

SENATE THIRD READING  
SB 414 (Ashby)  
As Amended September 9, 2025  
Majority vote

## SUMMARY

Makes changes to charter school law related to audit procedures, financial oversight, and funding determinations.

### Major Provisions

Renames "nonclassroom-based" (NCB) charter schools as "flex-based" charter schools and makes corresponding terminology updates in provisions relating to public meeting requirements and audit procedures.

### *Verified Data*

- 1) Extends the use of verified data by charter schools in the renewal process until June 30, 2028.

### *Auditing Standards*

- 2) Adds the Charter Schools Development Center, the California Charter Schools Association, and the California School Employees Association to the list of stakeholders to be consulted in the audit guide development process.
- 3) Updates the schedules and procedures in the annual audit guide for LEAs to include student enrollment and attendance, the top 25 payments or transfers, student-to-teacher ratios, funding determination thresholds for flex-based schools, loans and related entities, charter school governing body members, the five highest paid employees, determination if flex-based schools are part of a network, sampling of credit card payments, payments of 10% or \$1 million whichever is less, analytical procedure to determine unusual enrollment patterns in high school, whether any 12<sup>th</sup> grade students did not complete required state assessments, and verification of four student work products per attendance period.
- 4) Establishes a second set of instructions for the audit guide that state the provisions shall be no more burdensome than the generally accepted auditing standards (GAAS).

### *Authorizer Oversight*

- 5) Requires chartering authorities to notify the California Department of Education (CDE) and the county superintendent of schools if they suspect fraud, misappropriation of funds, or other illegal fiscal practices.
- 6) Expands the grounds on which the State Board of Education (SBE) may revoke a charter to include false claims by a charter school. Requires the SBE or its designee to promptly investigate allegations of false claims or misappropriation of public funds if there is probable cause.

### *Inspector General*

- 7) Establishes, until 2034, the Office of the Education Inspector General as an independent governmental entity to conduct forensic audits to identify fraud, misappropriation of funds, or illegal activity at LEAs and entities managing a charter school.

#### *Funding Determination*

- 8) Changes the funding levels that flex-based charter schools are eligible for in the funding determination process to 100%, 85%, 70%, and a proportional percentage below 100% if the school fails to meet the spending threshold for instruction and related services by less than 3%.
- 9) Authorizes flex-based charter schools to continue to receive the funding level prescribed by the SBE in the funding determination indefinitely, so long as the annual financial and compliance audit verifies that the school continues to meet the funding determination thresholds approved by the SBE.
- 10) Requires each school in a network of flex-based charter schools to either have the annual financial and compliance audit completed by the same auditor, or, apply for a funding determination in the same year and be heard by the SBE at the same hearing, and requires the CDE or the auditor to analyze the pupil-to-teacher ratio and spending thresholds across the entire network.
- 11) Requires, when a flex-based school applies for mitigating circumstances the Advisory Commission on Charter Schools (ACCS) and the SBE to grant serious consideration to the budgeting and staffing decisions of the charter school, provided those decisions are otherwise legal and compliant with applicable law.
- 12) Authorizes the following as part of the funding determination threshold calculations:
  - a) Allow exclusion of restricted grants and funds that are not spent on certificated staff salaries or instruction and related services;
  - b) Allow exclusion of proceeds from loans for facilities and state apportionment;
  - c) Allow exclusion of unspent one-time funds;
  - d) Include spending on physical school sites as instructional-related expenditures;
  - e) Require disclosure of reserves by accounting category;
  - f) Allow exclusion of reserve increases from revenue if reserves are below 10%; and
  - g) Require explanations for reserves over 10% and notify authorizers when under 5%.
- 13) Includes contracted services for certificated staff to be counted toward the percentage of revenue expended on certificated staff salaries and benefits.

