

## NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES

This policy shall apply to all acts related to a school activity or school attendance and to all acts of the Board of Trustees and the Superintendent in enacting policies and procedures that govern the District.

The Board of Trustees is committed to providing equal opportunity for all individuals in education. District programs, activities, and practices shall be free from unlawful discrimination, including discrimination against an individual or group based on race;; color;; ancestry;; nationality;; national origin;; ethnic group identification;; age;; religion;; ~~marital~~, pregnancy, childbirth, termination of pregnancy, or lactation, including related medical conditions and recovery; ~~or~~ parental, family, or marital status;; reproductive health decision-making;; physical or mental disability;; medical condition;; sex, sex stereotypes; sex characteristics; sexual orientation;; gender;; gender identity; ~~or~~ gender expression; veteran or military status;; or genetic information; a perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

All individuals shall be treated equitably in the receipt of District and school services. Personally identifiable information collected in the implementation of any District program, including, but not limited to, student and family information for the free and reduced-price lunch program, transportation, or any other educational program, shall be used only for the purposes of the program, except when the Superintendent or designee authorizes its use for another purpose in accordance with law. Resources and data collected by the District shall not be used, directly or by others, to compile a list, registry, or database of individuals based on ~~race, gender, sexual orientation, religion, ethnicity, national origin, or immigration status or any other category~~ any of the categories identified above.

District programs and activities shall be free of any discriminatory use, selection, or rejection of textbooks, instructional materials, library books, or similar educational resources.

The use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library shall not be rejected or prohibited by the Board or District on the basis that it includes a study of the role and contributions of any individual or group consistent with the requirements of Education Code 51204.5 and 60040, unless such study would violate Education Code 51501 or 60044. (Education Code 243)

Additionally, the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library shall not be adopted by the Board or District if the use would subject a student to unlawful discrimination as specified in Education Code 220. (Education Code 244)

District programs and activities shall also be free of any racially derogatory or discriminatory school or athletic team names, mascots, or nicknames.

**NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES** (continued)

The Superintendent or designee shall annually review District programs and activities to ensure the removal of any derogatory or discriminatory name, image, practice, or other barrier that may unlawfully prevent an individual or group in any of the protected categories stated above from accessing District programs and activities. The Superintendent or designee shall take prompt, reasonable actions to remove any identified barrier. The Superintendent or designee shall report the findings and recommendations to the Board after each review.

~~All~~ Except for allegations of sex discrimination or sex-based harassment, allegations of unlawful discrimination in District programs and activities shall be brought, investigated, and resolved in accordance with the procedures specified in Board Policy and Administrative Regulation 1312.3 - Uniform Complaint Procedures: for students, and Administrative Regulation 4030 – Nondiscrimination in Employment, for employees. Complaints alleging sex discrimination, including sex-based harassment, shall be investigated and resolved in accordance with 34 CFR 106.44 and 106.45 and as specified in Administrative Regulation 5145.71 – Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures, for students, and Administrative Regulation 4119.12/4219.12/4319.12 – Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures, for employees.

Pursuant to 34 CFR 104.8 and ~~34 CFR 106.9~~ 106.8, the Superintendent or designee shall notify students, parents/guardians, employees, employee organizations, applicants for admission and employment, and sources of referral for applicants about the District's policy on nondiscrimination and related complaint procedures. Such notification shall be included in each announcement, bulletin, catalog, handbook, application form, or other materials distributed to these groups and, as applicable, to the public. As appropriate, such notification shall be posted in District schools and offices, including staff lounges, student government meeting rooms, and other prominent locations, and shall be posted on the District's website and, when available, District-supported social media.

In addition, the annual parental notification shall inform parents/guardians of their children's right to a free public District Policy Manual CSBA Policy Management Console Policy Reference Disclaimer: education regardless of immigration status or religious beliefs, including information on educational rights issued by the California Attorney General. Alternatively, such information may be provided through any other cost-effective means determined by the Superintendent or designee. (Education Code 234.7)

The District's nondiscrimination policy and related informational materials shall be published in a format that parents/guardians can understand. In addition, when 15 percent or more of a school's students speak a single primary language other than English, those materials shall be translated into that other language. (Education Code 48985; 20 USC 6312)

**Access for Individuals with Disabilities**

District programs and facilities, viewed in their entirety, shall be in compliance with the Americans with Disabilities Act (ADA) and any implementing standards and/or regulations. When structural changes to existing District facilities are needed to provide individuals with disabilities

**NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES** (continued)

access to programs, services, activities, or facilities, the Superintendent or designee shall develop a transition plan that sets forth the steps for completing the changes.

The Superintendent or designee shall ensure that the ~~District provides~~ **District's web and mobile applications comply with technical standards prescribed by law, and as necessary, shall provide** appropriate auxiliary aids and services ~~when necessary~~ to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of ~~a service~~ **District services**, program, or **activities** activity. These aids and services may include, but are not limited to, qualified interpreters or readers, assistive listening devices, assistive technologies, or other modifications to increase accessibility to District and school websites, notetakers, written materials, taped text, and Braille or large print materials. Individuals with disabilities shall notify the Superintendent or designee if they have a disability that requires special assistance or services. Reasonable notification should be given prior to a school-sponsored function, program, or meeting.

The individual identified in Administrative Regulation (AR) 1312.3 - Uniform Complaint Procedures as the employee responsible for coordinating the District's response to complaints and for complying with state and federal civil rights laws is hereby designated as the District's ADA coordinator. The compliance officer shall receive and address requests for accommodation submitted by individuals with disabilities, and shall investigate and resolve complaints regarding their access to District programs, services, activities, or facilities.

Assistant Superintendent, Instructional and Support Services  
 Beaumont Unified School District  
 350 W. Brookside Avenue  
 Beaumont, CA 92223  
 (951) 845-1631  
[iss@beaumontusd.k12.ca.us](mailto:iss@beaumontusd.k12.ca.us)

**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

| <b>STATE</b>       | <b>DESCRIPTION</b>                                                                                                 |
|--------------------|--------------------------------------------------------------------------------------------------------------------|
| 5 CCR 4600-4670    | Uniform complaint procedures                                                                                       |
| 5 CCR 4900-4965    | Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance |
| Ed. Code 200-262.4 | Prohibition of discrimination Ed. Code 48980 Parent/Guardian notifications                                         |
| Ed. Code 48985     | Notices to parents in language other than English                                                                  |
| Ed. Code 51007     | Legislative intent; state policy                                                                                   |

**NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES** (continued)**STATE** (continued)

Ed. Code 51204.5

Ed. Code 51501

Ed. Code 60010

Ed. Code 60040-60052

Gov. Code 11000

Gov. Code 11135

Gov. Code 12900-12996

Gov. Code 54953

Gov. Code 54953.2

Gov. Code 8310.3

Pen. Code 422.55

Pen. Code 422.6

**FEDERAL**

20 USC 1400-1482

20 USC 1681-1688

20 USC 2301-2414

20 USC 6311

20 USC 6312

28 CFR 35.101-35.190

28 CFR 36.303

29 USC 794

34 CFR 100.1-100.13

34 CFR 104.1-104.39

34 CFR 106.1-106.82

42 USC 12101-12213

42 USC 2000d-2000d-7

42 USC 2000e-2000e-17

Social sciences instruction;

contributions of specified groups

Nondiscriminatory subject matter

Instructional materials; definition

Requirements for instructional  
materials

Definitions

Prohibition of discrimination

Fair Employment and Housing Act

Meetings; Americans with

Disabilities Act accessibility

Brown Act compliance with

Americans with Disabilities Act

California Religious Freedom Act

Definition of hate crime

Crimes; harassment

**DESCRIPTION**

Individuals with Disabilities

Education Act

Title IX of the Education

Amendments of 1972; discrimination  
based on sexStrengthening Career and Technical  
Education for the 21st Century Act  
State plan

Local educational agency plan

Americans with Disabilities Act

Nondiscrimination on the basis of  
disability, public accommodations,  
auxiliary aids, and servicesRehabilitation Act of 1973; Section  
504Nondiscrimination in federal  
programs; effectuating Title VISection 504 of the Rehabilitation Act  
of 1973Discrimination on the basis of sex;  
effectuating Title IX

Americans with Disabilities Act

Title VI, Civil Rights Act of 1964

Title VII, Civil Rights Act of 1964,  
as amended

**NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES** (continued)**MANAGEMENT RESOURCES**

CA Civil Rights Department Publication

**DESCRIPTION**

California Law Prohibits Workplace Discrimination and Harassment

CA Department of Health Care Services Publication

Policy and Procedures Letter No. 21-017R, December 2021

CA Department of Health Care Services Publication

Policy and Procedures Letter No. 23-004, February 2023

CA Office of the Attorney General Publication

Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues, April 2018

CA Office of the Attorney General Publication

Guidance to Guidance to School Officials re: Legal Requirements for Providing Inclusive Curricula and Books, January 2024

CSBA Publication

Instructional Materials Adoptions: State and local governing board processes, roles, and responsibilities, February 2024

CSBA Publication

Fact Sheet: Instructional Materials Adoption: Local governing board responsibilities, February 2024

CSBA Publication

Reference: State Roles, Responsibilities, and Process for Instructional Materials Adoption, February 2024

CSBA Publication

Parental and Student Rights in Relation to Transgender and Gender Nonconforming Students, Recently Asked Questions, August 2023

CSBA Publication

Legal Guidance on Rights of Transgender and Gender Nonconforming Students in Schools, October 2022

**NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES** (continued)

**MANAGEMENT RESOURCES** (continued)

Federal Register

**DESCRIPTION**

Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, April 29, 2024, Vol. 89, No. 83, pages 33474-33896

U.S. DOE

Publication Guidance on Constitutionally Protected Prayer and Religious Expression in Public Elementary and Secondary Schools, May 2023

U.S. DOE, Office for Civil Rights  
Publication

Dear Colleague Letter: Protecting Students from Discrimination, such as Harassment, Based on Race, Color, or National Origin, Including Shared Ancestry or Ethnic Characteristics, May 2024

U.S. DOE, Office for Civil Rights  
Publication

Dear Colleague Letter: Discrimination, Including Harassment, Based on Shared Ancestry or Ethnic Characteristics, November 2023

U.S. DOE & U.S. DOJ Civil Rights Divisions  
Publication

Dear Colleague Letter: Resource on Confronting Racial Discrimination in Student Discipline, May 2023

U.S. DOE, Office for Civil Rights  
Publication

Supporting Transgender Youth in School, June 2021

U.S. DOE, Office for Civil Rights  
Publication

Dear Colleague Letter: Frequently Asked Questions About the June 29, 2010, Dear Colleague Letter, May 26, 2011

U.S. DOE, Office for Civil Rights  
Publication

Nondiscrimination in Employment Practices in Education, August 1991

U.S. DOE, Office for Civil Rights  
Publication

Dear Colleague Letter: Race and School Programming, August 2023

**NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES** (continued)

**MANAGEMENT RESOURCES** (continued)

U.S. DOE, Office for Civil Rights Publication

**DESCRIPTION**

Dear Colleague Letter: Electronic Book Readers, June 29, 2010

U.S. DOE, Office for Civil Rights Publication

Dear Colleague Letter: Harassment and Bullying, October 2010

U.S. DOE, Office for Civil Rights Publication

Fact Sheet: New Rule on the Accessibility of Web Content and Mobile Apps Provided by State and Local Governments, April 2024

U.S. DOJ, Civil Rights Division Publication

Guidance on Web Accessibility and the ADA, March 2022

U.S. DOJ, Civil Rights Division Publication

Accessibility of State and Local Government Websites to People with Disabilities, February 2020

U.S. DOJ, Civil Rights Division Publication

2010 ADA Standards for Accessible Design, September 2010

World Wide Web Consortium Publication

Web Content Accessibility Guidelines, September 2023

Website

CSBA District and County Office of Education Legal Services Website  
California Office of the Attorney General

Website

World Wide Web Consortium, Web Accessibility Initiative

Website

Pacific ADA Center

Website

U.S. Department of Justice, Civil Rights Division, Disability Rights Section

Website

California Safe Schools Coalition

Website

CSBA Website California Department of Education

Website

California Civil Rights Department

**NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES** (continued)**MANAGEMENT RESOURCES** (continued)

|                                       |                                                       |
|---------------------------------------|-------------------------------------------------------|
| Website                               | U.S. Equal Employment Opportunity Commission          |
| Website                               | U.S. Department of Education, Office for Civil Rights |
| Website                               | California Department of Health Care Services         |
| World Wide Web Consortium Publication | Web Content Accessibility Guidelines, December 2008   |

**CROSS REFERENCES-CODES**

|             | <b>DESCRIPTION</b>                                 |
|-------------|----------------------------------------------------|
| 0100        | Philosophy                                         |
| 0415        | Equity                                             |
| 0450        | Comprehensive Safety Plan                          |
| 1100        | Communication With The Public                      |
| 1113        | District And School Websites                       |
| 1113-E(1)   | District And School Websites                       |
| 1114        | District-Sponsored Social Media                    |
| 1230        | School-Connected Organizations                     |
| 1240        | Volunteer Assistance                               |
| 1260        | Educational Foundation                             |
| 1312.2      | Complaints Concerning Instructional Materials      |
| 1312.2-E(1) | Complaints Concerning Instructional Materials      |
| 1312.3      | Uniform Complaint Procedures                       |
| 1312.3-E(1) | Uniform Complaint Procedures                       |
| 1312.3-E(2) | Uniform Complaint Procedures                       |
| 1312.4      | Williams Uniform Complaint Procedures              |
| 1312.4-E(1) | Williams Uniform Complaint Procedures              |
| 1312.4-E(2) | Williams Uniform Complaint Procedures              |
| 1325        | Advertising And Promotion                          |
| 1330        | Use Of School Facilities                           |
| 3260        | Fees And Charges                                   |
| 3270        | Sale And Disposal Of Books, Equipment And Supplies |
| 3311        | Bids                                               |
| 3515.3      | District Police/Security Department                |
| 3515.31     | School Resource Officers                           |



**NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES** (continued)

| <b>CROSS REFERENCES-CODES</b> (continued) | <b>DESCRIPTION</b>                                                               |
|-------------------------------------------|----------------------------------------------------------------------------------|
| 3530                                      | Risk Management/Insurance                                                        |
| 3540                                      | Transportation                                                                   |
| 3541.2                                    | Transportation For Students With Disabilities                                    |
| 3551                                      | Food Service Operations/Cafeteria Fund                                           |
| 3552                                      | Summer Meal Program                                                              |
| 3553                                      | Free And Reduced Price Meals                                                     |
| 3555                                      | Nutrition Program Compliance                                                     |
| 3555-E(1)                                 | Nutrition Program Compliance                                                     |
| 3600                                      | Consultants                                                                      |
| 4030                                      | Nondiscrimination In Employment                                                  |
| 4032                                      | Reasonable Accommodation                                                         |
| 4033                                      | Lactation Accommodation                                                          |
| 4040                                      | Employee Use Of Technology                                                       |
| 4040-E(1)                                 | Employee Use Of Technology                                                       |
| 4111                                      | Recruitment And Selection                                                        |
| 4111.2                                    | Legal Status Requirement                                                         |
| 4119.11                                   | <del>Sexual</del> <b>Sex Discrimination and Sex-Based Harassment</b>             |
| <b>4119.12</b>                            | <b>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</b> |
| 4119.21                                   | Professional Standards                                                           |
| 4119.21-E(1)                              | Professional Standards                                                           |
| 4119.22                                   | Dress And Grooming                                                               |
| 4131                                      | Staff Development                                                                |
| 4144                                      | Complaints                                                                       |
| 4161.8                                    | Family Care And Medical Leave                                                    |
| 4211                                      | Recruitment And Selection                                                        |
| 4211.2                                    | Legal Status Requirement                                                         |
| 4212.9                                    | Employee Notifications                                                           |
| 4212.9-E(1)                               | Employee Notifications                                                           |
| 4219.11                                   | <del>Sexual</del> <b>Sex Discrimination and Sex-Based Harassment</b>             |
| <b>4219.12</b>                            | <b>Title IX Sex Discrimination and Sex-Based Complaint Procedures</b>            |
| 4219.21                                   | Professional Standards                                                           |
| 4219.21-E(1)                              | Professional Standards                                                           |
| 4219.22                                   | Dress And Grooming                                                               |
| 4244                                      | Complaints                                                                       |
| 4261.8                                    | Family Care And Medical Leave                                                    |
| 4311                                      | Recruitment And Selection                                                        |

**NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES** (continued)**CROSS REFERENCES-CODES** (continued)

| <b>CROSS REFERENCES-CODES</b> (continued) | <b>DESCRIPTION</b>                                                                                 |
|-------------------------------------------|----------------------------------------------------------------------------------------------------|
| 4311.2                                    | Legal Status Requirement                                                                           |
| 4312.9                                    | Employee Notifications                                                                             |
| 4312.9-E(1)                               | Employee Notifications                                                                             |
| 4319.11                                   | <del>Sexual</del> <b>Sex Discrimination and Sex-Based Harassment</b>                               |
| <b>4319.12</b>                            | <b>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</b>                   |
| 4319.21                                   | Professional Standards                                                                             |
| 4319.21-E(1)                              | Professional Standards                                                                             |
| 4319.22                                   | Dress And Grooming                                                                                 |
| 4331                                      | Staff Development                                                                                  |
| 4344                                      | Complaints                                                                                         |
| 4361.8                                    | Family Care And Medical Leave                                                                      |
| 5113.1                                    | Chronic Absence And Truancy                                                                        |
| 5113.1                                    | Chronic Absence And Truancy                                                                        |
| 5116.2                                    | Involuntary Student Transfers                                                                      |
| 5126                                      | Awards For Achievement                                                                             |
| 5131.2                                    | Bullying                                                                                           |
| 5141.22                                   | Infectious Diseases                                                                                |
| 5141.6                                    | School Health Services                                                                             |
| 5145.12                                   | Search And Seizure                                                                                 |
| 5145.13                                   | Response To Immigration Enforcement                                                                |
| 5145.13                                   | Response To Immigration Enforcement                                                                |
| 5145.3                                    | Nondiscrimination/Harassment                                                                       |
| 5145.6                                    | Parent/Guardian Notifications                                                                      |
| 5145.6-E(1)                               | Parent/Guardian Notifications                                                                      |
| 5145.7                                    | <del>Sexual</del> <b>Sex Discrimination and Sex-Based Harassment</b>                               |
| 5145.71                                   | <del>Sexual</del> <b>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</b> |
| 5145.71-E(1)                              | <del>Sexual</del> <b>Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures</b> |
| 5145.9                                    | Hate-Motivated Behavior                                                                            |
| 5146                                      | Married/Pregnant/Parenting Students                                                                |
| 5148                                      | Child Care And Development                                                                         |
| 5148.2                                    | Before/After School Programs                                                                       |
| 6000                                      | Concepts And Roles                                                                                 |
| 6020                                      | Parent Involvement                                                                                 |
| 6141                                      | Curriculum Development And Evaluation                                                              |

**NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES** (continued)

| <b>CROSS REFERENCES-CODES</b> (continued) | <b>DESCRIPTION</b>                                                    |
|-------------------------------------------|-----------------------------------------------------------------------|
| 6141.2                                    | Recognition Of Religious Beliefs<br>And Customs                       |
| 6141.4                                    | International Baccalaureate Program                                   |
| 6141.5                                    | Advanced Placement                                                    |
| 6142.1                                    | Sexual Health And HIV/AIDS<br>Prevention Instruction                  |
| 6142.3                                    | Civic Education                                                       |
| 6142.5                                    | Environmental Education                                               |
| 6142.7                                    | Physical Education And Activity                                       |
| 6143                                      | Courses Of Study                                                      |
| 6144                                      | Controversial Issues                                                  |
| 6145                                      | Extracurricular And Cocurricular<br>Activities                        |
| 6145.2                                    | Athletic Competition                                                  |
| 6152.1                                    | Placement In Mathematics Courses                                      |
| 6158                                      | Independent Study                                                     |
| 6161.1                                    | Selection And Evaluation Of<br>Instructional Materials                |
| 6161.1-E(1)                               | Selection And Evaluation Of<br>Instructional Materials                |
| 6161.11                                   | Supplementary Instructional<br>Materials                              |
| 6162.5                                    | Student Assessment                                                    |
| 6163.1                                    | Library Media Centers                                                 |
| 6163.2                                    | Animals At School                                                     |
| 6164.2                                    | Guidance/Counseling Services                                          |
| 6164.4                                    | Identification And Evaluation Of<br>Individuals For Special Education |
| 6164.6                                    | Identification And Education Under<br>Section 504                     |
| 6172                                      | Gifted And Talented Student<br>Program                                |
| 6173                                      | Education For Homeless Children                                       |
| 6173-E(1)                                 | Education For Homeless Children                                       |
| 6173-E(2)                                 | Education For Homeless Children                                       |
| 6173.1                                    | Education For Foster Youth                                            |
| 6173.4                                    | Education For American Indian<br>Students                             |
| 6175                                      | Migrant Education Program                                             |
| 6178                                      | Career Technical Education                                            |
| 6181                                      | Alternative Schools/Programs Of<br>Choice                             |
| 6184                                      | Continuation Education                                                |
| 6200                                      | Adult Education                                                       |
| 7110                                      | Facilities Master Plan                                                |

**NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES** (continued)

**CROSS REFERENCES-CODES** (continued)

7111  
7310  
9150  
9220  
9320  
9322

**DESCRIPTION**

Evaluating Existing Buildings  
Naming Of Facility  
Student Board Members  
Governing Board Elections  
Meetings And Notices  
Agenda/Meeting Materials

## **CHARTER SCHOOL OVERSIGHT**

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

~~(cf. 0420.4—Charter School Authorization)  
(cf. 0500—Accountability)~~

The Superintendent or designee shall identify at least one staff member to serve as a contact person for each charter school authorized by the Board. (Education Code 47604.32)

The Superintendent or designee shall visit each charter school at least annually and may inspect or observe any part of the charter school at any time. (Education Code 47604.32, 47607)

The Superintendent ~~or designee shall~~ **may designate someone to** attend meetings of the charter school governing body whenever possible. ~~and shall periodically meet with a representative of the charter school.~~

### **Monitoring Charter School Performance**

**Any charter school authorized by the Board shall be monitored by the Superintendent or designee to determine whether the charter school complies with all legal requirements applicable to charter schools, including all reports required of charter schools by law, as specified in Education Code 47604.32. Any violations of law shall be reported to the Board.**

**The Board shall monitor the charter school to determine whether it is achieving the measurable student outcomes set forth in the charter, both school-wide and for each numerically significant student group served by the school, as defined in Education Code 52052. This determination shall be based on the measures specified in the approved charter petition and any applicable memorandum of understanding, and on the charter school's annual review and assessment of its progress toward the goals and actions identified in its local control and accountability plan (LCAP), as reported in the California School Dashboard.**

**The Board shall monitor the fiscal condition of the charter school based on any financial information obtained from the charter school, including, but not limited to, the charter school's preliminary budget, annual update of the charter 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)**

### **Waivers**

If the charter school wishes to request a general waiver of any state law or regulation applicable to it, it shall request that the **Board approve and the** District submit a general waiver request to the State Board of Education (SBE) on its behalf. Upon approval of the Board, the Superintendent or designee shall submit such a waiver request to the SBE on behalf of the charter school.

## **CHARTER SCHOOL OVERSIGHT (continued)**

~~(cf. 1431 Waivers)~~

### **Provision of District Services**

~~The charter school may purchase administrative or other services from the District or any other source.~~ Upon approval by the Board of an appropriate agreement, the charter school may contract with the District or any other source for administrative or other services. (Education Code 47613)

Whenever the District agrees to provide administrative or support services to a charter school, the District and charter school shall develop a Memorandum of Understanding (MOU) which clarifies the financial and operational agreements between them. ~~the District and charter school.~~

At the request of a charter school, the Superintendent or designee shall create and submit any reports required by the State Teachers' Retirement System or Public Employees' Retirement System on behalf of the charter school. The District may charge the charter school for the actual costs of the reporting services, but shall not require the charter school to purchase payroll processing services from the District as a condition for creating and submitting these reports. (Education Code 47611.3)

### **Material Revisions to Charter**

Material revisions to a charter may only be made with Board approval. Material revisions shall be governed by the same standards and criteria that apply to new charter petitions as set forth in Education Code 47605 and shall include, but not be limited to, a reasonably comprehensive description of any new requirement for charter schools enacted into law after the charter was originally granted or last renewed. (Education Code 47607)

The Board shall determine whether a proposed change in charter school operations would constitute a material revision of the approved charter.

If an approved charter school proposes to ~~establish or move~~ expand operations to one or more additional sites or grade levels, whether concurrently with or unrelated to a renewal, the charter school shall request a material revision to its charter and shall notify the Board of those additional locations or grade levels. The Board shall consider approval of the additional locations at an open meeting. (Education Code 47605)

~~The Board shall have the authority to determine whether a proposed change in charter school operations constitutes a material revision of the approved charter.~~

The Board may deny a request to expand proposed material revision if it finds that the proposed material revision would render the charter school demonstrably unlikely to serve the interests of the entire community in which the school is located or proposes to locate. In making this finding, the Board shall consider all of the following: (Education Code 47605)

1. The fiscal impact of the proposed expansion on the District

**CHARTER SCHOOL OVERSIGHT** (continued)

2. The extent to which the expansion would substantially undermine existing services, academic offerings, or programmatic offerings
3. Whether the expansion would duplicate a program currently offered within the District that has sufficient capacity for the students proposed to be served within reasonable proximity to where the charter school intends to locate

Additionally, pursuant to Education Code 47605, the Board may deny a request to expand charter school proposed material revision if it finds that the District is not positioned to absorb the fiscal impact of the proposed charter school material revision. The Board shall make this finding if the district has a qualified interim certification pursuant to Education Code 42131 and the County Superintendent of Schools, in consultation with the County Office Fiscal Crisis and Management Assistance Team, certifies that approving the charter school would result in the District having a negative interim certification pursuant to Education Code 42131, or if the District has a negative interim certification pursuant to Education Code 42131, or the District is under state receivership. (Education Code 47605)

**Location of Charter Schools**

Except when permitted to operate outside district boundaries pursuant to Education Code 47605 and 47605.1, a charter school shall be located within district boundaries.

