



Fresno County Superintendent of Schools

Dr. Michele Cantwell-Copher, Superintendent

To: Fresno County Board of Education

From: Fresno County Superintendent of Schools Charter School Petition Review Committee

Subject: Committee Report Regarding the Big Picture Education Academy Material Revision

Date: October 1, 2025

The Fresno County Superintendent of School's (FCSS) Charter School Petition Review Committee (Charter Committee) has reviewed the Big Picture Education Academy (BPEA) application for a Material Revision to it's 2025-2027 charter petition. This Committee Report provides a detailed discussion of the Charter Committee's review, concerns, and findings related to the Material Revision.

I. BACKGROUND

Lead petitioner Diana Gonzalez, M.Ed., Superintendent, is petitioning the Fresno County Board of Education (FCBE) on behalf of BPEA for a Material Revision of it's current charter petition (2025-2027). BPEA submitted the Material Revision August 22, 2025. Each FCBE member has received a copy of the Renewal Petition and its appendices. The FCBE conducted a public hearing regarding the Material Revision on September 18, 2025. Site visits took place August 2 and September 16, 2025 as part of the background and review processes.

BPEA provides a comprehensive K-12 educational program, including an adult high school diploma program with an English as a Second Language (ESL) offering. The elementary program, located at 2811 Mariposa Street in downtown Fresno, serves approximately 175 TK-8 students in a seat-based model. The high school campus, located at 1207 S. Trinity Avenue in West Fresno, serves approximately 95 students in grades 9-12, in a hybrid non-classroom-based model. The adult high school and ESL programs operate at both existing locations, serving approximately 260 adult learners in a non-classroom-based format after 5:00 p.m.

This Material Revision seeks to add two downtown Fresno sites to BPEA Operations:

- 2841 Tulare Street Ste. 101, Fresno, CA 93721
- 2115 Kern Street, Suite 5, Fresno, CA 93721

The 2841 Tulare Street location will add a site to the BPEA adult program. This will enable BPEA to extend hours of service to adult high school students.

The 2115 Kern Street location will add a central office to BPEA operations. This addition will move central office staff from campuses to one central office. Currently, BPEA central office administration are split between two campuses. In addition to serving as the central office for BPEA, the Kern location will host BPEA governing board meetings.

CHARTER SCHOOL ENROLLMENT (CDE DataQuest)

BPEA Program Enrollment

Grade Span	2023-24	2024-25
K-8 Elementary	183	172
9-12 Site-Based HS	94	96
9-12 Adult	273	252
Total	550	520

Source: CDE DataQuest

II. CHARTER MATERIAL REVISION CRITERIA:

The Charter Committee reviewed the BPEA Material Revision based on the requirements set forth in applicable laws, including Education Code (“EC”) sections 47605, 47607, and in the Memorandum of Understanding between FCBE and BPEA for the charter term of July 1, 2025, through June 30, 2027 (“MOU”).

EC section 47607 provides in part:

(a)

...

- (3) A charter school that, concurrently with its renewal, proposes to expand operations to one or more additional sites or grade levels shall request a material revision to its charter. A material revision of the provisions of a charter petition may be made only with the approval of the chartering authority. A material revision of a charter is governed by the standards and criteria described in Section 47605.
- (4) The findings of paragraphs (7) and (8) of subdivision (c) of Section 47605 shall not be used to deny a renewal of an existing charter school, but may be used to deny a proposed expansion constituting a material revision. For a material revision, analysis under paragraphs (7) and (8) of subdivision (c) of Section 47605 shall be limited to consideration only of the impact of the proposed material revision.



(5) The chartering authority may inspect or observe any part of the charter school at any time.

(b) Renewals and material revisions of charters are governed by the standards and criteria described in Section 47605, and shall include, but not be limited to, a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed.