#### *Contracting*

- 14) Establishes the following rules for contracting for all LEAs:

- a) Prohibiting contracted programs from being sectarian;
- b) Prohibiting contracts from paying for tuition and fees at a private school, except pursuant to an individualized education program (IEP);
- c) Prohibiting financial payments or gifts to a pupil or prospective pupil or their family for enrollment, referral, or retention;
- d) Requires that contracts be at a reasonable market value;
- e) Prohibits contracting or purchasing season passes to amusement parks, theme parks, zoos or family entertainment activities, but allows for one time admissions that are aligned to teacher assignments, graduation or co-curricular activities;
- f) Prohibits LEA's from providing financial incentives for manipulating or falsifying student attendance;
- g) Requires LEA's to only contract with an entity that has a business license or certificate and that holds appropriate insurance for the service;
- h) Prohibits LEAs from contracting with parents for services provided exclusively to their own child;
- i) Prohibits LEAs from reimbursing parents for activities or services, except pursuant to an IEP or settlement agreement;
- j) Requires contractors to have policies and procedures for site safety;
- k) Requires all contractors to have a valid criminal record summary;
- l) Requires all contractors to show evidence of qualifications and expertise;
- m) Prohibits contractors, as part of the contract with the LEA, from charging pupil fees; and
- n) Requires flex-based charter contracts to itemize costs with details to determine a qualifying expense for the funding determination.

*Charter Authorizer Technical Assistance*

- 15) Establishes the Charter Authorizer Mentor Grant program and authorizes the California Collaborative on Educational Excellence (CCEE) to identify five entities, including nonprofit organizations to provide two years of technical assistance to charter authorizers who have two consecutive years of at least two audit findings related to charter oversight.
- 16) Prohibits a charter authorizer that is required to receive technical assistance for two years from approving new flex-based charter schools until the authorizer has an annual financial and compliance audit without audit findings related to charter oversight.
- 17) Allows new flex-based charter schools to apply for authorization from any school district in the county or the county board of education and authorizes the flex-based charter

school to establish facilities in both the authorizing district as well as the school district that is receiving technical assistance and is prohibited from authorizing new flex-based schools.

#### *Charter Authorizer Oversight Grant*

- 18) Establishes a charter authorizer oversight grant program to pay for the increased cost of oversight activities established by this measure, however, does not establish the new oversight activities for charter authorizers referenced in the grant program.

#### *Teacher Misassignment Monitoring*

- 19) Requires charter schools, like school districts, to pay a penalty for hiring teachers who do not hold a teaching credential from the Commission on Teacher Credentialing.

#### *State Assessments*

- 20) Requires LEAs that offer 10<sup>th</sup> grade and 12<sup>th</sup> grade to also offer 11<sup>th</sup> grade.

#### *Legislative Analyst Office (LAO) Mandate Analysis*

- 21) Requires the LAO to prepare an analysis of the increased mandate costs for charter schools as a result of this bill including the new audit requirements, the inclusion of the funding determination analysis in the annual audit, responding to new accounting and oversight requirements, approval requirements by the governing body of a charter school for contracts over one hundred thousand dollars (\$100,000), and the increased costs to the independent audit contract for the auditor to meet the new requirements.

#### *Statewide oversight Entity*

- 22) Establishes Legislative intent to establish a statewide oversight entity.

#### *Moratorium*

- 23) Extends the moratorium on flex-based charter schools to June 30, 2026.

#### *Mandate Claims*

- 24) Includes charter schools in the mandate test claim process by declaring charter schools a public agency.

### **COMMENTS**

*Legislative Analyst Office (LAO)/Fiscal Crisis and Management Assistance Team (FCMAT) report recommends numerous reforms to NCB charter law. In their 2024 report to the Legislature, the LAO and FCMAT made the following recommendations:*

- 1) *Several Changes to Improve Funding Determination Process.* We provide several specific recommendations the Legislature could enact to improve the funding determination process. Our recommendations are intended to narrow the process to a smaller subset of schools,

improve the comprehensiveness and quality of data submitted to the CDE, and streamline some aspects of the process. Most significantly, we recommend the Legislature:

