



LOS ANGELES UNIFIED SCHOOL DISTRICT CHARTER SCHOOLS DIVISION

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Dear Charter School Governing Board President and Charter School Leaders:

We hope this communication finds you and your school community safe and well during these challenging times. While the COVID-19 pandemic continues to impact us into the 2020-2021 school year, we remain committed to providing key information about the upcoming school year in support of students, staff and families. Also noteworthy in 2020, specifically related to charter schools, is Assembly Bill (AB) 1505 which made significant updates to the Charter Schools Act. As you may be aware, on August 11, 2020, the LAUSD Board of Education adopted the *LAUSD Policy and Procedures for Charter Schools* and the *Federal, State & District Required Language* (formerly known as DRL) as updated policy documents to align with AB 1505 and other legislative updates.

In support of your efforts this school year, we wanted to share some key information pertinent to this year's charter school oversight. We hope that by reviewing this information closely and early, your school(s) and staff will be supported for success in your service to students.

Updates to the 2020-2021 Performance-Based Oversight Tools and Guides

As you prepare for this year's Annual Performance-Based Oversight Visit, we want to highlight some of the key changes contained in your oversight preparation guide.

Updates to the *Governance* section include:

- Addition in G2 that governing board meetings have to be held in accordance with the requirements of SB 126

Updates to the *Student Achievement and Educational Performance* section:

- Addition of a dropdown that includes each school's performance category
- A charter school cannot receive a rating in this category greater than a 1 if the school has been identified as a "low-performing" charter school based on the state's published list
- The focus of the *Student Achievement and Educational Performance* section is grounded on how schools are performing the California School Dashboard state indicators
- Indicators A1-A7 provide information on each charter school's schoolwide performance levels (or colors)
- Indicators A8-A10 provide information on each charter school's numerically significant student group performance in comparison to the state based on "Status" scores
- Indicator A12 asks each charter school to provide "verified data" which is derived from nationally recognized, valid, peer-reviewed, and reliable sources that are externally produced For informational purposes only, the *Student Achievement and Educational Performance* concludes with a section that references each charter school's *Learning Continuity and Attendance Plan* for the 2020-2021 academic school year

Updates to the *Organizational Management, Programs, and Operations* section:

- Indicator O1 includes AB 1767 which requires the governing board or body of a local education agency (LEA) that serves pupils in kindergarten and grades 1 to 6, inclusive, to adopt, and update as prescribed, a policy on pupil suicide prevention that specifically addresses the needs of high-risk groups
- Indicator O2 contains SB 972, which requires that student ID cards for schools serving grades 7-12 have the phone number of the National Suicide Prevention Lifeline printed on at least one side
- Indicator O10 asks each charter school per AB 34 to ensure that specified information on bullying and harassment prevention is readily accessible in a prominent location on the LEA's existing internet website in a manner that is easily accessible to parents or guardians of pupils (Gr. K-6)
- Indicator O12 informs charter schools that individuals employed in a teaching position during the 2019–20 school year must be on track to obtain the appropriate certificate, permit, or other document for their certificated assignment no later than July 1, 2025 (Ed. Code, § 47605.4(a))
- Indicator O12 also states that, the charter school has identified its CalSASS charter user(s) to complete the CTC training, review related information, and provide ongoing monitoring and responses to any exceptions (possible misassignments) identified by the CTC

Updates to the *Fiscal Operations* documentation include:

