



**SOLANO COUNTY GRAND JURY**  
2017-2018

**CHARTER SCHOOLS IN SOLANO COUNTY**

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### 2017-2018 Solano County Grand Jury

Disclaimer: One member of the 2017-2018 Solano County Grand Jury recused themselves from involvement on this report.

#### **I. SUMMARY**

The 2017-2018 Solano County Grand Jury (SCGJ) investigated secondary level charter schools in Solano County. In California, Charter Schools are under the jurisdiction and oversight of the California Department of Education (CDE).

Charter Schools have been a component of education in California since 1992. Currently, in California, there are approximately 1,275 charter schools with 630,000 pupils. In Solano County, there are eight (8) charter schools. There are four (4) operating within the Vacaville Unified School District, one (1) operating within the Dixon Unified School District, and three (3) operating within the Vallejo City Unified School District.

The Grand Jury determined that charter schools have an impact on education of pupils in Solano County by providing an option to select Traditional Public Schools (TPS) or Charter Schools.

#### **II. INTRODUCTION**

Since the 1990's there have been an increasing number of petitions to open charter schools in Solano County. The definition of a charter school is a public school that provides elementary through high school education. It may be formed by anyone and is subject to state laws governing its administration. Under the jurisdiction and oversight of the CDE, charter schools are subject to the California Statutes, Education Code sections 47600-47647 (Charter Schools Act) and other laws and regulations.

The term charter school is based on the application document using the name "charter". Included in the charter application is the anticipated maximum enrollment. One of the major benefits in forming a charter school can be exemptions from certain state laws and regulations applicable to TPS. Charter schools can have more flexibility over their budget, curriculum and other factors as follows:

- Reduced pupil/teacher ratio
- Innovative teaching methods
- Increased parental interaction with teachers and pupils
- Increased interaction with private companies
- Greater focus on graduation rates to prepare pupils for higher educational achievements

Charter schools fall into two categories, dependent and independent. A dependent charter school is created by the local school district and governed by the district's board. An independent school is created by private citizens and has its own board. In both cases, they are subject to review and

oversight by the local school district, although less so with the independent charter school. A charter school's adherence to its charter is verified and governed either by the local school district, County Office of Education, or CDE, also known as Authorizers. Information on how much money is spent per pupil may be obtained from the CDE. The amount for each county is calculated by dividing the current expense of education by the average daily attendance pursuant to Education Code section 41372. In Solano County the average annual amount is currently \$10,382 per pupil.

Charter schools must accept all pupils that apply and provide services for special needs pupils.

Education Code section 47605 states that charter schools admit all pupils. If the number of pupils who wish to attend the charter school exceeds capacity, an enrollment waiting list is established.

Some charter schools have implied that parental participation is required. Charter schools cannot require parental participation.

### **III. METHODOLOGY**

#### **Reviewed:**

- Local and national news articles
- Documentation from charter schools and traditional public schools
- California Statutes
- Education Code §41372 and sections 47600-47647

#### **Inspected:**

- Charter school sites (Buckingham Magnet School and Mare Island Technology Academy)

#### **Interviewed administrative staff from:**

- Buckingham Charter Magnet School (Vacaville)
- Jessie Bethel High School (Vallejo)
- Mare Island Technology Academy (Vallejo)
- Solano County Office of Education
- Vacaville High School
- Vacaville Unified School District
- Vallejo City Unified School District

### **IV. STATEMENT OF FACTS**

Charter schools have been a component of education in California schools since 1992. In California, there are approximately 1,275 charter schools with 630,000 pupils. In Solano County, there are eight (8) charter schools. There are four (4) operating within the Vacaville Unified

School District, one (1) operating within the Dixon Unified School District, and three (3) operating within the Vallejo City Unified School District.

The Grand Jury determined that charter schools have an impact on education of pupils in Solano County by providing an option to select Traditional Public Schools (TPS) or Charter Schools.