EC section 47605(a)(4) provides:

(4) After receiving approval of its petition, a charter school that proposes to expand operations to one or more additional sites or grade levels shall request a material revision to its charter and shall notify the chartering authority of those additional locations or grade levels. The chartering authority shall consider whether to approve those additional locations or grade levels at an open, public meeting. If the additional locations or grade levels are approved pursuant to the standards and criteria described in subdivision (c), they shall be a material revision to the charter school's charter.

The Memorandum of Understanding (MOU) between FCBE and BPEA provides:

5.1.1 MATERIAL REVISION DEFINED. A “Material Revision” is any change to the Charter and/or MOU that is any of the following:

...

5.1.1.6 Addition of any new Charter School Site, or elimination of any Charter School Site listed on the Cover or in an amendment.

...

5.1.2 REQUEST FOR MATERIAL REVISION.

5.1.2.1 GENERALLY. Charter School may submit to Authorizer, and Authorizer will consider, any proposed Material Revision to the Charter and/or MOU in accordance with Authorizer's policies and procedures, if any, that are in effect at the time that Charter School submits the proposed Material Revision. Unless stated otherwise in Authorizer's policies and procedures, Charter School shall submit any proposed Material Revision at least 90 days before the date on which Charter School intends the Material Revision to take effect. The proposed Material Revision shall be in writing and state, at a minimum, the following: (A) a description of the proposed Material Revision; (B) the date on which Charter School anticipates the proposed Material Revision to take effect; and (C) the name and contact information of the person at Charter School with whom Authorizer is to communicate regarding the proposed Material Revision.



5.1.2.2 ADDITION OF CHARTER SCHOOL SITE. In addition to the requirements in Section 5.1.2.1 above, in any request for a Material Revision to add a new Charter School Site, Charter School shall allow Authorizer to inspect the new facility as part of Authorizer's consideration of such request.

5.1.3 AMENDMENT REFLECTING MATERIAL REVISION.

5.1.3.1 GENERALLY. Except as provided otherwise in this Article 5 in which case such provision shall apply, any Material Revision shall be set forth in an amendment, which must be approved and executed by the Parties. Any amendment to the Charter that requires County Superintendent to perform any services or assume any obligations must be signed by County Superintendent to be binding on County Superintendent.

5.1.3.2 ADDITION OF CHARTER SCHOOL SITE. In addition to the requirements in Section 5.1.3.1 above, the following shall apply to any amendment for a Material Revision to add a new Charter School Site:

5.1.3.2(A) The amendment shall state the full street address of the new Charter School Site.

5.1.3.2(B) At least 30 days before Charter School's first day of occupancy of the new Charter School Site, Charter School shall submit to Authorizer a certificate of occupancy or other documentation issued by the appropriate governmental agency(ies) authorizing Charter School to use the new Charter School Site for the purposes intended by Charter School.

5.1.3.2(C) Charter School shall submit evidence to Authorizer that the new Charter School Site complies with the provisions of Sections 7.2.1 and 7.2.2.

7.2.1 GENERAL REQUIREMENTS. Each Charter School Site that Charter School operates shall comply with the following requirements:

7.2.1.1 Health, safety, and fire code requirements applicable to California charter schools.

7.2.1.2 Federal and California laws applicable to charter school facilities.

7.2.1.3 Requirements under the ADA.

7.2.1.4 California and local regulations governing the operation of charter school facilities.

*7.2.1.5 One of the following unless a Charter School Site is exclusively owned or controlled by an entity (e.g., federal government) that is not subject to the California Building Standards Code: (A) the California Building Standards Code (Part 2, commencing with Section 101 of Title 24 of the CCR) as adopted and enforced by the local building enforcement agency with jurisdiction over the area in which Charter School is located; or (B) the Field Act, EC 17280 et seq. and 17365 et seq. **[EC 47610(d) and (e), 47610.5]***



7.2.1.6 Location in an area properly zoned for operation of a school and has been cleared for pupil occupancy by local authorities with jurisdiction of the Charter School Site.

