

TITLE: Policy on Co-Locations for District School Facilities Use Pursuant to Education Code Section 47614 (Proposition 39)

NUMBER: BUL-5532.2

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ROUTING
Region
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Facilities Services Division
Charter Schools Division

MAJOR CHANGES: This Bulletin replaces BUL-5532.1, dated December 4, 2017, issued by the Los Angeles Unified School District (LAUSD or District) Division of District Operations. The content has been updated to reflect current District procedures and practices for charter school co-locations at District sites via Education Code section 47614 and its implementing regulations (Proposition 39). Also included is an updated, non-exhaustive index of District policies and procedures relevant to the operations and safety of District sites.

This bulletin provides guidelines for the shared use of District school sites by co-located District and charter schools pursuant to Proposition 39. All guidelines are consistent with current LAUSD policies.

POLICY: As a result of the District’s compliance with Proposition 39, District schools and charter schools may be co-located on a single school site. Each co-located charter school shall comply with all applicable federal, state, and local laws and regulations, and applicable District policies. Additionally, each co-located charter school’s use of District facilities shall be subject to and potentially restricted by, among other things, applicable laws, the terms and conditions in the applicable Facilities Use Agreement (FUA), the terms and provisions of the charter school’s operative charter petition, and all conditions in the charter school’s Proposition 39 Final Offer or alternative agreement through which the charter school was allocated Proposition 39 space. Charter schools shall comply with all District policies regarding the operations and

maintenance of the school facilities, furnishings and equipment, and safety procedures, as well as the co-creation and annual update of the Integrated Safe School Plan (ISSP).

This bulletin establishes the expectations that: (1) each co-located charter school is responsible for an excellent standard of use, management, and care of the District's facilities and property (including furniture and equipment); (2) the principals for both the co-located District school and charter school will, with input from the school leadership teams and the safety committee, work collaboratively and cooperatively to establish and maintain a safe environment that supports student learning; and (3) the District school principal is the designated responsible party for site maintenance, operations, and safety.

The District is committed to ensuring that the safety and educational needs of all public school students, both District and charter, are considered when its facilities are shared as prescribed by California law.

**REGULATORY
TIMELINE:**

The following annual deadlines are prescribed by the Proposition 39 implementing regulations.

November 1: The charter school's deadline to submit a facilities request to the District for Proposition 39 facilities in the following fiscal year.

****Please note:** The District uses the annual Electronic Capacity Assessment Review (E-CAR) process to determine the use of classrooms and capacities of facilities at each local school site. By November 1st, the review and revision of E-CAR concludes, and school capacities are finalized. November 1st is also the internal deadline for District schools and departments to identify all anticipated uses of classrooms for the subsequent school year to ensure that the inventory assessment performed by School Management Services is complete, accurate, and confirmed at the start of the annual Proposition 39 space matching process.

December 1: The District's deadline to review and respond to the charter school's average daily attendance (ADA) projections in its Proposition 39 facilities request.

January 2: The charter school's deadline to respond to any objections expressed by the District regarding the charter school's ADA projections.

February 1: The District's deadline to issue a preliminary proposal regarding the space to be allocated to the charter school and/or to which the charter school is to be provided access.

March 1: The charter school's deadline to respond to the District's preliminary proposal.

April 1: The District's deadline to submit a final notification of the space offered to the charter school (Final Offer).

May 1 (or 30 days after the District's issuance of the Final Offer, whichever is later): The charter school's deadline to notify the District in writing whether or not it intends to occupy the offered space.

Ten (10) Business Days Prior to First Day of Charter School Instruction: The District's deadline to have the charter school's Proposition 39 space furnished, equipped, and available for occupancy.

The Proposition 39 implementing regulations permit a charter school and a school district to mutually agree to enter into agreements for an alternative to specific compliance with any of the provisions of the Proposition 39 implementing regulations. Such agreements are known commonly as "alternative agreements" and must be authorized by the Superintendent or his/her designee.

