

Philosophy, Goals, Objectives and Comprehensive Plans

CHARTER SCHOOL OVERSIGHT

The Governing Board recognizes its ongoing responsibility to oversee that any charter school 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.

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 and may inspect or observe any part of a charter school at any time. (Education Code 47604.32, 47607)

The Superintendent or designated charter school contact charter school governing body whenever possible and shall periodically meet with a representative of the charter school.

Waivers

If the charter school wishes to request a general waiver of any state law or regulation 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 SBE on behalf of the charter school.

Provision of District Services

The charter school may 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 to a charter school, the district and the charter school shall develop a memorandum of understanding (MOU) which clarifies the financial and operational agreements between them.

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 for the actual costs of the reporting services, but shall not 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)

Material Revisions to Charter

Material revisions to a charter may only be made with Board approval. Material revisions shall be governed by the same standards and criteria that apply to petitions for the authorization of charter schools as set forth in Education Code 47605 and shall include, but not be limited to, a reasonably

Philosophy, Goals, Objectives and Comprehensive Plans

CHARTER SCHOOL OVERSIGHT

comprehensive description of any new requirement for charter schools enacted into law after the charter was originally granted or last renewed. (Education Code 47607)

The Board shall determine whether a proposed change in charter school operations would constitute a material revision of the approved charter.

If an approved charter school proposes to expand operations to one or more additional sites, or grade levels, whether concurrently with or unrelated to a renewal, the charter school shall request a material revision to its charter and shall notify the Board of those additional locations or grade levels. The Board shall consider approval of the additional locations or grade levels at an open, public meeting. (Education Code 47605, 47607)

Pursuant to Education Code 47605, the Board may deny a request to expand operations if it finds that the proposed expansion would render the charter school demonstrably unlikely to serve the interests of the entire community in which the school is located or proposes to locate. In making this finding, the Board shall consider all of the following:

1. The fiscal impact of the proposed expansion on the district
2. The extent to which the expansion would substantially undermine existing services, academic offerings, or programmatic offerings
3. Whether the expansion would duplicate a program currently offered within the district that has sufficient capacity for the students proposed to be served

Additionally, pursuant to Education Code 47605, the Board may deny a request to expand charter schools if it finds that the district is not positioned to absorb the fiscal impact of the proposed charter school expansion. The Board shall make this finding if the district has a qualified interim certification pursuant to Education Code 42131 and the County Superintendent of Schools, in consultation with the County Office Fiscal Crisis and Management Assistance

Team certifies that approving the charter school would result in the district having a negative interim certification pursuant to Education Code 42131, or if the district has a negative interim certification pursuant to Education Code 42131, or is under state receivership.

Location of Charter Schools

Except when permitted to operate outside district boundaries pursuant to Education Code 47605 and 47605.1, a charter school shall be located within district boundaries. (Education Code 47605.1)

Philosophy, Goals, Objectives and Comprehensive Plans

CHARTER SCHOOL OVERSIGHT

Monitoring Charter School Performance

Any charter school authorized by the Board shall be monitored by the Superintendent or designee to determine whether the charter school complies with all legal requirements applicable to charter schools, including all reports required of charter schools by law, as specified in 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 the measurable student outcomes set forth in the charter, both schoolwide and for each numerically significant student subgroup served by the school as defined in Education Code 52052. This determination shall be based on the measures specified in the approved charter and any applicable MOU, 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), as reported in the California School Dashboard.

The Board shall monitor the fiscal condition of the charter school based on any financial report or information obtained from the charter school, including, but not limited to, the charter school's preliminary budget, LCAP and annual update of the charter 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)

Fees/Charges for Supervisorial Oversight

The district may charge for district supervisorial oversight as follows: (Education Code 47613; 5 CCR 11969.7)

1. Actual costs up to one percent of the charter school's revenue.
2. Actual costs up to three percent of the charter school's revenue if the district provides the charter school substantially rent-free facilities

If the district provides the charter school with facilities under Education Code 47614 and charges the charter school a pro-rata share of the facilities costs calculated pursuant to 5 CCR 11969.7, the district may only charge the charter school for the actual costs of supervisorial oversight up to one percent of the charter school's revenue.

