

# **Bond Case Briefs**

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## **CHARTER SCHOOLS - CALIFORNIA**

### **Grossmont Union High School District v. Diego Plus Education Corporation**

**Court of Appeal, Fourth District, Division 1, California - December 29, 2023 - Cal.Rptr.3d - 2023 WL 9014912 - 23 Cal. Daily Op. Serv. 1312024 Daily Journal D.A.R. 159**

Public high school district brought action against charter school corporate entities, alleging violation of Charter Schools Act (CSA) by operating charter schools within district's geographic boundaries, and seeking a writ of mandate and declaratory and injunctive relief against charter school corporate entities and school districts that approved schools' charters.

Another school district sought to intervene, and intervention was granted. The Superior Court granted petition. The Fourth District Court of Appeal reversed and remanded. After remand, the Superior Court granted entities' motion for attorney fee award. Plaintiff and intervenor appealed.

The Court of Appeal held that:

- Trial court reasonably concluded that charter school corporate entities were successful parties;
- Charter school corporate entities enforced an important right affecting public interest;
- Charter school corporate entities succeeded in conferring significant benefit on general public or a large class of individuals;  
Private enforcement was necessary;
- Trial court abused its discretion by failing to address issue of financial burdens and incentives;
- This was not an exceptional case precluding attorney fee award; and
- Trial court did not abuse its discretion with respect to amount of attorney fees awarded.