7.2.1.7 Local approvals, including but not limited to, applicable fire marshal clearance, certificate of occupancy or other documentation authorizing Charter School to use the facility for the purposes intended by Charter School, signed building permit inspections, and any approved zoning variances.

7.2.2 NUMBER OF CHARTER SCHOOL SITES. Charter School shall only operate at the Charter School Sites set forth on the Cover.”

III. CHARTER PETITION REVIEW COMMITTEE ANALYSIS

The Material Revision went to public hearing at the regularly scheduled FCBE meeting on Thursday, September 18, 2025. Diana Gonzalez, Executive Director, presented the plans for the Material Revision to the County Board.

The following FCSS Charter team members visited the proposed locations July 7, and September 16, 2025:

- Executive Director of Facilities and Operations Jeff Becker
- Director of Charter Schools, Dr. Jeffrey Hunt
- Assistant Superintendent Dr. Corey Greenlaw
- SELPA Compliance Officer Daniel Soto

The questions centered on Americans with Disabilities Act (ADA) compliance, hazardous materials, zoning issues, costs, student access, and the plan for maximizing the new space.

Facility Review and Summary

2841 Tulare Street Ste. 101, Fresno, CA 93721

BPEA proposes to use the 2841 Tulare St. site to expand adult program operations. The site will enable BPEA to serve adult students during the day. Additionally, the new site will allow BPEA to serve approximately 60 more adult high-school diploma students.

Materials included in the petition included an “Asbestos & LBP Report” prepared for the property owner in 2013. The report found that acoustic ceiling spray and texture/paint contained asbestos. It is uncertain if all the asbestos containing materials have been abated. Note that the Asbestos Hazard Emergency Response Act (AHERA) applies to charter schools and the 2013 report does not meet AHERA requirements of re-inspections every three years and maintenance inspections every six months. BPEA should contract with a qualified environmental professional to prepare and maintain AHERA reports for the 2841 Tulare Street site and provide a compliant AHERA report to FCSS by June 30, 2026, as a condition of approved occupancy.



Also included in the materials is a certificate indicating that all or part of the facility has been inspected by a Certified Access Specialist (CASP) in 2014. A construction document showing exterior path of travel improvements was also included. The improvements appear to have been made. Because ADA requirements have been updated since 2014, BPEA should consider if further inspection is necessary.

There are no zoning or conditional use permit issues with the proposed site.

2115 Kern Street, Suite 5, Fresno, CA 93721

The Kern Street site will host BPEA executive leadership staff and operations teams, and host BPEA governing board meetings.

BPEA provided a Limited Environmental Investigation Report prepared in March of 2025. The scope of the investigation, per the report, was for airborne asbestos fibers, volatile organic compounds, and lead-based paint. The report found no airborne asbestos fibers. The Limited Environmental Investigation Report does not meet AHERA requirements. BPEA should contract with a qualified environmental professional to prepare and maintain AHERA reports for the Kern Street site and provide a compliant AHERA report to FCSS by June 30, 2026.

Also included in the materials were various documents and permits related to construction projects that have been completed between 1980 and 2001. These documents note that the restrooms may not be fully compliant with ADA requirements. BPEA should consider if further inspection is necessary, as they would assume potential any potential liability for ADA accessibility.

There are no zoning or conditional use permit issues with the proposed site.

Fiscal Review

The proposed BPEA material revision request will significantly impact the charter's financial operations. The following analysis intends to describe the possible impact.

- The charter estimated it would lose approximately 22% (104 ADA) of its enrollment for the 2025-26 school year, bringing enrollment to 368, which it attributes to a challenging and unpredictable renewal process in the spring of 2025. This decrease is reflected in its budget documents presented with its material revision. The school anticipated losing approximately 15 students from its K-8 grades, with the rest of the decline presumably coming in grades 9-12 including the AHS program. Current enrollment figures suggest the charter has recovered slightly and currently sits at 416, which is an encouraging sign.
- In preparation for this enrollment decline, the BPEA approved budget reductions that impacted staff compensation, materials & supplies, and services. The numbers in the table below reflect the budget as reported in the Material Revision.