GUIDELINES:**I. Facilities Use Agreement (FUA) and Shared Use Agreement (SUA)**

Each co-located charter school's use of District facilities shall be subject to and potentially restricted by, among other things, applicable laws, the terms and conditions in the FUA, the terms and provisions of the charter school's operative charter petition, and all conditions in the Final Offer or alternative agreement through which the charter school was allocated Proposition 39 space. A key component of the FUA is the SUA, which identifies, among other things, the co-located school's points of contact, school day start/end times, school year start/end dates, and the co-located schools' arrangements for the sharing of certain spaces. Shared use space is space provided for the benefit of students and/or staff, that is not identified as teaching station space or specialized classroom space, and includes, but is not limited to, student eating areas, faculty dining rooms, library, multipurpose room, and play areas. The co-located schools shall negotiate in good faith to establish time allocations and schedules so that the educational programs of both the charter school and District School are least disrupted.

For returning co-locations, the SUA must be signed by the co-located administrators prior to summer recess preceding the school year. For new co-locations, the SUA must be signed by the co-located administrators before the

start of school for either school. Any changes to an executed SUA must be initialed and dated by both administrators, and the revised SUA must be submitted to the Real Estate and Proposition 39 offices. (NOTE: As indicated on the SUA, the District principal does not have authority to allocate any additional classroom/instructional spaces to a charter school. An SUA that purports to allocate any classroom spaces to a charter school is invalid without the approval of authorized District leadership and will only be considered in a proposed alternative agreement. An alternative agreement must be in place before this type of arrangement is implemented.)

II. Administrator Meetings

To address issues relating to the shared use of District facilities and ensure effective communication and coordination between the co-located schools, the District and charter school principals, along with appropriate leadership team members, must meet before the start of the school year and thereafter on a regularly agreed upon date/time. It is recommended that these regular meetings be documented with agendas, sign-in records, and summary minutes with an action plan. During the initial meeting(s), the principals of the co-located District and charter school must:

- Negotiate and complete the SUA;
- Jointly develop a master calendar of activities, school-wide emergency drills, back to school events, parent conferencing, student assemblies, student athletics, spring testing dates, and end of year culmination / graduation events; and
- Review the schedule for the Plant Manager and custodial staff.

III. Safety and Site Operations

A. Integrated Safe School Plan (ISSP)

Charter schools co-located on District property must adhere to the District's "Integrated Safe School Plan" (ISSP). The charter school is responsible for the following in the development and implementation of the ISSP:

- Participating in a joint school safety committee with the District school, to meet at least once a month;
- Completing and submitting the "Emergency Contact Information for Co-Located Charter Schools" form, to be shared with the Los Angeles School Police Watch Commander's office and included in the District school ISSP;

- Assigning individuals to and training members of the emergency response teams;
- Participating in all emergency drills (e.g., earthquake preparedness) with the District school;
- Providing emergency contact information for all students and staff to the District principal who serves as the Incident Commander for the site;
- Providing emergency supplies for its own students and staff (emergency supplies shall be stored in the District school site's emergency supply container/bin; lockdown supplies shall be stored in the charter school's exclusive use classrooms); and
- Obtaining an LAUSD Single-Sign-On to access the ISSP and related trainings on MyPLN.

B. Facilities Security

District and charter school administrators are to ensure that all exterior gates and doors are locked at the beginning of classes and remain locked until the end of the school day. Only the main entrance to the school shall remain open during the school day and this entrance shall be monitored at all times.

Visitors to Campus: Visitors must be informed of the policies and procedures guiding admission into and conduct on the campus. Schools must develop and post a visitor's policy that explains the requirements to sign into and sign out of the visitors' log, obtain the consent of the respective school principal, receive and wear a visitor's identification badge at all times while on campus, and return the visitor's identification badge upon leaving campus.

Los Angeles School Police Department (LASPD): The LASPD serves the school communities of both the co-located District and charter school.

C. Site Access and Availability

Charter schools must submit a Request for After-Hours Use of Facilities Form for any use of District facilities beyond a 420-minute instructional day, outside the hours of 7:00 a.m. and 3:30 p.m., or during weekends or District holidays ("After-Hours Use"). The cost for After-Hours Use is not calculated as part of the Pro Rata Share Charge. Due to the potential impact of After-Hours Use on custodial schedules, additional charges may apply.