- a) *Narrow the Definition of a NCB Charter School.* We recommend narrowing the definition of a NCB charter school so that the designation excludes those schools that provide the majority of their instruction in person. This would exclude charter schools whose programs have cost structures that are similar to traditional classroom-based programs.
  - b) *Improve Quality of Data Submitted to CDE.* To assist the CDE in efficiently reviewing and processing funding determination forms, we recommend requiring data submitted by charter schools be consistent with their annual audits. We also recommend several changes that would require information submitted to CDE be subject to annual audits.
  - c) *Use Multiple Years of Data for Funding Determinations.* We recommend the funding determinations take into consideration a school's aggregate spending for all years since the previous funding determination. This would ensure school expenditures are aligned with the funding determination thresholds consistently over time.
- 2) *Consider Changes to Charter School Oversight.* We also provide several recommendations for the Legislature to consider regarding broader oversight of charter schools. These issues generally apply to all charter schools, though in a few cases, we highlight specific issues related to NCB charter schools and virtual charter schools. Most significantly, we recommend the Legislature consider the following:
- a) *Improvements to Oversight by Charter School Authorizers.* We recommend that the Legislature consider several changes to improve the quality of authorizer oversight. Specifically, we recommend that the Legislature set limits on district authorizers by district size and grade, increase minimum requirements for authorizers, and consider an alternative authorizing structure for virtual schools.
  - b) *Enhancements to Charter School Audits.* Current audit requirements often do not address the complexities and unique flexibilities of charter school finances. We recommend the Legislature align the audit process for charter schools to that of school districts and add audit requirements that would address issues specific to charter schools.

*This bill does not fully address the following LAO/FCMAT report recommendations:*

- 1) *Small district authorizers.* This bill does not address the recommendation in the LAO/FCMAT report to limit authorizing by district size. Most NCB charter schools are authorized by small rural school districts. Many of these small districts are stretched thin with regard to staff, and in some cases, the Superintendent holds many roles, such as math teacher and school bus driver. These small districts generally do not have the capacity to provide meaningful charter school oversight. In some cases, these small school districts authorize NCB charter schools as a means to balance their district budgets through the collection of oversight fees. There are very small school districts authorizing large NCB charter schools. The chart below illustrates a sampling of current small school districts that have authorized large numbers of NCB charter schools.

School District Name	School District ADA	Authorized Charter School ADA
New Jerusalem Elementary	22	4,500
Oro Grande	109	3,738
Dehesa Elementary	145	8,532
Maricopa Unified	300	6,067
Julian Union Elementary	311	3,502
Campbell Union	876	6,417
Acton-Agua Dulce Unified	1,080	13,775

(Source: California School Boards Association)

- 2) *Authorizer oversight and oversight fees.* Charter school authorizers play a vital role in providing oversight over both the academic and fiscal aspects of the charter schools they authorize. This measure provides for a grant program to provide charter authorizers funding to cover the costs of increased oversight responsibilities, however, this measure does not increase charter authorizer oversight responsibilities as referenced.
- 3) *Funding determination.* NCB charter schools are required to obtain a funding determination that is approved by the SBE. This funding determination establishes the percentage of funding the NCB charter school will receive compared to all other traditional classroom-based schools. Most charter schools apply for a 100% NCB funding determination. To do so, they must meet the following criteria:
  - 1) Spend at least 40% of total public revenue on instructional certificated salary and benefits;
  - 2) Spend at least 80% of total public revenue on instruction-related services; and
  - 3) Not exceed a 25:1 pupil-to-teacher ratio.

Under existing law, if NCB charter schools do not meet these thresholds but meet lower thresholds, they are eligible for 85% funding or 70% funding. If they do not meet minimum thresholds, they are not eligible for funding. With respect to the funding determination process, *this bill does not address the LAO/FCMAT recommendations as follows:*

- 1) Align funding determination with charter renewals; and
- 2) Use the current expense of education to measure spending on certificated staff.

*Additional recommendations* from the LAO/FCMAT report not included in this bill:

- 3) Establishing a definition of virtual charter network in statute;
- 4) Making the definition of a virtual school subject to the annual audit; and
- 5) Requiring authorizers to participate in regular training.