Estimated Revenue Loss	-\$677,689
Total Budget Reductions	-\$1,322,055
Net Savings	\$644,366

- BPEA submitted its July 1 Adopted Budget in June with estimated LCFF revenues of \$5.8m in 2025-26 (which reflected a \$1.2m decline from 2024-25) and \$7.0m in 2026-27. The budget submitted with the Material Revision budget reflects higher anticipated LCFF revenues of \$6.4m 2025-26 and \$7.8m in 2026-27. This increase (which halved the estimated LCFF revenue loss) is driven by the rise in expected enrollment (as stated above), but expenditures have not been increased commensurately to account for the increased enrollment. Between the two reporting periods, expenditures increased by only \$156,000. Increased rent and utilities have been factored into the revised budget, adding about \$6,500 per month. Additionally, BPEA is removing rented portables from campuses, resulting in cost savings.

As of September 15, unaudited actuals, BPEA reserves were at 35% of their operating budget at the end of the 2024-25 year. BPEA appears positioned to absorb the costs of the new facilities over the coming years.

Petition Review

In addition to a description of the proposed changes, each Material Revision to a petition must include a reasonable description of any new requirement of charter schools enacted into law after the charter was originally granted or renewed. The Charter Committee analysis of the petition is provided in the following table based on the standards and criteria set forth in EC section 47605(c). The request for material revision included a table that reflects updates to the BPEA 2025-2027 charter petition. The page numbers where supporting information can be found in the Petition documents are provided for each criterion. Charter Committee comments are provided where needed for clarity.

EC 47605(c)(1) [Does the charter school present a sound educational program for the pupils to be enrolled in the charter school?]
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The Material Revision contains the same language as the Renewal Petition approved by the FCBE on April 17, 2025.
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EC 47605(c)(2) [Are the petitioners likely to successfully implement the program set forth in the petition?]



The Material Revision contains substantially similar language as the Renewal Petition approved by the FCBE on April 17, 2025.

EC 47605(c)(3) The Petition contains the number of signatures required by subdivision (a).

NA-This is not required for Material Revisions. California Code of Regulations (CCR) 11966.4(a)(2)(A) states: *The signature requirement set forth in Education Code section 47605(a) is not applicable to a petition for renewal.*

EC 47605(c)(4) [Does the petition contain an affirmation of each of the conditions described in 47605.6(e)]?

The required Signed Affirmations and Declarations can be found on page 208 of the Material Revision.

EC 47605(c)(5) Charter Petition Elements

Does the petition contain reasonably comprehensive descriptions of all of the following?

EC 47605(c)(5)(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, 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.

The written description of the educational program contains the required components as noted in EC section 47605(c)(5) as well as addresses annual goals and associated actions related to the eight state priorities associated with the Local Control Funding Formula and Common Core State Standards.



EC 47605(c)(5)(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 pupil subgroups served by the charter school, as that term is defined in subdivision (a) of Section 52052. The pupil outcomes shall align with the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served by the charter school.*

Pupil outcomes aligned with the eight state priorities and BPEA measurable outcomes are described in Element B of the renewal petition on pages 152-155 and the BPEA 2025-26 [Local Control and Accountability Plan](#) (LCAP). Additionally, Element B of the BPEA petition includes performance standards in the core academic areas.

EC 47605(c)(5)(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.*

Element C of the renewal petition identifies the methods by which pupil progress will be measured. This description includes both the method and frequency of assessment methods. Element C of the petition is located on page 356 of the petition.

EC 47605(c)(5)(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.*

Element D of the BPEA charter petition provides a comprehensive explanation of the BPEA governance structure, including the process to be followed by the charter school to ensure parental involvement. Element D of the petition is located on pages 159-162.