The Education Code (section 47600 et seq.) includes:

- An existing private school may not be converted to a charter school
- A charter school must be nonsectarian (non-religious)
- A charter school may not discriminate, nor can it charge tuition
- No pupil can be required to attend a charter school, nor can teachers be required to work in a charter school
- A charter school must have credentialed teachers in all core subjects
- Teachers in charter schools shall hold a Commission on Teacher Credentialing certificate, permit, or other documentation equivalent to that which a teacher in other public schools would be required to hold

### **Formation of a Charter School**

Regulations for forming a charter school are found in the Education Code section 47605. The code requires that the applicant submit its petition to the local school district, county or state for approval (Authorizer). A petitioner can submit an application to any Authorizer. If it is initially submitted at the local school district level and denied, there is an appeals process. In this instance, the petitioner may appeal to the local county board of education. If the county board of education denies the petition, it may be appealed to the state board. Education Code section 47605 subdivision (j) (1)<sup>1</sup>.

Typically, petitions are filed with the school district, but for certain situations, a) when the County Office of Education would be directly responsible for providing education services (section 47605.5) and b) when a Charter School is being established at one or more locations in the County that provides educational services not otherwise found in the County (section 47605.6). If the petition is first submitted directly to the county and is denied, there is no appeal process. The applicant may submit a new application pursuant to Education Code section 47605.6(k).

### **Funding**

According to the California Charter Schools Association, TPS and charter public schools are funded under the Local Control Funding Formula. This funding allocates state and local tax dollars to public education agencies based on the number of pupils in each grade level. Additional funding for all schools, public or charter, is provided for pupils with high needs, such as low-income pupils, English learners and foster youth. Public funding follows the pupil to the public school the parents select, whether a charter school or a TPS. When dependent charter schools are funded, there is no overall loss of public school money because charter schools are public schools. However, the local school district does suffer a budgetary loss when funds are

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<sup>1</sup> [http://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=47605.&lawCode=EDC](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=47605.&lawCode=EDC)

directly distributed to an independent charter school. The most recent information on how much is spent per pupil may be obtained from the California Department of Education. The amounts for each county are calculated by dividing the current expense of education by the average daily attendance pursuant to Education Code section 41372. In Solano County the average annual amount is currently \$10,382 per pupil.

Independent charter schools receive Average Daily Attendance funds directly from the state, bypassing the district. They pay an annual oversight administrative fee to the local school district for an annual budget review. If these charter schools use district facilities, an additional fee can be charged.

### **Admissions**

Charter schools must accept all pupils, including special needs, low-income pupils, English learners and foster youth, unless the school has reached its approved enrollment maximum. When full capacity occurs applicants are placed on a waiting list.

Preferences are extended to pupils currently attending the charter school and pupils who reside in the school district except as provided for in Education Code section 47614.5.

Education Code section 47605 subdivision (d)(2)(B) states, “preferences including, but not limited to, siblings of pupils admitted or attending the charter school and children of the charter school’s teachers, staff, and founders identified in the initial charter, may also be permitted by the chartering authority on an individual charter school basis.”

The procedure to fill enrollment is as follows:

- An enrollment period is created with specific opening and closing dates when applications are accepted
- After the enrollment period is closed, preference students are enrolled
- Any remaining vacancies are filled by a random drawing
- Once capacity is reached, the remaining applications are placed on a waiting list
- As vacancies occur during the year, names are taken from the waiting list