**Monitoring Charter School Performance**

~~The Superintendent or designee shall monitor the charter school to determine whether it complies with all legal requirements applicable to charter schools, including making all reports required of charter schools in accordance with Education Code 47604.32. Any violations of law shall be reported to the Board.~~

~~The Board shall monitor the charter school to determine whether it is achieving the measurable student outcomes set forth in the charter, both schoolwide and for each numerically significant student subgroup served by the school, as defined in Education Code 52052. This determination shall be based on the measures specified in the approved charter petition and any applicable memorandum of understanding, and on the charter school's annual review and assessment of its progress toward the goals and actions identified in its local control and accountability plan (LCAP), as reported in the California School Dashboard.~~

~~The Board shall monitor the fiscal condition of the charter school based on any financial information obtained from the charter school, including, but not limited to, the charter school's preliminary budget, annual update of the charter 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)~~

## **CHARTER SCHOOL OVERSIGHT (continued)**

~~The District 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 District is able to provide substantially rent-free facilities to the charter school, the District may charge up to three percent of the charter school's revenue for actual costs of supervisory oversight or, if the facility is provided under Education Code 47614, the pro-rata share facilities costs calculated pursuant to 5 CCR 11969.7. If the District charges the pro-rata share, it may also charge one percent of the charter school's revenue in oversight fees. (Education Code 47613)~~

~~(cf. 7160 Charter School Facilities)~~

### **Fees/Charges for Supervisory Oversight**

The district may charge for district supervisory oversight as follows: (Education Code 47613; 5 CCR 11969.7)

1. Actual costs up to one percent of the charter school's revenue.
2. Actual costs up to three percent of the charter school's revenue if the District provides the charter school substantially rent-free facilities

If the District provides the charter school with facilities under Education Code 47614 and charges the charter school a pro-rata share of the facilities costs calculated pursuant to 5CCR 11969.7, the District may only charge the charter school for the actual costs of supervisory oversight up to one percent of the charter school's revenue.

3. Actual costs if the District is assigned supervisory oversight responsibility for the charter school by SBE when authorized on appeal

### **Technical Assistance/Intervention**

Whenever a charter school is identified for technical assistance based on the performance of one or more numerically significant student groups on SBE-established criteria, the charter school shall receive technical assistance from the County Superintendent. 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 47607.3)

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))

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.



## CHARTER SCHOOL OVERSIGHT (continued)

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, county office of education, or charter school, may be 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 Board to assess the charter school's progress in improving student outcomes.

~~If, In addition, if, in three out of four consecutive school years, a charter school fails to improve outcomes for three or more numerically significant student subgroups, or for all of the student subgroups if the school has fewer than three subgroups, in regard to one or more state or school priorities identified in the charter, the County Superintendent may request that the Superintendent of Public Instruction (SPI), with SBE approval, assign the California Collaborative for Educational Excellence to provide advice and assistance to the charter school pursuant to Education Code 52074. the District: (Education Code 47607.3; 52072)~~

- ~~1. Shall provide technical assistance to the charter school based on the California School Dashboard~~
- ~~2. May request that the Superintendent of Public Instruction (SPI), with SBE approval, assign the California Collaborative for Educational Excellence to provide advice and assistance to the charter school pursuant to Education Code 52074~~

In accordance with law, the 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 **inadequate** academic achievement of all numerically significant **student subgroups of students** served by the charter school. (Education Code 47607, 47607.2)

~~(cf. 0420.42 Charter School Renewal)  
(cf. 0420.43 Charter School Revocation)~~

## Complaints

Each charter school shall establish and maintain policies and procedures ~~to enable any person to file a complaint,~~ in accordance with the uniform complaint procedures as specified in 5 CCR 4600-4670 **to enable any person,** alleging the school's noncompliance with Education Code 47606.5 or 47607.3 **to file a complaint with the charter school.** (Education Code 52075)

~~(cf. 1312.3 Uniform Complaint Procedures)~~

**CHARTER SCHOOL OVERSIGHT** (continued)

A complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance. A complainant who is not satisfied with the decision may appeal the decision to the SPI. (Education Code 52075)

If the charter school finds merit in the complaint or the SPI finds merit in an appeal, a remedy shall be provided to all affected students and parents/guardians. (Education Code 52075)

**School Closure**

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

The Superintendent or designee shall provide notification to the California Department of Education (CDE), within 10 calendar days of the Board's action, if renewal of the charter is denied, ~~the~~ a charter is revoked, or ~~the~~ a 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)

**Policy Reference Disclaimer:**

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

| <b>State</b>                            | <b>Description</b>                                                                 |
|-----------------------------------------|------------------------------------------------------------------------------------|
| 5 CCR 11700-11705                       | Independent study                                                                  |
| 5 CCR 11960-11969.10                    | Charter schools                                                                    |
| 5 CCR 4600-4670                         | Uniform complaint procedures                                                       |
| Bus. And Prof. Code 7583.45             | Training for security officers                                                     |
| CA Constitution Article 16, Section 8.5 | Public finance; school accountability report card                                  |
| CA Constitution Article 9, Section 5    | Common school system                                                               |
| Corp. Code 5110-6910                    | Nonprofit public benefit corporations                                              |
| Ed. Code 1006                           | Prohibition against school district employees serving on county board of education |
| Ed. Code 17070.10-17079.30              | Leroy F. Greene School Facilities Act                                              |
| Ed. Code 17280-17317                    | Field Act; approval of plans and supervision of construction                       |
| Ed. Code 17365-17374                    | Field Act; fitness for occupancy; liability of board members                       |

**CHARTER SCHOOL OVERSIGHT** (continued)**State** (continued)

|                          |                                                                                                                      |
|--------------------------|----------------------------------------------------------------------------------------------------------------------|
| Ed. Code 215             | Suicide prevention policies                                                                                          |
| Ed. Code 215.5           | Student identification cards; inclusion of safety hotlines                                                           |
| Ed. Code 220             | Prohibition of discrimination                                                                                        |
| Ed. Code 221.61          | Posting of Title IX information on website                                                                           |
| Ed. Code 221.9           | Sex equity in competitive athletics                                                                                  |
| Ed. Code 222             | Reasonable accommodations; lactating students                                                                        |
| Ed. Code 222.5           | Pregnant and parenting students; notification of rights                                                              |
| Ed. Code 231.5           | Sexual harassment policy                                                                                             |
| Ed. Code 234.4           | Mandated policy on bullying prevention                                                                               |
| Ed. Code 234.6           | Bullying and harassment prevention information                                                                       |
| Ed. Code 234.7           | Student protections relating to immigration and citizenship status                                                   |
| Ed. Code 243             | Prohibition of discrimination; instructional materials                                                               |
| Ed. Code 32280-32289.5   | School safety plans                                                                                                  |
| Ed. Code 32283.5         | Bullying; online training                                                                                            |
| Ed. Code 33479-33479.9   | The Eric Parades Sudden Cardiac Arrest Prevention Act                                                                |
| Ed. Code 33353           | California Interscholastic Federation incident tracking                                                              |
| Ed. Code 35120           | Student board membership                                                                                             |
| Ed. Code 35179.4-35179.6 | Interscholastic athletic programs, safety; swimming pool safety that is not part of interscholastic athletic program |
| Ed. Code 35183.1         | Graduation ceremonies; tribal regalia or recognized object of religious/cultural significance                        |
| Ed. Code 35292.6         | Stocking of menstrual products                                                                                       |
| Ed. Code 35330           | Field trips and excursions; student fees                                                                             |
| Ed. Code 38001.5         | Training for security officers                                                                                       |
| Ed. Code 38080-38086     | School meals                                                                                                         |
| Ed. Code 39831.3         | Transportation safety plan                                                                                           |
| Ed. Code 39843           | Disciplinary action against bus driver; report to Department of Motor Vehicles                                       |
| Ed. Code 41024           | Report of expenditure of state facility funds                                                                        |
| Ed. Code 42100           | Annual statement of receipts and expenditures                                                                        |
| Ed. Code 44030.5         | Reporting change in employment status due to alleged misconduct                                                      |
| Ed. Code 44237           | Criminal record summary                                                                                              |

**CHARTER SCHOOL OVERSIGHT** (continued)**State** (continued)

|                        |                                                                                       |
|------------------------|---------------------------------------------------------------------------------------|
| Ed. Code 44691         | Information on detection of child abuse; annual training                              |
| Ed. Code 44830.1       | Certificated employees; conviction of a violent or serious felony                     |
| Ed. Code 45122.1       | Classified employees; conviction of a violent or serious felony                       |
| Ed. Code 45125.1       | Criminal records summary; employees of contracting entity                             |
| Ed. Code 46015         | Accommodations for pregnant and parenting students; parental leave                    |
| Ed. Code 46390-46393   | Emergency average daily attendance                                                    |
| Ed. Code 47600-47616.7 | Charter Schools Act of 1992                                                           |
| Ed. Code 47634.2       | Nonclassroom-based instruction                                                        |
| Ed. Code 47640-47647   | Special education funding for charter schools                                         |
| Ed. Code 47651         | Apportionment of funds; charter schools                                               |
| Ed. Code 48000         | Minimum age of admission for kindergarten; transitional kindergarten                  |
| Ed. Code 48010         | Minimum age of admission to first grade                                               |
| Ed. Code 48206.3-48208 | Students with temporary disabilities; individual instruction                          |
| Ed. Code 48850-48859   | Education of foster youth and homeless students                                       |
| Ed. Code 48900         | Suspension and expulsion                                                              |
| Ed. Code 48901.1       | Suspension and expulsion; willful defiance                                            |
| Ed. Code 48907         | Exercise of free expression; time, place, and manner rules and regulations            |
| Ed. Code 48913.5       | Suspended students; homework assignments                                              |
| Ed. Code 48950         | Speech and other communication                                                        |
| Ed. Code 48985         | Notices to parents in language other than English                                     |
| Ed. Code 49005-49006.4 | Seclusion and restraint                                                               |
| Ed. Code 49010         | Student fees                                                                          |
| Ed. Code 49011         | Student fees                                                                          |
| Ed. Code 49014         | Public School Fair Debt Collection Act                                                |
| Ed. Code 49056         | Prohibition of denial of recess                                                       |
| Ed. Code 49061         | Definitions; directory information                                                    |
| Ed. Code 49062.5       | Student records; name or gender change                                                |
| Ed. Code 49070         | Challenging student records                                                           |
| Ed. Code 49073.2       | Privacy of student and parent/guardian personal information; minutes of board meeting |
| Ed. Code 49076.7       | Student records; data privacy; social security numbers                                |
| Ed. Code 49110         | Authority to issue work permits                                                       |

**CHARTER SCHOOL OVERSIGHT** (continued)**State** (continued)

|                          |                                                                                                                |
|--------------------------|----------------------------------------------------------------------------------------------------------------|
| Ed. Code 49381           | Human trafficking prevention                                                                                   |
| Ed. Code 49406           | TB risk assessment                                                                                             |
| Ed. Code 49414           | Epinephrine auto-injectors                                                                                     |
| Ed. Code 49414.3         | Administration of opioid antagonist                                                                            |
| Ed. Code 49414.7         | Administration of albuterol inhalers                                                                           |
| Ed. Code 49428           | Notification of mental health services                                                                         |
| Ed. Code 49428.5         | Employment of medical personnel                                                                                |
| Ed. Code 49430-49434     | The Pupil Nutrition, Health, and Achievement Act of 2001                                                       |
| Ed. Code 49431.9         | Prohibition of advertisement of non-nutritious foods                                                           |
| Ed. Code 49475           | Health and safety; concussions and head injuries                                                               |
| Ed. Code 49501.5         | Free breakfast and lunch to all students                                                                       |
| Ed. Code 49550-49564.5   | Meals for needy students                                                                                       |
| Ed. Code 49557.5         | Child Hunger Prevention and Fair Treatment Act of 2017                                                         |
| Ed. Code 49564.3         | Provision of federal universal meal service                                                                    |
| Ed. Code 49603           | On campus access to employers and military services                                                            |
| Ed. Code 49700-49701     | Education of children of military families                                                                     |
| Ed. Code 51224.7         | Mathematics placement policy                                                                                   |
| Ed. Code 51225.1-51225.2 | Exemption from local graduation requirements; acceptance of coursework                                         |
| Ed. Code 51225.3         | High school graduation requirements                                                                            |
| Ed. Code 51225.6         | Instruction in cardiopulmonary resuscitation; districts that require health education for graduation           |
| Ed. Code 51225.7-51225.8 | Completion and submission of the Free Application for Federal Student Aid and California Dream Act Application |
| Ed. Code 51413           | Diploma of graduation without passage of high school exit examination                                          |
| Ed. Code 51744-51749.6   | Independent study                                                                                              |
| Ed. Code 51925-51929     | Mandatory mental health education                                                                              |
| Ed. Code 51930-51939     | California Healthy Youth Act                                                                                   |
| Ed. Code 52052           | Accountability; numerically significant student subgroups                                                      |
| Ed. Code 52060-52077     | Local control and accountability plan                                                                          |
| Ed. Code 52075           | Uniform complaint procedures                                                                                   |

**CHARTER SCHOOL OVERSIGHT** (continued)**State** (continued)

|                             |                                                                                   |
|-----------------------------|-----------------------------------------------------------------------------------|
| Ed. Code 52770              | College and career fairs                                                          |
| Ed. Code 56026              | Special education                                                                 |
| Ed. Code 56040.3            | Availability of assistive technology device                                       |
| Ed. Code 56145-56146        | Special education services in charter schools                                     |
| Ed. Code 56365-56366.12     | Nonpublic, nonsectarian schools                                                   |
| Ed. Code 56521.1-56521.2    | Emergency Interventions                                                           |
| Ed. Code 60600-60649        | Assessment of academic achievement                                                |
| Ed. Code 64000              | Categorical programs included in consolidated application                         |
| Ed. Code 64001              | School plan for student achievement; consolidated application programs            |
| Ed. Code 65000-65001        | School site councils                                                              |
| Ed. Code 69432.9-69432.92   | Cal Grant program; notification of grade point average and high school graduation |
| Gov. Code 1090-1099         | Prohibitions applicable to specified officers                                     |
| Gov. Code 3540-3549.3       | Educational Employment Relations Act                                              |
| Gov. Code 3555-3559         | Public employee communication, information, and orientation                       |
| Gov. Code 54950-54963       | The Ralph M. Brown Act                                                            |
| Gov. Code 7920.000-7930.215 | California Public Records Act                                                     |
| Gov. Code 81000-91014       | Political Reform Act                                                              |
| H&S Code 104420             | Tobacco Use Prevention Education grant program                                    |
| H&S Code 104559             | Tobacco-free schools                                                              |
| Lab. Code 1198.5            | Personnel records related to performance and grievance                            |
| Lab. Code 3074.2            | College and career fairs; notice to apprenticeship programs                       |
| Pen. Code 1192.7            | Definition of serious felony                                                      |
| Pen. Code 667.5             | Definition of violent felony                                                      |
| Veh. Code 28160             | Child safety alert system                                                         |