*SCO charter school audits task force makes recommendations on reforms.* In response to the A3 Charter School fraud case, described later in this analysis, a San Diego Superior Court Judge signed a court order to approve the formation of a multi-agency task force, known as the Multi-Agency Charter School Audits Task Force, led by the SCO, to combat charter school fraud. The 2024 Task Force report made the following recommendations:

The Task Force extensively discussed the current state of California charter schools and developed recommendations based on the combined expertise, experience, and knowledge of multi-disciplinary Task Force members. These recommendations are intended to foster a culture of transparency and accountability by further strengthening charter school audit function components. The recommendations are organized into the following sections of this report:

- 1) CPA Firm Authorization, Qualifications, Training, Evaluation, and Compliance with K-12 Audit Guide;
- 2) CPA Firm Selection, Rotation, and Late Audit Report Notifications;
- 3) K-12 Audit Guide Procedures; and
- 4) Financial Statement Audit Report Disclosures.

The Task Force determined that most of the recommendations should be applied to all LEAs, including school districts, COEs, and charter schools, providing opportunities to strengthen the audit functions across the entire LEA system. To combat fraud in charter schools, it is important that oversight agencies, in addition to those performing charter school audit functions, implement strong internal and monitoring controls to timely identify and mitigate

potential fraud. The control and monitoring functions include the charter school petition and approval process, the charter school accountability systems, the authorizer monitoring of charter schools, and the respective oversight functions of the charter school governing board, COEs, the CDE, and the SCO.

*This bill includes items that were not in the LAO/FCMAT or SCO reports, as detailed in the following sections.*

- 1) *Authorizes charter schools to continue to use verified data until 2028.* This bill extends the timeline for charter schools to use verified data in the renewal process. Verified data was established by AB 1505 (O'Donnell) as a temporary measure for charter schools to show student growth during renewal, until the SBE adopted a student growth measure for the entire state. The SBE voted to create the growth measure in July 2025 and it will be on the dashboard released this fall. The use of verified data is not related to the LAO/FCMAT report or the Controller's report.
- 2) *Requiring the SBE to investigate false claims.* This bill requires the SBE or its designee to promptly investigate allegations of false claims or misappropriation of public funds if there is probable cause. There are several flaws to consider in implementing this proposal. To implement such a requirement, the SBE would first be required to vote at a public meeting to start an investigation, which will delay the start of any such investigation and create political pressure on the SBE. *The Assembly may wish to consider* whether it is best practice to require a public SBE vote before any fraud investigation commences. Additionally, the proposal requires the SBE to first determine if there is probable cause before it approves an investigation; however, it is unclear how the SBE would determine probable cause without first investigating. Further, the bill does not establish an independent investigation team at the SBE, and without a separate team there is a possibility for conflicts of interest.
- 3) *Authorizing flex-based charters to exclude restricted grants from the funding determination.* This bill authorizes flex-based schools to exclude restricted grants from the calculations of certificated staff salaries and benefits and instruction and related services, even though many restricted grants programs may be spent on certificated staff salaries and instruction and related services. Excluding these grants that can be spent on these categories from the calculation reduces the amount of funds required to be spent on these categories.
- 4) *Undoing the location of charter school facilities required by AB 1507 (Smith).* This bill provides technical assistance to charter authorizers that have received two years of audit findings related to charter school oversight. During the required technical assistance, it prohibits the charter authorizer from approving new flex-based charter schools, however, it allows new flex-based charter schools to be authorized by a neighboring school district and establish facilities both in the authorizing school district AND the school district that is prohibited from authorizing new flex-based schools. This is directly counter to the requirements established by AB 1507, which expressly stated that charter schools must only establish facilities within the jurisdiction of the authorizing district.
- 5) *Changing the name of NCB charters to flex-based charter schools.* This bill replaces the term "NCB" with "flex-based" throughout the Education Code. While the change may be intended to reflect evolving instructional models or reduce negative associations with the



term "NCB," it does not alter the underlying instructional model, funding structure, or eligibility requirements for these schools. In effect, the bill rebrands a model that remains substantively unchanged. This name change carries several potential risks, including confusion about the terminology, a potential disruption of oversight and implementation, and a false signaling of reform when none has occurred.