- Clarification regarding the CSD Fiscal Team's established practices, for which following the assigned CSD Fiscal Team member's review of the Fiscal Operations Documentation, the CSD will request a sampling of financial transactions for further review to assess the school's overall compliance with its fiscal policies and procures to align with optimal business practices
- The most current fiscal reports presented to the charter school's governing board be provided in Microsoft Excel unprotected format, with all formulas included, with no hidden cells, and no password protected cells and/or rows
- Clarification regarding the CSD's request for a link to the charter school's website where the Education Protection Account (EPA) revenue and expenditures pertaining to the prior Fiscal Year (e.g., 2019-2020) are posted. This request aligns with the requirement by Article XIII, Section 36, Subdivision (e), Paragraph (6) of the California Constitution
- If applicable, the pertinent information and documentation, including, but not limited to, all signed and executed agreements, and the minutes of the meetings reflecting the reviews and approvals of said agreements, related to the following:
 - a. Bridge financing that was secured during Fiscal Year 2019-2020 or Fiscal Year 2020-2021 due to the COVID-19 pandemic (e.g., U.S. Small Business Administration (SBA) loans such as the Paycheck Protection Program); and
 - b. Any grants that were received during both Fiscal Year 2019-2020 and Fiscal Year 2020-2021 due to the COVID-19 pandemic (e.g., grants through the Coronavirus Aid, Relief, and Economic Security (CARES) Act, such as the Elementary and Secondary School Emergency Relief (ESSER) fund, the Governor's Emergency Education Relief (GEER) Fund, and Learning Loss Mitigation Funding).

- Governance Quality Indicator #6 Rubric - Financial condition reflecting a downward trend that illustrates significant deteriorating financial health potentially leading to negative net assets in the current Fiscal Year and/or the following Fiscal Year is added as part of the “1” rating (Unsatisfactory) and the “2” rating (Developing).
- Fiscal Operations Rubrics – Accomplished and Proficient schools would have no outstanding fiscal-related tiered intervention notices issued to the school.

Quarterly Electronic Document Submission

As has been shared previously, in an effort to streamline the documents charter schools send to the Charter Schools Division, a quarterly document submission calendar was established to consolidate the documents noted below into quarterly deadlines (i.e. Q1, Q2, Q3, and Q4) for the electronic sharing of documents to reduce the number of times schools are asked to send information to the CSD each year. The quarterly submission calendar, including due dates and list of items required, is as follows:

Q1: DUE November 20, 2020

(Please note: some items have been requested already; additional details below)

- Certification of Clearance Guide and Form– **Due October 23**
- English Learner (EL) Master Plan Certification – **Due October 23**
- EL Master Plan (if not using the District’s) – **Due October 23**
- Compliance Monitoring and Certification of Board Compliance Review (Administrator Certification) - **Due October 23**
- Parent/Student Handbook
- Governing Board Bylaws
- Uniform Complaint Procedures
- School Safety Plan (unless co-located)
- Certificate of Occupancy (COO) (for each facility not co-located on District property)
- Governing Board Meeting Calendar
- Governing Board Member Information

Q2: DUE January 8, 2021

- 2020-2021 Lottery Form
- Compliance Monitoring and Certification of Board Compliance Review (Governing Board Certification)

Q3: DUE April 2, 2021

- Forms 700

Q4: DUE July 9, 2021

- LCAP (approved by the charter school’s board of directors)
- Charter School Contact Information
- Form 990 (the most current Form 990 filed)

Dropbox

Mr. Steven Nichols of the Charter Schools Division previously sent information to you to establish your school’s Dropbox folder for the 2020-2021 school year. Should you have any questions, of need additional assistance regarding Dropbox, please contact Mr. Gustavo Birrueta at gustavo.birrueta@lausd.net.

The electronic document submissions noted above (e.g. Q1, Q2, Q3, Q4) should be submitted via your Dropbox. Please send an e-mail to the charterschools@lausd.net to confirm that you have completed the uploading of files. The Dropbox will also be the means in which you will share documents for the Annual Performance-Based Oversight Visit. In preparation for the visit, you will need to:

1. Create folders labeled Binder 1, Binder 2 and Binder 3
2. Save documents in the same order as you have them in the binder (use a number in front of each file name to keep files in order, i.e. 1) Self-Review Checklist)
 - a. NOTE: File names **cannot be longer than 50 characters including spaces** (files with long names sometimes cause errors when trying to open)
3. Send an e-mail to the charterschools@lausd.net advising when you have completed the uploading of files

Notification to the District

As you are aware, 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(3).)”

Please ensure the requisite information is provided in a timely manner by using the Google form entitled, “Notification to the Superintendent” withdrawal form which can be found on the CSD website: https://docs.google.com/forms/d/e/1FAIpQLScMCiK1D4yqSCYInRw - dfkV7JuBlbjo7xCrVzWiQ6Df_7aAA/viewform

Material Revision for a Change in Location

As a reminder, and as indicated in the *LAUSD Policy and Procedures for Charter Schools*, during the term of its charter, a charter school may seek to amend its current LAUSD Board approved charter. LAUSD must approve any proposed change to the provisions of a charter **before** the change can be implemented. Any amendment that would constitute a material revision of the charter must be approved by the LAUSD Board in accordance with California Education Code section 47607(a)(3).

Please note that a change in location/address outside of the “community” would require a material revision. Per the Policy, a “community” is being defined as the identified geographical area based on LAUSD Community of Schools and neighborhoods within a three-mile radius from the location identified by the petitioners of the proposed change in location/address. Please review the Community Impact Assessment section in the *LAUSD Policy and Procedures for Charter Schools* for more information.

Highlights of New Laws

An 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, we are highlighting some key legislative updates that will be addressed through oversight (and please note that the following is not intended as nor constitutes legal advisement). Unless otherwise noted, the bills became effective on January 1, 2020. The new laws can be accessed here: <http://leginfo.legislature.ca.gov/>.

AB 1: Under existing law, a school district, charter school, or private school that elects to offer an athletic program is prohibited from allowing a high school or middle school football team to conduct more than 2 full-contact practices, per week during the preseason and regular season, and from conducting a full-contact practice during the off-season. The bill, on and after January 1, 2021, would require a youth sports organization, as defined, that conducts a tackle football program to comply with certain requirements, including, among other things, not conducting more than 2 full-contact practices, per week during the preseason and regular season; not holding a full-contact practice during the off-season; having coaches receive a tackling and blocking certification; having designated personnel annually complete specified concussion and head injury education, a specified factsheet related to opioids, and designated training relating to heat-related illness; meeting specified requirements relating to safety equipment; having a licensed medical professional present during games; having coaches receive first aid, cardiopulmonary resuscitation, and automated external defibrillator certification; and inspecting safety equipment.

AB 30: Existing law authorizes the governing board of a community college district to enter into a College and Career Access Pathways (CCAP) partnership with the governing board of a school district or the governing body of a charter school with the goal of developing seamless pathways from high school to community college for career technical education or preparation for transfer, improving high school graduation rates, or helping high school pupils achieve college and career readiness. Existing law requires the partnership agreement to outline the terms of the partnership, as specified, and to establish protocols for information sharing, joint facilities use, and parental consent for high school pupils to enroll in community college courses. This bill requires those protocols described above to require a high school pupil participating under a CCAP partnership to submit only one parental consent form and principal recommendation, and would require the Chancellor of the California Community Colleges, on or before July 31, 2020, to revise the special part-time student application process to allow a pupil to complete one application, for the duration of the pupil's participation under the CCAP partnership. The bill eliminates the requirement imposed on the governing board of each district entering into a CCAP partnership agreement to present the dual enrollment partnership agreement as an informational item at a separate open public meeting of that board before taking public comment and acting to approve or disapprove the proposed agreement. The bill provides that units completed by a pupil pursuant to a CCAP agreement may count towards determining a pupil's registration priority for enrollment and course registration at a community college. The bill would require the CCAP partnership agreement to include a plan, instead of a certification, by the participating community college district to ensure specified conditions are met. The bill would extend the operation of the CCAP partnership provisions until January 1, 2027.

AB 34: This bill, commencing with the 2020–2021 academic year, requires each local educational agency to ensure that specified information on bullying and harassment prevention is readily accessible in a prominent location on the local educational agency’s existing internet website in a manner that is easily accessible to parents or guardians and pupils. The bill requires local educational agencies to include specified State Department of Education policies and the policies adopted by a local educational agency relating to hate violence, bullying, harassment, discrimination, and suicide prevention and resources relating to these topics. The bill requires each local educational agency to ensure that the local educational agency’s policy on pupil suicide prevention in kindergarten and grades 1 to 6, inclusive, is readily accessible on the local educational agency’s existing internet website, as specified above.