The charter school must obtain written pre-approval from the District principal to enter the facility during non-business hours. In addition, site occupants must inform the LASPD Watch Commander of any access to the site during non-school hours and holiday breaks.

D. Incident Reporting

Timely communication between the co-located District and charter school administrators regarding significant incidents supports the safety of all site occupants. Consistent with the “Notification of the District” section in the Federal, State, and District Required Language (FSDRL) which states, “Charter school shall notify the CSD within 24 hours of any dire emergency or serious threat to the health and safety of students or staff,” charter schools are required to provide a written report of significant incidents that occur on campus to the co-located District principal and the Charter Schools Division (CSD) for situational awareness. For assistance, charter schools should contact their assigned CSD Operations Coordinator or Specialist.

IV. Facilities Utilization & School Services

Each charter school shall pay the District a Pro Rata Share Charge which covers, among other things, the maintenance and operations costs of the provided facilities.

Maintenance and Operations: The District school principal is the party responsible for site maintenance. To report a maintenance issue, the co-located charter school principal must contact the District school principal and make a formal written request for service/repair. The District school principal will ensure that the plant manager initiates the work order request for services to/at the site.

The District principal is responsible for managing the custodial supply budget that is part of the charter school’s Pro Rata Share Charge. Costs for supplemental supplies, if necessary, shall be split between the co-located schools.

Custodial services included in the charter school’s Pro Rata Share Charge are based on the allotment given to the school each year to support a 420- minute instructional day. Schools may purchase additional custodial time if additional services are needed.

Other Services: Charter schools may enter into service agreements with the District for additional services such as food services, nursing services, mental health counseling, library services, after school programs, and/or special education. Charter schools should contact prop39@lausd.net to request additional services. The charter school will pay separately for these services, if available.

Key Control: The District school principal will distribute the following keys to the charter school principal (specifically stamped for the charter school):

- Perimeter gate keys
- Classroom keys
- Administrative space keys
- Master keys; for charter school administrators and for District personnel use (Plant Manager, Nightshift B&G Worker, District Principal).

Charter schools may request keys for shared use spaces, restrooms, elevators, parking garages, interior gates, and any additional keys needed through the District principal.

At the end of each school year, the District school principal will collect and/or inventory all co-located charter school keys. When a charter school reduces or vacates its allocated spaces at the school site, the charter school must return rooms keys to the school site principal. All keys issued to the charter school, including custodial keys, are to be kept in a locked key safe when not physically in the possession of authorized charter school staff.

Facility Modification(s): Modification to District Property, especially those that impact building systems, may not be performed by charter school staff or contractors. The charter school principal should complete and submit an "Alterations Request Form" to request an alteration to District property. It is strongly encouraged that the charter school meet with the District principal and the Complex Project Manager in advance of submitting a request in order to assess the feasibility of the project and ensure that meets the district standards.

V. Resolving Facilities Usage Issues

In addition to the prescribed meetings, the co-located District and charter school principals shall meet in good faith to resolve joint usage of facilities (including scheduling conflicts) that may arise.

The co-located principals shall also be responsible for notifying certificated and classified staff of protocols, procedures, and resolution of concerns regarding joint usage of facilities.

The CSD, Region office, and other applicable District offices will provide support when a conflict between the co-located schools regarding the joint usage of facilities cannot be mutually resolved between the respective

principals. If still unresolved, the District shall make the final decision consistent with applicable laws and District policies.

AUTHORITY: This is a policy of the Division of School Operations, in conjunction with the Chief Strategy Officer, and CSD. The policy was developed pursuant to Proposition 39.

RELATED RESOURCES: The list below includes District policies and laws applicable to co-locations but should not be construed as a document that identifies all applicable policies and/or laws. Although this compilation is intended to be as comprehensive as possible, it is not to be considered exhaustive. In the event of a conflict between BUL-5532.2 and other applicable District policy, the other applicable District policy will control.