**Federal**

|                     |                                                                           |
|---------------------|---------------------------------------------------------------------------|
| 20 USC 1681-1688    | <b>Description</b>                                                        |
| 20 USC 6311         | Title IX of the Education Amendments of 1972; discrimination based on sex |
| 20 USC 7221-7221j   | State plan                                                                |
| 34 CFR 200.1-200.78 | Charter schools                                                           |
| 42 USC 11431-11435  | Accountability                                                            |
|                     | McKinney-Vento Homeless Assistance Act                                    |

**CHARTER SCHOOL OVERSIGHT** (continued)

| <b>Management Resources</b>                       | <b>Description</b>                                                                                                                              |
|---------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|
| Attorney General Opinion                          | 104 Ops.Cal.Atty.Gen. 66 (2021)                                                                                                                 |
| Attorney General Opinion                          | 101 Ops.Cal.Atty.Gen. 92 (2018)                                                                                                                 |
| Attorney General Opinion                          | 78 Ops.Cal.Atty.Gen. 297 (1995)                                                                                                                 |
| Attorney General Opinion                          | 89 Ops.Cal.Atty.Gen. 166 (2006)                                                                                                                 |
| Attorney General Opinion                          | 80 Ops.Cal.Atty.Gen. 52 (1997)                                                                                                                  |
| CA Office of Administrative Hearings Decisions    | Student v. Horizon Instructional Systems Charter School (2012) OAH Case No. 2011060763                                                          |
| California Department of Education Publication    | Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory 20-01, July 23, 2020                                                        |
| California Department of Education Publication    | California School Accounting Manual                                                                                                             |
| California Dept. of Pesticide Reg. Publication    | School District Integrated Pest Management Plan Template                                                                                        |
| California Interscholastic Federation Publication | Pursuing Victory with Honor, 1999                                                                                                               |
| Court Decision                                    | Ridgecrest Charter School v. Sierra Sands Unified School District (2005) 130 Cal.App.4th 986                                                    |
| CSBA Publication                                  | Charter Schools: A Guide for Governance Teams, rev. 2021                                                                                        |
| CSBA Publication                                  | Charter Schools in Focus, Issue 2: Ensuring Effective Oversight, Governance Brief, October 2017                                                 |
| CSBA Publication                                  | Uncharted Waters: Recommendations for Prioritizing Student Achievement and Effective Governance in California's Charter Schools, September 2018 |
| U.S. DOE Guidance                                 | Charter Schools Program: Title V, Part B of the ESEA, Nonregulatory Guidance, January 2014                                                      |
| Website                                           | CSBA District and County Office of Education Legal Services                                                                                     |
| Website                                           | U.S. Department of Agriculture                                                                                                                  |
| Website                                           | National Suicide Prevention Lifeline                                                                                                            |
| Website                                           | National Domestic Violence Hotline                                                                                                              |
| Website                                           | California State Teachers Retirement System                                                                                                     |
| Website                                           | California Public Employees Retirement System                                                                                                   |
| Website                                           | California Department of General Services, Office of Administrative Hearings                                                                    |
| Website                                           | California Commission on Teacher Credentialing                                                                                                  |
| Website                                           | California Commission on Peace Officer Standards and Training                                                                                   |



**CHARTER SCHOOL OVERSIGHT** (continued)**Management Resources** (continued)

|         |                                                          |
|---------|----------------------------------------------------------|
| Website | California Bureau of Security and Investigative Services |
| Website | California Department of Pesticide Regulation            |
| Website | California State Controller                              |
| Website | California Student Aid Commission                        |
| Website | National Association of Charter School Authorizers       |
| Website | California Charter Schools Association                   |
| Website | California Department of Education, Charter Schools      |
| Website | California Interscholastic Federation                    |
| Website | California Office of the Attorney General                |
| Website | CSBA                                                     |
| Website | U.S. Department of Education                             |

**Cross References-Code**

|             | <b>Description</b>                    |
|-------------|---------------------------------------|
| 0420.4      | Charter School Authorization          |
| 0420.42     | Charter School Renewal                |
| 0420.43     | Charter School Revocation             |
| 0460        | Local Control And Accountability Plan |
| 0500        | Accountability                        |
| 1312.3      | Uniform Complaint Procedures          |
| 1312.3-E(1) | Uniform Complaint Procedures          |
| 1312.3-E(2) | Uniform Complaint Procedures          |
| 1431        | Waivers                               |
| 6162.51     | State Academic Achievement Tests      |
| 7160        | Charter School Facilities             |

*Legal Reference:*EDUCATION CODE~~215 Suicide prevention policy~~~~215.5 Suicide prevention hotline contact information on student identification cards~~~~220 Nondiscrimination~~~~221.9 Sex equity in competitive athletics~~~~222 Lactation accommodations for students~~~~222.5 Pregnant and parenting students, notification of rights~~~~234.4 Mandated policy on bullying prevention~~~~234.7 Student protections relating to immigration and citizenship status~~~~17070.10-17079.30 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~~



**CHARTER SCHOOL OVERSIGHT (continued)**

~~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~~

*Legal reference: (continued on next page)*

*Legal reference: (continued)*

~~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~~  
~~47651 Apportionment of funds, charter schools~~  
~~48000 Minimum age of admission for kindergarten; transitional kindergarten~~  
~~48010-48011 Minimum age of admission (first grade)~~  
~~48206.3-48208 Students with temporary disabilities; individual instruction~~  
~~48850-48859 Educational placement of foster youth and homeless students~~  
~~48907 Students' exercise of free expression; rules and regulations~~  
~~48950 Student speech and other communication~~  
~~49005-49006.4 Seclusion and restraint~~  
~~49011 Student fees~~  
~~49014 Public School Fair Debt Collection Act~~  
~~49061 Student records~~  
~~49073.2 Privacy of student and parent/guardian personal information~~  
~~49076.7 Student records; data privacy; Social Security numbers~~  
~~49110 Authority to issue work permits~~  
~~49381 Human trafficking prevention~~  
~~49414 Epinephrine auto-injector~~  
~~49414.3 Administration of opioid antagonist~~  
~~49428 Notification of mental health services~~  
~~49430-49434 The Pupil Nutrition, Health, and Achievement Act of 2001, especially:~~  
~~49431.9 Advertisement of non-nutritious foods~~  
~~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~~  
~~51513 Diploma of graduation, without passage of high school exit examination~~  
~~51745-51749.6 Independent study~~  
~~51930-51939 California Healthy Youth Act~~  
~~52052 Accountability; numerically significant student subgroups~~  
~~52060-52077 Local control and accountability plans~~  
~~52075 Uniform complaint procedures~~  
~~56026 Special education~~

*Legal reference: (continued next page)*

## CHARTER SCHOOL OVERSIGHT (continued)

*Legal reference: (continued)*

~~56145-56146 Special education services in charter 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 Cal Grant program; notification of grade point average~~  
CORPORATIONS CODE  
~~5110-6910 Nonprofit public benefit corporations~~  
GOVERNMENT CODE  
~~1090-1099 Prohibitions applicable to specified officers~~  
~~3540-3549.3 Educational Employment Relations Act~~  
~~81000-91014 Political Reform Act of 1974~~  
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~~  
CODE OF REGULATIONS, TITLE 24  
~~101 et seq. 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~~

*Legal Reference continued: (see next page)*

## CHARTER SCHOOL OVERSIGHT (continued)

### *Legal Reference: (continued)*

#### 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

*Opinion No. 11-201 (2018)*

*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*

### *Management Resources:*

#### CSBA PUBLICATIONS

*Uncharted Waters: Recommendations for Prioritizing Student Achievement and Effective Governance in California's Charter Schools, September 2018*

*Charter Schools in Focus, Issue 2: Ensuring Effective Oversight, Governance Brief, October 2017*

*Charter Schools: A Guide for Governance Teams, rev. 2016*

#### 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*

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

#### U.S. DEPARTMENT OF EDUCATION GUIDANCE

*Charter Schools Program: Title V, Part B of the ESEA, 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/es>*

*National Association of Charter School Authorizers: <http://www.qualitycharters.org>*

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

**CHARTER SCHOOL OVERSIGHT**

**REQUIREMENTS FOR CHARTER SCHOOLS**

This exhibit is a non-exhaustive list of legal requirements that apply to charter schools and may be used by districts to monitor a charter school's compliance with law. Other legal requirements may exist and may be identified in the future.

A charter school shall be subject to the terms of its charters; any ~~an~~ Memorandum of Understanding (MOU) between the school and the District Board of Trustees; the state and federal constitutions, applicable federal laws, state laws that apply to governmental agencies in general, and other legal requirements that are expressly applicable to charter schools, including, but not limited to, requirements that each charter school or the entity managing the charter school:

**Governance**

1. Comply with the Ralph M. Brown Act (Government Code 54950-54963), California Public Records Act (Government Code 6250-6270), conflict of interest laws (Government Code 1090-1099), and Political Reform Act (Government Code 81000-91014), including the adoption of a conflict of interest code pursuant to Government Code 87300 (Education Code 47604.1)
2. Except as otherwise authorized by Government Code 54954, hold the meetings of its governing body within the physical boundaries of the county in which the charter school is located or, if a nonclassroom-based charter school that does not have a facility or operates one or more resource centers, hold governing body meetings within the physical boundaries of the county in which the greatest number of students enrolled in the charter school reside. In addition, a two-way teleconference location shall be established at the school site and/or resource center, as applicable. (Education Code 47604.1)
3. The charter school's executive director or any of the charter school's employees shall not serve as a member of the county board of education in the county where the charter school is located (Education Code 1006; Government Code 1099)
24. If the charter school is attended by high school students and the governing body receives student petition to appoint a student member to the governing body, appoint one or more student members in accordance with Education Code 47604.2

**Operations**

35. Not be operated as, or be operated by, a for-profit corporation, a for-profit educational management organization, or a for-profit charter management organization (Education Code 47604)
46. Be nonsectarian in its programs, admission policies, employment practices, and all other operations (Education Code 47605)

**CHARTER SCHOOL OVERSIGHT (continued)**

**Admission/Enrollment**

- 5.7. Adhere to all laws establishing the minimum age for public school attendance (Education Code 47610)
- 6.8. Serve students who are California residents and who, if over 19 years of age, are continuously enrolled in a public school and making "satisfactory progress" toward a high school diploma as defined in 5 CCR 11965 (Education Code 47612)
- 7.9. Serve students with disabilities in the same manner as such students are served in other
- 8.10. Admit all students who wish to attend the charter school, according to the following criteria and procedures:
  - a. Admission to the charter school shall not be determined according to the student's or parent/guardian's place of residence, within the state, except that any existing public school converting partially or entirely to a charter school shall adopt and maintain a policy giving admission preference to students who reside within that school's former attendance area. (Education Code 47605)  
  
If a charter school will be physically located in a public elementary school attendance area in which 50 percent or more of the student enrollment is eligible for free or reduced-price meals, it may also establish an admissions preference for students who are currently enrolled in that public elementary school and for students who reside in the public school attendance area. (Education Code 47605.3)
  - b. If the number of students who wish to attend the charter school exceeds the school's capacity, attendance shall be determined by a public random drawing, with preference extended to students currently attending the charter school and students who reside in the District, except as provided for in Education Code 47614.5. (Education Code 47605)
  - c. Other admission preferences may be permitted by the Board of Trustees of the District on an individual school basis consistent with law. (Education Code 47605)  
  
Preferences shall not result in limited enrollment access for students with disabilities, academically low-achieving students, English Learners, neglected or delinquent students, students experiencing homelessness, Foster Youth, students who are economically disadvantaged, or on the basis of nationality, race, ethnicity, or sexual orientation. Mandatory parental volunteer hours shall not be the basis of a preference or a criterion for admission or continued enrollment. (Education Code 47605)
11. Discourage a student from enrolling or seeking to enroll in the charter school, nor encourage a current student from disenrolling, for any reason, including, but not limited

**CHARTER SCHOOL OVERSIGHT** (continued)

to, the student's academic performance, nationality, race, ethnicity, or sexual orientation or because the student is a student with disabilities, academically low achieving, an English Learner, neglected or delinquent, experiencing homelessness, economically disadvantaged, or a Foster Youth.