- 6) *Adds charter schools to the mandate test claim process.* This bill deems charter schools to be a local agency for purposes of the mandate test claim process. The concept of state reimbursement to local agencies and school districts for state mandated activities originated with the Property Tax Relief Act of 1972 (Senate Bill 90, Chapter 1406, Statutes of 1972), known as SB 90. The primary purpose of the Act was to limit the ability of local agencies and school districts to levy taxes. To offset these limitations, the Legislature declared its intent to reimburse local agencies and school districts for the costs of new programs or increased levels of service mandated by state government. The Legislature authorized the State Board of Control to hear and decide upon claims requesting reimbursement for costs mandated by the state.

In 1979, voters approved Proposition 4, which added Article XIII B to the California Constitution and superseded the SB 90 legislation. Article XIII B imposed appropriation limits on the tax proceeds of both state and local governments. Section 6 of Article XIII B requires that whenever the Legislature or any state agency mandates a new program or higher level of service on local government, the state must provide a subvention of funds to reimburse the associated costs, with certain exceptions. Because the mandates commission was created by constitutional amendment passed by the voters before charter schools existed, it is unclear whether adding charter schools to the mandate process would require going back to the voters.

*Recent A3 Charter Schools fraud case reveals significant weaknesses in NCB charter school law.* Numerous charter school fraud cases have been documented in recent years, including, but not limited to: A3 Charter Schools, Magnolia Charter School, Tri-Valley Learning Corporation, among others.

In *People v. McManus*, the San Diego County District Attorney's Office indicted 11 defendants in a fraud scheme involving nineteen charter schools (A3 Charter Schools). The case revealed many weaknesses in state public charter school law in the areas of pupil data tracking, auditing, school finance, and oversight, which resulted in A3 schools surrendering more than \$210 million, 13 houses, and numerous shares in third-party companies. These weaknesses included the following:

- 1) *Lack of pupil data tracking.* Currently, charter schools submit aggregate attendance data for each school without any information about individual pupils. Oversight agencies do not maintain individual pupil data about enrollments in charter schools they oversee for state funding purposes. One A3 charter school was found to be paying a private company to recruit and collect personal information from pupil athletes. The school then enrolled the athletes in the charter school without their knowledge—thereby fraudulently generating ADA—and paid the recruiting company a portion of the public funds generated as a finder's fee.

- 2) *Multi-track calendar abuses.* The A3 schools were found to have deceived the state into paying them significantly more funds by manipulating the "multi-track year round calendar," which charter schools are currently authorized to use. The A3 schools would (1) run a fake summer school to collect funding for pupils that never knowingly enrolled, (2) inflate their fraudulent summer school attendance numbers—to the tune of about 60%—by offering fewer days of fake summer school instruction, and (3) transfer pupils between different A3 schools, increasing attendance fraudulently by another roughly 40%.
- 3) *Lack of meaningful audit requirements.* The annual audits required by law found little to no malpractice by A3 schools for several reasons. First, auditors are not required to complete any specialized up-front or ongoing training in school finance or law to audit a charter school. Second, charter schools can choose their auditors—A3 schools were shown to have fired their auditing firms and hired less experienced firms in the rare event that audit findings were made. Third, NCB charter schools are allowed to pick their own samples of pupil documentation showing compliance with independent study laws—enabling A3 to hide the fraudulent aspects of their operation from auditors. Fourth, auditors are not required to audit the education program received by pupils, only compliance with documentation. In the A3 schools, many children were enrolled from sports teams, believing they were participating in a fundraiser and had no knowledge they were enrolled in a charter school at all.
- 4) *Flawed funding determination process.* While existing law requires that NCB charter schools only receive full funding in exceptional circumstances—when at least 80% of funding is spent directly serving pupils—the current funding determination process essentially funds all schools at 100%. This is because existing regulations define "instructional and related services" very broadly, and charter schools can meet these spending benchmarks without necessarily spending money on pupils. Further, NCB charter schools are only required to request a funding determination and provide compliance documentation to the SBE every five years.
- 5) *Perverse financial incentives for charter school authorizers.* Existing law allows charter authorizers to collect oversight fees from charter schools under their authority but does not require authorizers to demonstrate that the fees are spent on meaningful school oversight. Small school districts that approve NCB charter schools serving pupils not located in the district can earn significant oversight fees—creating a built-in incentive to overlook poor charter school practices. For example, Dehesa Elementary School District approved over ten charter schools, all providing NCB programs. The district's oversight fees for the 2017-2018 school year were more than its entire expenditures for all employees hired by the district. When the district learned of improprieties from the charter schools it had authorized, it took no meaningful action. Ultimately, the district collected the oversight fees and only acted to revoke the A3 Charter Schools under its authority once law enforcement was involved.

