

Golden Valley Unified School District
Philosophy – Goals - Objectives – Comprehensive Plans
CHARTER SCHOOL OVERSIGHT

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REQUIREMENTS FOR CHARTER SCHOOLS

Charter schools are generally exempt from provisions of the Education Code unless they are expressly included in the law. However, charter schools are subject to the terms of their charters, any memorandum of understanding with their chartering authority, and other legal requirements including, but not limited to, requirements that each charter school:

1. Comply with the state and federal constitution and applicable federal laws
2. Comply with state laws that apply to governmental agencies in general, such as the Brown Act requirements in Government Code [54950-54963](#)
3. Be nonsectarian in its programs, admission policies, employment practices, and all other operations (Education Code [47605](#))
4. Not discriminate against any student on the basis of the characteristics listed in Education Code [220](#) (Education Code [47605](#))
5. Not charge tuition (Education Code [47605](#))
6. Not charge student fees for any activity that is an integral component of the educational program, except as authorized by those Education Code provisions that explicitly apply to charter schools
7. Adhere to all laws establishing the minimum age for public school attendance (Education Code [47610](#))
8. Serve students who are California residents and who, if over 19 years of age, are continuously enrolled in a public school and making "satisfactory progress" toward a high school diploma as defined in 5 CCR [11965](#) (Education Code [47612](#))
9. Serve students with disabilities in the same manner as such students are served in other public schools (Education Code [47646](#), [56145](#))
10. Admit all students who wish to attend the school, according to the following criteria and procedures:
 - a. Admission to the charter school shall not be determined according to the student's place of residence, or that of his/her parents/guardians, within the state, except that any existing public school converting partially or entirely to a charter school shall adopt and maintain a policy giving admission preference to students who reside within the school's former attendance area. (Education Code [47605](#))

However, if a charter school will be physically located in a public elementary school attendance area in which 50 percent or more of the student enrollment is eligible for free or reduced-price meals, it may also establish an admissions preference for students who are currently enrolled in the public elementary school and for students who reside in the public school attendance area. (Education Code [47605.3](#))

b. If the number of students who wish to attend the charter school exceeds the school's capacity, attendance shall be determined by a public random drawing. However, preference shall be extended to students currently attending the charter school and students who reside in the district, except as provided for in Education Code [47614.5](#). (Education Code [47605](#))

c. Other admissions preferences may be established on an individual school basis as consistent with law.

11. If the school offers a kindergarten program, offer a transitional kindergarten program to eligible students who do not yet meet the age criterion for entry into kindergarten (Education Code [48000](#))

12. Require its teachers to hold a certificate, permit, or other document issued by the Commission on Teacher Credentialing equivalent to that which a teacher in other public schools would be required to hold (Education Code [47605](#))

13. Require its teachers of core academic subjects to satisfy requirements for "highly qualified teachers" as defined by the State Board of Education (SBE) (20 USC [6319](#); 34 CFR [300.18](#))

14. Not hire any person, in either a certificated or classified position, who has been convicted of a violent or serious felony except as otherwise provided by law (Education Code [44830.1](#), [45122.1](#))

15. Meet the requirements of Education Code [47611](#) regarding the State Teachers' Retirement System (Education Code [47610](#))

16. Meet the requirements of Government Code [3540-3549.3](#) related to collective bargaining in public education employment (Education Code [47611.5](#))

17. If applicable, meet federal requirements for qualifications of paraprofessionals working in programs supported by Title I funds (20 USC [6319](#))

18. Meet all statewide standards and conduct the student assessments required by Education Code [60605](#) and [60851](#) and any other statewide standards or assessments applicable to noncharter public schools (Education Code [47605](#), [47612.5](#))

19. Offer at least the number of instructional minutes required by law for the grade levels provided by the charter school (Education Code [46201.2](#), [47612.5](#))

20. If the school provides independent study, meet the requirements of Education Code [51745-51749.3](#), except that the school may be allowed to offer courses required for graduation solely through independent study as an exception to Education Code [51745\(e\)](#) (Education Code [47612.5](#), [51747.3](#); 5 CCR [11705](#))