3. Actual costs if the district is assigned supervisorial oversight responsibility for the charter school by SBE when authorized on appeal

Technical Assistance/Intervention

Whenever a charter school is identified for technical assistance based on the performance of one or more numerically significant student subgroups on SBE-established criteria, the charter school

Philosophy, Goals, Objectives and Comprehensive Plans

CHARTER SCHOOL OVERSIGHT

shall receive technical assistance from the County Superintendent. 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 47607.3)

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(c). 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, county office of education, 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 Board to assess the charter school's progress in improving student outcomes.

In addition, if, in three out of four consecutive school years, a charter school fails to improve outcomes for three or more numerically significant student subgroups, or for all of the student subgroups if the school has fewer than three subgroups, in regard to one or more state or school priorities identified in the charter, the County Superintendent 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. (Education Code 47607.3; 52072)

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 inadequate academic achievement of all numerically significant subgroups of students served by the charter school. (Education Code 47607, 47607.2)

Complaints

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

Philosophy, Goals, Objectives and Comprehensive Plans

CHARTER SCHOOL OVERSIGHT

A complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance. 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 ceases operation for any other reason, the Superintendent or designee shall, when applicable in accordance with the charter and/or an MOU, provide assistance to facilitate the transfer of the charter school's former students and to finalize financial reporting and close-out of the charter school.

The Superintendent or designee shall provide notification to the California Department of Education, within 10 calendar days, of the Board's action, if renewal of a charter is denied, a charter is revoked, or a 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:

State

5 CCR 11700-11705

5 CCR 11960-11969.10

5 CCR 4600-4670

Bus. And Prof. Code 7583.45

CA Constitution Article 16, Section 8.5

CA Constitution Article 9, Section 5

Corp. Code 5110-6910

Ed. Code 1006

Ed. Code 17070.10-17079.30

Ed. Code 17280-17317

Ed. Code 17365-17374

Ed. Code 215

Ed. Code 215.5

Ed. Code 220

Ed. Code 221.61

Ed. Code 221.9

Description

Independent study

Charter schools

Uniform complaint procedures

Training for security officers

[Public finance; school accountability report card](#)

[Common school system](#)

[Nonprofit public benefit corporations](#)

[Prohibition against school district employees serving on county board of education](#)

[Leroy F. Greene School Facilities Act](#)

Field Act; approval of plans and supervision of construction

Field Act; fitness for occupancy; liability of board members

Suicide prevention policies

Student identification cards; inclusion of safety hotlines

Prohibition of discrimination

Posting of Title IX information on website

Sex equity in competitive athletics

Philosophy, goals, Objectives and Comprehensive Plans**CHARTER SCHOOL OVERSIGHT****Legal Reference:**

<u>State</u>	<u>Description</u>
Ed. Code 222	Reasonable accommodations; lactating students
Ed. Code 222.5	Pregnant and parenting students; notification of rights
Ed. Code 231.5	Sexual harassment policy
Ed. Code 234.4	Mandated policy on bullying prevention
Ed. Code 234.6	Bullying and harassment prevention information
Ed. Code 234.7	Student protections relating to immigration and citizenship status
Ed. Code 32280-32289.5	School safety plans
Ed. Code 32283.5	Bullying; online training
Ed. Code 33479-33479.9	The Eric Parades Sudden Cardiac Arrest Prevention Act
Ed. Code 35179.4-35179.6	Interscholastic athletic programs, safety; swimming pool safety that is not part of interscholastic athletic program
Ed. Code 35183.1	Graduation ceremonies; tribal regalia or recognized object of religious/cultural significance
Ed. Code 35292.6	Stocking of menstrual products
Ed. Code 35330	Field trips and excursions; student fees
Ed. Code 38001.5	Training for security officers
Ed. Code 38080-38086	School meals
Ed. Code 39831.3	Transportation safety plan
Ed. Code 39843	Disciplinary action against bus driver; report to Department of Motor Vehicles
Ed. Code 41024	Report of expenditure of state facility funds
Ed. Code 42100	Annual statement of receipts and expenditures
Ed. Code 44030.5	Reporting change in employment status due to alleged misconduct
Ed. Code 44237	Criminal record summary
Ed. Code 44258.9	Monitoring of teacher assignments
Ed. Code 44691	Information on detection of child abuse; annual training
Ed. Code 44830.1	Certificated employees; conviction of a violent or serious felony
Ed. Code 45125.1	Criminal records summary; employees of contracting entity
Ed. Code 45122.1	Classified employees; conviction of a violent or serious felony
Ed. Code 46015	Accommodations for pregnant and parenting students; parental leave
Ed. Code 46390-46393	Emergency average daily attendance
Ed. Code 47600-47616.7	Charter Schools Act of 1992
Ed. Code 47634.2	Nonclassroom-based instruction
Ed. Code 47640-47647	Special education funding for charter schools
Ed. Code 47651	Apportionment of funds; charter schools
Ed. Code 48000	Minimum age of admission for kindergarten; transitional kindergarten
Ed. Code 48206.3-48208	Students with temporary disabilities; individual instruction