The charter school shall not request or require a student's records to be submitted before enrollment. The charter school shall post on its website the California Department of Education's (CDE) notice of these requirements and shall provide the notice to parents/guardians or students age 18 and older when the parent/guardian or student inquires about enrollment, before conducting an enrollment lottery, and before disenrollment of a student. (Education Code 47605)

- 9.12. Comply with the requirements of Education Code 48850-48859 regarding enrollment, identification, and placement of students experiencing homelessness and unaccompanied youth (Education Code 48850, 48851, 48852.5, 48852.6; 42 USC 11431-11435) ~~Immediately enroll a homeless student, except where such enrollment would conflict with Education Code 47605(d)~~ (Education Code 48850; 42 USC 11431-11435)
- 10.13. Comply with the requirements of Education Code 48850-48859 regarding the enrollment and placement of ~~F~~Foster ~~Y~~ youth (Education Code 48853.5, 48859)
- 11.14. Allow a student who is enrolled in the charter school but receiving individual instruction at home or a hospital due to a temporary disability to return to the charter school when well enough to do so, provided the student returns during the school year in which the individual instruction was initiated (Education Code 48207.3)

**Nondiscrimination**

- 12.15. Not discriminate against any student on the basis of the characteristics listed in Education Code 220 (Education Code 47605)
- 13.16. ~~Not discriminate in the use, selection, or rejection of textbooks, instructional materials, library books, or similar educational resources (Education Code 243)~~
- 14.17. Adopt policy that is consistent with the model policy developed by the California Attorney General addressing the charter school's response to immigration enforcement, notify parents/guardians of their children's right to a free public education regardless of immigration status or religious beliefs, prohibit the collection of information or document regarding the immigration status of students or their family members, and fulfill other requirements of Education Code 234.7
- 14.18. Post specified information related to the prohibition against discrimination under Title IX of the Education Amendments of 1972 in a prominent and conspicuous location on the school ~~web site~~website or on the ~~web site~~website of the charter operator (Education Code 221.61)

**CHARTER SCHOOL OVERSIGHT** (continued)

- ~~15.19.~~ If the charter school offers competitive athletics, annually post on the school's ~~web site~~website or on the ~~web site~~website of the charter operator the total enrollment of the school classified by gender, the number of students who participate in competitive athletics classified by gender, and the number of boys' and girls' teams classified by sport and by competition level (Education Code 221.9)
- ~~16.20.~~ Provide specified accommodations to pregnant and parenting students, including, but not limited to, the provision of parental leave and reasonable accommodations on campus to a lactating student to express breast milk, breastfeed an infant child, or address other needs related to breastfeeding. The charter school shall notify pregnant and parenting students and parents/guardians of the rights and options available to pregnant and parenting students. (Education Code 222, 222.5, 46015)
- ~~17.21.~~ If a direct-funded charter school, adopt and implement uniform complaint procedures to resolve complaints of unlawful discrimination or alleged violation of a state or federal law or regulation governing educational programs, in accordance with 5 CCR 4600-4670 (5 CCR 4600)
- ~~18.22.~~ If the charter school serves high school students and participates in the California Interscholastic Federation, post the standardized incident form developed by CDE to track racial discrimination, harassment, or hazing that occurs at high school sporting games or events on the charter school's website on or before April 1, 2025, and, upon CDE's request, submit information related to any completed standardized incident forms received by the charter school (Ed. Code 33353)

**Tuition and Fees**

- ~~19.23.~~ Not charge tuition (Education Code 47605)
- ~~20.24.~~ Not charge student fees for any activity that is an integral component of the educational program, except as authorized by those Education Code provisions that explicitly apply to charter schools
- ~~21.25.~~ Not bill, nor take any negative action against, a student or former student for a debt owed to the charter school. The school shall provide an itemized invoice for any amount owed by the parent/guardian on behalf of a student or former student before pursuing payment of the debt and shall provide a receipt to the parent/guardian for each payment made to the school. (Education Code 49014)

**School Plans**

- ~~22.26.~~ Adopt a ~~L~~Local ~~e~~Control and ~~A~~accountability ~~P~~plan (LCAP) and update the plan by July 1 each year, ~~after holding a public hearing, consulting in consultation~~ with specified stakeholders, and using the template adopted by the State Board of Education (SBE). ~~To the extent practicable, data shall be reported in a manner consistent with how information is reported on the California School~~

**CHARTER SCHOOL OVERSIGHT** (continued)**Dashboard.**

27. As part of the LCAP adoption and annual update to the LCAP, the governing body of the charter school shall separately adopt a local control funding formula budget overview for parents/guardians and as appropriate, ~~an Individuals with Disabilities Education Act Addendum,~~ based on the templates developed by SBE, **which includes specified information related to the school's budget** (Education Code 47604.33, 47606.5, 52064, 52064.1, ~~52064.3~~)
- ~~23~~28. **Present a report on the annual update to the LCAP and the local control funding formula budget overview for parents/guardians on or before February 28 of each year, at a regularly scheduled meeting of the governing body of the charter school (Education Code 47606.5)**
2429. If the charter school applies for federal and/or state categorical program funding through the state's consolidated application, establish a school site council to develop and annually review a school plan for student achievement, unless the school chooses to use its LCAP for this purpose (Education Code 64000-64001, 65000-65001)
- ~~25~~30. Develop a comprehensive safety plan in accordance with Education Code 32282 and review and update the plan **in accordance with law** by March 1 each year (Education Code 47605)
- ~~26~~31. Develop a transportation safety plan that includes procedures to ensure that a student is not left unattended on a school bus, student activity bus, youth bus, or child care motor vehicle and procedures for designating an adult chaperone, other than the driver, to accompany students on a school activity bus. In addition, ensure that each school bus, student activity bus, youth bus, or child care motor vehicle is equipped with a child safety alert system that requires the driver to either manually contact or scan the device, thereby prompting the driver to inspect the entirety of the interior of the vehicle before exiting, unless the student activity bus is exempted by law. (Education Code 39831.3; Vehicle Code 2816)

**Curriculum and Instruction**

32. Offer at least the number of instructional minutes required by law for the grade levels provided by the charter school (Education Code 47612.5)
- ~~27~~33. **Provide one or more periods of recess that total 30 minutes on regular instructional days and at least 15 minutes on early release days as required by law (Education Code 49056)**
- ~~28.~~ ~~If the charter school offers a kindergarten program, also offer a transitional kindergarten program to students whose fifth birthday is from September 2 through December 2 (Education Code 48000)~~
- ~~29~~34. If the charter school serves students in grade 9, adopt a fair, objective, and transparent mathematics placement policy with specified components (Education Code 51224.7)



**CHARTER SCHOOL OVERSIGHT** (continued)

- ~~30.35.~~ If the charter school serves students in any of grades 7-12, provide comprehensive sexual health education and ~~h~~Human ~~i~~mmunodeficiency ~~V~~virus (HIV) prevention education at least once in junior high or middle school and once in high school, ~~beginning in the 2019-2020 school year~~ (Education Code 51931, 51934)
36. If the charter school serves students in any of grades 6-12, identify and implement methods of informing parents/guardians of human trafficking prevention resources (Education Code 49381)
37. If the charter school serves students in middle or high school and offers one or more courses in health education, include in those courses instruction in mental health, as specified (Education Code 51925-51929)
38. If the charter school serves students in grade 12, comply with the requirements for student completion and submission of the Free Application for Federal Student Aid and California Dream Act Application (Education Code 51225.7, 51225.8)
39. If the charter school is planning to hold a college or career fair, the charter school may notify each apprenticeship program in the same county as the charter school and each community college district that has overlapping jurisdiction with the charter school with the planned date, time, and location of the fair (, and give each community college district that has overlapping jurisdiction the opportunity to participate in the college or career fair (Education Code 52770, Labor Code 3074.2)
- ~~31.40.~~ If a charter school offers instruction in any of grades 9-12, and provides on-campus access to employers, not prohibit access to the military services (Education Code 49603)
41. If the charter school provides independent study, meet the requirements of Education Code 51745-51749.6, except that the school may be allowed to offer courses required for graduation solely through independent study as an exception to Education Code 51745(e) (Education Code 47612.5, 51747.3; 5 CCR 11705)
42. Develop a plan for offering independent study to affected students pursuant to Education Code 46393 if the governing body of the charter school submits an affidavit pursuant to Education Code 46392 necessitated by an emergency condition that resulted in a school closure (Education Code 46392, 46393)
- ~~32.43.~~ Accept and provide full or partial credit for coursework satisfactorily completed by a foster youth, student experiencing homelessness, former juvenile court school student, child of a military family, student who is migratory, or a newcomer student while attending another school (Education Code 51225.2)
- ~~33.44.~~ Meet all statewide standards and conduct any statewide assessments applicable to noncharter public schools (Education Code 47605, 47612.5, 60605)

**CHARTER SCHOOL OVERSIGHT** (continued)**Special Education**

45. Provide assisted technology devices in a student's home or other setting if the Individualized Education Program (IEP) team determines that such access is necessary

The charter school shall also provide an assistive technology device or comparable device to a student who enrolls in another local educational agency, for two months after the student leaves the charter school or until alternative arrangements can be made, whichever occurs first

46. If the charter school is an independent member of a special education local plan area and has a master contract with nonpublic, nonsectarian school:
- a. Pay the full amount of the tuition or fees for students with disabilities enrolled in programs or services provided pursuant to that contract (Education Code 56365)
  - b. Conduct at least one onsite visit to the nonpublic, nonsectarian school prior to a student's placement and at least once each school year. (Education Code 56366.1)

**High School Graduation**

47. Exempt a ~~Foster Youth~~, ~~student experiencing homelessness~~~~homeless student~~, former juvenile court school student, child of a military family, or ~~migrant~~ student who ~~is migratory who~~ transfers between schools after the second year of high school, or a ~~student participating in a newcomer student program~~ for newly immigrant students in grades 11-12, from any graduation requirements established by the charter school that exceed state requirements, unless the school determines that the student is reasonably able to complete the requirements by the end of the fourth year of high school (Education Code 51225.1, 51225.2)
- ~~34.48.~~ In accordance with Education Code 51225.31, exempt an eligible student with disabilities from all coursework and other requirements adopted by the charter school board that are in addition to the statewide course requirements specified in Education Code 51225.3, and award such student a high school diploma (Education Code 51225.31)
49. Grant a high school diploma to any student who completed grade 12 in the 2003-04 through 2014-15 school year and met all applicable graduation requirements other than the passage of the high school exit examination (Education Code 51413)
- ~~35.50.~~ Require students to meet the state minimum course requirements for graduation as specified in Education Code 51225.3, as well as any additional graduation requirements required by the governing body (Education Code 51225.3)

**Student Expression**

**CHARTER SCHOOL OVERSIGHT** (continued)

- ~~36~~51. Allow a student to wear traditional tribal regalia or recognized objects of religious or cultural significance as an adornment at school graduation ceremonies, unless the charter school determines that an item is likely to cause a substantial disruption of, or material interference with, the ceremony (Education Code 35183.1)
- ~~37~~52. Provide students the right to exercise freedom of speech and of the press, including, but not limited to, the use of bulletin boards; the distribution of printed materials or petitions; the wearing of buttons, badges, and other insignia; and the right of expression in official

**Staffing**

- ~~38~~53. Require its teachers to hold a certificate, permit, or other document issued by the Commission on Teacher Credentialing (CTC) **as required for the teacher's certificated assignment** ~~equivalent to that which a teacher in other public schools would be required to hold~~ (Education Code 47605)

**Teachers employed by the charter school during the 2019-20 school year shall have until July 1, 2025, to obtain the required certificate required. (Education Code 47605, 47605.4)**

54. **If the charter school offers transitional kindergarten (TK,), require credentialed teachers first assigned to a TK class to meet one of three specified criteria establishing qualification for the position by August 1, 2025, and to maintain adult-to-student ratios as specified in Education Code 48000 (Education Code 48000)**
55. **Correct any misassignments if notified by the District that an assignment of a charter school employee is not legally authorized (Education Code 44258.9)**
- ~~39~~56. Not hire any person who has been convicted of a violent or serious felony except as otherwise provided by law, and if the charter school contracts with an entity for specified services, verify that any employee of that entity who ~~will have contact~~ **interacts** with students **outside of the immediate supervision and control of the student's parent/guardian or a school employee has a valid criminal records summary, unless an exception applies has had a criminal background check** (Education Code 44830.1, 45122.1, 45125.1)
57. Report to the CTC any change in a certificated employee's employment status (dismissal, nonreelection, resignation, suspension, unpaid administrative leave for more than 10 days, retirement, or other decision not to employ or reemploy) as a result of an allegation of misconduct or while an allegation of misconduct is pending (Education Code 44030.5)
- ~~40~~58. **If the charter school chooses to make the state teachers' retirement plan and/or the public employees retirement system available to its employees, meet the requirements of Education Code 47611 (Education Code 47610) ~~Meet the requirements of Education Code 47611 regarding the State Teachers' Retirement System (Education Code 47610)~~**

**CHARTER SCHOOL OVERSIGHT** (continued)

- 41.59. Meet the requirements of Government Code 3540-3549.3 related to collective bargaining in public education employment (Education Code 47611.5)
- 42.60. If the charter school employs security officers and/or security officers work on the charter school campus, provide the latest course of training developed by the Bureau of Security and Investigative Services of the Department of Consumer Affairs in consultation with the Commission on Peace Officer Standards and Training, as specified (Education Code 38001.5; Business and Professions Code 7583.45)
- 43.61. If the charter school provides transportation to students under contract, require drivers to submit and clear tuberculosis risk assessment, unless otherwise exempt by law (Education Code 49406)

**Parent/Guardian Involvement**

- 44.62. On a regular basis, consult with parents/guardians and teachers regarding the charter school's educational programs (Education Code 47605)
- 45.63. Notify parents/guardians of applicant students and currently enrolled students that parental involvement is not a requirement for acceptance to, or continued enrollment at, the charter school (Education Code 47605)
- 46.64. If 15 percent or more of the students at the charter school speak a single primary language other than English, provide all notices, reports, statements, or records sent to parents/guardians in English and in the primary language (Education Code 48985)

**Nutrition**

- ~~47. Beginning with the 2019-2020 school year, provide each eligible student with one nutritionally adequate free or reduced-price meal during each school day, except as provided for a charter school that offers nonclassroom-based instruction (Education Code 47613.5)~~
- 65. Provide nutritionally adequate breakfast and lunch free of charge during each school day to students requesting a meal regardless of the student's free or reduced-price meal eligibility, including, if the charter school offers independent study, to a student enrolled in independent study on any school day in which the student is scheduled for in-person educational activities of two or more hours (Education Code 49501.5)