EC 47605(c)(5)(E) *The qualifications to be met by individuals to be employed by the charter school.*

Element E of the BPEA charter petition describes the required qualifications of employees of BPEA. Element E of the petition is located on page 363 of the petition.

EC 47605(c)(5)(F) *The procedures that the charter school will follow to ensure the health and safety of pupils and staff. These procedures shall require all of the following:*

(i) That each employee of the charter school furnish the charter school with a criminal record summary as described in Section 44237.

(ii) For all schools, the development of a school safety plan, which shall include the safety topics listed in subparagraphs (A) to (M), inclusive, of paragraph (2) of subdivision (a) of Section 32282. For schools serving pupils in any of grades 7



to 12, inclusive, the development of a school safety plan shall also include the safety topic listed in subparagraph (N) of paragraph (2) of subdivision (a) of Section 32282.

(iii) That the school safety plan be reviewed and updated by March 1 of every year by the charter school.

Element F of the BPEA petition includes detailed procedures for maintaining a safe and healthy environment for pupils and staff. The section includes fingerprint requirements and the development and implementation of a Comprehensive Safety plan reviewed and adopted by March 1 of each year. The most recent BPEA Comprehensive school safety plan was adopted by the BPEA board during their February 11, 2025 board meeting. Element F of the petition is located on page 377 of the petition.

EC 47605(c)(5)(G) *The means by which the charter school will achieve a balance of racial and ethnic pupils, special education pupils, and English learner pupils, including redesignated fluent English proficient pupils as defined by the evaluation rubrics in Section 52064.5, that is reflective of the general population residing within the territorial jurisdiction of the county board of education to which the charter petition is submitted. Upon renewal, for a charter school not deemed to be a local educational agency for purposes of special education pursuant to Section 47641, the chartering authority may consider the effect of school placements made by the chartering authority in providing a free and appropriate public education as required by the federal Individuals with Disabilities Education Act (Public Law 101-476), on the balance of pupils with disabilities at the charter school.*

Element G of the BPEA Renewal petition describes a student recruitment strategy that attempts to achieve a balance in student demographics reflective of students residing within the territorial jurisdiction of Fresno County. Element G of the BPEA petition is located on page 384.

EC 47605(c)(5)(H) *Admission policies and procedures, consistent with EC 47605(e).*

Element H of the renewal petition provides a description of the BPEA admission policies and procedures. Element H includes required language consistent with EC 47605(e). The admissions policy is located on page 386.

EC 47605(c)(5)(I) *The manner in which annual, independent financial audits shall be conducted, in accordance with regulations established by the state board, and the manner in which audit exceptions and deficiencies shall be resolved.*

Element I of the renewal petition describes the process BPEA applies for conducting an annual financial audit. Element I of the petition is located on page 389.



EC 47605(c)(5)(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 the pupil's 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 homeless child or youth, or a foster child or youth, in the native language of the homeless or foster child's educational rights holder. In the case of a foster child or youth, the written notice shall also be provided to the foster child's attorney and county social worker. If the pupil is an Indian child, as defined in Section 224.1 of the Welfare and Institutions Code, the written notice shall also be provided to the Indian child's tribal social worker and, if applicable, county social worker. The written notice shall inform the pupil, the pupil's parent or guardian, the homeless child's educational rights holder, the foster child's educational rights holder, attorney, and county social worker, or the Indian child's tribal social worker and, if applicable, county social worker of the right to initiate the procedures specified in clause (ii) before the effective date of the action. If the pupil's parent or guardian, the homeless child's educational rights holder, the foster child's educational rights holder, attorney, or county social worker, or the Indian child's tribal social worker or, if applicable, county social worker 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 disenrolled, dismissed, transferred, or terminated, but does not include suspensions specified in clauses (i) and (ii).



