

CHARTER SCHOOLS**BP 0420.41****Oversight of County Charter Schools****Philosophy, Goals, Objectives, and Comprehensive Plans**

The Riverside County Board of Education (RCBE) recognizes its ongoing responsibility to oversee that any charter school authorized by the RCBE is successfully fulfilling the terms of its charter and is providing a high-quality educational program for students enrolled in the charter school.

Designated Charter School Contact

The RCBE designates the Riverside County Office of Education (RCOE) Charter Schools Unit Director and staff as RCBE's representative and the contact for each charter school authorized by the County Board. [Education Code 47604.32]

The RCBE or its designated representative may inspect or observe any part of the charter school at any time. At least once each year, the RCBE or its designated representative shall visit each charter school under its authority. [Education Code 47604.32, 47607]

Waivers

If the charter school wishes to request a general waiver of any applicable state law or regulation applicable to it, it shall request that the RCBE submit a general waiver request to the State Board of Education (SBE) on its behalf. If the RCBE approves approval of such a request, the RCBE shall ask the Riverside County Superintendent or designee to submit the waiver request to SBE on behalf of the charter school.

Provision of Services to a Charter School

The RCBE may charge up to one percent of a charter school's revenue for the actual costs of supervisory oversight of the school. However, if the RCOE can provide substantially rent-free facilities to the charter school, the RCBE may charge up to three percent of the charter school's revenue for actual costs of supervisory oversight. [Education Code 47613]

A charter school may separately purchase administrative or other services from the RCOE or any other source, in accordance with the law. [Education Code 47613]

Monitoring Charter School Performance

The RCBE has the responsibility to monitor any charter school that it authorizes to determine whether the charter school complies with all legal requirements applicable to charter schools, including the making of all reports required of charter schools in accordance with the Education Code 47604.32.

The RCBE has the responsibility to monitor each charter school to determine whether the school, both schoolwide and for all groups of students served by the school, is achieving the measurable student outcomes set forth in its charter. This determination shall be based on the measures specified in the approved charter and on the charter school's annual review and assessment of its

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progress toward the goals and actions identified in its local control and accountability plan (LCAP).

The RCBE has the responsibility to monitor the fiscal condition of each charter school based on financial information obtained from the charter school, including, but not limited to, the charter school's preliminary budget, an annual update of the 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]

The RCBE's representative will report the charter school's performance to the RCBE on an annual basis. The RCBE may request additional information and, or reports from the representative and, or charter school.

Technical Assistance/Intervention

Whenever one or more numerically significant student subgroups at a charter school meet SBE-established performance criteria in two or more years, the charter school shall receive technical assistance from a COE identified as a geographic lead agency or its designee. 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 45607.3]

1. Assisting the charter school to identify its strengths and weaknesses in regards to the state priorities applicable to the charter school pursuant to Education Code 47605. 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, COE, or charter school, maybe 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 County Board to assess the charter school's progress in improving student outcomes.

If in three out of four consecutive school years, a charter school fails to improve outcomes for three or more student subgroups identified in Education Code 52052, or for all of the student subgroups if the school has fewer than three, in regards to one or more state or school priorities identified in the charter, the County Superintendent may request assistance from the California Collaborative for Educational Excellence. [Education Code 47607.3, 52072]

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In accordance with the law and County Board policy, the County 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 the academic achievement of all numerically significant subgroups of students served by the charter school.

Complaints

To enable any person alleging the school's noncompliance with Education Code 47606.5 or 47607.3 to file a complaint, each charter school shall establish a complaint process in accordance with the uniform complaint procedures specified in 5 CCR 4600-4670. [Education Code 52075]

A complainant who is not satisfied with the decision of the charter school resulting from the uniform complaint procedures may appeal the decision to the Superintendent of Public Instruction (SPI). If the charter school finds merit in the complaint or the SPI finds merit in an appeal, the charter school shall provide a remedy to all affected students and parents/guardians. [Education Code 52075]

School Closure

In the event that the County Board revokes or denies renewal of a charter or the school ceases operation for any reason, the County Board's charter school representative shall, in accordance with the charter and/or any applicable memorandum of understanding, provide assistance to facilitate the transfer of the charter school's former students and to finalize financial reporting and close-out.