### **Parental Participation**

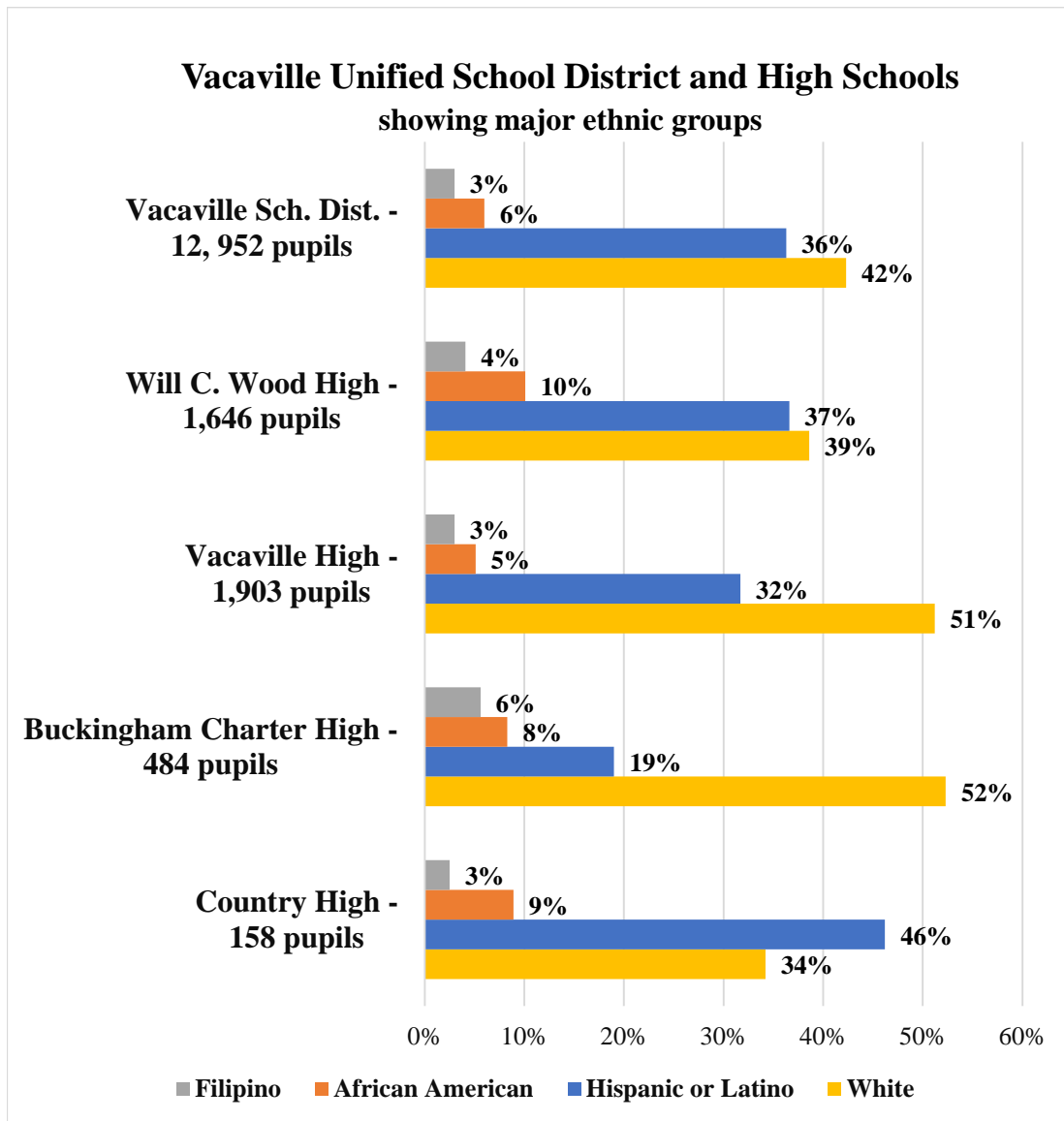
Charter schools are public schools. They cannot require any type of parental participation. Additionally, they are required to notify parents of this fact pursuant to Education Code section 49013 subdivision (e). Charter schools may track parental participation. Reportedly, this is done to motivate the relationship between school, parent and pupil.

### **Diversity**

California Education Code section 47605 requires that charter school applications reflect the diversity of the school district served. The code requires a description of the “means by which the charter school will achieve a racial and ethnic balance among its pupils that is reflective of

