Oversight and Monitoring

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

The County Board or designee shall provide oversight and monitoring of each of the charter schools authorized by the County Board in accordance with applicable law, the applicable charter, and the County Board’s Memorandum of Understanding – Charter School Authorization (“MOU”). (Education Code 47604.32, 47604.33, 40606.5, 47607.)

Charter school shall comply with all obligations set forth in applicable law, its charter, and the MOU to enable the County Board to conduct oversight and monitoring of the charter school.

Charter schools authorized by the County Board shall be held accountable for pupil performance, including meeting measurable pupil outcomes and making satisfactory yearly progress on applicable state and federal accountability measures.

In fulfilling its statutory responsibility to monitor, provide oversight, and review authorized charter schools, the County Board shall review the educational effectiveness, statutory compliance, governance and operational structures, fiscal condition, and whether the charter school implements the terms of its charter as authorized. Oversight and monitoring shall be on an ongoing basis.

Technical Assistance/Intervention

Whenever one or more numerically significant student subgroups at a charter school meets State Board of Education (“SBE”)-established performance criteria in two or more years, the charter school shall receive technical assistance from the geographical lead agency as identified pursuant to Education Code 52073, 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, in accordance with Education Code 47607.3(a). (Education Code 52052, 52064.5, 47607.3)

If the governing body of a charter school requests technical assistance, the County Board, or designee, shall provide technical assistance to the charter school by:

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), including working collaboratively with the charter school to review performance data on the state and local indicators included in the California School Dashboard authorized by Education Code 52064.5(f) and other relevant local data, and identifying effective evidence-based programs or practices that address any areas of weakness; or
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.

If a charter school has not been identified for technical assistance pursuant to Education Code 47607.3(a), the County Board, or designee, may assess the charter school a fee not to exceed the cost of the service(s). (Education Code 47607.3(a) & (g).)

In accordance with law, the County Board may deny a charter school's renewal petition or may revoke a charter based on the charter school's poor performance, including with regard to the academic achievement of all numerically significant subgroups of students served by the charter school.

Material Revisions

Material revisions to any charter school authorized by the County Board may be made only with County Board approval. Material revisions shall be governed by the same standards and criteria set forth in Education Code section 47605 (47605.6 for countywide benefit charters) and adopted County Board policies, and shall include, but not be limited to, a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed. (Education Code 47607.) Determination as to whether a revision is material shall be made in accordance with the charter and applicable law.

If a County Board-authorized charter school proposes to change sites, establish an additional site, or add grade levels not included in the approved charter, the charter school shall request a material revision of its charter in accordance with the applicable law and the charter. The County Board shall consider the request for a material revision at an open, public meeting. (Education Code 47605, 47605.6, 47607.)

The County Board shall follow the procedures stated in the section entitled “Timeline for County Board Consideration of Charter Petitions” in Board Policy No. 0420.4, the MOU, and the County Board material revision forms and guidance materials when considering material revisions to the provisions of any County Board-authorized charter school.

Waivers

If a County Board-authorized charter school wishes to request a general waiver of any state law or regulation applicable to it, it shall request that the County Board submit a general waiver request to the SBE on its behalf. Upon approval of the County Board, such a waiver request shall be submitted to the SBE on behalf of the charter school.

Delegation of Administrative Functions to County Superintendent

The County Board delegates to the County Superintendent or designee the following administrative functions:

1. Monitoring and providing oversight of County Board-authorized charter schools, including but not limited to, receiving and reviewing reports, developing a defined
accountability system for monitoring the educational effectiveness, statutory compliance, governance and operational structures, and fiscal condition of charter schools authorized by the County Board. The County Board hereby authorizes the County Superintendent to identify at least one staff member to serve as a contact person for each charter school authorized by the County Board. The County Board and County Superintendent or designee may inspect or observe any part of a County Board-authorized charter school at any time, and, on behalf of the County Board, attend meetings of the board of directors of any County Board-authorized charter school.

2. Providing or obtaining provision of technical assistance, as necessary, to charter schools authorized by the County Board.

3. Handling of material revisions, including but not limited to, receiving, reviewing, and reporting on requests for material revisions. The County Superintendent’s or designee’s authority shall include, but not be limited to, receiving requests for material revisions; agreeing to extension of timelines pursuant to law and adopted policy or regulations; developing regulations, forms, and guidance materials and processes; and completing such administrative duties as necessary or proper to effectuate the provisions set forth herein as well as applicable County Superintendent regulation(s).

4. Handling of request for waivers, including but not limited to, receiving and reviewing requests for waivers, reporting on and presenting such waiver requests to the County Board, and submitting such waiver requests to the SBE in accordance with law.

Adopted: 11/15/2018
Amended: 6/18/2020

Legal Reference

Education Code
215.5 Student identification cards, inclusion of safety hotlines
215 Suicide prevention policy
220 Nondiscrimination
221.61 Posting of Title IX information on web site
221.9 Sex equity in competitive athletics
222 Lactation accommodations for students
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 relating to immigration and citizenship status
17070.10-17070.30 Leroy F. Greene School Facilities Act
17280-17317 Field Act
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
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)
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
49430-49434 The Pupil Nutrition, Health, and Achievement Act of 2001
49475 Health and safety, concussions and head injuries
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 Diplomas51745-51749.6 Independent study
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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
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
4600-4687 Uniform complaint procedures
11700.1-11705 Independent study
11960-11969 Charter schools
15497.5 Local control and accountability plan template
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Code of Regulations, Title 24
101 et seq. Part 2 California Building Standards Code

United States Code, Title 20
1681-1688 Title IX of the Education Amendments of 1972; discrimination based on sex
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

Attorney General Opinions

California Office of Administrative Hearings Decisions
Student v. Horizon Instructional Systems Charter School (2012) OAH Case No. 2011060763

Management Resources

CSBA Publications

California Department of Education Publications

California School Accounting Manual
Sample Copy of a Memorandum of Understanding
Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory 17-01, July 28, 2017

U.S. Department of Education Guidance
Charter Schools Program: Title V, Part B of the ESEA, Nonregulatory Guidance, January 2014

Web Sites
CSBA: http://www.csba.org
California Charter Schools Association: http://www.calcharters.org
California Department of Education, Charter Schools: http://www.cde.ca.gov/sp/cs

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