AB 272: This bill explicitly authorizes the governing body of a school district, a county office of education, or a charter school to adopt a policy to limit or prohibit the use by its pupils of smartphones while the pupils are at a school site or while the pupils are under the supervision and control of an employee or employees of that school district, county office of education, or charter school. The bill, however, specifies circumstances in which a pupil could not be prohibited from possessing or using a smartphone.

AB 493: This bill encourages each school operated by a school district or county office of education and each charter school to use resources developed by the State Department of Education to provide training at least once every 2 years to teachers and other certificated employees at that school that serve pupils in grades 7 to 12, inclusive, and to other certificated employees at that school, on schoolsite and community resources for the support of lesbian, gay, bisexual, transgender, queer, and questioning (LGBTQ) pupils, and strategies to increase support for LGBTQ pupils and thereby improve overall school climate, as specified.

AB 543: This bill requires each schoolsite in a school district, county office of education, or charter school, serving pupils in any of grades 9 through 12, inclusive, to create a poster regarding sexual harassment that notifies pupils of that policy and to prominently and conspicuously display the poster in each bathroom and locker room at the schoolsite. The bill authorizes the poster to be prominently and conspicuously displayed in public areas at the schoolsite, as specified. The bill requires the poster to be age appropriate and culturally relevant, be displayed in English and any primary language spoken by 15% or more of the pupils enrolled at the schoolsite, be no smaller than 8.5 by 11 inches, use at least 12-point type, and display certain information pertaining to that policy, including the rules and procedures for reporting a charge of sexual harassment.

AB 605: This bill requires a local educational agency, including a charter school, as defined, to provide, on a case-by-case basis pursuant to federal law, the use of school-purchased assistive technology devices in a child’s home or in other settings if the child’s individualized education program team determines that the child needs access to those devices in order to receive a free appropriate public education. The bill also requires a local educational agency to be responsible for providing an individual with exceptional needs who requires the use of an assistive technology device with continued access to that device, or to a comparable device when that individual, due to enrollment in another local educational agency, ceases to be enrolled in that local educational agency. The bill specifies that this responsibility would be in force until alternative arrangements for providing the individual with exceptional needs with continuous access to the assistive technology device, or to a comparable device, can be made or until 2 months have elapsed from

the date that the individual ceased to be enrolled in that local educational agency, whichever occurs first.

AB 711: This bill requires a school district, charter school, or county office of education to update a former pupil's records to include the pupil's updated legal name or gender if the school district, charter school, or county office of education receives government-issued documentation, as described, demonstrating that the former pupil's legal name or gender has been changed.

AB 947: The bill authorizes school districts, county offices of education, and charter schools to consider elements of the expanded core curriculum when developing individualized education programs for a pupil who is blind, has low vision, or is visually impaired.

AB 1172: Existing law permits, under certain circumstances, contracts to be entered into for the provision of those services by nonpublic, nonsectarian schools or agencies, as defined, and requires a contracting local educational agency to pay to the nonpublic, nonsectarian school or agency the full amount of the tuition for individuals with exceptional needs who are enrolled in programs provided pursuant to the contract. This bill instead requires a contracting local educational agency to pay the full amount of the tuition or fees, as applicable, for individuals with exceptional needs who are enrolled in programs or receiving services provided pursuant to such a contract. The bill requires a nonpublic, nonsectarian school or agency to include in its certification application documentation that the nonpublic, nonsectarian school or agency will train staff who will have contact or interaction with pupils during the school day, as prescribed, and would impose related training and verification requirements on nonpublic, nonsectarian schools or agencies and contracting local educational agencies. Commencing with the 2021–22 school year, the bill requires a nonpublic, nonsectarian school or agency to include in its certification application documentation that the administrator of the nonpublic, nonsectarian school holds or is in the process of obtaining a specified credential, degree, or license and, in certain cases, 2 years of experience. Commencing with the 2020–21 school year, the bill requires a local educational agency that enters into a master contract with a nonpublic, nonsectarian school to conduct onsite visits to the nonpublic, nonsectarian school, as specified, and would require the State Department of Education, on or before June 30, 2020, to create and publish criteria for reporting the findings of a monitoring visit to the department.

