Philosophy, Goals, Objectives and Comprehensive Plans **Silver Valley Unified School District POLICY 0420.4: CHARTER SCHOOLS**

**Original Adoption:** 3/10/2003

**Revised**: 4/5/2004, 8/21/2006

The Governing Board 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.

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 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.

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 and regular reports to the Board related to the charter provisions.

The Board shall monitor each charger 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 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

33054 Waivers

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

47600-47617 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:

60605 Academic content and performance standards; assessments

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

**CHARTER SCHOOLS**

**CODE OF REGULATIONS, TITLE 24**

101 et. seq. California Building 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

**ATTORNEY GENERAL OPINIONS**

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

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

Management Resources:

**CSBA PUBLICATION**S

Charter Schools: A Manual for Governance Teams, 2002

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

**CDE PUBLICATIONS**

Special Education and Charter Schools: Questions and Answers, September 10, 2002

**U.S. DEPARTMENT OF EDUCATION PUBLICATIONS**

Charter Schools Program, 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 Association of Charter School Authorizers: http://www.charterauthorizers.org

NSBA: http://www.nsba.org

U.S. Department of Education: http://www.ed.gov