*Audit standards identified as flawed as a result of the A3 Charter School Case.* The A3 Charter case illustrated many faults in the way that charter schools are audited compared to school districts, including the following:

- 1) Current law allows charter schools to be audited as nonprofit corporations rather than as governmental entities. Nonprofit corporation audits are not nearly as detailed as governmental entity audits.

- 2) Current law does not require school district and charter school auditors to receive any special training on auditing schools.
- 3) Current law does not direct auditors to review many aspects of independent study programs at charter schools.

*California Longitudinal Pupil Achievement Data System (CALPADS) and ADA data systems.* As noted above, tracking attendance is one of the issues arising out of the A3 case. The State's attendance accounting system is not connected to CALPADS. In other words, when a charter school or school district submits its ADA information to the State, that ADA is not reported with pupil identification. The State, therefore, does not know which pupils ADA is being claimed when it processes attendance apportionments. Current law prohibits a school from claiming more than one year of attendance per pupil; however, more than one year of attendance can be paid per pupil if the pupil attends more than one school or if the student is moved between tracks. *This bill does not address this problem.*

*Teacher assignments and school calendars.* Current law requires independent study programs to operate with specified pupil-to-teacher ratios. Some charter school networks, however, have exceeded these ratios by assigning teachers different groups of pupils at multiple schools. While on paper, it appears that a teacher has a 25:1 pupil-to-teacher ratio at a single school, in reality, the teacher has a much higher pupil-to-teacher ratio across their entire teaching assignment at multiple schools.

The A3 Charter School case demonstrated the ability of schools to manipulate their calendars to collect far more than one year of attendance funding per pupil from the State. The A3 Charter School used the multitrack year-round calendar to run a summer program and erroneously enrolled Little League players over the summer months, enrolled them without their parent's knowledge, and collected attendance funding without providing any instruction to these children. Further, A3 Charter Schools transferred students between multiple schools in their network over the summer months, using the multitrack year-round schedule, and altered their calendar to collect much more than one year of attendance funding per student.

### **According to the Author**

According to the author, "Charter schools are a part of many communities and often provide alternative educational flexibility for families with a myriad of situations; including medical conditions, special needs, and other unique circumstances. They serve as a resource for families and deliver vital educational programs to our students.

Several fiscal audits conducted by various agencies' have identified opportunities for improvement for various charter schools and charter school authorizers across the state. Most of the negative audit findings point back to a greater need for oversight, transparency, and accountability.

SB 414 addresses these issues specifically by holding charter schools responsible for internal accounting and for educational outcomes for all students. This bill incorporates recommendations from several reports, strengthening oversight and ensuring academic success.

It is vital to implement strong accountability measures and establish proper oversight to ensure that students receive quality education in appropriate, safe, and stable learning environments regardless of whether a school is traditional, chartered, or a hybrid model. SB 414 puts students

first and puts into law the important recommendations made through audits from several entities including the Legislative Analyst's Office and State Controller."

### **Arguments in Support**

APLUS+ Personalized Learning Network Association states, "SB 414 will implement several commonsense reforms for NCB public charter schools and improve oversight and accountability for these entities. Unlike previous bills introduced in prior legislative sessions under the guise of enacting charter school reforms by threatening their funding and ability to obtain and offer successful alternative education models for hundreds of thousands of families and students that best fit their students' needs, SB 414 is an even-handed, rational approach to solving longstanding issues in the public charter school sector. The bill addresses NCB reforms and charter school governing board policies in four key areas of accountability and oversight, including 1) vendor relationships, 2) authorizer oversight accountability, 3) auditing practices, auditor training, and expertise, and 4) state oversight and review."

