered by the State Teachers’ Retirement System, the
30 Public Employees’ Retirement System, or federal social security.

31 (L) The public school attendance alternatives for pupils residing
32 within the school district who choose not to attend charter schools.

33 (M) The rights of an employee of the school district upon
34 leaving the employment of the school district to work in a charter
35 school, and of any rights of return to the school district after
36 employment at a charter school.

37 (N) The procedures to be followed by the charter school and
38 the entity granting the charter to resolve disputes relating to
39 provisions of the charter.

1 (O) The procedures to be used if the charter school closes. The
2 procedures shall ensure a final audit of the charter school to
3 determine the disposition of all assets and liabilities of the charter
4 school, including plans for disposing of any net assets and for the
5 maintenance and transfer of pupil records.

6 (6) The petition does not contain a declaration of whether or
7 not the charter school shall be deemed the exclusive public
8 employer of the employees of the charter school for purposes of
9 Chapter 10.7 (commencing with Section 3540) of Division 4 of
10 Title 1 of the Government Code.

11 (7) *The charter school would have a negative fiscal impact on*
12 *the school district. For the purpose of this paragraph, the finding*
13 *that a charter school would have a negative fiscal impact on a*
14 *school district shall be established only if one of the following*
15 *conditions is met:*

16 (A) *The school district has experienced a decline in pupil*
17 *enrollment in each of the previous three school years.*

18 (B) *The petitioner operates another charter school within the*
19 *school district, or a neighboring school district, that provides*
20 *instruction in the same grades as the proposed charter school and*
21 *has a current pupil enrollment of less than 90 percent of the*
22 *estimated enrollment described in its charter school petition.*

23 (C) *There is a charter school within the school district that*
24 *provides a similar academic program and has a current pupil*
25 *enrollment of less than 90 percent of the estimated enrollment*
26 *described in its charter school petition.*

27 (c) (1) Charter schools shall meet all statewide standards and
28 conduct the pupil assessments required pursuant to Section 60605
29 and any other statewide standards authorized in statute or pupil
30 assessments applicable to pupils in noncharter public schools.

31 (2) Charter schools shall, on a regular basis, consult with their
32 parents, legal guardians, and teachers regarding the charter school's
33 educational programs.

34 (d) (1) In addition to any other requirement imposed under this
35 part, a charter school shall be nonsectarian in its programs,
36 admission policies, employment practices, and all other operations,
37 shall not charge tuition, and shall not discriminate against a pupil
38 on the basis of the characteristics listed in Section 220. Except as
39 provided in paragraph (2), admission to a charter school shall not
40 be determined according to the place of residence of the pupil, or

1 of his or her parent or legal guardian, within this state, except that
2 an existing public school converting partially or entirely to a charter
3 school under this part shall adopt and maintain a policy giving
4 admission preference to pupils who reside within the former
5 attendance area of that public school.

6 (2) (A) A charter school shall admit all pupils who wish to
7 attend the charter school.

8 (B) If the number of pupils who wish to attend the charter school
9 exceeds the charter school's capacity, attendance, except for
10 existing pupils of the charter school, shall be determined by a
11 public random drawing. Preference shall be extended to pupils
12 currently attending the charter school and pupils who reside in the
13 school district except as provided for in Section 47614.5.
14 Preferences, including, but not limited to, siblings of pupils
15 admitted or attending the charter school and children of the charter
16 school's teachers, staff, and founders identified in the initial charter,
17 may also be permitted by the chartering authority on an individual
18 charter school basis. Priority order for any preference shall be
19 determined in the charter petition in accordance with all of the
20 following:

21 (i) Each type of preference shall be approved by the chartering
22 authority at a public hearing.

23 (ii) Preferences shall be consistent with federal law, the
24 California Constitution, and Section 200.

25 (iii) Preferences shall not result in limiting enrollment access
26 for pupils with disabilities, academically low-achieving pupils,
27 English learners, neglected or delinquent pupils, homeless pupils,
28 or pupils who are economically disadvantaged, as determined by
29 eligibility for any free or reduced-price meal program, foster youth,
30 or pupils based on nationality, race, ethnicity, or sexual orientation.

31 (iv) In accordance with Section 49011, preferences shall not
32 require mandatory parental volunteer hours as a criterion for
33 admission or continued enrollment.

