

2019 Changes to California's Charter School Laws

Parent Rights and Access



In 2019, the Legislature enacted the most substantial changes to California's charter school laws since passage of the original California Charter Schools Act in 1992. These changes resulted from increased demands from district *and* charter parents, educators, administrators, and school board members, as communities throughout California faced the significant impacts of unregulated charter school growth, as well as increasing concerns that charter schools do not serve all students.

Included in these new laws are significant changes that give charter school families, educators, and the public additional rights and access, including:

Illegal to Deny Enrollment, Push Out Students, or Request Records Prior to Enrollment

(Effective Immediately)

SB 75 states, with no ambiguities, that a "charter school shall not discourage a pupil from enrolling or seeking to enroll in a charter school for any reason..." and "[a] charter school shall not encourage a pupil currently attending the charter school to disenroll from the charter school or transfer to another school for any reason...."

SB 75 also prohibits charter schools from requesting or requiring that a pupil's records be submitted to the charter school prior to enrollment, including the IEP of a student with disabilities. SB 75 establishes a complaint process that allows parents to report discrimination to the authorizer.

Must Communicate with Families in their Home Language

(Effective Immediately)

If 15% or more of the pupils enrolled in a public school speak a single primary language other than English, SB 75 requires that all notices, reports, statements, or records sent to the parent or guardian of any such pupil by the school or school district shall be written in English *and* the family's primary language, and the parent or guardian must be allowed to respond either in English or the primary language.

Open Meetings, Public Records, and Ethics

(Effective January 1, 2020)

SB 126 requires charter schools and charter school management organizations (CMOs) to comply with some of the same transparency and ethics laws that school districts must follow, which families, educators, and the public may use to hold their schools accountable:

- California's open meeting laws (the Ralph M. Brown Act and the Bagley-Keene Open Meetings Act) require that all meetings of legislative bodies be open and public.
- The California Public Records Act requires state and local agencies make their records available for the public to inspect and make copies.

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Open Meetings, Public Records, and Ethics (cont'd)

- California Government Code Section 1090 prohibits public officials from being financially interested in any contract made by them in their official capacity, or by any board or body of which they are a member.
- The Political Reform Act of 1974 requires state and local agencies adopt a conflict of interest code that requires some employees and governing board members to file statements of economic interest to disclose investments, business positions, real property, or sources of income that may lead to conflicts of interest.

Access to Meetings

(Effective January 1, 2020)

SB 126 also requires that charter school governing board meetings be recorded and posted on the charter school's website, and establishes several requirements regarding governing board meeting locations that give parents and families greater access to those meetings:

- Single charter school: Meetings shall take place within the county where the charter school is physically located, and a two-way teleconference shall be located at the school site.
- Nonclassroom-based charter school: A nonclassroom-based charter school with no physical facility or which operates one or more resource centers shall meet within the physical boundaries of the county in which the greatest number of pupils who are enrolled reside. In addition, a two-way teleconference shall be established at each resource center.
- One or more charter schools within the same county: Entities managing one or more charter schools located within the same county shall meet within the physical boundaries of that county. In addition, a two-way teleconference shall be established at each school and each resource center.
- Two or more charter schools not in the same county: Entities managing two or more charter schools that are not located in the same county shall meet within the physical boundaries of the county in which the greatest number of pupils in the schools managed by that entity reside. In addition, a two-way teleconference shall be established at each school and each resource center.

LCAP Meeting Requirements

(Effective January 1, 2020)

SB 75 requires charter schools to follow the same Local Control and Accountability Plan (LCAP) public hearing and meeting provisions as districts and county boards of education, including:

- Charter schools must hold at least one public hearing regarding their LCAP or annual update to the LCAP.
- Charter schools must adopt revisions to an LCAP in a public meeting.

These changes represent a significant overhaul of existing laws, and it is important that they are implemented correctly from the start. Use our new rapid response hotline for **questions** or to **report new charter school petitions or requests to expand** in your district:



(650) 525-4362



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www.cta.org/charters