Philosophy, goals, Objectives and Comprehensive Plans**CHARTER SCHOOL OVERSIGHT****Legal Reference:**

<u>State</u>	<u>Description</u>
Ed. Code 48850-48859	Education of foster youth and homeless students
Ed. Code 48901.1	Suspension and expulsion; willful defiance
Ed. Code 48907	Exercise of free expression; time, place and manner rules and regulations
Ed. Code 48913.5	Suspended students; homework assignments
Ed. Code 48950	Speech and other communication
Ed. Code 48985	Notices to parents in language other than English
Ed. Code 49005-49006.4	Seclusion and restraint
Ed. Code 49010	Pupil fees
Ed. Code 49011	Student fees
Ed. Code 49014	Public School Fair Debt Collection Act
Ed. Code 49061	Definitions; directory information
Ed. Code 49062.5	Student records; name or gender change
Ed. Code 49070	Challenging student records
Ed. Code 49073.2	Privacy of student and parent/guardian personal information; minutes of board meeting
Ed. Code 49076.7	Student records; data privacy; social security numbers
Ed. Code 49110	Authority to issue work permits
Ed. Code 49381	Human trafficking prevention
Ed. Code 49414	Epinephrine auto-injectors
Ed. Code 49414.3	Administration of opioid antagonist
Ed. Code 49428	Notification of mental health services
Ed. Code 49428.5	Employment of medical personnel
Ed. Code 49430-49434	The Pupil Nutrition, Health, and Achievement Act of 2001
Ed. Code 49431.9	Prohibition of advertisement of non-nutritious foods
Ed. Code 49475	Health and safety; concussions and head injuries
Ed. Code 49501.5	Free breakfast and lunch to all students
Ed. Code 49550-49564.5	Meals for needy students
Ed. Code 49557.5	Child Hunger Prevention and Fair Treatment Act of 2017
Ed. Code 49564.3	Provision of federal universal meal service
Ed. Code 49700-49701	Education of children of military families
Ed. Code 51224.7	Mathematics placement policy
Ed. Code 51225.1-51225.2	Exemption from local graduation requirements; acceptance of coursework
Ed. Code 51225.3	High school graduation requirements
Ed. Code 51225.6	Instruction in cardiopulmonary resuscitation; districts that require health education for graduation
Ed. Code 51225.7-51225.8	Completion and submission of the Free Application for Federal Student Aid and California Dream Act Application

Philosophy, goals, Objectives and Comprehensive Plans**CHARTER SCHOOL OVERSIGHT****Legal Reference:****State**