AB 1319: This bill requires local educational agencies to allow a pupil who is a migratory child to continue attending their school of origin or a school within the school district of origin, regardless of any change of residence of the pupil.

AB 1505: Effective July 1, 2020, this bill revises and recasts numerous provisions relating to the submission of petitions to establish charter schools, the appeal to county boards of education and to the state board of decisions of the governing boards of school districts to deny approval or renewal of charter schools, and the revocation of charters by chartering authorities.

AB 1507: Effective January 1, 2020, this bill deletes the authority of a charter school to locate outside the jurisdiction or geographic boundaries of the chartering school district because the charter school has attempted to locate a single site or facility to house the entire program, but a site or facility is unavailable in the area in which the charter school chooses to locate, or the site is needed for temporary use during a construction or expansion project. The bill authorizes a charter

school that established one site outside the boundaries of the school district, but within the county in which that school district is located before January 1, 2020, to continue to operate that site until the charter school submits a request for the renewal of its charter petition, and authorizes a charter school to continue operating that site if the charter school either, before submitting the request for the renewal of the charter petition, first obtains written approval from the school district where the site is operating, or submits a request for the renewal of the charter petition, as specified, to the school district in which the charter school is located.

AB 1666: Effectively immediately, this bill requires the California Complete Count - Census 2020 Office to partner with local contracted educational agencies to make specified information about the 2020 federal decennial census available to students and their parents or guardians at schools.

AB 1767: Effective July 1, 2020, this bill requires the governing board or body of a local educational agency that serves pupils in kindergarten and grades 1 to 6, inclusive, to adopt, and update as prescribed, a policy on pupil suicide prevention that specifically addresses the needs of high-risk groups. The bill requires this policy to be age appropriate and delivered and discussed in a manner that is sensitive to the needs of young pupils.

SB 98: Effective July 1, 2020, this bill is the 2020-21 State Budget TK-12 grade education budget trailer bill that includes policy and fiscal issues. Several topics that impact charter schools include, but is not limited to, the following:

- Sections 10 – 12: K-12 budget deferrals
- Section 34: Creates standardization and statewide expectations on school finance, instruction and accountability in the 2020-21 school year, including provisions related to distance learning and the Learning Continuity and Attendance Plan due by September 30, 2020
- Sections 42 -54: Technical clean up on charter schools related to SB 126, AB 1505 and AB 1507
- Section 66: Requires IEPs to include plans for emergency conditions, when created or updated, if services cannot be provided in person or in the school for more than 10 school days
- Section 105: Allows new charters to delay implementation in 2020-21 for opening or adding new grade levels for one year. Requires charter schools to notify chartering authority no later than July 17, 2020
- Section 110: Provides \$5.3 billion in CARES and State General Funds for a Learning Loss Mitigation Grant

SB 126: This bill expressly states that charter schools and entities managing charter schools are subject to the Ralph M. Brown Act, unless the charter school is operated by an entity governed by the Bagley-Keene Open Meeting Act, in which case the charter school would be subject to the Bagley-Keene Open Meeting Act, except as specified. This bill would require specified charter schools or entities managing charter schools to hold meetings in specified locations.

SB 223: This bill enacts Jojo’s Act, which authorizes the governing board of a school district, a county board of education, or the governing body of a charter school maintaining kindergarten or any of grades 1 to 12 to adopt, at a regularly scheduled meeting of the governing board or body, a policy that allows a parent or guardian of a pupil to possess and administer medicinal cannabis, at

a schoolsite to the pupil who is a qualified patient entitled to the protections of the Compassionate Use Act of 1996, excluding cannabis, in a smokeable or vapeable form.