The County Board shall provide notification to the California Department of Education, within 10 calendar days of denying renewal of or revoking the charter, or if the 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:

EDUCATION CODE

215 Suicide prevention policy

215.5 Student identification cards, inclusion of safety hotlines

220 Nondiscrimination

221.61 Posting of Title IX information on web site

221.9 Sex equity in competitive athletics

222 Lactation accommodations for students

222.5 Pregnant and parenting students, notification of rights

231.5-231.6 Sexual harassment policy

234.4 Mandated policy on bullying prevention

234.6 Bullying and harassment prevention information

234.7 Student protections related to immigration and citizenship status

17070.10-17070.30 Leroy F. Greene School Facilities Act

17280-17317 Field Act

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17365-17374 Field Act, fitness for occupancy
32282 Comprehensive safety plan
32283.5 Online training on bullying prevention
33479-33479.9 The Eric Parades Sudden Cardiac Arrest Prevention Act
35179.4-35179.6 Interscholastic athletic programs, safety
35183.1 Graduation ceremonies; tribal regalia or recognized object of religious/cultural significance
35330 Field trips and excursions; student fees
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
44691 Information on detection of child abuse
44830.1 Certificated employees, conviction of a violent or serious felony
45122.1 Classified employees, conviction of a violent or serious felony
45125.1 Fingerprinting; employees of contracting entity
46015 Accommodations for pregnant and parenting students; parental leave
47600-47616.7 Charter Schools Act of 1992
47634.2 Nonclassroom-based instruction
47640-47647 Special education funding for charter schools
48000 Minimum age of admission for kindergarten; transitional kindergarten
48010-48011 Minimum age of admission (first grade)
48207.3 Students with temporary disabilities; individual instruction
48850-48859 Educational placement of foster youth and homeless students
48901.1 Suspension and expulsion, willful defiance
48907 Students' exercise of free expression; rules and regulations
48913.5 Suspended students, homework assignments
48950 Student speech and other communication
48985 Parental notifications
49005-49006.4 Seclusion and restraint
49011 Student fees
49014 Public School Fair Debt Collection Act
49061 Student records
49062.5 Student records, name or gender changes
49070 Challenging student records
49073.2 Privacy of student and parent/guardian personal information
49076.7 Student records; data privacy; Social Security numbers
49110 Authority of issue work permits
49381 Human trafficking prevention
49414 Epinephrine auto-injectors
49414.3 Administration of opioid antagonist
49428 Notification of mental health services
49430-49434 The Pupil Nutrition, Health, and Achievement Act of 2001
49475 Health and safety, concussions and head injuries

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49557.5 Child Hunger Prevention and Fair Treatment Act of 2017
 49564 Meals for needy students
 51224.7 Mathematics placement policy
 51225.1-51225.2 Exemption from local graduation requirements; acceptance of coursework
 51225.6 Instruction in cardiopulmonary resuscitation
 51413 Diplomas
 51745-51749.6 Independent study
 51930-51939 California Healthy Youth Act
 52051.5-52052 Academic performance index, applicability to charter schools
 52060-52077 Local control and accountability plans
 52075 Uniform complaint procedures
 56026 Special education
 56040.3 Availability of assistive technology devices
 56145-56146 Special education services in charter schools
 56365-56366.12 Nonpublic, nonsectarian schools
 60600-60649 Assessment of academic achievement
 60850-60859 High school exit examination
 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
 CORPORATIONS CODE
 5110-6910 Nonprofit public benefit corporations
 GOVERNMENT CODE
 1090-1099 Prohibitions applicable to specified officers
 3540-3549.3 Educational Employment Relations Act
 6250-6270 California Public Records Act
 54950-54963 Ralph M. Brown Act
 81000-91014 Political Reform Act of 1974
 HEALTH AND SAFETY CODE
 104420 Tobacco Use Prevention Education grant program
 104559 Tobacco-free schools
 LABOR CODE
 1198.5 Personnel records related to performance and grievance
 PENAL CODE
 667.5 Definition of violent felony
 1192.7 Definition of serious felony
 VEHICLE CODE
 28160 Child safety alert system
 CALIFORNIA CONSTITUTION
 Article 9, Section 5 Common school system
 Article 16, Section 8.5 Public finance; school accountability report card
 CODE OF REGULATIONS, TITLE 5
 4600-4670 Uniform complaint procedures
 11700.1-11705 Independent study
 11960-11969 Charter schools

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15497.5 Local control and accountability plan template

CODE OF REGULATIONS, TITLE 24

101.1 et seq. Part 2 California Building Standards Code

UNITED STATES CODE, TITLE 20

6311 State plan

7221-7221j Charter schools

UNITED STATES CODE, TITLE 42

11431-11435 McKinney-Vento Homeless Assistance Act

CODE OF FEDERAL REGULATIONS, TITLE 34

200.1-200.78 Accountability

COURT DECISIONS

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

ATTORNEY GENERAL OPINIONS

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

80 Ops.Cal.Atty.Gen. 52 (1997)

78 Ops.Cal.Atty.Gen. 297 (1995)

CALIFORNIA OFFICE OF ADMINISTRATIVE HEARINGS DECISIONS

Student v. Horizon Instructional Systems Charter School, (2012) OAH Case No. 2011060763

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