### **Arguments in Opposition**

California Teachers Association states, "Upon the discovery of large-scale fraud perpetrated by a number of NCB charter schools, the Legislature imposed a moratorium on the establishment of new NCB charter schools in 2020, which is set to expire in 2026.

This moratorium gave time for experts from the LAO and FCMAT to investigate these issues and propose comprehensive solutions. In addition, San Diego Superior Court Judge Robert C. Longstreth ordered the State Controller to chair a multi-agency task force to develop audit criteria and best practices for detecting and curtailing future fraud in charter schools.

SB 414 falls short of what is needed, offering incomplete reforms that do not meaningfully resolve the structural issues that contributed to A3. In some sections, the bill creates new problems that undermine charter accountability and legal protections for charter employees.

The bill does not implement core structural reforms recommended in recent oversight reports. For example, it does not adopt the LAO/FCMAT recommendations related to instructional time definitions or real-time enrollment tracking. The LAO and FCMAT also stressed that enhancements to NCB charter oversight by their authorizers are needed in order to prevent fraud and misappropriation of funds. However, SB 414 disregards key report findings and recommendations on that topic as well.

It is critical that the legislature pass comprehensive reforms to NCB charter laws before the moratorium sunset date arrives. Passing incomplete measures that don't fully address all the issues leading to the A3 scandal will result in continue fraud and is deeply problematic."

## **FISCAL COMMENTS**

According to the Assembly Appropriations Committee,

- 1) Ongoing Proposition 98 General Fund costs of an unknown but significant amount, likely in the millions of dollars to tens of millions of dollars statewide, for LEAs, especially charter schools, to comply with the various requirements added by this bill.

This bill makes several changes to charter school audit and charter school authorizer oversight requirements. There are nearly 1,300 charter schools in the state. For audits, each

LEA contracts with an independent auditing firm to conduct its annual audit, verifying compliance with state law via the K-12 Audit Guide. As statutory requirements for LEAs increase and continue to add procedures, independent auditing firms charge LEAs more to account for increased workload. If an auditing firm increases charges to a charter school by \$500 per year to account for requirements added by this bill, the bill creates \$650,000 in new costs.

- 2) Ongoing General Fund costs of \$174,000 for the CDE to hire one additional staff responsible for fulfilling CDE requirements of the bill. CDE cites potential for significant additional costs to the extent that investigations require existing staff time across multiple divisions.
- 3) Ongoing General Fund costs of an unknown amount, possibly in the low hundreds of thousands to high hundreds of thousands of dollars for the SCO to hire additional staff responsible for determining topics for required auditor training, processing auditor certifications, providing technical assistance to auditors, and processing a potential increase in auditor quality control reviews.

## **VOTES**

### **SENATE FLOOR: 30-1-9**

**YES:** Allen, Alvarado-Gil, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Choi, Dahle, Grayson, Grove, Jones, Laird, Limón, McGuire, McNerney, Menjivar, Niello, Ochoa Bogh, Pérez, Richardson, Rubio, Seyarto, Stern, Strickland, Umberg, Valladares, Weber Pierson, Wiener

**NO:** Smallwood-Cuevas

**ABS, ABST OR NV:** Archuleta, Cervantes, Cortese, Durazo, Gonzalez, Hurtado, Padilla, Reyes, Wahab

### **ASM EDUCATION: 8-1-0**

**YES:** Muratsuchi, Hoover, Addis, Alvarez, Bonta, Castillo, Lowenthal, Patel

**NO:** Garcia

### **ASM APPROPRIATIONS: 11-0-4**

**YES:** Wicks, Arambula, Calderon, Caloza, Elhawary, Fong, Mark González, Ahrens, Pacheco, Pellerin, Solache

**ABS, ABST OR NV:** Sanchez, Dixon, Ta, Tangipa

## **UPDATED**

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