



PHILOSOPHY, GOALS, OBJECTIVES, AND COMPREHENSIVE PLANS

POLICY – OVERSIGHT OF COUNTY CHARTER SCHOOLS

BP 0420.41

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

Designated Charter School Contact

The County Board shall identify a contact person for each charter school authorized by the County Board. The contact may be the County Superintendent of Schools or designee or another person employed or contracted by the County Board pursuant to Education Code 1042. (Education Code 47604.32)

The County Board may appoint a designated representative to attend, on its behalf, meetings of the board of directors of any charter school authorized to operate as a nonprofit, public benefit corporation.

The County Board or its designated representative may inspect or observe any part of the charter school at any time. At least once each year, the County Board shall visit each charter school under its authority. (Education Code 47604.32, 47607)

Whenever the County Board's designated representative visits, inspects, or observes a charter school or any of its programs or facilities, the representative shall provide a report of the findings to the County Board at the next County Board meeting.

Waivers

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

Provision of Services to a Charter School

The County Board may charge up to one percent of a charter school's revenue for the actual costs of supervisory oversight of the school. However, if the county office of education (COE) is able to provide substantially rent-free facilities to the charter school, the County Board may charge up to three percent of the charter school's revenue for actual costs of supervisory oversight. (Education Code 47613)

A charter school may separately purchase administrative or other services from the COE or any other source, in accordance with law. (Education Code 47613)

Monitoring Charter School Performance

The County Board has the responsibility to monitor any charter school it authorizes to determine whether the charter school complies with all legal requirements applicable to charter schools, including the making of all reports required of charter schools in accordance with Education Code 47604.32.

The County Board has the responsibility to monitor each charter school to determine whether the school, both schoolwide and for all groups of students served by the school, is achieving the measurable student outcomes set forth in its 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 County Board has the responsibility to monitor the fiscal condition of each charter school based on 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)

When any such monitoring is conducted by the County Board's designated representative, the representative shall report the findings to the County Board at the first available County Board meeting.

Technical Assistance/Intervention

Whenever one or more numerically significant student subgroups at a charter school meet SBE-established performance criteria in two or more years, the charter school shall receive technical assistance from a COE identified as a geographic lead agency or its designee. Such technical assistance shall be focused on building the charter school's capacity to develop and implement actions and services responsive to student and community needs, including, but not limited to, any of the following: (Education Code 45607.3)

1. Assisting the charter school to identify its strengths and weaknesses in regard to the state priorities applicable to the charter school pursuant to Education Code 47605. This shall include working collaboratively with the charter school to review performance data on the state and local indicators included in the California School Dashboard and other relevant local data and to identify effective, evidence-based programs or practices that address any areas of weakness.
2. Working collaboratively with the charter school to secure assistance from an academic, programmatic, or fiscal expert or team of experts to identify and implement effective programs and practices that are designed to improve performance in any areas of weakness identified by the charter school. Another service provider, including, but not limited to, a school district, COE, or charter school, may be solicited to act as a partner to the charter school in need of technical assistance.
3. Obtaining from the charter school timely documentation demonstrating that it has completed the activities described in items #1 and #2 or substantially similar activities, or has selected another service provider to work with the charter school to complete the

activities described in items #1 and #2 or substantially similar activities, and ongoing communication with the County Board to assess the charter school's progress in improving student outcomes.

If, in three out of four consecutive school years, a charter school fails to improve outcomes for three or more 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 County Superintendent may request assistance from the California Collaborative for Educational Excellence. (Education Code 47607.3, 52072)

In accordance with law and County Board policy, the County 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.

Complaints

To enable any person alleging the school's noncompliance with Education Code 47606.5 or 47607.3 to file a complaint, each charter school shall establish a complaint process in accordance with the uniform complaint procedures specified in 5 CCR 4600-4670. (Education Code 52075)

A complainant who is not satisfied with the decision of the charter school resulting from the uniform complaint procedures may appeal the decision to the SPI. If the charter school finds merit in the complaint or the Superintendent of Public Instruction finds merit in an appeal, the charter school shall provide a remedy to all affected students and parents/guardians. (Education Code 52075)

School Closure

In the event that the County Board revokes or denies renewal of a charter or the school ceases operation for any reason, the County Board's charter school representative shall, in accordance with the charter and/or any applicable 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 County Board shall provide notification to the California Department of Education, within 10 calendar days of denying renewal of or revoking the charter, or if 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:

FEDERAL RESOURCES

Unites State Code

20 USC 1681-1688 Title IX of the Education Amendments of 1972

20 USC 6311 State plan

20 USC 7221-7221j Charter schools
42 USC 11431-11435 McKinney-Vento Homeless Assistance Act
Code of Federal Regulations
34 CFR 200.1-200.78 Accountability

STATE RESOURCES

California Code of Regulations

24 CCR 101 California Building Standards Code
24 CCR 101.1 et seq. Part 2 California Building Standards Code
5 CCR 11700.1-11705 Independent study
5 CCR 11960-11969 Charter schools
5 CCR 4600-4670 Uniform complaint procedures

CA Constitution

Article 16, Section 8.5 [Public finance; school accountability report card](#)

Article 9, Section 5 [Common school system](#)

Corporations Code

5110-6910 [Nonprofit public benefit corporations](#)

