Charter School Oversight

Adopted: 10/21/25 **| Last Revised:** n/a **| Last Reviewed**: n/a

The Board of Education recognizes its ongoing responsibility to oversee that any charter school authorized by the Board is successfully fulfilling the terms of its charter.

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.

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.

The Superintendent may designate someone to attend meetings of the charter school governing body as needed.

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 Superintendent or designee and the governing bodies of charter schools authorized by the Board shall review new laws and regulations applicable to charter schools.

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 memorandum of understanding (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.

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 Board approve, and 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

Upon approval by the Board of an appropriate agreement, the charter school may contract with the district or any other source for administrative or other services.

Whenever the district agrees to provide administrative or support services to a charter school, the district and the charter school shall develop an 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.

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.

Fees/Charges for Supervisorial Oversight
The district may charge for district supervisorial oversight as follows:

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 shall receive technical assistance from the County Superintendent of Schools. Such technical assistance should 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:

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.

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.

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.

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.

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.

School Closure
In the event that the Board revokes or denies renewal of a charter or the charter school ceases operation for any reason, the Superintendent or designee shall, when applicable in accordance with the charter school and/or an applicable agreement between the district and the charter school, 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.

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.

Legal References:

STATE

CALIFORNIA CODE OF REGULATIONS
5 CCR 11700-11705 Independent study
5 CCR 11960-11969.10 Charter schools
5 CCR 4600-4670 Uniform complaint procedures

BUSINESS & PROFFESSIONS CODE
7583.45 Training for security officers

CALIFORNIA 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
1006 Prohibition against school district employees serving on county board of education
17070.10-17079.30 Leroy F. Greene School Facilities Act
17280-17317 Field Act; approval of plans and supervision of construction
17365-17374 Field Act; fitness for occupancy; liability of board members
17586 Interior locks on buildings
200 Nondiscrimination declaration of purpose
210.2 Educational equity definition
215 Suicide prevention policies
215.5 Student identification cards; inclusion of safety hotlines
220 Prohibition of discrimination
220.5 Prohibition of policies requiring disclosure of information related to student's sexual orientation, gender identity, or gender expression
221.61 Posting of Title IX information on website
221.9 Sex equity in competitive athletics
222 Reasonable accommodations; lactating students
222.5 Pregnant and parenting students; notification of rights
231.5 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
243 Prohibition of discrimination; instructional materials
244 Prohibition of discrimination; instructional materials adoption
32280-32289.5 School safety plans
32283.5 Bullying; online training
33317.3 Student transfer reporting
33353 California Interscholastic Federation; standardized incident form
33355 Extreme weather protocols
33479-33479.9 The Eric Parades Sudden Cardiac Arrest Prevention Act
35012 Student board member participation in expulsion hearings
35120 Student board membership
35179.4-35179.6 Interscholastic athletic programs, safety; swimming pool safety that is not part of interscholastic athletic program
35183.1 Graduation ceremonies; tribal regalia or recognized object of religious/cultural significance
35292.6 Stocking of menstrual products
35330 Field trips and excursions; student fees
38001.5 Training for security officers

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
44238.9 District oversight
44691 Information on detection of child abuse; annual training
44830.1 Certificated employees; conviction of a violent or serious felony
44841 CPR certification
44939.5 Certificated applicant screening
45122.1 Classified employees; conviction of a violent or serious felony
45125.1 Criminal records summary; employees of contracting entity
46015 Accommodations for pregnant and parenting pupils
46015 Accommodations for pregnant and parenting students; parental leave
46300 Transitional kindergarten and kindergarten students in attendance calculation
46390-46393 Emergency average daily attendance
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 Minimum age of admission to first grade
48206.3-48208 Students with temporary disabilities; individual instruction
48850-48859 Students in foster care and students experiencing homelessness
48850-48859 Education of foster youth and homeless students
48900 Grounds for suspension or expulsion
48901.1 Suspension and expulsion; willful defiance
48901.7 Smartphone policy
48901.8 Social media policy
48907 Exercise of free expression; time, place, and manner rules and regulations
48913.5 Suspended students; homework assignments
48950 Speech and other communication
48980.6 Dual enrollment offerings notification
48985 Notices to parents in language other than English
49005-49006.4 Seclusion and restraint
49010 Student fees
49011 Student fees; definition
49014 Public School Fair Debt Collection Act
49061 Definitions; directory information
49062.5 Student records; name or gender change
49070 Challenging student records
49073.2 Privacy of student and parent/guardian personal information; minutes of board meeting
49076.7 Student records; data privacy; social security numbers
49110 Authority to issue work permits
49381 Human trafficking prevention
49400-49417 Student health; General powers of school boards
49406 TB risk assessment
49414 Epinephrine auto-injectors
49414.3 Administration of opioid antagonist
49428 Notification of mental health services
49428.5 Employment of medical personnel
49430-49434 The Pupil Nutrition, Health, and Achievement Act of 2001
49431.9 Prohibition of advertisement of non-nutritious foods