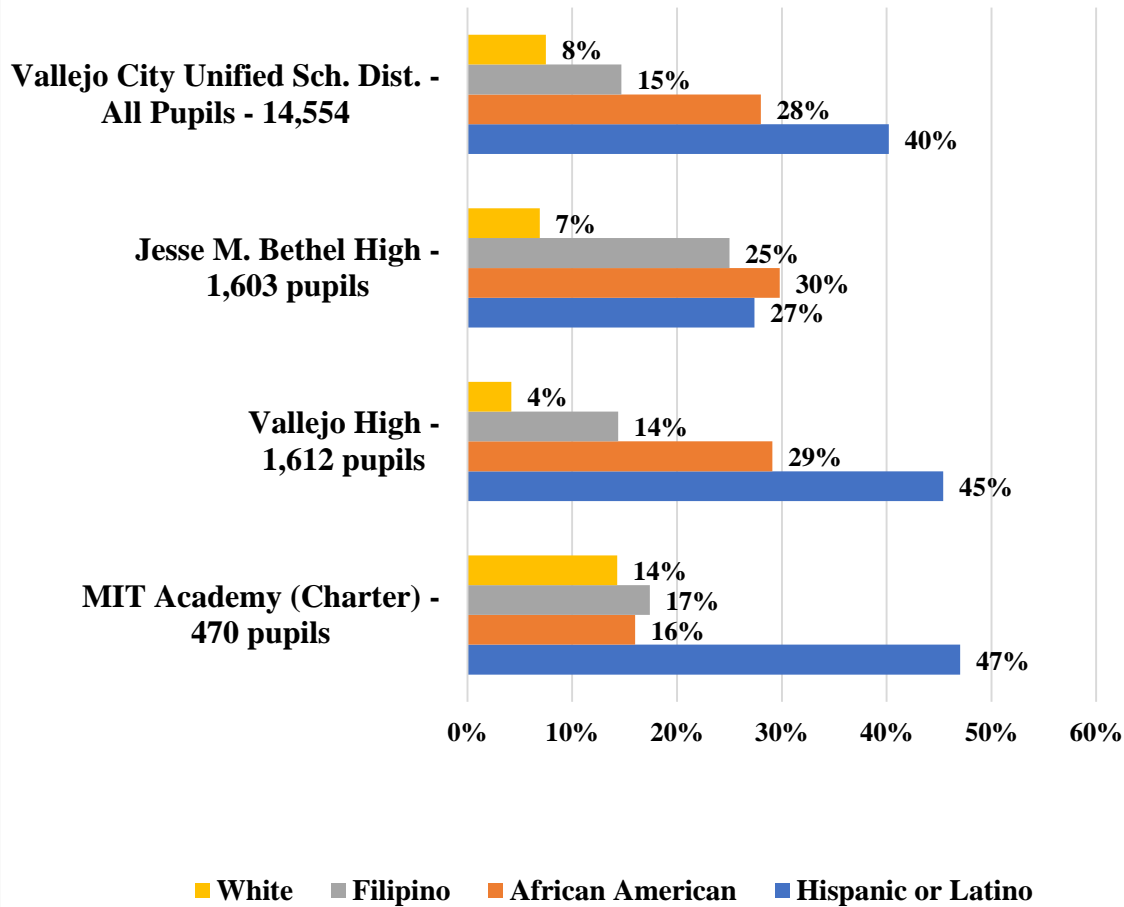
the general population residing within the territorial jurisdiction of the school district” within which the charter school is located. CDE obtains and publishes ethnicity information about all schools in California.

The Grand Jury obtained the following charted information<sup>2</sup> about schools and school districts in Solano County. In particular, the focus was on pupils attending TPS and charter schools in Vallejo and Vacaville. The following graphics show the proportions of Hispanic, Latino, African American, Filipino and White students.



<sup>2</sup> Website: California Department of Education - Resources

**Vallejo City Unified Sch. Dist. and High Schools  
showing major ethnic groups**



**V. FINDINGS AND RECOMMENDATIONS**

**Finding 1**

Parent participation in charter schools is voluntary, not mandatory.

**Recommendation 1**

Charter schools state on their websites and any related documentation, that parent participation is strictly voluntary and not required, per Education Code section 47605 subdivision (n).

## **REQUIRED RESPONSES**

Solano County Office of Education (All Findings)  
Buckingham Charter School, Vacaville (All Findings)  
Vacaville Unified School District (All Findings)  
Vallejo City Unified School District (All Findings)  
Mare Island Technology Academy, Vallejo (All Findings)

## **COURTESY COPIES**

Benicia Unified School District  
Dixon Unified School District  
Fairfield-Suisun Unified School District  
Golden West School District

## **SELECTED EDUCATION CODE SECTIONS CITED IN THIS REPORT**

### Section 47605 – Establishment of Charter Schools

(a) (1) Except as set forth in paragraph (2), a petition for the establishment of a charter school within a school district may be circulated by one or more persons seeking to establish the charter school. A petition for the establishment of a charter school shall identify a single charter school that will operate within the geographic boundaries of that school district. A charter school may propose to operate at multiple sites within the school district if each location is identified in the charter school petition. The petition may be submitted to the governing board of the school district for review after either of the following conditions is met:

(A) The petition is signed by a number of parents or legal guardians of pupils that is equivalent to at least one-half of the number of pupils that the charter school estimates will enroll in the charter school for its first year of operation.

(B) The petition is signed by a number of teachers that is equivalent to at least one-half of the number of teachers that the charter school estimates will be employed at the charter school during its first year of operation.