If the charter school participates in the National School Lunch Program (NSLP) and School Breakfast Program (SBP) and is a high-poverty school, as defined, the charter school shall apply to operate a federal universal meal service provision and, upon approval, apply such service. (Education Code 49501.5, 49564.3)

**CHARTER SCHOOL OVERSIGHT** (continued)

66. If the charter school participates in the ~~National School Lunch and/or Breakfast~~ **NSLP or SBP program**, they may not promote any food or beverage during the school day that does not comply with state nutritional standards pursuant to Education Code 49430-49434, and not participate in a corporate incentive program that offers free or discounted non-nutritious foods or beverages as rewards for students who reach certain academic goals (Education Code 49431.9)
- ~~48. If the charter school participates in the National School Lunch and/or Breakfast program, notify parents/guardians within 10 days of their child's meal account reaching a negative balance; ensure that a student with unpaid school meal fees is not shamed, treated differently, or served a meal that differs from other students; and prohibit student discipline from resulting in the denial or delay of a nutritionally adequate meal (Education Code 49557.5)~~
- ~~49. If the charter school participates in the National School Lunch and/or Breakfast program and is a very high poverty school, as defined, apply to the California Department of Education (CDE) to provide lunch and/or breakfast free of charge to all students under a federal universal service provision (Education Code 49564)~~

**Student Health**

- ~~67. If the charter school serves students in grades 7-12, adopt~~ **Adopt** a policy on suicide prevention, intervention, and postvention **for grades 7-12, and age-appropriate policy for grades K-6, and review the policy at least every five years. (Education Code 215)** ~~with specified components, review the policy at least every five years, and, if the school issues student identification cards, print the telephone number of the National Suicide Prevention Lifeline on those cards (Education Code 215, 215.5)~~
- 68. Each charter school that serves students in any of grades 6-12 shall create and prominently display an age appropriate and culturally relevant poster that identifies approaches and resources about student mental health. (Education Code 49428.5)**
- ~~50.69. If the charter school serves grades 7-12 and issues student identification cards, print the telephone numbers of the National Suicide Prevention Lifeline and the National Domestic Violence Hotline on the identification cards (Education Code 215.5)~~
- ~~51.70. Notify students and parents/guardians at least twice during the school year on how to initiate access to available student mental health services on campus or in the community (Education Code 49428)~~
- ~~52.71. Provide annual training on child abuse and neglect reporting requirements to employees and persons working on the charter school's behalf who are mandated reporters, within the first six weeks of each school year or within six weeks of employment (Education Code 44691)~~

**CHARTER SCHOOL OVERSIGHT** (continued)

- ~~53.72~~ If the charter school offers an athletic program, annually provide information sheets about concussions/**head injuries**, ~~head injuries~~, and sudden cardiac arrest to athletes and their parents/guardians, which must be signed and returned to the school before the athlete initiates practice or competition. In the event that an athlete is suspected of sustaining a concussion or head injury, passes out, or faints during or immediately after participation in an athletic activity, the student shall be immediately removed from the activity for the remainder of the day and shall not be permitted to return to the activity until the student is evaluated by a licensed health care provider and receives written clearance to do so. (Education Code 33479-33479.5, 49475)
73. If the charter school offers an interscholastic athletic program, develop and post a written emergency action plan that describes procedures to be followed in the event of sudden cardiac arrest and other medical emergencies, **including concussion and heat illness, the location of the emergency medical equipment, and the rehearsal of such procedures**; acquire at least one automated external defibrillator (AED) for the school; and make the AED available at on-campus athletic activities or events (Education Code 35179.4, 35179.6)
- ~~54.74~~ **If the charter school sponsors or hosts an on-campus event in or around a swimming pool that is not part of an interscholastic athletic program, provide for the presence of at least one adult with a valid certification of cardiopulmonary resuscitation training throughout the duration of the event (Education Code 35179.6)**
- ~~55.75~~ Provide school nurses or other voluntary, trained personnel with emergency epinephrine auto-injectors of the type required pursuant to Education Code 49414; (Education Code 49414)
- ~~56.76~~ If the charter school chooses to make an opioid antagonist available to persons suffering, or reasonably believed to be suffering, from an opioid overdose, **or to make emergency stock albuterol inhalers available to persons suffering, or reasonably believed to be suffering, from respiratory distress**, comply with the requirements of Education Code 49414.3 and 49414.7, including, but not limited to, providing training to personnel who volunteer to administer the opioid antagonist-

**Student Conduct/Discipline**

77. **Prohibit the denial of recess to a student unless the student's participation poses an immediate threat to the student's physical safety or to the physical safety of one or more of the student's peers (Education Code 49056)**
- ~~57.78~~ Adopt a policy on bullying and cyberbullying prevention, **post specified information on bullying and harassment prevention on the charter school's website**, and annually make CDE's online training module on bullying prevention available to school site certificated employees and other employees who have regular interaction with students (Education Code 234.4, 32283.5)

**CHARTER SCHOOL OVERSIGHT** (continued)

- ~~58~~79. Adopt and display a written policy on sexual harassment, include the policy as part of any orientation for new and continuing students, and post a poster notifying students of the policy (Education Code 231.5, 231.6)
80. Prohibit seclusion and behavioral restraint of students as a means of discipline, and only use such methods to control student behavior that poses a clear and present danger of serious physical harm to a student or others that cannot be immediately prevented by a less restrictive response (Education Code 49005-49006.4)
81. Until June 30, 2029, neither recommend for expulsion nor suspend a student in grades K-12 for disrupting school activities or otherwise willfully defying the authority of school personnel in the performance of their duties (Education Code 48901.1)
- ~~59~~82. Upon request, provide a student who is suspended for two or more days with the homework assigned during the period of suspension (Education Code 47606.2, 48913.5)

**Student and Parent/Guardian Records**

- ~~60~~83. Not collect or solicit social security numbers or the last four digits of social security numbers from students or their parents/guardians unless otherwise required to do so by state or federal law (Education Code 49076.7)
- ~~61~~84. Upon written request, not include the directory information of a student or the personal information of a parent/guardian, as defined, in the minutes of a meeting of the governing body (Education Code 49073.2)
- ~~62~~85. If a student subject to compulsory full-time education is expelled or leaves the charter school without graduating or completing the school year for any reason, notify the Superintendent of the ~~school~~-District of the student's last known address within 30 days and, upon request, provide that District with a copy of the student's cumulative record, including a transcript of grades or report card, and health information (Education Code 47605)
86. If the charter school serves high school students, submit to the Student Aid Commission (CSAC), for use in the Cal Grant program, the ~~g~~Grade ~~p~~Point ~~A~~verage (GPA) of all students in grade 12 and verification of high school graduation or its equivalent for students who graduated in the prior academic year. However, such information shall not be submitted when students opt out or are permitted by the rules of the ~~Student Aid Commission~~CSAC to provide test scores in lieu of the GPA. (Education Code 69432.9, 69432.92)
- ~~63~~87. Upon receipt of government-issued documentation of a change of name or gender or, if such documentation is not available, upon request in accordance with the procedure in Education Code 49070, update, and reissue if requested, a former student's records to include the student's updated legal name or gender. (Education Code 49062.5, 49070)



**CHARTER SCHOOL OVERSIGHT** (continued)**Facilities**

- ~~64.88.~~ Comply with the California Building Standards Code as adopted and enforced by the local building enforcement agency with jurisdiction over the area in which the charter school is located, unless the charter school facility meets either of the following conditions: (Education Code 47610, 47610.5)
- a. The facility complies with the Field Act pursuant to Education Code 17280-17317 and 17365-17374.
  - b. The facility is exclusively owned or controlled by an entity that is not subject to the California Building Standards Code, including, but not limited to, the federal government.
- ~~65.89.~~ If the charter school serves students in any of grades 3-12, stock the school's restrooms at all times with an adequate supply of menstrual products available and accessible free of cost in all women's restrooms, all-gender restrooms, and in at least one men's restroom (Education Code 35292.6)

**Finance**

- ~~66.90.~~ Promptly respond to all reasonable inquiries from the District, the County Office of Education, or the Superintendent of Public Instruction (SPI), including, but not limited to, inquiries regarding the charter school's financial records (Education Code 47604.3)
- ~~67.91.~~ Maintain written contemporaneous records that document all student attendance and make these records available for audit and inspection (Education Code 47612.5)
- ~~68.92.~~ Identify and report to the SPI any portion of the charter school's ~~a~~Average ~~d~~Daily ~~a~~Attendance that is generated through nonclassroom-based instruction, including, but not limited to, independent study, home study, ~~work-study~~work-study, and distance and computer-based education (Education Code 47612.5, 47634.2; 5 CCR 11963.2)
- ~~69.93.~~ Annually prepare and submit financial reports to the District Board of Trustees and the County Superintendent of Schools in accordance with the following reporting cycle:
- ~~e~~.a. By July 1, a preliminary budget for the current fiscal year. For a charter school in its first year of operation, financial statements submitted with the charter petition pursuant to Education Code 47605(g) will satisfy this requirement. (Education Code 47604.33)
  - ~~b~~.b. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. (Education Code 47604.33)
  - ~~a~~.c. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31. (Education Code 47604.33)



**CHARTER SCHOOL OVERSIGHT** (continued)

- ~~b.d.~~ By September 15, a final unaudited report for the full prior year. The report submitted to the Board shall include an annual statement of all the charter school's receipts and expenditures for the preceding fiscal year. (Education Code 42100, 47604.33)
- ~~e.e.~~ By December 15, a copy of the charter school's annual, independent financial audit report for the preceding fiscal year, unless the charter school's audit is encompassed in the District's audit. ~~The audit report shall also be submitted to the state Controller and CDE.~~ (Education Code 47605)
- ~~7094.~~ If the charter school receives state facilities funding pursuant to the Leroy F. Greene School Facilities Act (Education Code 17070.10-17079.30), annually report a detailed list of all expenditures of state funds and of the school's matching funds for completed projects, and submit an audit of completed facilities projects within one year of project completion (Education Code 41024)

**Accountability**

- ~~7195.~~ Annually adopt a school accountability report card (Education Code 47612; California Constitution, Article 16, Section 8.5)

**Policy Reference Disclaimer:**

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

| <b>State</b>                            | <b>Description</b>                                                                 |
|-----------------------------------------|------------------------------------------------------------------------------------|
| 5 CCR 11700-11705                       | Independent study                                                                  |
| 5 CCR 11960-11969.10                    | Charter schools                                                                    |
| 5 CCR 4600-4670                         | Uniform complaint procedures                                                       |
| Bus. And Prof. Code 7583.45             | Training for security officers                                                     |
| CA Constitution Article 16, Section 8.5 | Public finance; school accountability report card                                  |
| CA Constitution Article 9, Section 5    | Common school system                                                               |
| Corp. Code 5110-6910                    | Nonprofit public benefit corporations                                              |
| Ed. Code 1006                           | Prohibition against school district employees serving on county board of education |
| Ed. Code 17070.10-17079.30              | Leroy F. Greene School Facilities Act                                              |
| Ed. Code 17280-17317                    | Field Act; approval of plans and supervision of construction                       |
| Ed. Code 17365-17374                    | Field Act; fitness for occupancy; liability of board members                       |
| Ed. Code 215                            | Suicide prevention policies                                                        |
| Ed. Code 215.5                          | Student identification cards; inclusion of safety hotlines                         |
| Ed. Code 220                            | Prohibition of discrimination                                                      |
| Ed. Code 221.61                         | Posting of Title IX information on website                                         |

**CHARTER SCHOOL OVERSIGHT** (continued)**State** (continued)

|                          |                                                                                                                      |
|--------------------------|----------------------------------------------------------------------------------------------------------------------|
| Ed. Code 221.9           | Sex equity in competitive athletics                                                                                  |
| Ed. Code 222             | Reasonable accommodations; lactating students                                                                        |
| Ed. Code 222.5           | Pregnant and parenting students; notification of rights                                                              |
| Ed. Code 231.5           | Sexual harassment policy                                                                                             |
| Ed. Code 234.4           | Mandated policy on bullying prevention                                                                               |
| Ed. Code 234.6           | Bullying and harassment prevention information                                                                       |
| Ed. Code 234.7           | Student protections relating to immigration and citizenship status                                                   |
| Ed. Code 243             | Prohibition of discrimination; instructional materials                                                               |
| Ed. Code 32280-32289.5   | School safety plans                                                                                                  |
| Ed. Code 32283.5         | Bullying; online training                                                                                            |
| Ed. Code 33479-33479.9   | The Eric Parades Sudden Cardiac Arrest Prevention Act                                                                |
| Ed. Code 33353           | California Interscholastic Federation incident tracking                                                              |
| Ed. Code 35120           | Student board membership                                                                                             |
| Ed. Code 35179.4-35179.6 | Interscholastic athletic programs, safety; swimming pool safety that is not part of interscholastic athletic program |
| Ed. Code 35183.1         | Graduation ceremonies; tribal regalia or recognized object of religious/cultural significance                        |
| Ed. Code 35292.6         | Stocking of menstrual products                                                                                       |
| Ed. Code 35330           | Field trips and excursions; student fees                                                                             |
| Ed. Code 38001.5         | Training for security officers                                                                                       |
| Ed. Code 38080-38086     | School meals                                                                                                         |
| Ed. Code 39831.3         | Transportation safety plan                                                                                           |
| Ed. Code 39843           | Disciplinary action against bus driver; report to Department of Motor Vehicles                                       |
| Ed. Code 41024           | Report of expenditure of state facility funds                                                                        |
| Ed. Code 42100           | Annual statement of receipts and expenditures                                                                        |
| Ed. Code 44030.5         | Reporting change in employment status due to alleged misconduct                                                      |
| Ed. Code 44237           | Criminal record summary                                                                                              |
| Ed. Code 44691           | Information on detection of child abuse; annual training                                                             |
| Ed. Code 44830.1         | Certificated employees; conviction of a violent or serious felony                                                    |

