



## Trailer Bill Passes: Charter Term Extensions, Moratorium Extension, and New Independent Study Legal Requirements

July 9, 2021

On July 8, 2021, the State Senate and Assembly passed the Education Trailer Bill, AB 130, (identical to the version published earlier this week as “SB 130”), ushering in another round of sweeping changes for charter schools. Three changes are most noteworthy.

First, all charter terms expiring between January 1, 2022, and June 30, 2025, are **automatically extended by two years**. This means:

CURRENT EXPIRATION		NEW EXPIRATION
January 1 - June 30, 2022	→	June 30, 2024
June 30, 2023	→	June 30, 2025
June 30, 2024	→	June 30, 2026
June 30, 2025	→	June 30, 2027

If your school’s charter term expires in 2026 or 2027, there will be no change. While no action must be taken to effectuate the term extension, we do advise memorializing it in a formal manner. Please tune in to our webinar on July 12, 2021, or contact us for advice on all aspects of charter term extensions, including early renewals.

Second, the prohibition on opening new nonclassroom-based charter schools, known as the “**moratorium**” has been extended by an additional three years, to January 1, 2025.

Third, the Legislature has added a slew of new rules for **independent study programs**, which apply both to classroom-based charter schools operating an independent study program, and nonclassroom-based charter schools. AB 130 mandates updates to independent study board policies and independent study agreements, which will now require procedures for tiered re-engagement in response to student absenteeism, added documentation requirements and requiring a **mandated level of live interaction and synchronous instruction for grade spans**. The requirements for each grade span include:

- Grades 1 to 3: daily synchronous instruction for all students throughout the school year.
- Grades 4 to 8: opportunities for both daily live interaction and at least weekly synchronous instruction for all students throughout the school year.
- Grades 9 to 12: opportunities for at least weekly synchronous instruction for all students throughout the school year.

As defined in the new law, “synchronous instruction” means classroom-style instruction or designated small group or one-on-one instruction delivered in person, or in the form of internet or telephonic communications, and involving live two-way communication between the teacher and student. Synchronous instruction must be provided by the teacher of record for each student.

“Live interaction” means interaction between the student and charter school classified or certificated staff, and may include peers, provided for the purpose of maintaining school connectedness, including, but not limited to, wellness checks, progress monitoring, provision of services, and instruction. This interaction may take place in person, or in the form of internet or telephonic communication.

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We know that change is the new normal. Our team is available to help your charter school through this latest round. To that end, we will be giving a **webinar on Monday, July 12 from 5:00-7:00 pm, during which we will discuss all of the changes summarized here, in much greater detail**. We are available to assist all charter schools with updates to their independent study board policy, master agreements, and attendance documentation, as well as tools to memorialize charter term extensions, including board resolutions and memoranda of understanding.

For any questions please contact Lisa Corr at [lcarr@mycharterlaw.com](mailto:lcarr@mycharterlaw.com) or Janelle Ruley jruley@mycharterlaw.com or gives us a call at (916) 646-1400.