VISTA UNIFIED SCHOOL DISTRICT

Philosophy, Goals, Objectives, and Comprehensive Plans

BOARD POLICY 0420.4: CHARTER SCHOOLS

The Board of Education 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.

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.

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.

Legal Reference:

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
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:
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
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
COURT DECISIONS
ATTORNEY GENERAL OPINIONS
Management Resources:

CSBA PUBLICATIONS

CSBA ADVISORIES
Charter School Facilities and Proposition 39: Legal Implications for School Districts, September 2005

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Special Education and Charter Schools: Questions and Answers, September 10, 2002

U.S. DEPARTMENT OF EDUCATION GUIDANCE
Charter Schools Program, July 2004
The Impact of the New Title I Requirements on Charter Schools, July 2004

WEB SITES
CSBA: http://www.csba.org
California Building Standards Commission: http://www.bsc.ca.gov
California Charter Schools Association: http://www.charterassociation.org
California Department of Education, Charter Schools: http://www.cde.ca.gov/sp/cs
Education Commission of the States: http://www.ecs.org
National School Boards Association: http://www.nsba.org

Policy Review – 1st Reading: January 18, 2012
2nd Reading/Adoption: February 16, 2012