(2) A petition that proposes to convert an existing public school to a charter school that would not be eligible for a loan pursuant to subdivision (c) of Section 41365 may be circulated by one or more persons seeking to establish the charter school. The petition may be submitted to the governing board of the school district for review after the petition is signed by not less than 50 percent of the permanent status teachers currently employed at the public school to be converted.

(3) A petition shall include a prominent statement that a signature on the petition means that the parent or legal guardian is meaningfully interested in having his or her child or ward attend the



charter school, or in the case of a teacher's signature, means that the teacher is meaningfully interested in teaching at the charter school. The proposed charter shall be attached to the petition. (4) After receiving approval of its petition, a charter school that proposes to establish operations at one or more additional sites shall request a material revision to its charter and shall notify the authority that granted its charter of those additional locations. The authority that granted its charter shall consider whether to approve those additional locations at an open, public meeting. If the additional locations are approved, there shall be a material revision to the charter school's charter.

(5) A charter school that is unable to locate within the jurisdiction of the chartering school district may establish one site outside the boundaries of the school district, but within the county in which that school district is located, if the school district within the jurisdiction of which the charter school proposes to operate is notified in advance of the charter petition approval, the county superintendent of schools and the Superintendent are notified of the location of the charter school before it commences operations, and either of the following circumstances exists:

(A) The 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 school chooses to locate.

(B) The site is needed for temporary use during a construction or expansion project.

(6) Commencing January 1, 2003, a petition to establish a charter school may not be approved to serve pupils in a grade level that is not served by the school district of the governing board considering the petition, unless the petition proposes to serve pupils in all of the grade levels served by that school district.

(b) No later than 30 days after receiving a petition, in accordance with subdivision (a), the governing board of the school district shall hold a public hearing on the provisions of the charter, at which time the governing board of the school district shall consider the level of support for the petition by teachers employed by the school district, other employees of the school district, and parents. Following review of the petition and the public hearing, the governing board of the school district shall either grant or deny the charter within 60 days of receipt of the petition, provided, however, that the date may be extended by an additional 30 days if both parties agree to the extension. In reviewing petitions for the establishment of charter schools pursuant to this section, the chartering authority shall be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that the establishment of charter schools should be encouraged. The governing board of the school district shall grant a charter for the operation of a school under this part if it is satisfied that granting the charter is consistent with sound educational practice. The governing board of the school district shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings:

(1) The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.

(2) The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.

(3) The petition does not contain the number of signatures required by subdivision (a).

(4) The petition does not contain an affirmation of each of the conditions described in subdivision (d).

(5) The petition does not contain reasonably comprehensive descriptions of all of the following:

(A) (i) The educational program of the charter school, designed, among other things, to identify those whom the charter school is attempting to educate, what it means to be an “educated person” in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners.

(ii) The annual goals for the charter school for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals.

(iii) If the proposed charter school will serve high school pupils, the manner in which the charter school will inform parents about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered transferable and courses approved by the University of California or the California State University as creditable under the “A to G” admissions criteria may be considered to meet college entrance requirements.

(B) The measurable pupil outcomes identified for use by the charter school. “Pupil outcomes,” for purposes of this part, means the extent to which all pupils of the charter school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the charter school’s educational program. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both schoolwide and for all groups of pupils served by the charter school, as that term is defined in subparagraph (B) of paragraph (3) of subdivision (a) of Section 47607. The pupil outcomes shall align with the state priorities, as described in subdivision (d) of Section 52060 that apply for the grade levels served, or the nature of the program operated, by the charter school.

(C) The method by which pupil progress in meeting those pupil outcomes is to be measured. To the extent practicable, the method for measuring pupil outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card.

(D) The governance structure of the charter school, including, but not limited to, the process to be followed by the charter school to ensure parental involvement.

(E) The qualifications to be met by individuals to be employed by the charter school.

(F) The procedures that the charter school will follow to ensure the health and safety of pupils and staff. These procedures shall include the requirement that each employee of the charter school furnish the charter school with a criminal record summary as described in Section 44237.

(G) The means by which the charter school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted.

(H) Admission policies and procedures, consistent with subdivision (d).

(I) The manner in which annual, independent financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the chartering authority.