34 (C) In the event of a drawing, the chartering authority shall
35 make reasonable efforts to accommodate the growth of the charter
36 school and shall not take any action to impede the charter school
37 from expanding enrollment to meet pupil demand.

38 (3) If a pupil is expelled or leaves the charter school without
39 graduating or completing the school year for any reason, the charter
40 school shall notify the superintendent of the school district of the

1 pupil's last known address within 30 days, and shall, upon request,
2 provide that school district with a copy of the cumulative record
3 of the pupil, including report cards or a transcript of grades, and
4 health information. If the pupil is subsequently expelled or leaves
5 the school district without graduating or completing the school
6 year for any reason, the school district shall provide this
7 information to the charter school within 30 days if the charter
8 school demonstrates that the pupil had been enrolled in the charter
9 school. This paragraph applies only to pupils subject to compulsory
10 full-time education pursuant to Section 48200.

11 (e) The governing board of a school district shall not require an
12 employee of the school district to be employed in a charter school.

13 (f) The governing board of a school district shall not require a
14 pupil enrolled in the school district to attend a charter school.

15 (g) The governing board of a school district shall require that
16 the petitioner or petitioners provide information regarding the
17 proposed operation and potential effects of the charter school,
18 including, but not limited to, the facilities to be used by the charter
19 school, the manner in which administrative services of the charter
20 school are to be provided, and potential civil liability effects, if
21 any, upon the charter school and upon the school district. The
22 description of the facilities to be used by the charter school shall
23 specify where the charter school intends to locate. The petitioner
24 or petitioners also shall be required to provide financial statements
25 that include a proposed first-year operational budget, including
26 startup costs, and cashflow and financial projections for the first
27 three years of operation.

28 (h) In reviewing petitions for the establishment of charter
29 schools within the school district, the governing board of the school
30 district shall give preference to petitions that demonstrate the
31 capability to provide comprehensive learning experiences to pupils
32 identified by the petitioner or petitioners as academically low
33 achieving pursuant to the standards established by the department
34 under Section 54032, as that section read before July 19, 2006.

35 (i) Upon the approval of the petition by the governing board of
36 the school district, the petitioner or petitioners shall provide written
37 notice of that approval, including a copy of the petition, to the
38 applicable county superintendent of schools, the department, and
39 the state board.

1 (j) (1) If the governing board of a school district denies a
2 petition, the petitioner may elect to submit the petition for the
3 establishment of a charter school to the county board of education.
4 The county board of education shall review the petition pursuant
5 to subdivision (b). If the petitioner elects to submit a petition for
6 establishment of a charter school to the county board of education
7 and the county board of education denies the petition, the petitioner
8 may file a petition for establishment of a charter school with the
9 state board, and the state board may approve the petition, in
10 accordance with subdivision (b). A charter school that receives
11 approval of its petition from a county board of education or from
12 the state board on appeal shall be subject to the same requirements
13 concerning geographic location to which it would otherwise be
14 subject if it received approval from the entity to which it originally
15 submitted its petition. A charter petition that is submitted to either
16 a county board of education or to the state board shall meet all
17 otherwise applicable petition requirements, including the
18 identification of the proposed site or sites where the charter school
19 will operate.

20 (2) In assuming its role as a chartering agency, the state board
21 shall develop criteria to be used for the review and approval of
22 charter school petitions presented to the state board. The criteria
23 shall address all elements required for charter approval, as
24 identified in subdivision (b), and shall define “reasonably
25 comprehensive,” as used in paragraph (5) of subdivision (b), in a
26 way that is consistent with the intent of this part. Upon satisfactory
27 completion of the criteria, the state board shall adopt the criteria
28 on or before June 30, 2001.

29 (3) A charter school for which a charter is granted by either the
30 county board of education or the state board based on an appeal
31 pursuant to this subdivision shall qualify fully as a charter school
32 for all funding and other purposes of this part.

33 (4) If either the county board of education or the state board
34 fails to act on a petition within 120 days of receipt, the decision
35 of the governing board of the school district to deny the petition
36 shall be subject to judicial review.

37 (5) The state board shall adopt regulations implementing this
38 subdivision.