Ed. Code 51413

Ed. Code 51744-51749.6

Ed. Code 51925-51929

Ed. Code 51930-51939

Ed. Code 52052

Ed. Code 52060-52077

Ed. Code 52075

Ed. Code 56026

Ed. Code 56040.3

Ed. Code 56145-56146

Ed. Code 56365-56366.12

Ed. Code 56521.1-56521.2

Ed. Code 60600-60649

Ed. Code 64000

Ed. Code 64001

Ed. Code 65000-65001

Ed. Code 69432.9-69432.92

Gov. Code 1090-1099

Gov. Code 3540-3549.3

Gov. Code 3555-3559

Gov. Code 54950-54963

Gov. Code 7920.000-7930.170

Gov. Code 81000-91014

H&S Code 104420

H&S Code 104559

Lab. Code 1198.5

Lab. Code 3074.2

Pen. Code 1192.7

Pen. Code 667.5

Veh. Code 28160

Federal

20 USC 1681-1688

20 USC 6311

20 USC 7221-7221j

34 CFR 200.1-200.78

42 USC 11431-11435

Description

Diploma of graduation without passage of high school exit examination

Independent study

Mandatory mental health education

California Healthy Youth Act

Accountability; numerically significant student subgroups

Local control and accountability plan

Uniform complaint procedures

Special education

Availability of assistive technology device

Special education services in charter schools

Nonpublic, nonsectarian schools

Emergency Interventions

Assessment of academic achievement

Categorical programs included in consolidated application

School plan for student achievement; consolidated application programs

School site councils

Cal Grant program; notification of grade point average and high school graduation

Prohibitions applicable to specified officers

Educational Employment Relations Act

Public employee communication, information and orientation

The Ralph M. Brown Act

California Public Records Act

Political Reform Act

Tobacco Use Prevention Education grant program

Tobacco-free schools

Personnel records related to performance and grievance

College and career fairs; notice to apprenticeship programs

Definition of serious felony

Definition of violent felony

Child safety alert system

Description

Title IX of the Education Amendments of 1972; discrimination based on sex

State plan

Charter schools

Accountability

McKinney-Vento Homeless Assistance Act

Philosophy, goals, Objectives and Comprehensive Plans

CHARTER SCHOOL OVERSIGHT

Legal Reference:

Management Resources

Description

Attorney General Opinion	104 Ops.Cal.Atty.Gen. 66 (2021)
Attorney General Opinion	101 Ops.Cal.Atty.Gen. 92 (2018)
Attorney General Opinion	78 Ops.Cal.Atty.Gen. 297 (1995)
Attorney General Opinion	89 Ops.Cal.Atty.Gen. 166 (2006)
Attorney General Opinion	80 Ops.Cal.Atty.Gen. 52 (1997)
CA Department of Education Publication	California School Accounting Manual
CA Office of Administrative Hearings Decisions	Student v. Horizon Instructional Systems Charter School, (2012) OAH Case No. 2011060763
California Department of Education Publication	Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory 20-01, July 23, 2020
California Dept. 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	Charter Schools: A Guide for Governance Teams, rev. 2021
CSBA Publication	Charter Schools in Focus, Issue 2: Ensuring Effective Oversight, Governance Brief, October 2017
CSBA Publication	Uncharted Waters: Recommendations for Prioritizing Student Achievement and Effective Governance in California's Charter Schools, September 2018
U.S. DOE Guidance	Charter Schools Program: Title V, Part B of the ESEA, Nonregulatory Guidance, January 2014
Website	CSBA District and County Office of Education Legal Services
Website	U.S. Department of Agriculture
Website	National Suicide Prevention Lifeline
Website	National Domestic Violence Hotline
Website	California State Teachers Retirement System
Website	California Public Employees Retirement System
Website	California Department of General Services, Office of Administrative Hearings
Website	California Commission on Teacher Credentialing
Website	California Commission on Peace Officer Standards and Training
Website	California Bureau of Security and Investigative Services
Website	California Department of Pesticide Regulation
Website	California State Controller
Website	California Student Aid Commission
Website	National Association of Charter School Authorizers

Philosophy, goals, Objectives and Comprehensive Plans

CHARTER SCHOOL OVERSIGHT

Legal Reference:

Management Resources

Description

Website	California Charter Schools Association
Website	California Department of Education, Charter Schools
Website	California Interscholastic Federation
Website	California Office of the Attorney General
Website	CSBA
Website	U.S. Department of Education

WESTMINSTER SCHOOL DISTRICT

Westminster, California

Policy Adopted: July 25, 2013

Revised: October 12, 2023