(J) The procedures by which pupils can be suspended or expelled from the charter school for disciplinary reasons or otherwise involuntarily removed from the charter school for any reason. These procedures, at a minimum, shall include an explanation of how the charter school will

comply with federal and state constitutional procedural and substantive due process requirements that is consistent with all of the following:

(i) For suspensions of fewer than 10 days, provide oral or written notice of the charges against the pupil and, if the pupil denies the charges, an explanation of the evidence that supports the charges and an opportunity for the pupil to present his or her side of the story.

(ii) For suspensions of 10 days or more and all other expulsions for disciplinary reasons, both of the following:

(I) Provide timely, written notice of the charges against the pupil and an explanation of the pupil's basic rights.

(II) Provide a hearing adjudicated by a neutral officer within a reasonable number of days at which the pupil has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate.

(iii) Contain a clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the pupil or the pupil's parent or guardian or, if the pupil is a foster child or youth or a homeless child or youth, the pupil's educational rights holder, and shall inform him or her of the right to initiate the procedures specified in clause (ii) before the effective date of the action. If the pupil's parent, guardian, or educational rights holder initiates the procedures specified in clause (ii), the pupil shall remain enrolled and shall not be removed until the charter school issues a final decision. For purposes of this clause, "involuntarily removed" includes dis-enrolled, dismissed, transferred, or terminated, but does not include suspensions specified in clauses (i) and (ii).

(K) The manner by which staff members of the charter schools will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security.

(L) The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools.

(M) The rights of an employee of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school.

(N) The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter.

(O) The procedures to be used if the charter school closes. The procedures shall ensure a final audit of the charter school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records.

(6) The petition does not contain a declaration of whether or not the charter school shall be deemed the exclusive public employer of the employees of the charter school for purposes of Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code.

(c) (1) Charter schools shall meet all statewide standards and conduct the pupil assessments required pursuant to Section 60605 and any other statewide standards authorized in statute or pupil assessments applicable to pupils in - public schools.

(2) Charter schools shall, on a regular basis, consult with their parents, legal guardians, and teachers regarding the charter school's educational programs.

(d) (1) In addition to any other requirement imposed under this part, a charter school shall be nonsectarian in its programs, admission policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against a pupil on the basis of the characteristics listed in Section 220. Except as provided in paragraph (2), admission to a charter school shall not be determined according to the place of residence of the pupil, or of his or her parent or legal guardian, within this state, except that an existing public school converting partially or entirely to a charter school under this part shall adopt and maintain a policy giving admission preference to pupils who reside within the former attendance area of that public school.

(2) (A) A charter school shall admit all pupils who wish to attend the charter school.

(B) If the number of pupils who wish to attend the charter school exceeds the charter school's capacity, attendance, except for existing pupils of the charter school, shall be determined by a public random drawing. Preference shall be extended to pupils currently attending the charter school and pupils who reside in the school district except as provided for in Section 47614.5. Preferences, including, but not limited to, siblings of pupils admitted or attending the charter school and children of the charter school's teachers, staff, and founders identified in the initial charter, may also be permitted by the chartering authority on an individual charter school basis. Priority order for any preference shall be determined in the charter petition in accordance with all of the following:

(i) Each type of preference shall be approved by the chartering authority at a public hearing.

(ii) Preferences shall be consistent with federal law, the California Constitution, and Section 200.

(iii) Preferences shall not result in limiting enrollment access for pupils with disabilities, academically low-achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, or pupils who are economically disadvantaged, as determined by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation.

(iv)- In accordance with Section 49011, preferences shall not require mandatory parental volunteer hours as a criterion for admission or continued enrollment.

(C) In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the charter school and shall not take any action to impede the charter school from expanding enrollment to meet pupil demand.

(3) If a pupil is expelled or leaves the charter school without graduating or completing the school year for any reason, the 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 report cards or a transcript of grades, and health information. If the pupil is subsequently expelled or leaves the school district without graduating or completing the school year for any reason, the school district shall provide this information to the charter school within 30 days if the charter school demonstrates that the pupil had been enrolled in the charter school. This paragraph applies only to pupils subject to compulsory full-time education pursuant to Section 48200.

(e) The governing board of a school district shall not require an employee of the school district to be employed in a charter school.

(f) The governing board of a school district shall not require a pupil enrolled in the school district to attend a charter school.

