

CHARTER SCHOOLS

Charter schools operate under the provisions of their charters, specific state and/or federal laws, and the Title 5 California Code of Regulations as adopted by the State Board of Education, and general oversight of the Board.

In determining whether to grant or deny a charter, the Board shall carefully review the proposed charter petition and determine whether the charter petition is consistent with the intent of the law and sound educational practice to accomplish the goals and objectives of the Charter School Act and all other provisions required by law.

The Board shall establish an administrative procedure for the process of submission, review, evaluation, and preparation of written findings for a charter petition submitted to the Board prior to Board action. The Board shall not deny a charter school petition unless specific written factual findings are made pursuant to law, statutory regulations and administrative procedures.

The Board shall ensure that any charter granted by the board contains adequate processes and measures for holding the school accountable for fulfilling the terms of its charter. These shall include, but not be limited to, fiscal accountability systems, plans for parent involvement, as well as multiple measures for evaluating student outcomes within the educational program.

To assist the Board in its general oversight responsibility, charters shall provide annual reports to the Board related to the charter provisions. The content of the report shall be memorialized by a Memorandum of Understanding regarding the information to be presented.

(cf. 0500 - Accountability)

Legal Reference:

EDUCATION CODE

- 41365 Charter school revolving loan fund
- 44237 Criminal record summary
- 44830.1 Certificated employees, conviction of a violent or serious felony
- 45122.1 Classified employees, conviction of a violent or serious felony
- 47600-47616.5 Charter Schools Act of 1992
- 48000 Minimum age of admission (kindergarten)
- 48010 Minimum age of admission (first grade)
- 48011 Minimum age of admission from kindergarten or other school
- 51747.3 Apportionments for independent study
- 54032 Limited English or low-achieving pupils
- 56145-56146 Special education services in charter schools
- 60605 Academic content and performance standards; assessments
- 60640-60647 Standardized Testing and Reporting Program

PHILOSOPHY - GOALS - OBJECTIVES AND COMPREHENSIVE PLAN - BP 0420.4 (CONT.)

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Legal references (cont):

GOVERNMENT CODE

54950-54962 The Ralph M. Brown Act

PENAL CODE

667.5 Definition of violent felony

1192.7 Definition of serious felony

CODE OF REGULATIONS, TITLE 5

11960 Regular average daily attendance for charter schools

COURT DECISIONS

Evensen v. Vicki L. Barber et al, (1996) No. PV-940465, Superior Ct. County of El Dorado
Desert Sands Unified School District and Washington Charter School v. Public Employment
Relations Board and California School Employees Association and its Desert Sands Chapter
#106, No. BC126357, Superior Ct., County of Los Angeles

ATTORNEY GENERAL OPINIONS

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

78 Ops. Cal. Atty. Gen. 253 (1995)

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

MANAGEMENT RESOURCES:

WEB SITES

California Department of Education: <http://www.cde.ca.gov/>

Education commission of the States: <http://www.ecs.org/>

National School Boards Association: <http://www.nsba.org/>

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