

PHILOSOPHY, GOALS, OBJECTIVES AND COMPREHENSIVE PLANS

Charter School Oversight

The Governing Board recognizes its ongoing responsibility to ~~ensure~~oversee that any charter school the Board has authorized ~~by the Board~~ is successfully fulfilling the terms of its charter and is providing a high-quality educational program for students enrolled in the charter school.

(cf. 0420.4 - Charter School Authorization)

(cf. 0500 - Accountability)

The Superintendent or designee shall identify at least one staff member to serve as a contact person for each charter school authorized by the Board. (Education Code 47604.32)

The Board and Superintendent or designee may inspect or observe any part of the charter school at any time. ~~The Superintendent or designee shall visit each charter school at least annually.~~ (Education Code 47604.32, 47607)

~~Whenever a charter school operates as or is operated by a nonprofit public benefit corporation as authorized by Education Code 47604, the~~The Superintendent or designee shall ~~recommend~~attend meetings of the charter school board whenever possible and ~~the Board~~ shall appointperiodically meet with a ~~district~~ representative, who may be of the ~~district's~~ charter school.

Waivers

~~contact.~~If the charter school wishes to serve as a votingrequest a general waiver of any state law or nonvoting member of the corporation's board of directorsregulation applicable to it, it shall request that the district submit a general waiver request to the State Board of Education (SBE) on its behalf. Upon approval of the Board, the Superintendent or designee shall submit such a waiver request to the SBE on behalf of the charter school.

(cf. 1431 - Waivers)

Provision of District Services

~~The district may charge for the actual costs of supervisory oversight of a charter school not to exceed one percent of the charter school's revenue. If the district is able to provide substantially rent-free facilities to the charter school, the district may charge actual costs up to three percent of the charter school's revenue for supervisory oversight.~~The charter school may. ~~(Education Code 47613)~~

~~*(cf. 7160 - Charter School Facilities)*~~

~~The charter school may separately~~ purchase administrative or other services from the district or any other source. (Education Code 47613)

Whenever the district agrees to provide administrative or support services, the district and charter school shall develop a memorandum of understanding which clarifies the financial and operational agreements between the district and charter school.

At the request of a charter school, the Superintendent or designee shall create and submit any reports required by the State Teachers' Retirement System or Public Employees' Retirement System on behalf of the charter school. The district may charge the charter school ~~may be charged~~ for the actual costs of the reporting services, but shall not ~~be required~~ require the charter school to purchase payroll processing services from the district as a condition for creating and submitting these reports. (Education Code 47611.3)

~~Waivers~~

~~If the charter school wishes to request a general waiver of any state law or regulation, it shall request that the Superintendent or designee submit a general waiver request to the State Board of Education (SBE) on its behalf.~~

Material Revisions to Charter

Material revisions to a charter may only be made ~~only~~ with Board approval. Material revisions shall be governed by the same standards and criteria that apply to new charter petitions as set forth in Education Code 47605 and shall include, but not be limited to, a reasonably comprehensive description of any new requirement ~~offor~~ for charter schools enacted into law after the charter was originally granted or last renewed. (Education Code 47607)

If an approved charter school proposes to expand establish or move operations to one or more additional sites ~~within the district's boundaries~~, the charter school shall request a material revision to its charter and shall notify the Board of those additional locations. ~~The Board shall consider approval of the additional locations at an open meeting.~~ (Education Code 47605)

The Board shall have the authority to determine whether a proposed change in charter school operations constitutes a material revision of the approved charter.

Monitoring Charter School Performance

The Superintendent or designee shall regularly report to the Board on ~~monitor~~ the charter ~~school's performance, based on the academic and fiscal accountability measures specified in the approved charter.~~

~~In providing general oversight of a charter school, the Board and the Superintendent or designee shall to~~ determine whether the school ~~it~~ complies with all legal requirements applicable to charter schools, including making all reports required of charter schools in accordance with Education Code 47604.32. Any violations of law shall be reported to the Board.

The Board shall monitor each charter school to determine whether it is achieving, both schoolwide and for all groups of students served by the school, the measurable student outcomes

set forth in the charter. This determination shall be based on the measures specified in the approved charter and on the charter school's annual review and assessment of its progress toward the goals and actions identified in its local control and accountability plan (LCAP).