**CHARTER SCHOOL OVERSIGHT** (continued)**State** (continued)

|                        |                                                                                       |
|------------------------|---------------------------------------------------------------------------------------|
| Ed. Code 45122.1       | Classified employees; conviction of a violent or serious felony                       |
| Ed. Code 45125.1       | Criminal records summary; employees of contracting entity                             |
| Ed. Code 46015         | Accommodations for pregnant and parenting students; parental leave                    |
| Ed. Code 46390-46393   | Emergency average daily attendance                                                    |
| Ed. Code 47600-47616.7 | Charter Schools Act of 1992                                                           |
| Ed. Code 47634.2       | Nonclassroom-based instruction                                                        |
| Ed. Code 47640-47647   | Special education funding for charter schools                                         |
| Ed. Code 47651         | Apportionment of funds; charter schools                                               |
| Ed. Code 48000         | Minimum age of admission for kindergarten; transitional kindergarten                  |
| Ed. Code 48010         | Minimum age of admission to first grade                                               |
| Ed. Code 48206.3-48208 | Students with temporary disabilities; individual instruction                          |
| Ed. Code 48850-48859   | Education of foster youth and homeless students                                       |
| Ed. Code 48900         | Suspension and expulsion                                                              |
| Ed. Code 48901.1       | Suspension and expulsion; willful defiance                                            |
| Ed. Code 48907         | Exercise of free expression; time, place, and manner rules and regulations            |
| Ed. Code 48913.5       | Suspended students; homework assignments                                              |
| Ed. Code 48950         | Speech and other communication                                                        |
| Ed. Code 48985         | Notices to parents in language other than English                                     |
| Ed. Code 49005-49006.4 | Seclusion and restraint                                                               |
| Ed. Code 49010         | Student fees                                                                          |
| Ed. Code 49011         | Student fees                                                                          |
| Ed. Code 49014         | Public School Fair Debt Collection Act                                                |
| Ed. Code 49056         | Prohibition of denial of recess                                                       |
| Ed. Code 49061         | Definitions; directory information                                                    |
| Ed. Code 49062.5       | Student records; name or gender change                                                |
| Ed. Code 49070         | Challenging student records                                                           |
| Ed. Code 49073.2       | Privacy of student and parent/guardian personal information; minutes of board meeting |
| Ed. Code 49076.7       | Student records; data privacy; social security numbers                                |
| Ed. Code 49110         | Authority to issue work permits                                                       |
| Ed. Code 49381         | Human trafficking prevention                                                          |
| Ed. Code 49406         | TB risk assessment                                                                    |
| Ed. Code 49414         | Epinephrine auto-injectors                                                            |
| Ed. Code 49414.3       | Administration of opioid antagonist                                                   |
| Ed. Code 49414.7       | Administration of albuterol inhalers                                                  |
| Ed. Code 49428         | Notification of mental health services                                                |
| Ed. Code 49428.5       | Employment of medical personnel                                                       |

**CHARTER SCHOOL OVERSIGHT** (continued)**State** (continued)

|                          |                                                                                                                |
|--------------------------|----------------------------------------------------------------------------------------------------------------|
| Ed. Code 49430-49434     | The Pupil Nutrition, Health, and Achievement Act of 2001                                                       |
| Ed. Code 49431.9         | Prohibition of advertisement of non-nutritious foods                                                           |
| Ed. Code 49475           | Health and safety; concussions and head injuries                                                               |
| Ed. Code 49501.5         | Free breakfast and lunch to all students                                                                       |
| Ed. Code 49550-49564.5   | Meals for needy students                                                                                       |
| Ed. Code 49557.5         | Child Hunger Prevention and Fair Treatment Act of 2017                                                         |
| Ed. Code 49564.3         | Provision of federal universal meal service                                                                    |
| Ed. Code 49603           | On campus access to employers and military services                                                            |
| Ed. Code 49700-49701     | Education of children of military families                                                                     |
| Ed. Code 51224.7         | Mathematics placement policy                                                                                   |
| Ed. Code 51225.1-51225.2 | Exemption from local graduation requirements; acceptance of coursework                                         |
| Ed. Code 51225.3         | High school graduation requirements                                                                            |
| Ed. Code 51225.6         | Instruction in cardiopulmonary resuscitation; districts that require health education for graduation           |
| Ed. Code 51225.7-51225.8 | Completion and submission of the Free Application for Federal Student Aid and California Dream Act Application |
| Ed. Code 51413           | Diploma of graduation without passage of high school exit examination                                          |
| Ed. Code 51744-51749.6   | Independent study                                                                                              |
| Ed. Code 51925-51929     | Mandatory mental health education                                                                              |
| Ed. Code 51930-51939     | California Healthy Youth Act                                                                                   |
| Ed. Code 52052           | Accountability; numerically significant student subgroups                                                      |
| Ed. Code 52060-52077     | Local control and accountability plan                                                                          |
| Ed. Code 52075           | Uniform complaint procedures                                                                                   |
| Ed. Code 52770           | College and career fairs                                                                                       |
| Ed. Code 56026           | Special education                                                                                              |
| Ed. Code 56040.3         | Availability of assistive technology device                                                                    |
| Ed. Code 56145-56146     | Special education services in charter schools                                                                  |
| Ed. Code 56365-56366.12  | Nonpublic, nonsectarian schools                                                                                |
| Ed. Code 56521.1-56521.2 | Emergency Interventions                                                                                        |
| Ed. Code 60600-60649     | Assessment of academic achievement                                                                             |
| Ed. Code 64000           | Categorical programs included in consolidated application                                                      |
| Ed. Code 64001           | School plan for student achievement; consolidated application programs                                         |
| Ed. Code 65000-65001     | School site councils                                                                                           |

**CHARTER SCHOOL OVERSIGHT** (continued)**State** (continued)

Ed. Code 69432.9-69432.92

Gov. Code 1090-1099

Gov. Code 3540-3549.3

Gov. Code 3555-3559

Gov. Code 54950-54963

Gov. Code 7920.000-7930.170215

Gov. Code 81000-91014

H&amp;S Code 104420

H&amp;S Code 104559

Lab. Code 1198.5

Lab. Code 3074.2

Pen. Code 1192.7

Pen. Code 667.5

Veh. Code 28160

**Federal**

20 USC 1681-1688

20 USC 6311

20 USC 7221-7221j

34 CFR 200.1-200.78

42 USC 11431-11435

**Management Resources**

Attorney General Opinion

Attorney General Opinion

Attorney General Opinion

Attorney General Opinion

Attorney General Opinion

CA Office of Administrative Hearings Decisions

California Department of Education Publication

California Department of Education Publication

California Dept. of Pesticide Reg. Publication

California Interscholastic Federation Publication

Court Decision

Cal Grant program; notification of grade point average and high school graduation

Prohibitions applicable to specified officers

Educational Employment Relations Act

Public employee communication, information, and orientation

The Ralph M. Brown Act

California Public Records Act

Political Reform Act

Tobacco Use Prevention Education grant program

Tobacco-free schools

Personnel records related to performance and grievance

College and career fairs; notice to apprenticeship programs

Definition of serious felony

Definition of violent felony

Child safety alert system

**Description**

Title IX of the Education Amendments of 1972; discrimination based on sex

State plan

Charter schools

Accountability

McKinney-Vento Homeless Assistance Act

**Description**

104 Ops.Cal.Atty.Gen. 66 (2021)

101 Ops.Cal.Atty.Gen. 92 (2018)

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

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

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

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

Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory 20-01, July 23, 2020

California School Accounting Manual

School District Integrated Pest Management Plan Template

Pursuing Victory with Honor, 1999

Ridgecrest Charter School v. Sierra Sands

Unified School District (2005) 130 Cal.App.4th 986

**CHARTER SCHOOL OVERSIGHT** (continued)**Management Resources** (continued)

|                   |                                                                                                                                                 |
|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|
| CSBA Publication  | Charter Schools: A Guide for Governance Teams, rev. 2021                                                                                        |
| CSBA Publication  | Charter Schools in Focus, Issue 2: Ensuring Effective Oversight, Governance Brief, October 2017                                                 |
| CSBA Publication  | Uncharted Waters: Recommendations for Prioritizing Student Achievement and Effective Governance in California's Charter Schools, September 2018 |
| U.S. DOE Guidance | Charter Schools Program: Title V, Part B of the ESEA, Nonregulatory Guidance, January 2014                                                      |
| Website           | CSBA District and County Office of Education Legal Services                                                                                     |
| Website           | U.S. Department of Agriculture                                                                                                                  |
| Website           | National Suicide Prevention Lifeline                                                                                                            |
| Website           | National Domestic Violence Hotline                                                                                                              |
| Website           | California State Teachers Retirement System                                                                                                     |
| Website           | California Public Employees Retirement System                                                                                                   |
| Website           | California Department of General Services, Office of Administrative Hearings                                                                    |
| Website           | California Commission on Teacher Credentialing                                                                                                  |
| Website           | California Commission on Peace Officer Standards and Training                                                                                   |
| Website           | California Bureau of Security and Investigative Services                                                                                        |
| Website           | California Department of Pesticide Regulation                                                                                                   |
| Website           | California State Controller                                                                                                                     |
| Website           | California Student Aid Commission                                                                                                               |
| Website           | National Association of Charter School Authorizers                                                                                              |
| Website           | California Charter Schools Association                                                                                                          |
| Website           | California Department of Education, Charter Schools                                                                                             |
| Website           | California Interscholastic Federation                                                                                                           |
| Website           | California Office of the Attorney General                                                                                                       |
| Website           | CSBA                                                                                                                                            |
| Website           | U.S. Department of Education                                                                                                                    |

**Cross References-Codes**

|         |                                                    |
|---------|----------------------------------------------------|
| 0420.4  | <b>Description</b><br>Charter School Authorization |
| 0420.42 | Charter School Renewal                             |
| 0420.43 | Charter School Revocation                          |
| 0460    | Local Control And Accountability Plan              |
| 0500    | Accountability                                     |
| 1312.3  | Uniform Complaint Procedures                       |

**CHARTER SCHOOL OVERSIGHT** (continued)

**Cross References-Codes** (continued)

1312.3-E(1)

1312.3-E(2)

1431

6162.51

7160

**Description**

Uniform Complaint Procedures

Uniform Complaint Procedures

Waivers

State Academic Achievement Tests

Charter School Facilities

**SCHOOL ACCOUNTABILITY REPORT CARD**

The Board of Trustees recognizes its responsibility to inform parents/guardians and the community about the conditions, needs, and progress at each District school and to provide data by which parents/guardians can make meaningful comparisons between schools. The process of gathering and analyzing data also provides opportunities for school and District staff to review achievements and identify areas for improvement.

The Board shall annually issue a School Accountability Report Card (SARC) for each school site. (Education Code 35256)

In preparing the District's report cards, the Superintendent or designee may choose to use or adapt the model template provided by the California Department of Education. If the model template is not used, the Superintendent or designee shall ensure that data ~~are~~ **is** reported in a manner that is consistent with the definitions for school conditions as provided in the template. At least every three years, the Board shall compare the content of the District's ~~report cards~~ **SARCs** to the state's model template, recognizing that variances are allowed by law as necessary to meet local needs. (Education Code 33126.1, 35256)

The Board shall annually approve the SARCs for all District schools and shall evaluate the data contained in the SARCs as part of the Board's regular review of the effectiveness of the District's programs, personnel, and fiscal operations.

~~(cf. 0500—Accountability)  
(cf. 6190—Evaluation of the Instructional Program) (cf. 9000—Role of the Board)~~

The Superintendent or designee shall develop strategies for communicating the information contained in the SARCs to all stakeholders, including opportunities for staff and the community to discuss their content.

