

PHILOSOPHY-GOALS-OBJECTIVES AND COMPREHENSIVE PLANS

Charter Schools

The Board of Trustees 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.

As needed, the Superintendent or designee may work with charter school petitioners to establish workable plans for technical assistance or contracted services which the District may provide to the proposed charter school.

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.

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 as well as multiple measures for evaluating the educational program. The charter shall participate in the annual state-mandated assessment program and be subject to the Public School Accountability Act reporting requirements. In accordance with law and the charter provisions, charters shall provide regular reports to the Board to assist the Board in fulfilling its oversight responsibility.

In determining whether charter petitions meet the requirements of law, offer a sound educational program, and provide increased educational opportunities for the students of the District, the Board will consider the following:

- The soundness of the educational program set forth in the petition
- The commitment of the petitioners to nondiscrimination and open enrollment
- The likelihood of successful implementation of the program set forth in the petition
- The potential effects of the school on facilities and programs available to all students in the District, as well as the potential effect on district liability
- The degree to which the petition includes all elements required by the charter school law

Charter Schools (continued)

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.

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.

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.

The Board may revoke a charter if deemed necessary, following the requirements of law.

The Superintendent or designee will advise the Board on legal requirements for considering charter school petitions.

Legal References:

Education Code 17280-17317, 17365-17374, 33054, 41365, 42100, 42238.51-42238.53, 44237, 44830.1, 45122.1, 46201, 47600-47616.7, 47640-47647, 47652, 48000, 48010, 48011, 51745-51749.3, 52052, 54032, 56026, 56145-56146, 60600-60649, 60605, 60640-60649, 60850-60859

Government Code 3540-3549.3, 54950-54963

Penal Code 667.5, 1192.7

Title 5 11700.1-11705, 11960-11969

Title 20 6311, 6319, 7223-7225

Title 24 101 et seq.

Title 34 200.1-200.78, 300.18

Attorney General Opinions 80 Ops.Cal.Atty.Gen. 52 (1997), 78 Ops.Cal.Atty.Gen. 297 (1995), 89

Ops.Cal.Atty.Gen. 166 (2006)

Court Decisions:

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

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