The Board shall monitor the fiscal condition of the charter school based on any financial information obtained from the charter school, including, but not limited to, the charter school's preliminary budget, annual update of the school's LCAP, first and second interim financial reports, and final unaudited report for the full prior year. (Education Code 47604.32, 47604.33, 47606.5)

~~The Board shall monitor each charter school district may charge up to determine whether it is achieving one percent of a charter school's revenue for the outcomes for student learning set forth in actual costs of supervisory oversight of the charter agreement. In addition, school. However, if the Board shall determine whether district is able to provide substantially rent-free facilities to the charter school, the district may charge up to three percent of the charter school's revenue for actual costs of supervisory oversight or, if the facility is provided under Education Code 47614, the pro-rata share facilities costs calculated pursuant to 5 CCR 11969.7. If the district charges the pro-rata share, it may also charge one percent of the charter school's revenue in oversight fees. (Education Code 47613)~~

(cf. 7160 - Charter School Facilities)

~~makes "adequate yearly progress" as defined by the SBE and federal Title I accountability requirements. If Technical Assistance/Intervention~~

~~If, in three out of four consecutive school years, a charter school fails to make adequate yearly progress improve outcomes for two three or more consecutive years, the Board shall take action student subgroups identified in Education Code 52052, or for all of the student subgroups if the school has fewer than three, in regard to one or more state or school priorities identified in the charter, the district: (Education Code 47607.3)~~

1. Shall provide technical assistance to the charter school using an evaluation rubric adopted by the SBE pursuant to Education Code 52064.5
2. May request that the Superintendent of Public Instruction (SPI), with SBE approval, assign the California Collaborative for Educational Excellence to provide advice and assistance to the charter school pursuant to Education Code 52074

If a charter school receiving federal Title I funding has been identified for program improvement, it shall implement improvement strategies in accordance with law, Board policy, and administrative regulations its existing school improvement plan.

(cf. 0520.2 - Title I Program Improvement Schools)

~~Evaluation data for the charter school shall be considered in the Board's determination of the renewal or revocation of a charter.~~

In accordance with law, the Board may deny a charter school's renewal petition or may revoke a charter based on the charter school's poor performance, especially with regard to the academic achievement of all numerically significant subgroups of students served by the charter school.

(cf. 0420.42 - Charter School Renewal)
(cf. 0420.43 - Charter School Revocation)

Complaints

Each charter school shall establish and maintain policies and procedures to enable any person to file a complaint, in accordance with the uniform complaint procedures as specified in 5 CCR 4600-4687, alleging the school's noncompliance with Education Code 47606.5 or 47607.3. (Education Code 52075)

(cf. 1312.3 - Uniform Complaint Procedures)

A complainant who is not satisfied with the decision may appeal the decision to the SPI. (Education Code 52075)

If the charter school finds merit in the complaint or the SPI finds merit in an appeal, a remedy shall be provided to all affected students and parents/guardians. (Education Code 52075)

School Closure

In the event that the Board revokes or denies renewal of a charter or the school ~~eloses~~ceases operation for any ~~other~~ reason, the Superintendent or designee shall ~~provide assistance~~, when applicable in accordance with the charter and/or a memorandum of understanding, provide assistance to facilitate the transfer of the charter school's former students and to finalize financial reporting and close-out.

The Superintendent or designee shall provide notification to the California Department of Education, within 10 calendar days, ~~if of the Board's action, if renewal of the charter is denied, the charter is revoked, or~~ the charter school will cease operation for any reason.–

Such notification shall include, but not be limited to, a description of the circumstances of the closure, the effective date of the closure, and the location of student and personnel records. (Education Code 47604.32; 5 CCR 11962.1)

Legal Reference:

EDUCATION CODE

215 Suicide prevention policy

220 -Nondiscrimination

221.61 Posting of Title IX information on web site

221.9 Sex equity in competitive athletics

222 Lactation accommodations for students

17280-17317 Field Act

17365-17374 Field Act, fitness for occupancy

33479-33479.9 The Eric Parades Sudden Cardiac Arrest Prevention Act

35330 -Field trips and excursions; student fees

38080-38086 *School meals*
39831.3 *Transportation safety plan*
39843 *Disciplinary action against bus driver; report to Department of Motor Vehicles*
 42100 *Annual statement of receipts and expenditures*
44030.5 *Reporting change in employment status due to alleged misconduct*
 44237 *Criminal record summary*
44691 *Information on detection of child abuse*
 44830.1 *Certificated employees, conviction of a violent or serious felony*
 45122.1 *Classified employees, conviction of a violent or serious felony*
~~46201 *Instructional minutes*~~
45125.1 *Fingerprinting; employees of contracting entity*
 47600-47616.7 *Charter Schools Act of 1992*
 47634.2 *-Nonclassroom-based instruction*
 47640-47647 *Special education funding for charter schools*
 48000- *Minimum age of admission for kindergarten; transitional kindergarten*
 48010-48011 *-Minimum age of admission (first grade)*
48850-48859 *Educational placement of foster youth and homeless students*
 48907 ~~*Students'*~~ *Students' exercise of free expression; rules and regulations*
 48950 *-Student speech and other communication*
~~49061-49011 *Student fees*~~
49061 *Student records*
 49110 *-Authority of issue work permits*
49414 *Epinephrine auto-injectors*
49414.3 *Administration of opioid antagonist*
49475 *Health and safety, concussions and head injuries*
51224.7 *Mathematics placement policy*
51225.6 *Instruction in cardiopulmonary resuscitation*
 51745-51749.3 *-Independent study*
52051.5-52052 ~~Alternative~~ *Academic performance index, applicability to charter schools*
52060-52077 *Local control and accountability system plans*
52075 *Uniform complaint procedures*
 56026 *-Special education*
 56145-56146 *Special education services in charter schools*
 60600-60649 *Assessment of academic achievement*
 60850-60859 *High school exit examination*
69432.9-69432.92 *Cal Grant program; notification of grade point average and high school graduation*
 CORPORATIONS CODE
 5110-6910 *-Nonprofit public benefit corporations*
 GOVERNMENT CODE
1090-1099 *Prohibitions applicable to specified officers*
 3540-3549.3 *Educational Employment Relations Act*
~~54950-54963 *The Ralph M. Brown Act*~~
81000-91014 *Political Reform Act of 1974*
 HEALTH AND SAFETY CODE
104420 *Tobacco Use Prevention Education grant program*
104559 *Tobacco-free schools*
 LABOR CODE
 1198.5 *Personnel records related to performance and grievance*
 PENAL CODE
 667.5 *Definition of violent felony*
 1192.7 *Definition of serious felony*
 VEHICLE CODE
28160 *Child safety alert system*
 CALIFORNIA CONSTITUTION
 Article 9, Section 5 *Common school system*
Article 16, Section 8.5 *Public finance; school accountability report card*

CODE OF REGULATIONS, TITLE 5

[4600-4687 Uniform complaint procedures](#)

11700.1-11705 -Independent study

11960-11969 -Charter schools

CODE OF REGULATIONS, TITLE 24

101 et seq. California Building Standards Code

UNITED STATES CODE, TITLE 20

[1681-1688 Title IX of the Education Amendments of 1972; discrimination based on sex](#)

6311 [Adequate yearly progress State plan](#)

~~6319~~ [Qualifications of teachers and paraprofessionals](#)

~~7223-7225-7221-7221j~~ [Charter schools](#)

UNITED STATES CODE, TITLE 42

[11431-11435 McKinney-Vento Homeless Assistance Act](#)

CODE OF FEDERAL REGULATIONS, TITLE 34

200.1-200.78 -Accountability

[300.18 Highly qualified special education teachers](#)

COURT DECISIONS

Ridgecrest Charter School v. Sierra Sands Unified School District, (2005) 130 Cal.App.4th 986

ATTORNEY GENERAL OPINIONS

89 Ops.Cal.Atty.Gen. 166 (2006)

80 Ops.Cal.Atty.Gen. 52 (1997)

78 Ops.Cal.Atty.Gen. 297 (1995)

CALIFORNIA OFFICE OF ADMINISTRATIVE HEARINGS DECISIONS

Student v. Horizon Instructional Systems Charter School, (2012) OAH Case No. 2011060763

Management Resources:

CSBA PUBLICATIONS

[The Role of the Charter School Authorizer, Online Course](#)

Charter Schools: A ~~Manual~~ Guide for Governance Teams, rev. ~~2009~~2016

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

[Model Youth Suicide Prevention Policy, May 2017](#)

[Every Student Succeeds Act 2016-17 School Year Transition Plan, April 2016](#)

[California School Accounting Manual](#)

Sample Copy of a Memorandum of Understanding

Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory ~~11-01, November 9, 2011~~12-02, April 24, 2013

Special Education and Charter Schools: Questions and Answers, September 10, 2002

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Charter Schools Program, July 2004: Title V, Part B of the ESEA, April 2011

[The Impact of the New Title I Requirements on Charter Schools, July 2004](#)

WEB SITES

CSBA: <http://www.csba.org>

California Charter Schools Association: <http://www.calcharters.org>

California Department of Education, Charter Schools: <http://www.cde.ca.gov/sp/cs>

National Association of Charter School Authorizers: <http://www.charterauthorizersqualitycharters.org>

U.S. Department of Education: <http://www.ed.gov>

Policy adopted: 10/22/13

[Policy revised: pending approval](#)