

## Proposition 39 Deadlines for the 2025-2026 School Year

*September 20, 2024*

Finding adequate facilities is one of the most challenging aspects of operating a charter school in California. Proposition 39 has been a successful tool for charter schools in securing public school facilities and/or beginning a dialogue with their school district to negotiate in lieu of arrangements (including financial assistance).

This Legal Alert provides an overview of the upcoming deadlines and requirements that charter schools must carefully comply with to qualify for public school facilities under Prop. 39. It also links charter schools to YMC's revised template Proposition 39 request form and instructions for the 2025-2026 school year Prop. 39 application process.

### Proposition 39 Deadlines for the 2025-2026 School Year

To qualify for an allocation of Prop. 39 school facilities in the 2025-2026 school year, a charter school must make an annual request conforming to the statutory and regulatory provisions of Prop. 39. YMC, in partnership with CCSA, has prepared a revised template request form and detailed instructions to assist charter schools in this annual process. To download a copy of the Template Request Form, please click on the following link: [Sample Proposition 39 Form and Instructions](#). Please note that, as with every year, the Template Request Form has been updated for use during the 2025-2026 Proposition 39 process. Please ensure that you are using the current and updated Template Request Form when completing your request, as using the old form may result in your request being denied.

### Important deadlines in the Prop. 39 regulations:

Both new and ongoing charter schools must submit a complete Prop. 39 facilities request to their school district on or before November 1, 2024. In addition, school districts may have their own Prop. 39 board policies, administrative regulations, and request forms that charter schools must comply with; please request these documents from your school district in writing. Lastly, a charter school should review its charter, memorandum of understanding, and any facilities use agreement for any other possible restrictions, requirements, or timelines.

New or proposed charter schools (i.e., not operating during the 2024-2025 school year) must submit their charter petitions and Prop. 39 request forms by November 1, 2024, and receive approval of their charter before March 15, 2025, to qualify for facilities during the 2025-2026 school year.

**Review the Instructions Carefully: Noncompliance can be fatal to your application!**

Please carefully review the Instructions in the Template Request Form; skipping or eliminating any part of the form or process could jeopardize a charter school's right to a facility. The current form has been updated to add important information; do not reuse a prior year's request form! YM&C has also prepared a compilation of the Prop. 39 statutes and regulations that can be downloaded for reference and to assist in negotiating a charter school's Prop. 39 facility allocation. To download a copy of the Prop. 39 statutes and regulations, please click on the following link: [Proposition 39 and Implementing Regulations](#).

**Begin Preparing Now!**

Collecting Meaningful Interest forms and other documents necessary for submitting a complete request and calculating your projected Average Daily Attendance can be a time-consuming and complicated process. We strongly encourage you to begin the process now, especially the collection of Meaningful Interest forms. In addition, several school districts are now asking for information regarding how Meaningful Interest forms were collected, so we encourage you to keep track of this information in case it is necessary.

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**Please do not hesitate to contact us with any questions - 916.646.1400.**

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