

# Fontana Unified School District

## Board Policy

BP 7160

### CHARTER SCHOOL FACILITIES

The Board of Education 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.

(cf. [0420.4](#) - Charter School Authorization)

(cf. [0420.41](#) - Charter School Oversight)

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 schools 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](#))

(cf. [7110](#) - Facilities Master Plan)

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

(cf. [3100](#) - Budget)

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 Reference:

EDUCATION CODE

17070.10-17079.30, [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

17365-17374 Field Act, fitness for occupancy

[46600](#) Interdistrict attendance agreements

[47600-47616.5](#) Charter Schools Act

[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 relating to the Leroy F. Greene School Facilities Act of 1998

[1859.31](#) Classroom inventory

[1859.160-1859.172](#) Charter school facilities program, new construction

CODE OF REGULATIONS, TITLE 5

[11969.1-11699.11](#) Charter school facilities

COURT DECISIONS

## CSBA PUBLICATIONS

The Role of the Charter School Authorizer, Online Course

Charter Schools: A Manual for Governance Teams, rev. 2009

Charter School Facilities and Proposition 39: Legal Implications for School Districts, 2005

## OFFICE OF PUBLIC SCHOOL CONSTRUCTION PUBLICATIONS

School Facility Program Handbook, May 2008

## WEB SITES

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

California Charter Schools Association: **Error! Hyperlink reference not valid.**<https://www.ccsa.org/>

California Department of Education, Charter Schools: <https://www.cde.ca.gov/sp/ch/index.asp>

Coalition for Adequate School Housing: <http://www.cashnet.org>

Office of Public School Construction: <https://www.dgs.ca.gov/OPSC>

## Policy FONTANA UNIFIED SCHOOL DISTRICT

adopted: August 20, 2014 Fontana, California

Revised: