

CHARTER SCHOOL FACILITIES

The Governing Board believes that all students, including those attending charter schools, should have access to adequate facilities that are safe and support student learning.

Facilities to be used by a charter school shall be specified in the school's charter pursuant to Education Code 47605 and also may be addressed in a written memorandum of understanding between the district and charter school.

As applicable, charter school facilities shall comply with the California Building Standards Code adopted by the local building enforcement agency pursuant to 24 CCR 101 et seq. or the Field Act pursuant to Education Code 17280-17317 and 17365-17374. (Education Code 47610, 47610.5)

Upon request, the Board shall make facilities available to an eligible charter school operating in the district, as defined in law and administrative regulation. In accordance with law, such facilities shall be contiguous, furnished, equipped, and sufficient to accommodate all the charter school's in-district students in conditions reasonably equivalent to those in which the students would be accommodated if they were attending other district schools. The Board shall make reasonable efforts to provide the charter school with facilities near where the charter school wishes to locate and shall not move the charter school unnecessarily. If the district's preliminary proposal or final notification of space does not accommodate the charter school at a single school site, the Board shall make a specific finding that the charter school could not be accommodated at a single site and shall adopt a written statement of reasons explaining the finding. (Education Code 47614; 5 CCR 11969.1-11969.10)

The district shall not be required to use unrestricted general fund revenues to rent, buy, or lease facilities for charter schools. (Education Code 47614)

The Superintendent or designee may assist eligible charter schools in applying for state facilities funding for new construction or rehabilitation of facilities pursuant to Education Code 17078.52-17078.66 and/or for rent and lease expenditures pursuant to Education Code 47614.5.

Legal References:

State	Description
2 CCR 1859.160-1859.172	<i>Leroy F. Greene School Facilities Program, specifically - Charter school facilities program</i>
2 CCR 1859.2	<i>Definitions</i>
2 CCR 1859.31	<i>Classroom inventory</i>
5 CCR 11969.1-11969.10	<i>Charter school facilities</i>
Ed. Code 17070.10-17080	<i>Leroy F. Greene School Facilities Act of 1998</i>
Ed. Code 17078.52-17078.66	<i>Charter schools facility funding; state bond proceeds</i>
Ed. Code 17280-17317	<i>Field Act; approval of plans and supervision of construction</i>
Ed. Code 47600-47616.5	<i>Charter Schools Act</i>
Ed. Code 48204	<i>Residency requirements for school attendance</i>
Gov. Code 53094	<i>Authority to render zoning ordinances inapplicable</i>
Gov. Code 53097.3	<i>Charter school ordinances</i>