

# LODI UNIFIED SCHOOL DISTRICT

Policy 7170

**REVIEWED**

## **New Construction**

### **Charter School Facilities**

Upon request by a charter school operating within the district, the Board of Education shall consider said requests to provide facilities in accordance with law and Board policy and rules.

A charter school must be operating in the district as defined in Education Code 47614 before it submits a request for facilities. A new or proposed charter school operating within the district is eligible to request facilities for a particular fiscal year only if it submits its charter petition before November 1 of the fiscal year preceding the year for which facilities are requested. A new charter school is entitled to be allocated and/or provided access to facilities only if it receives approval of the petition before March 15 of the fiscal year preceding the year for which facilities are requested.

The Superintendent or designee shall ensure that requests received are evaluated and processed in accordance with law, Board policy, and administrative regulation. If the district's preliminary proposal or final notification of space does not accommodate the charter school at a single school site, the Board will make a specific finding and will adopt a written statement of reasons explaining the finding.

Legal References: EDUCATION CODE  
17070.10-17080 Leroy F. Greene School Facilities Act of 1998,  
including:  
17078.52-17078.66 Charter schools facility funding; state bond  
proceeds  
17280-17317 Field Act  
46600 Interdistrict attendance agreements  
47600-47616.5 Charter Schools Act of 1992  
48204 Residency requirements for school attendance  
GOVERNMENT CODE

53094 Authority to render zoning ordinance inapplicable

53097.3 Charter School ordinances

CODE OF REGULATIONS, TITLE 2

1859.2 Definitions

1859.31 Classroom inventory

1859.160-1859.171 Charter school facilities program, new construction

CODE OF REGULATIONS, TITLE 5

11969.1-11969.10 Charter school facilities

COURT DECISIONS

Ridgecrest Charter School v. Sierra Sands Unified School District, (2005) 130 Cal.App.4<sup>th</sup>986

Sequoia Union High School District v. Aurora Charter High School (2003)112 Cal.App.4<sup>th</sup>185

ATTORNEY GENERAL OPINIONS

80 Ops.Cal.Atty.Gen.52 (1997)

MANAGEMENT RESOURCES:

CSBA PUBLICATIONS

Charter Schools: A Manual for Governance Teams, rev. 2008

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education, Charter Schools Office:  
<http://www.cde.ca.gov/sp/cs>

