

Philosophy, Goals, Objectives and Comprehensive Plans

Charter Schools

The Governing Board believes that charter schools provide one opportunity to implement school-level reform and to support innovations which improve student learning. These schools shall operate under the provisions of their charters, federal laws, specified state laws, and general oversight of the Board.

The Superintendent or designee may work with charter school petitioners prior to the formal submission of the petition in order to gather information about the proposal and suggest components that would align the petition with the district's vision and goals for student learning. As needed, he/she may work with the petitioners to establish workable plans for technical assistance or contracted services which the district may provide to the proposed charter school.

At his/her discretion, the Superintendent or designee may establish a staff advisory committee to review a submitted petition and the supporting documentation. Such a committee may be used to evaluate the completeness of the proposal, the merits of the proposed educational program, the level of community support, and any concerns that should be addressed by the petitioners. The Superintendent or designee shall also consult with legal counsel as appropriate regarding compliance of the proposal with legal requirements. (cf. 1220 - Citizen Advisory Committees)

In determining whether to grant or deny a charter, the Board shall carefully review the proposed charter and any supplementary information, consider public and staff input, and determine whether the charter petition adequately addresses all the provisions required by law. The Board shall not deny a charter school petition unless specific written factual findings are made pursuant to law and administrative regulation.

The Board may approve one or more memoranda of understanding to clarify the financial and operational agreements between the district and the charter school. Any such memorandum of understanding shall be annually reviewed by the Board and charter school and adjusted as necessary.

The district shall not require any student to attend a charter school and shall not require any district employee to work at a charter school. (Education Code 47605)

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, multiple measures for evaluating the educational program, and regular reports to the Board. (cf. 0500 - Accountability)

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The Board shall monitor each charter school to determine whether it makes "adequate yearly progress" as defined by the State Board of Education and federal Title I accountability requirements. If a charter school fails to make adequate yearly progress for two or more consecutive years, the Board shall take action for program improvement in accordance with law, Board policy, and administrative regulations. (cf. 0520.2 - Title I Program Improvement Schools)

The Board may consider converting an existing school to a charter school when state or federal law requires restructuring of the school because of low-performance or when otherwise deemed beneficial by the district and community.

Legal Reference:

CALIFORNIA EDUCATION CODE

17280-17317	Field Act
17365-17374	Field Act, fitness for occupancy
41365	Charter school revolving loan fund
42100	Annual statement of receipts and expenditures
42238.51-42238.53	Funding for charter districts
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
46201	Instructional minutes
47600-47616.7	Charter Schools Act of 1992, as amended
47640-47647	Special education funding for charter schools
47652	Funding of first-year charter schools

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48000	Minimum age of admission (kindergarten)
48010	Minimum age of admission (first grade)
48011	Minimum age of admission from kindergarten or other school
51745-51749.3	Independent study
52052	Alternative accountability system
54032	Limited English or low-achieving pupils
56026	Special education
56145-56146	Special education services in charter schools
60600-60649	Assessment of academic achievement, including:
60605	Academic content and performance standards; assessments
60640-60649	Standardized Testing and Reporting Program
60850-60859	High school exit examination

GOVERNMENT CODE

3540-3549.3	Educational Employment Relations Act
54950-54963	The Ralph M. Brown Act

PENAL CODE

667.5	Definition of violent felony
1192.7	Definition of serious felony

CODE OF REGULATIONS, TITLE 5

11700.1-11705	Independent study
11960-11969	Charter schools

CODE OF REGULATIONS, TITLE 24

101 et seq.	California Building Standards Code
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UNITED STATES CODE, TITLE 20

6311	Adequate yearly progress
6319	Qualifications of teachers and paraprofessionals
7223-7225	Charter schools

CODE OF FEDERAL REGULATIONS, TITLE 34

200.1-200.78	Accountability
300.18	Highly qualified special education teachers

ATTORNEY GENERAL OPINIONS

89 Ops.Cal.Atty.Gen. 166 (2006)
80 Ops.Cal.Atty.Gen. 52 (1997)
78 Ops.Cal.Atty.Gen. 297 (1995)

COURT DECISIONS

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