SB 265: Effective immediately, this bill requires local educational agencies to ensure that a pupil whose parent or guardian has unpaid school meal fees is not denied a reimbursable meal of the pupil's choice because of the fact that the pupil's parent or guardian has unpaid meal fees and ensure that the pupil is not shamed or treated differently from other pupils.

SB 328: By July 1, 2022, or the date on which a school district's or charter school's respective collective bargaining agreement that is operative on January 1, 2020, expires, whichever is later, this bill requires the Schoolday for middle schools and high schools, including those operated as charter schools, to begin no earlier than 8:00 a.m. and 8:30 a.m., respectively, except for rural school districts.

SB 390: Effective July 1, 2021, this bill requires school security officers employed by a school district, charter school, county office of education, or community college district and security guards working on the property of a school district, charter school, county office of education, or community college district, to complete that training course regardless of the number of hours worked per week. The bill requires school districts, charter schools, county offices of education, and community college districts to provide the training required for their school security officer employees during regular work hours, except as specified.

SB 419: Existing law prohibits a pupil from being suspended from school or recommended for expulsion, unless the superintendent of the school district or the principal of the school in which the pupil is enrolled determines that the pupil has committed a specified act, including, among other acts, disrupting school activities or otherwise willfully defying the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties. Commencing July 1, 2020, the bill additionally prohibits the suspension of a pupil enrolled in a school district or charter school in grades 4 and 5 for disrupting school activities or otherwise willfully defying the valid authority of those school personnel engaged in the performance of their duties. The bill, from July 1, 2020, until July 1, 2025, prohibits the suspension of a pupil enrolled in a school district or charter school in any of grades 6 to 8, inclusive, for those acts.

SB 541: This bill requires the State Department of Education to collect, and local educational agencies to provide, data pertaining to lockdown or multi-option response drills conducted at schoolsites within school districts, county offices of education, and charter schools, as provided. The bill requires the department to conduct, or contract to conduct, a study that identifies, among other things, best practices for age-appropriate drills. The bill requires the data and the study to be submitted to the Governor and relevant policy committees of the Legislature on or before November 1, 2021.

SB 586: This bill requires the governing board of a community college district and the governing board of a school district or the governing body of a charter school providing career technical education pathways under a College and Career Access Pathways (CCAP) partnership, as a condition of adopting a CCAP partnership agreement, to consult with, and consider the input of, the appropriate local workforce development board to determine the extent to which the pathways

are aligned with regional and statewide employment needs. Instead of a requirement under existing law that the governing board of each district present a proposed CCAP partnership agreement at an open public meeting of the board and, at a subsequent open public meeting of the board, take comments from the public and approve or disapprove the proposed agreement, the bill requires the governing board of each district to present, take comments from the public on, and approve or disapprove the proposed agreement at an open public meeting of the board. The bill extends the operation of the CCAP partnership provisions for 5 years.

Thank you for taking time to review this information. We remain committed to providing clear and accessible information to you. Please continue to communicate with your assigned CSD administrator and fiscal services manager as your primary contacts in the division to communicate key matters and for questions you might have. We look forward to continuing our collaboration together on behalf of students and families in Los Angeles.

Sincerely,

José Cole-Gutiérrez
Director, Charter Schools Division

Attachments:

- Attachment A: Annual Performance-Based Oversight Visit Preparation Guide 2020-2021
- Attachment B: Certification of Clearances Guide and Form 2020-2021 (Previously sent)
- Attachment C: Criminal Background Clearance Certification
- Attachment D: Vendor Certification of Criminal Background Clearance, Tuberculosis (TB) Clearance, and Credential Verification
- Attachment E: Charter School Compliance Monitoring 2020-2021(Previously sent)
- Attachment F: Annual Performance-Based Oversight Visit Report 2020-2021 School Year
- Attachment G: SB 1375 Guidance from CDE
- Attachment H: Charter School Transparency Resolution 017-15/16
- Attachment I: Facilities Information
- Attachment J: EL Plan Certification 2020-2021 (Previously sent)
- Attachment K: Calendar of Significant Deadlines 2020-2021 - 10-01-20 (Previously sent)