49475 Health and safety; concussions and head injuries
49501.5 Free breakfast and lunch to all students
49531 Food dyes prohibition
49550-49564.5 Meals for needy students
49557.5 Child Hunger Prevention and Fair Treatment Act of 2017
49564.3 Provision of federal universal meal service
49603 On campus access to employers and military services
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
51225.3 High school graduation requirements
51225.31 Graduation exemption for students with disabilities
51225.32 Graduation requirements for students with disabilities
51225.38 Dangers associated with fentanyl
51225.6 Instruction in cardiopulmonary resuscitation; districts that require health education for graduation
51225.7-51225.8 Completion and submission of the Free Application for Federal Student Aid and California Dream Act Application
51413 Diploma of graduation without passage of high school exit examination
51744-51749.6 Independent study
51925-51929 Mandatory mental health education
51930-51939 California Healthy Youth Act
52052 Accountability; numerically significant student subgroups
52060-52077 Local control and accountability plan
52075 Uniform complaint procedures
52770 College and career fairs; community college districts
52770 College and career fairs
53234-53235.2 Ethics training for governing body
56026 Special education
56040.3 Availability of assistive technology device
56040.6 Deaf, hard of hearing student considerations
56145-56146 Special education services in charter schools
56365-56366.12 Nonpublic, nonsectarian schools
56521.1-56521.2 Emergency Interventions
60600-60649 Assessment of academic achievement
60900 Charter school closure
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
7920.000-7930.215 California Public Records Act
81000-91014 Political Reform Act

HEALTH & SAFETY CODE

104420 Tobacco Use Prevention Education grant program
104559 Tobacco-free schools

LABOR CODE

1198.5 Personnel records related to performance and grievance
3074.2 College and career fairs; notice to apprenticeship programs

PENAL CODE

1192.7 Definition of serious felony
667.5 Definition of violent felony

VEHICALE CODE
28160 Child safety alert system
FEDERAL
UNITED STATES CODE
20 USC 1681-1688 Title IX of the Education Amendments of 1972; discrimination based on sex
20 USC 6311 State plan
20 USC 7221-7221j Charter schools
CODE OF FEDERAL REGULATIONS
34 CFR 200.1-200.78 Accountability
UNITED STATES CODE
42 USC 11431-11435 McKinney-Vento Homeless Assistance Act
MANAGEMENT RESOURCES
ATTORNEY GENERAL OPINIONS
104 Ops.Cal.Atty.Gen. 66 (2021)
101 Ops.Cal.Atty.Gen. 92 (2018)
78 Ops.Cal.Atty.Gen. 297 (1995)
89 Ops.Cal.Atty.Gen. 166 (2006)
80 Ops.Cal.Atty.Gen. 52 (1997)
CA OFFICE OF ADMINISTRATIVE HEARINGS DECISIONS
Student v. Horizon Instructional Systems Charter School (2012) OAH Case No. 2011060763
CALIFORNIA ATTORNEY GENERAL
Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues, December 2024
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory 23-02, November 2023
Model Youth Suicide Prevention Policy for Local Educational Agencies that Serve Kindergarten through Twelfth Grade Students
Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory 20-01, July 23, 2020
California School Accounting Manual
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
Charter Schools in Focus, Issue 2: Ensuring Effective Oversight, Governance Brief, October 2017
Uncharted Waters: Recommendations for Prioritizing Student Achievement and Effective Governance in California's Charter Schools, September 2018
MULTI-AGENCY CHARTER SATF'S PUBLICATION
Audit Best Practices for Detecting and Curtailing Charter School Fraud, September 2024
U.S. DOE GUIDANCE
Charter Schools Program: Title V, Part B of the ESEA, Nonregulatory Guidance, January 2014
WEBSITES
CSBA District and County Office of Education Legal Services https://legalservices.csba.org/
U.S. Department of Agriculture https://www.usda.gov/
National Suicide Prevention Lifeline https://suicidepreventionlifeline.org/
National Domestic Violence Hotline https://www.thehotline.org/
California State Teachers Retirement System https://www.calstrs.com/
California Public Employees Retirement System https://www.calpers.ca.gov/
California Department of General Services, Office of Administrative Hearings https://www.dgs.ca.gov/OAH
California Commission on Teacher Credentialing https://www.ctc.ca.gov/
California Commission on Peace Officer Standards and Training https://post.ca.gov/
California Bureau of Security and Investigative Services https://www.bsis.ca.gov/

California Department of Pesticide Regulation http://www.cdpr.ca.gov/
California State Controller http://www.sco.ca.gov/
California Student Aid Commission http://www.csac.ca.gov/
National Association of Charter School Authorizers http://www.qualitycharters.org/
California Charter Schools Association http://www.ccsa.org/
California Department of Education, Charter Schools https://www.cde.ca.gov/sp/ch/
California Interscholastic Federation http://www.cifstate.org/
California Office of the Attorney General http://oag.ca.gov/
CSBA http://www.csba.org/
U.S. Department of Education http://www.ed.gov/

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