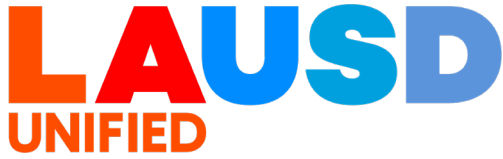
- [Proposition 39 Charter Schools Co-Location Policy \(BR-200-23/24, adopted 03/19/24\)](#)
- Policy Bulletins & Reference Guides:
 - **Safety**
 - [REF-5511.13 Completing and Updating the Integrated Safe School Plan \(ISSP\), issued in July/August of every year](#)
 - [REF-1438.3 How to Obtain a District Single Sign-On and E-mail Account, issued on July 13, 2017](#)
 - [REF-5803.6 Emergency Drills and Procedures, issued on January 10, 2022](#)
 - [REF-6537.2 Inter-Campus/District Wide Safety Communications Test, issued on February 14, 2022](#)
 - [REF-5216.11 District-wide Earthquake Exercise and Radio Test, issued on August 20, 2019](#)
 - [REF-5451.3 School Site Emergency/Disaster Supplies, issued on August 28, 2023](#)
 - [REF-5450.2 School Emergency Response Boxes, issued on August 10, 2022](#)
 - [BUL-6320.2 Procedures for Handling Disturbances, or Demonstrations on or Adjacent to School Sites, issued on December 1, 2021](#)
 - [BUL-5469.3 Lockdown and Rapid Relocation Procedures for All Schools, issued on May 4, 2023](#)
 - [BUL-6459.1 Communication with Los Angeles Unified Schools, Offices, and Other School Districts Regarding Incidents of Violence and Other Emergencies, issued on May 20, 2024](#)

- [BUL-152715 Procedures for Requesting Short-Term School Police Support on Campus Due to Safety Concerns, issued on May 20, 2024](#)
- [REF-4492.2 School Traffic Safety, issued on October 26, 2020](#)
- [REF-5496.1 Implementing a Safety Valet Program, issued on May 23, 2011](#)
- [BUL-1347.5 Child Abuse and Neglect Reporting Requirements, issued on March 27, 2023](#)
- [BUL-2637.5 Suicide Prevention, Intervention and Postvention \(Students\), issued on July 31, 2023](#)
- [BUL-5799 Threat Assessment and Management \(Student-to-Student, Student-to-Adult\), issued on July 31, 2023](#)
- [BUL-5721.1 Student and Employee Security, issued on February 25, 2013](#)
- [BUL-5798 Workplace Violence, Bullying and Threats \(Adult-to-Adult\), issued on July 16, 2012](#)
- [BUL-6488.2 Drug, Alcohol and Tobacco-Free Workplace, issued on July 9, 2020](#)
- [BUL-6746.5 Establishing and Administering School/Office Volunteer Programs, issued on May 20, 2024](#)
- [BUL-1197.1, Fixed Surveillance Camera System Policy \(In Schools And At School Grounds\), issued on August 30, 2017](#)
- [COVID-19 Containment, Response and Control Plan, issued on March 12, 2024](#)

- **Site Access and Availability:**
 - [BUL-5460 Accessing and Securing Sites during School Hours, Non-School Hours, and Holiday Breaks, issued on April 12, 2011](#)
 - [BUL-6492.2 Visitors to School Campuses and Locked Campuses During Class Hours at All Schools, issued on February 21, 2017](#)
 - [BUL-4994.0 Vendors at or Near School Campuses, issued on December 21, 2009](#)
 - [BUL-6894 Procedures for Third-Party Use of School Facilities, issued on February 7, 2018](#)

- **Key Control:**
 - [BUL-2374.3 School Site Key Control, issued on December 2, 2022](#)

- **Applicable Laws:**
 - [California Education Code section 47614](#)
 - [California Code of Regulations, title 5, section 11969.1-11](#)



ATTACHMENTS: None

ASSISTANCE: For assistance or further information regarding this policy, please contact your CSD Operations Coordinator or Region Operations team. You may also contact the CSD at (213) 241-0399 or via email at prop39@lausd.net.