(iv) A foster child's educational rights holder, attorney, and county social worker and an Indian child's tribal social worker and, if applicable, county social worker shall have the same rights a parent or guardian of a child has to receive a suspension notice, expulsion notice, manifestation determination notice, involuntary transfer notice, and other documents and related information.

Element J of the renewal petition describes the procedures by which pupils can be suspended or expelled from BPEA for disciplinary reasons or otherwise involuntarily removed from BPEA for any reason as required by EC 47605.6(b)(5)(J). Element J of the BPEA petition is found on page 390.

EC 47605(c)(5)(K) *The manner by which staff members of the charter school will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security.*

Element K of the renewal petition describes the manner by which staff members of the charter school will be covered by the State Teachers Retirement System, the Public Employees Retirement System, or federal social security. Element K is located on page 409 of the petition.

EC 47605(c)(5)(L) *The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools.*

Element L of the renewal petition describes public school attendance alternatives for students residing within the school district who choose not to attend the charter school. Element L of the BPEA petition is located on page 410 of the petition.

EC 47605(c)(5)(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.*

Element M of the renewal describes the rights of a BPEA employee upon leaving employment at BPEA. Element M is found on page 411 of the petition.

EC 47605(c)(5)(N) *The procedures to be followed by the charter school and the chartering authority to resolve disputes relating to provisions of the charter.*

Element N of the BPEA petition describes the procedures to be followed by the charter school and charter authorizer to resolve disputes within the charter and disputes relating to the provisions of the charter. Element N of the petition is located on page 412.

EC 47605(c)(5)(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.*

Element O of the petition includes a description of the procedures to be used if the charter school closes. Closing procedures are located on page 414 of the petition.



EC 47605(c)(6) *A declaration of whether or not the charter school shall be deemed the exclusive public school employer of the employees of the charter school for purposes of the Educational Employment Relations Act (Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code).*

The petition includes a signed declaration that BPEA shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act. A signed affirmation is located on Page 208 of the petition.

EC 47605(c)(7) *The charter school is demonstrably unlikely to serve the interests of the entire community in which the school is proposing to locate. Analysis of this finding shall include consideration of the fiscal impact of the proposed charter school. A written factual finding under this paragraph shall detail specific facts and circumstances that analyze and consider the following factors:*

(A) The extent to which the proposed charter school would substantially undermine existing services, academic offerings, or programmatic offerings.

(B) Whether the proposed charter school would duplicate a program currently offered within the school district and the existing program has sufficient capacity for the pupils proposed to be served within reasonable proximity to where the charter school intends to locate.

The committee is unaware of any facts that would support denial of the Material Revision based on EC sections 47605(c)(7) & (8).

EC 47605(c)(8) *The school district is not positioned to absorb the fiscal impact of the proposed charter school. A school district satisfies this paragraph if it has a qualified interim certification pursuant to Section 42131 and the county superintendent of schools, in consultation with the County Office Fiscal Crisis and Management Assistance Team, certifies that approving the charter school would result in the school district having a negative interim certification pursuant to Section 42131, has a negative interim certification pursuant to Section 42131, or is under state receivership. Charter schools proposed in a school district satisfying one of these conditions shall be subject to a rebuttable presumption of denial.*

The committee is unaware of any facts that would support denial of the Material Revision based on EC sections 47605(c)(7) & (8).



IV. CHARTER PETITION REVIEW COMMITTEE FINDINGS:

Based on a review of the petition, supporting materials, and facility visits, the Committee recommends that the County Board **approve** the Material Revision with the following condition:

- 1) BPEA must contract with a qualified environmental professional to prepare AHERA reports for the 2841 Tulare Street and 2115 Kern Street sites, and provide compliant AHERA reports to FCSS by June 30, 2026, and thereafter as required, as a condition of continued approved occupancy in compliance with 15 USC 2641-2656 and 40 CFR 763.80-763.99.

