

Policy 0420.43: Charter School Revocation

Status: ADOPTED

Original Adopted Date: 09/19/2023 | **Last Reviewed Date:** 09/19/2023

The Governing Board expects any charter school it authorizes to provide a sound educational program that promotes student learning and to carry out its operations in a manner that complies with law and the terms of its charter and any memoranda of understanding. The Board may revoke a charter in accordance with the law.

The Board may revoke a charter if it finds through a showing of substantial evidence, that the charter school has done any of the following: (Education Code 47607(f)(1)-(4))

1. Committed a material violation of any of the conditions, standards, or procedures set forth in the charter
2. Failed to meet or pursue any of the student outcomes identified in the charter
3. Failed to meet generally accepted accounting principles or engaged in fiscal mismanagement
4. Violated any provision of law

When the Board determines, in writing, that any of these violations under Education Code 47607(f) constitutes a severe and imminent threat to the health or safety of students, the Board may immediately revoke the school's charter. When such a determination is made, the Board shall approve and deliver to the charter school's governing body, the County Board of Education, and the California Department of Education (CDE) a "Notice of Revocation by Determination of a Severe and Imminent Threat to Pupil Health or Safety" as detailed in 5 CCR § 11965 and 11968.5.3. (Education Code 47607(g); 5 CCR §§ 11965(e) and 11968.5.3)

In all other circumstances, the Board may revoke a charter after providing the due process and using the procedures set forth in Education Code Section 47607(g)(h) and its implementing regulations. (Education Code 47607(g)(h) and 5 CCR § 11968.5.2)

The Board shall also consider revoking the charter of any charter school for which the California Collaborative for Educational Excellence (CCEE), has provided advice and assistance pursuant to Education Code 47607.3, if CCEE has issued either of the following findings: (Education Code 47607.3(d))

1. That the charter school has failed or is unable to implement the CCEE's recommendations; or
2. That the inadequate performance of the charter school, based on the California School Dashboard, is so persistent or acute as to require revocation of the charter

Appeals

If the Board revokes the charter, the charter school may appeal the revocation to the County Board. Either the charter school or the district may subsequently appeal the County Board's decision to the State Board of Education. However, a revocation based upon the findings of the CCEE pursuant to Education Code 47607.3 may not be appealed. (Education Code 47607(i), 47607.3(f); 5 CCR §§ 11968.5.2-11968.5.5)

If the revocation decision is reversed on appeal, the agency that granted the charter shall continue to be the chartering authority. (Education Code 47607(k))

School Closure

Should a school's charter be revoked, or should the charter school cease operating for any reason, the District shall notify the California Department of Education within 10 calendar days of the official action closing the charter school.

If a charter school ceases operation due to revocation or for any other reason, the charter school shall implement the school closure procedures specified in the charter and/or memorandum of understanding in accordance with Education Code 47605(c)(5)(O) and 5 CCR § 11962.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

5 CCR 11960-11969.10
 5 CCR 11968.5.1-11968.5.5
 Ed. Code 47600-47616.7
 Ed. Code 47607
 Ed. Code 52052

Description

Charter schools
 Charter revocations
 Charter Schools Act of 1992 -
<https://simbli.eboardsolutions.com/SU/jplumzZHRaxBMyaXh7aUGqfvQ==>
 Charter renewals and revocations -
<https://simbli.eboardsolutions.com/SU/MOMgRCR6Dtg6M6VrQDENHQ==>
 Accountability; numerically significant student subgroups -
<https://simbli.eboardsolutions.com/SU/wGe4pOjRslshjsTfWlo3rs0EA==>

Management Resources References

Court Decision
 CSBA Publication
 CSBA Publication
 Website
 Website
 Website
 Website
 Website
 Website

Description

Today's Fresh Start, Inc. v. Los Angeles County Office of Education, (2013) 57 Cal.4th 197
 Charter Schools: A Guide for Governance Teams, rev. June 2021
 The Role of the Charter School Authorizer, Online Course
 CSBA District and County Office of Education Legal Services -
<https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsishXk6R5akQ==>
 National Association of Charter School Authorizers -
<https://simbli.eboardsolutions.com/SU/9nzhOG5X2VVH42kMJnO6kg==>
 California Charter Schools Association -
<https://simbli.eboardsolutions.com/SU/aplushtDM8pluzN2tpwTckx11kA==>
 California Department of Education, Charter Schools -
<https://simbli.eboardsolutions.com/SU/PdGgkCs2YZ3fwPslshslshoGe7iQ==>
 CSBA -
<https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==>
 U.S. Department of Education -
<https://simbli.eboardsolutions.com/SU/XcSsJimoslsh3XhJKy4tplus7wplusA==>

Cross References

0420.4
 0420.4
 0420.41
 0420.41-E PDF(1)
 0420.42
 0500
 9320

Description

Charter School Authorization -
<https://simbli.eboardsolutions.com/SU/dlD3XYbfsishOyrnx2UA7B5IQ==>
 Charter School Authorization -
<https://simbli.eboardsolutions.com/SU/abcZzYnsmgjY3gCel33M2g==>
 Charter School Oversight -
<https://simbli.eboardsolutions.com/SU/Woplus5Qrraq2yrNfUwldKNLA==>
 Charter School Oversight -
<https://simbli.eboardsolutions.com/SU/8V0P3Wp05bNfXocGf1XbQ==>
 Charter School Renewal -
<https://simbli.eboardsolutions.com/SU/MHGTF03GTJqXmS242AUAkg==>
 Accountability -
<https://simbli.eboardsolutions.com/SU/kjgcMzN6b377plusqvn9Y5EpA==>
 Meetings And Notices -
<https://simbli.eboardsolutions.com/SU/eAttslshAEqmfVqtWFMwwwAOHQ==>