(g) The governing board of a school district shall require that the petitioner or petitioners provide information regarding the proposed operation and potential effects of the charter school,

including, but not limited to, the facilities to be used by the charter school, the manner in which administrative services of the charter school are to be provided, and potential civil liability effects, if any, upon the charter school and upon the school district. The description of the facilities to be used by the charter school shall specify where the charter school intends to locate. The petitioner or petitioners also shall be required to provide financial statements that include a proposed first-year operational budget, including startup costs, and cash-flow and financial projections for the first three years of operation.

(h) In reviewing petitions for the establishment of charter schools within the school district, the governing board of the school district shall give preference to petitions that demonstrate the capability to provide comprehensive learning experiences to pupils identified by the petitioner or petitioners as academically low achieving pursuant to the standards established by the department under Section 54032, as that section read before July 19, 2006.

(i) Upon the approval of the petition by the governing board of the school district, the petitioner or petitioners shall provide written notice of that approval, including a copy of the petition, to the applicable county superintendent of schools, the department, and the state board.

(j) (1) If the governing board of a school district denies a petition, the petitioner may elect to submit the petition for the establishment of a charter school to the county board of education. The county board of education shall review the petition pursuant to subdivision (b). If the petitioner elects to submit a petition for establishment of a charter school to the county board of education and the county board of education denies the petition, the petitioner may file a petition for establishment of a charter school with the state board, and the state board may approve the petition, in accordance with subdivision (b). A charter school that receives approval of its petition from a county board of education or from the state board on appeal shall be subject to the same requirements concerning geographic location to which it would otherwise be subject if it received approval from the entity to which it originally submitted its petition. A charter petition that is submitted to either a county board of education or to the state board shall meet all otherwise applicable petition requirements, including the identification of the proposed site or sites where the charter school will operate.

(2) In assuming its role as a chartering agency, the state board shall develop criteria to be used for the review and approval of charter school petitions presented to the state board. The criteria shall address all elements required for charter approval, as identified in subdivision (b), and shall define "reasonably comprehensive," as used in paragraph (5) of subdivision (b), in a way that is consistent with the intent of this part. Upon satisfactory completion of the criteria, the state board shall adopt the criteria on or before June 30, 2001.

(3) A charter school for which a charter is granted by either the county board of education or the state board based on an appeal pursuant to this subdivision shall qualify fully as a charter school for all funding and other purposes of this part.

(4) If either the county board of education or the state board fails to act on a petition within 120 days of receipt, the decision of the governing board of the school district to deny the petition shall be subject to judicial review.

(5) The state board shall adopt regulations implementing this subdivision.

(6) Upon the approval of the petition by the county board of education, the petitioner or petitioners shall provide written notice of that approval, including a copy of the petition, to the department and the state board.

(k) (1) The state board may, by mutual agreement, designate its supervisory and oversight responsibilities for a charter school approved by the state board to any local educational agency

in the county in which the charter school is located or to the governing board of the school district that first denied the petition.

(2) The designated local educational agency shall have all monitoring and supervising authority of a chartering agency, including, but not limited to, powers and duties set forth in Section 47607, except the power of revocation, which shall remain with the state board.

(3) A charter school that is granted its charter through an appeal to the state board and elects to seek renewal of its charter shall, before expiration of the charter, submit its petition for renewal to the governing board of the school district that initially denied the charter. If the governing board of the school district denies the charter school's petition for renewal, the charter school may petition the state board for renewal of its charter.

(l) Teachers in charter schools shall hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold. These documents shall be maintained on file at the charter school and are subject to periodic inspection by the chartering authority. It is the intent of the Legislature that charter schools be given flexibility with regard to noncore, non-college preparatory courses.

(m) A charter school shall transmit a copy of its annual, independent financial audit report for the preceding fiscal year, as described in subparagraph (I) of paragraph (5) of subdivision (b), to its chartering entity, the Controller, the county superintendent of schools of the county in which the charter school is sited, unless the county board of education of the county in which the charter school is sited is the chartering entity, and the department by December 15 of each year. This subdivision does not apply if the audit of the charter school is encompassed in the audit of the chartering entity pursuant to Section 41020.

(n) A charter school may encourage parental involvement, but shall notify the parents and guardians of applicant pupils and currently enrolled pupils that parental involvement is not a requirement for acceptance to, or continued enrollment at, the charter school.

*(Amended by Stats. 2017, Ch. 760, Sec. 2.5. (AB 1360) Effective January 1, 2018.)*