

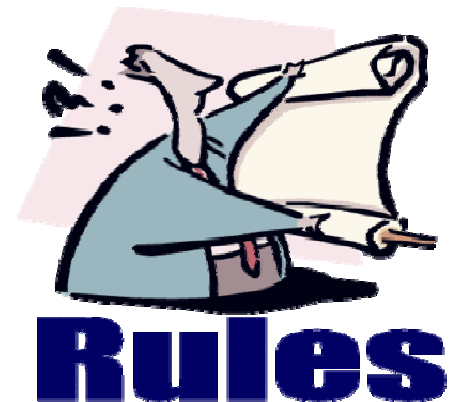
Charter School Facilities: Proposition 39 Preliminary Offer

Board Meeting: January 23, 2017
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District Obligations Under Proposition 39

- Proposition 39 obligates school districts to provide *reasonably equivalent* facilities to charter schools who project or enroll at least *80 ADA* from that district.
- This obligation applies even if the charter was *granted by another agency* (such as a neighboring district, a county board of education or the State Board of Education.)
- No “hardship” exemption based on lack of facilities or funds



Proposition 39 – The Basics

- Facilities offered must be contiguous, furnished and equipped, and reasonably equivalent to district schools that the charter school students would have otherwise attended.
- Obligation extends to teaching stations (classrooms), non-teaching, and specialized teaching facilities;
- The State Board of Education has implemented detailed regulations defining the key terms of Proposition 39.
(See, *5 CCR 11969.1, et seq.*)



Proposition 39 – The Basics

Following is the annual request cycle for Proposition 39 facilities:

- *November 1:* Charter school's requests for facilities due;
- *December 1:* District's objections to charter school's ADA projections due;
- *January 2:* Charter school's responses to District's objections due;
- *February 1:* District's preliminary facilities offer due;
- *March 1:* Charter schools' responses to preliminary offer due;
- *April 1:* District's final offer due; and
- *May 1:* Last day for charter schools to accept offer.



Multi-Site Offers

- Cal. Code Regs., tit. 5, section § 11969.2(d): “[i]f the in-district average daily classroom attendance of the charter school cannot be accommodated on any single school district school site, contiguous facilities also includes facilities located at more than one site, provided that the school district shall minimize the number of sites assigned and shall consider student safety”
- The District cannot accommodate more than 135 Charter School ADA at a single school site.
- The District has considered student safety and has minimized the number of sites.





What's Next?

- **January 23, 2016**: Board action on multi-site resolution for Rocketship;
- **February 1, 2016**: Preliminary Offers due to be delivered to charter schools
- **March 1, 2016**: Charter school's responses to Preliminary Offers due
- **March 2016**: District evaluates charter school's responses
- **April 1, 2016**: District Final Offers due to be delivered to charter schools