39 (6) Upon the approval of the petition by the county board of
40 education, the petitioner or petitioners shall provide written notice

1 of that approval, including a copy of the petition, to the department
2 and the state board.

3 (k) (1) The state board may, by mutual agreement, designate
4 its supervisory and oversight responsibilities for a charter school
5 approved by the state board to any local educational agency in the
6 county in which the charter school is located or to the governing
7 board of the school district that first denied the petition.

8 (2) The designated local educational agency shall have all
9 monitoring and supervising authority of a chartering agency,
10 including, but not limited to, powers and duties set forth in Section
11 47607, except the power of revocation, which shall remain with
12 the state board.

13 (3) A charter school that is granted its charter through an appeal
14 to the state board and elects to seek renewal of its charter shall,
15 before expiration of the charter, submit its petition for renewal to
16 the governing board of the school district that initially denied the
17 charter. If the governing board of the school district denies the
18 charter school's petition for renewal, the charter school may
19 petition the state board for renewal of its charter.

20 (l) Teachers in charter schools shall hold a Commission on
21 Teacher Credentialing certificate, permit, or other document
22 equivalent to that which a teacher in other public schools would
23 be required to hold. These documents shall be maintained on file
24 at the charter school and are subject to periodic inspection by the
25 chartering authority. It is the intent of the Legislature that charter
26 schools be given flexibility with regard to noncore, noncollege
27 preparatory courses.

28 (m) A charter school shall transmit a copy of its annual,
29 independent financial audit report for the preceding fiscal year, as
30 described in subparagraph (I) of paragraph (5) of subdivision (b),
31 to its chartering entity, the Controller, the county superintendent
32 of schools of the county in which the charter school is sited, unless
33 the county board of education of the county in which the charter
34 school is sited is the chartering entity, and the department by
35 December 15 of each year. This subdivision does not apply if the
36 audit of the charter school is encompassed in the audit of the
37 chartering entity pursuant to Section 41020.

38 (n) A charter school may encourage parental involvement, but
39 shall notify the parents and guardians of applicant pupils and
40 currently enrolled pupils that parental involvement is not a

1 requirement for acceptance to, or continued enrollment at, the
2 charter school.

3 SEC. 3. Section 47648 is added to the Education Code, to read:

4 47648. (a) On or before July 1, 2020, the Legislative Analyst
5 shall submit a report to the Legislature on the impact that a charter
6 school special education local plan area serving over 250 charter
7 schools has on special education services provided to California
8 pupils. The report shall include policy recommendations and take
9 into account all of the following:

10 (1) How the demographics and total population of special
11 education pupils at charter schools compare to the demographics
12 and total population of special education pupils at neighborhood
13 public schools, including a comparison of pupils in each of the 13
14 disability categories identified under the federal Individuals with
15 Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), and how
16 the differences in demographics of special education pupils at
17 charter schools and neighborhood public schools impact special
18 education services provided to California pupils.

19 (2) The cause of the consistent savings and surplus of funds in
20 the charter school special education local plan area, considering
21 that the majority of California school districts experience an
22 encroachment of funds intended for other programs due to
23 underfunding of special education.

24 (3) Considering that more than 250 charter schools are being
25 served by the charter school special education local plan area,
26 which has experienced exponential growth out of a pilot program,
27 the impact this growth has had on special education services
28 provided to California pupils.

29 (4) The types of services provided by, and available from, the
30 charter school special education local plan area and member charter
31 schools, and how those compare with what traditional school
32 districts and special education local plan areas provide.

33 (5) How utilizing a teleconference for the charter school special
34 education local plan area's community advisory committee
35 established pursuant to Section 56190 impacts the ability of parents
36 and pupils to have meaningful engagement and accountability with
37 a special education local plan area across the state.

38 (6) For a member charter school with the charter school special
39 education local plan area, in a given school year, the number of
40 special education pupils in each of the disability categories

1 identified in the IDEA who started the school year, the number
2 who were still enrolled halfway through the school year, and the
3 number who finished the school year.

4 (7) The cost that a member charter school with the charter school
5 special education local plan area spends on special education
6 services, and how that cost compares with the costs for
7 neighborhood public schools.

8 (b) This section shall remain in effect only until January 1, 2023,
9 and as of that date is repealed.

O