Education Code

15497.5 Local control and accountability plan template
17070.10-17079.30 Leroy F. Greene School Facilities Act
17280-17317 Approval of plans and supervision of construction
17365-17374 Fitness of buildings for occupancy; liability of board members
200.1-200.78 Accountability
215 Student suicide prevention policies
215.5 Student identification cards, inclusion of safety hotlines
220 Prohibition of discrimination
221.61 Posting of Title IX information on web site
221.9 Sex equity in competitive athletics
222 Reasonable accommodations; lactating students
222.5 Pregnant and parenting students, notification of rights
231.5-231.6 Sexual harassment policy
234.4 Mandated policy on bullying prevention
234.6 Bullying and harassment prevention information
234.7 Student protections relating to immigration and citizenship status
32282 School safety plans
32283.5 Bullying; online training
33479-33479.9 The Eric Parades Sudden Cardiac Arrest Prevention Act
35179.4-35179.6 Interscholastic athletic programs, safety
35183.1 Graduation ceremonies; tribal regalia or recognized object of religious/cultural significance
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
41024 Report of expenditure of state facility funds
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
45125.1 Fingerprinting; employees of contracting entity
46015 Accommodations for pregnant and parenting students; parental leave
47600-47616.7 Charter Schools Act of 1992
47634.2 Nonclassroom-based instruction
47640-47647 Special education funding for charter schools
47651 Apportionment of funds, charter schools
48000 Minimum age of admission for kindergarten; transitional kindergarten
48010-48011 Minimum age of admission (first grade)
48206.3-48208 Students with temporary disabilities; individual instruction
48850 Academic achievement of students in foster care and homeless children
48901.1 Suspension and expulsion, willful defiance
48907 Student exercise of free expression
48913.5 Homework assignments for suspended students
48950 Freedom of speech
49005-49006.4 Seclusion and restraint
49011 Student fees
49014 Public School Fair Debt Collection Act
49061 Student records, definitions
49062.5 Student records, name or gender change
49070 Challenging content of records
49073.2 Privacy of student and parent/guardian personal information
49076.7 Student records; data privacy; Social Security numbers
49110 Authority to issue work permits
49381 Human trafficking prevention
49414 Epinephrine auto-injectors
49414.3 Administration of opioid antagonist
49428 Notification of mental health services
49430-49434 The Pupil Nutrition, Health, and Achievement Act of 2001
49431.9 Advertisement of non-nutritious foods
49475 Health and safety, concussions and head injuries
49557.5 Child Hunger Prevention and Fair Treatment Act of 2017
49564 Meals for needy students
49700-49701 Education of children of military families
51224.7 Mathematics placement policy
51225.1-51225.2 Exemption from local graduation requirements; acceptance of coursework
51225.6 Instruction in cardiopulmonary resuscitation
51513 Diploma of graduation, without passage of high school exit examination
51745-51749.6 Independent study
51930-51939 California Healthy Youth Act
52052 Accountability; numerically significant student subgroups
52060-52077 Local control and accountability plan
52075 Uniform complaint procedures
56026 Special education
56040.3 Availability of assistive technology device
56145-56146 Special education services in charter schools
56365-56366.12 Nonpublic, nonsectarian schools
60600-60649 Assessment of academic achievement
60850-60859 High school exit examination
64000 Categorical programs included in consolidated application

64001 School plan for student achievement, consolidated application programs
65000-65001 School site councils
69432.9-69432.92 Cal Grant program; notification of grade point average and high school graduation

Government Code

1090-1099 Prohibitions applicable to specified officers
3540-3549.3 Educational Employment Relations Act
3555-3559 Public employee communication, information and orientation
54950-54963 The Ralph M. Brown Act
6250-6270 California Public Records 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

1192.7 Definition of serious felony
667.5 Definition of violent felony

Vehicle Code

28160 Child safety alert system

MANAGEMENT RESOURCES

Attorney General Opinion

Opinion No. 11-201 (2018)
89 Ops.Cal.Atty.Gen. 166 (2006)
80 Ops.Cal.Atty.Gen. 52 (1997)
78 Ops.Cal.Atty.Gen. 297 (1995)
78 Ops.Cal.Atty.Gen. 297 (1995)

CA Office of Administrative Hearings Decisions

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

California Department of Education Publication

Special Education and Charter Schools: Questions and Answers, September 10, 2002
Sample Copy of a Memorandum of Understanding
Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory 17-01, July 28, 2017
California School Accounting Manual

California Department of Pesticide Reg. Publication

School District Integrated Pest Management Plan Template

California Interscholastic Federation Publication

Pursuing Victory with Honor, 1999

Court Decision

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

CSBA Publication

Uncharted Waters: Recommendations for Prioritizing Student Achievement and Effective Governance in California's Charter Schools, September 2018
Charter Schools: A Guide for Governance Teams, rev. 2016
Charter Schools in Focus, Issue 2: Ensuring Effective Oversight, Governance Brief, October 2017

U.S. DOE Guidance

Charter Schools Program: Title V, Part B of the ESEA, January 2014

Websites

[U.S. Department of Education](#)

[National Association of Charter School Authorizers](#)

[CSBA](#)

[California Department of Education, Charter Schools](#)

[California Charter Schools Association](#)

ADOPTED BY COUNTY BOARD: June 2, 2022