21. Identify and report to the Superintendent of Public Instruction (SPI) any portion of its average daily attendance that is generated through nonclassroom-based instruction, including, but not limited to, independent study, home study, work study, and distance and computer-based education (Education Code [47612.5](#), [47634.2](#); 5 CCR [11963.2](#))

22. If the school offers an athletic program, annually provide an information sheet about concussion and head injury to athletes and their parents/guardians before the athlete initiates practice or competition. In the event that an athlete is suspected of sustaining a concussion or head injury in an athletic activity, he/she shall be immediately removed from the activity for the remainder of the day and shall not be permitted to return to the activity until he/she is evaluated by a licensed health care provider and receives written clearance to return to the activity. (Education Code [49475](#))

23. On a regular basis, consult with parents/guardians and teachers regarding the school's educational programs (Education Code [47605](#))

24. Provide students the right to exercise freedom of speech and of the press including, but not limited to, the use of bulletin boards; the distribution of printed materials or petitions; the wearing of buttons, badges, and other insignia; and the right of expression in official publications (Education Code [48907](#), [48950](#))

25. Maintain written contemporaneous records that document all student attendance and make these records available for audit and inspection (Education Code [47612.5](#))

26. If a student subject to compulsory full-time education is expelled or leaves the charter school without graduating or completing the school year for any reason, notify the Superintendent of the school district of the student's last known address within 30 days and, upon request, provide that district with a copy of the student's cumulative record, including a transcript of grades or report card, and health information (Education Code [47605](#))

27. Comply with the California Building Standards Code as adopted and enforced by the local building enforcement agency with jurisdiction over the area in which the charter school is located, unless the charter school facility meets either of the following conditions: (Education Code [47610](#), [47610.5](#))

a. The facility complies with the Field Act pursuant to Education Code [17280-17317](#) and [17365-17374](#).

b. The facility is exclusively owned or controlled by an entity that is not subject to the California Building Standards Code, including, but not limited to, the federal government.

28. Promptly respond to all reasonable inquiries from the district, the county office of education, or the SPI, including, but not limited to, inquiries regarding the school's financial records (Education Code [47604.3](#))

29. Annually prepare and submit financial reports to the Governing Board and the County Superintendent of Schools in accordance with the following reporting cycle:

a. By July 1, a preliminary budget for the current fiscal year. For a charter school in its first year of operation, financial statements submitted with the charter petition pursuant to Education Code [47605\(g\)](#) will satisfy this requirement. (Education Code [47604.33](#))

b. By July 1 each year, an update of the school's goals and the actions to achieve those goals as identified in the charter, developed using the SBE template in accordance with Education

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Code [47606.5](#). This report shall include a review of the progress toward the goals, an assessment of the effectiveness of the specific actions toward achieving the goals, a description of changes the school will make to the specific actions as a result of the review and assessment, and a listing and description of expenditures for the fiscal year implementing the specific actions. (Education Code [47604.33](#), [47606.5](#))

When conducting this review, the governing body of the school may consider qualitative information including, but not limited to, findings that result from any school quality reviews conducted pursuant to Education Code [52052](#) or any other reviews. To the extent practicable, data shall be reported in a manner consistent with how information is reported on a school accountability report card. The update shall be developed in consultation with teachers, principals, administrators, other school personnel, parents/guardians and students. (Education Code [47606.5](#))

c. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. (Education Code [47604.33](#))

d. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31. (Education Code [47604.33](#))

e. By September 15, a final unaudited report for the full prior year. The report submitted to the Board shall include an annual statement of all the charter school's receipts and expenditures for the preceding fiscal year. (Education Code [42100](#), [47604.33](#))

f. By December 15, a copy of the charter school's annual, independent financial audit report for the preceding fiscal year, unless the charter school's audit is encompassed in the district's audit. The audit report shall also be submitted to the state Controller and the California Department of Education. (Education Code [47605](#))

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GVUSD Adopted: 2/2014

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