~~(cf. 0420—School Plans/Site Councils)  
(cf. 1100—Communication with the Public) (cf. 1112—Media Relations)~~

**Notification and Dissemination of SARCs**

~~The Superintendent or designee shall annually publicize the issuance of the SARCs and notify parents/guardians that a paper copy will be provided upon request. On~~ **Annually, on** or before February 1 of each year, the Superintendent or designee shall **publicize the issuance of the SARCs, make the SARCs available in paper copy and on the Internet. District's website, and notify parents/guardians that a hard copy shall be provided upon request.** (Education Code 33126, 35256, 35258) ~~(cf. 5145.6—Parental Notifications)~~



**SCHOOL ACCOUNTABILITY REPORT CARD** (continued)

Additionally, when 15 percent or more of a school's students speak a single primary language other than English, the SARC shall be translated into that other language. (Education Code 48985)

In addition, the SARC shall be provided in an understandable and uniform format and, to the extent practicable, provided in a language that parents/guardians can understand. (Education Code 33126, 35256; 20 USC 6311)

*Legal Reference: (see next page)*

**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

| <b>STATE</b>                               | <b>DESCRIPTION</b>                                                            |
|--------------------------------------------|-------------------------------------------------------------------------------|
| CA Constitution Article 16, Section 8.5(e) | Allocations to State School Fund                                              |
| Ed. Code 1240                              | County Superintendent of Schools; Duties                                      |
| Ed. Code 17002                             | State School Building Lease-Purchase Law, including definition of good repair |
| Ed. Code 17014                             | Plan for building maintenance                                                 |
| Ed. Code 17032.5                           | Portable classroom maintenance                                                |
| Ed. Code 17070.15                          | School Facilities Act; definitions                                            |
| Ed. Code 17089                             | Portable classroom maintenance                                                |
| Ed. Code 33126                             | School Accountability Report Card (SARC)                                      |
| Ed. Code 33126.1                           | School Accountability Report Card (SARC) model template                       |
| Ed. Code 33126.15                          | School Accountability Report Card (SARC) template                             |
| Ed. Code 33126.2                           | Secretary of Education School Accountability Report Card study                |
| Ed. Code 35256                             | School Accountability Report Card (SARC)                                      |
| Ed. Code 35256.1                           | Information required in the School Accountability Report Card (SARC)          |
| Ed. Code 35258                             | Internet access to the School Accountability Report Card (SARC)               |
| Ed. Code 41409                             | Calculation of statewide averages                                             |
| Ed. Code 41409.3                           | Salary information required in the School Accountability Report Card (SARC)   |
| Ed. Code 46112                             | Minimum school day for grades 1 through 3                                     |
| Ed. Code 46113                             | Minimum school day for grades 4 through 8                                     |
| Ed. Code 46117                             | Minimum kindergarten school day                                               |
| Ed. Code 46141                             | Minimum school day (high school)                                              |

**SCHOOL ACCOUNTABILITY REPORT CARD** (continued)**STATE** (continued)

Ed. Code 51225.3

Ed. Code 52052

Ed. Code 60119

Ed. Code 60600-60618

Ed. Code 60640-60648.5

Ed. Code 60800

High school graduation requirements

Accountability; numerically significant student subgroups

Textbook sufficiency

General Provisions

California Assessment of Student Performance and Progress (CAASPP)

Physical Fitness Testing (PFT)

**FEDERAL**

20 USC 6311

**DESCRIPTION**

State plan

**MANAGEMENT RESOURCES**

U.S. DOE Guidance

**DESCRIPTION**

Opportunities and Responsibilities for State and Local Report Cards under the Elementary and Secondary Education Act of 1965, as Amended by the Every Student Succeeds Act, September 2019

Frequently Asked Questions about the School Accountability Report Card

SARC Preparation Guide for Public Schools

California Department of Education  
PublicationCalifornia Department of Education  
PublicationCalifornia Department of Education  
Publication

Website

Adjusted Cohort Graduation Rate Federal Program  
Monitoring InstrumentCSBA District and County Office of Education  
Legal Services

Website

California Department of Education, School  
Accountability Report Card (SARC)

Website

U.S. Department of Education

**CROSS REFERENCES - CODES**

0420

0420.4

0450

0500

1000

1100

1112

1113

1113-E(1)

1114

**DESCRIPTION**

School Plans/Site Councils

Charter School Authorization

Comprehensive Safety Plan

Accountability

Concepts And Roles

Communication With The Public

Media Relations

District And School Websites

District And School Websites

District-Sponsored Social Media

**SCHOOL ACCOUNTABILITY REPORT CARD** (continued)**CROSS REFERENCES – CODES** (continued)

|             |                                         |
|-------------|-----------------------------------------|
| 3517        | Facilities Inspection                   |
| 3517-E(1)   | Facilities Inspection                   |
| 5145.6      | Parent/Guardian Notifications           |
| 5145.6-E(1) | Parent/Guardian Notifications           |
| 6000        | Concepts and Roles                      |
| 6117        | Year-Round Schedules                    |
| 6142.7      | Physical Education And Activity         |
| 6162.5      | Student Assessment                      |
| 6190        | Evaluation Of The Instructional Program |
| 9000        | Role Of The Board                       |

## Legal Reference:

EDUCATION CODE

~~1240 County superintendent,  
 general duties 17002 Definition,  
 including good repair 17014 Plan  
 for building maintenance 17032.5  
 Portable classroom maintenance  
 17070.15 School Facilities Act;  
 definitions 17089 Portable  
 classroom maintenance 33126  
 School Accountability Report Card  
 33126.1 School Accountability Report Card model  
 template 33126.15 School Accountability Report  
 Card template  
 33126.2 Secretary of Education school accountability report  
 card study 35256 School Accountability Report Card  
 35256.1 Information required in the School Accountability  
 Report Card 35258 Internet access to the School  
 Accountability Report Card  
 41409 Calculation of statewide averages  
 41409.3 Salary information required in the School Accountability  
 Report Card 46112 Minimum school day for grades 1 through 3  
 46113 Minimum school day for grades 4  
 through 8 46117 Minimum kindergarten  
 school day  
 46141 Minimum school day  
 (high school) 51225.3  
 Requirements for graduation  
 52052 Academic performance~~

**SCHOOL ACCOUNTABILITY REPORT CARD (continued)**

~~index 60119 Textbook  
sufficiency~~

~~60600 60618 General provisions~~

~~60640 60649 California Assessment of Student Performance  
and Progress 60800 Physical fitness testing~~

~~60850 High school exit~~

~~examination 60851 High  
school exit examination~~

~~CALIFORNIA~~

~~CONSTITUTION~~

~~Article 16, Section 8.5(e) Allocations to State School~~

~~Fund UNITED STATES CODE, TITLE 20~~

~~6311 State plans, including local educational agency report cards~~

**Management Resources:**

~~U.S. DEPARTMENT OF EDUCATION GUIDANCE~~

~~Report Cards, September-~~

~~12, 2003 WEB SITES~~

~~CSBA, SARC Select:~~

~~<http://www.csba.org/Services/Services/DistrictServices/SARC.aspx>~~

~~California Department of Education, School Accountability Report Card:~~

~~<http://www.cde.ca.gov/ta/ac/sa>~~

~~U.S. Department of Education, No Child Left Behind Act: <http://www.nelb.gov>~~

**SCHOOL ACCOUNTABILITY REPORT CARD**

Each year the principal or designee at each school shall prepare a School Accountability Report Card (SARC), which shall include, but is not limited to: (Education Code 33126)

1. Student achievement by grade level, as measured by the results of the statewide assessment.
2. Progress toward reducing dropout rates, including the one-year dropout rate listed in the California Basic Educational Data System (CBEDS) for the school over the most recent three-year period, and the graduation rate, as defined by the State Board of Education, over the most recent three-year period when available pursuant to the Education Code 52052.
3. Estimated expenditures per student and types of services funded, including the actual salaries of personnel assigned to the school.

The assessment of estimated expenditures per student shall be reported in total, in subtotal by restricted and by unrestricted source, and include a reporting of the average of actual salaries paid to certificated instructional personnel at that school.

4. Progress toward reducing class sizes and teaching loads, including the average class size and the distribution of class sizes at the school by grade level, using CBEDS for the most recent three-year period.
5. The total number of the school's fully credentialed teachers, the number of teachers relying upon emergency credentials, the number of teachers working without credentials, any assignment of teachers outside their subject areas of competence, misassignments, including misassignments of teachers of English Learners (EL), and the number of vacant teacher positions for the most recent three-year period.
6. The quality and currency of textbooks and other instructional materials, including whether textbooks and other materials meet state standards, the ratio of textbooks per student, and the year the textbooks were adopted.
7. The availability of sufficient textbooks and other instructional materials, as determined pursuant to Education Code 60119, for each student, including English Learners (EL), in each of the areas of the core curriculum areas of reading/language arts, mathematics, science, and history/social science; world language and health; science laboratory equipment for grades 9 to 12, inclusive, as appropriate; and visual and performing arts. If the Board determines, pursuant to Education Code 60119, that there are insufficient textbooks or instructional materials, or both, it shall include information for each school in which an insufficiency exists, identifying the percentage of students who lack sufficient standards-aligned textbooks or instructional materials in each subject area identified above.
8. The availability of qualified personnel to provide counseling and other student support services, including the ratio of academic counselors per student.

**SCHOOL ACCOUNTABILITY REPORT CARD** (continued)

9. Safety, cleanliness, and adequacy of school facilities, including any needed maintenance to ensure good repair.
10. The annual number of school days dedicated to staff development for the most recent three-year period.
11. Suspension and expulsion rates for the most recent three-year period.
12. The Academic Performance Index, which is reflected in the California School Dashboard, including the disaggregation of student subgroups identified in Education Code 52052, the decile rankings, and a comparison of schools.
13. Contact information for organized opportunities for parent/guardian involvement.
14. For secondary schools, the percentage of graduates who have passed course requirements for entrance to the University of California and the California State University, including the course requirements for high school graduation pursuant to Education Code 51225.3, and the percentage of students enrolled in those courses, as reported by CBEDS.
15. The number of Advanced Placement (AP) courses offered, by subject.
16. Career Technical Education (CTE) data measures, including:
  - a. A list of programs offered by the District that students at the school may participate in and are aligned to the model curriculum standards adopted pursuant to Education Code 51226 and program sequences offered by the District.

The list shall identify which courses are conducted by a regional occupational center or program and those that are conducted directly by the District.
  - b. A list of the District's primary representative of the CTE advisory committee and the industries represented.
  - c. The number of students participating in CTE
  - d. The percentage of students that complete a CTE program and earn a high school diploma
  - e. The percentage of CTE courses that are sequenced or articulated between a school and postsecondary education schools.

Additionally, each SARC shall also include the following information: (Education Code 41409.3)

**SCHOOL ACCOUNTABILITY REPORT CARD** (continued)

1. The beginning, median, and highest salary paid to teachers in the District, as reflected in the District's salary scale.
2. The average salary for school-site principals in the District.
3. The salary of the Superintendent.
4. The percentage Expended for the salaries of administrative personnel, as specified.
5. The percentage expended for the salaries of teachers.
6. For Items #1-5 above, the statewide average in Districts of the same size and type based on information provided by the State

**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

| <b>STATE</b>                               | <b>DESCRIPTION</b>                                                            |
|--------------------------------------------|-------------------------------------------------------------------------------|
| CA Constitution Article 16, Section 8.5(e) | Allocations to State School Fund                                              |
| Ed. Code 1240                              | County Superintendent of Schools; Duties                                      |
| Ed. Code 17002                             | State School Building Lease-Purchase Law, including definition of good repair |
| Ed. Code 17014                             | Plan for building maintenance                                                 |
| Ed. Code 17032.5                           | Portable classroom maintenance                                                |
| Ed. Code 17070.15                          | School Facilities Act; definitions                                            |
| Ed. Code 17089                             | Portable classroom maintenance                                                |
| Ed. Code 33126                             | School Accountability Report Card (SARC)                                      |
| Ed. Code 33126.1                           | School Accountability Report Card (SARC) model template                       |
| Ed. Code 33126.15                          | School Accountability Report Card (SARC) template                             |
| Ed. Code 33126.2                           | Secretary of Education School Accountability Report Card study                |
| Ed. Code 35256                             | School Accountability Report Card (SARC)                                      |
| Ed. Code 35256.1                           | Information required in the School Accountability Report Card (SARC)          |
| Ed. Code 35258                             | Internet access to the School Accountability Report Card (SARC)               |
| Ed. Code 41409                             | Calculation of statewide averages                                             |
| Ed. Code 41409.3                           | Salary information required in the School Accountability Report Card (SARC)   |
| Ed. Code 46112                             | Minimum school day for grades 1 through 3                                     |

**SCHOOL ACCOUNTABILITY REPORT CARD** (continued)**STATE** (continued)

|                        |                                                                    |
|------------------------|--------------------------------------------------------------------|
| Ed. Code 46113         | Minimum school day for grades 4 through 8                          |
| Ed. Code 46117         | Minimum kindergarten school day                                    |
| Ed. Code 46141         | Minimum school day (high school)                                   |
| Ed. Code 51225.3       | High school graduation requirements                                |
| Ed. Code 52052         | Accountability; numerically significant student subgroups          |
| Ed. Code 60119         | Textbook sufficiency                                               |
| Ed. Code 60600-60618   | General Provisions                                                 |
| Ed. Code 60640-60648.5 | California Assessment of Student Performance and Progress (CAASPP) |
| Ed. Code 60800         | Physical Fitness Testing (PFT)                                     |

**FEDERAL**

20 USC 6311

**DESCRIPTION**

State plan

**MANAGEMENT RESOURCES**

U.S. DOE Guidance

**DESCRIPTION**

Opportunities and Responsibilities for State and Local Report Cards under the Elementary and Secondary Education Act of 1965, as Amended by the Every Student Succeeds Act, September 2019

Frequently Asked Questions about the School Accountability Report Card

SARC Preparation Guide for Public Schools

Adjusted Cohort Graduation Rate Federal Program Monitoring Instrument

CSBA District and County Office of Education Legal Services

California Department of Education, School Accountability Report Card (SARC)

U.S. Department of Education

California Department of Education  
PublicationCalifornia Department of Education  
PublicationCalifornia Department of Education  
Publication  
Website

Website

Website

**CROSS REFERENCES – CODES**

0420

0420.4

0450

0500

1000

1100

1112

1113

**DESCRIPTION**

School Plans/Site Councils

Charter School Authorization

Comprehensive Safety Plan

Accountability

Concepts And Roles

Communication With The Public

Media Relations

District And School Websites



**SCHOOL ACCOUNTABILITY REPORT CARD** (continued)

**CROSS REFERENCES – CODES** (continued)

|             |                                         |
|-------------|-----------------------------------------|
| 1113-E(1)   | District And School Websites            |
| 1114        | District-Sponsored Social Media         |
| 3517        | Facilities Inspection                   |
| 3517-E(1)   | Facilities Inspection                   |
| 5145.6      | Parent/Guardian Notifications           |
| 5145.6-E(1) | Parent/Guardian Notifications           |
| 6000        | Concepts and Roles                      |
| 6117        | Year-Round Schedules                    |
| 6142.7      | Physical Education And Activity         |
| 6162.5      | Student Assessment                      |
| 6190        | Evaluation Of The Instructional Program |
| 9000        | Role Of The Board                       |