



# SAN DIEGO CITY SCHOOLS

EUGENE BRUCKER EDUCATION CENTER ♦ 4100 Normal Street, San Diego, CA 92103-2682 ♦

## Executive Summary Board Date: May 24, 2005

Office of the Superintendent

<b>SUBJECT:</b>  REPORT REGARDING AMENDMENT TO PROPOSITION 39 CHARTER SCHOOLS FACILITIES POLICY AND APPLICATIONS	X	<b>OPEN/ACTION</b>
		<b>INFORMATION</b>
		<b>CONSENT</b>

**Recommendation(s):** The Superintendent recommends that the Board review and approve the following amendment to the District’s existing Proposition 39 charter school facilities policies and procedures.

**Summary of Previous Board of Education Discussion and Action:** In November 2000, the voters of California passed Proposition 39. Proposition 39 provided, among other things, that a portion of certain general obligation bond proceeds must go toward charter school facilities. Proposition 39 also amended the Education Code to mandate that school districts provide facilities to charter schools, with certain limitations, and in a manner fair to both charter schools and traditional district schools needs.

On March 23, 2004, the Board of Education (1) approved and affirmed the recommended policies and procedures articulated in this report and in Exhibit 1 hereto for implementation of Proposition 39, (2) instructed staff to continue working with the charter school community to resolve outstanding issues and disputes to the greatest extent possible under the current circumstances, and (3) directed staff to incorporate charter facility issues into the District’s long range facilities policy and plan and develop a process for inclusion of charter school facilities in future facilities bond measures.

On March 28, 2005, the Board of Education approved the below procedure for implementation of Proposition 39 (apart from the additions proposed herein). The Board of Education also directed staff to incorporate additional community input process into the procedure.

**Summary of Key Issue(s):** This recommendation adds community outreach and input to the Proposition 39 allocation process. Staff recommends that community outreach and input occur after the Board of Education determines that a District site may be available for charter use, but before an offer of the site is made to any specific charter schools. Such outreach and input would be in addition to any appropriate application of school closure and excess school property proceedings per Education Code section 17387 and Administrative Procedure Nos. 3105 and 3113.

**Fiscal Analysis:** No fiscal impact other than allocation of staff time and resources to the process.

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Tad Seth Parzen, General Counsel

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Chief of Staff