

**CHARTER SCHOOL OVERSIGHT**

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

*(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 Board and Superintendent or designee may inspect or observe any part of the charter school at any time. 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 attend meetings of the charter school ~~board~~ **governing body** whenever possible and shall periodically meet with a representative of the charter school.

**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 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.

*(cf. 1431 - Waivers)*

**Provision of District Services**

The charter school may purchase administrative or other services from the District or any other source. (Education Code 47613)

Whenever the District agrees to provide administrative or support services, the District and charter school shall develop a memorandum of understanding which clarifies the financial and operational agreements between 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)

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

### **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)

If an approved charter school proposes to establish or move operations to one or more additional sites, the charter school shall request a material revision to its charter and shall notify the Board of those additional locations. 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.

### **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 ~~each~~ ~~the~~ charter school to determine whether it is achieving, ~~both schoolwide and for all groups of students served by the school,~~ 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)

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-

## CHARTER SCHOOL OVERSIGHT (continued)

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)*

### Technical Assistance/Intervention

If, in three out of four consecutive school years, a charter school fails to improve outcomes for three or more **numerically significant** student subgroups identified in Education Code 52052, 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 District: (Education Code 47607.3)

1. Shall provide technical assistance to the charter school ~~using an evaluation rubric adopted by the SBE pursuant to Education Code 52064.5~~ **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

~~If a charter school receiving federal Title I funding has been identified for program improvement, it shall implement improvement strategies in accordance with its existing school improvement plan.~~

*(cf. 0520.2 - Title I Program Improvement Schools)*

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 academic achievement of all numerically significant subgroups of students served by the charter school.

*(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~~87~~, alleging the school's noncompliance with Education Code 47606.5 or 47607.3. (Education Code 52075)

## CHARTER SCHOOL OVERSIGHT (continued)

*(cf. 1312.3 - Uniform Complaint Procedures)*

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, provide assistance to facilitate the transfer of the charter school's former students and to finalize financial reporting and close-out.

The Superintendent or designee shall provide notification to the California Department of Education, within 10 calendar days of the Board's action, if renewal of the charter is denied, the charter is revoked, or the charter school will cease operation for any reason.

Such notification shall include, but not be limited to, a description of the circumstances of the closure, the effective date of the closure, and the location of student and personnel records. (Education Code 47604.32; 5 CCR 11962.1)

#### *Legal Reference:*

##### EDUCATION CODE

215 *Suicide prevention policy*

215.5 *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*

35179.4-35179.6 *Interscholastic athletic programs, safety*

35183.1 *Graduation ceremonies; tribal regalia or recognized object of religious/cultural significance*

*Legal reference: (continued on next page)*

**CHARTER SCHOOL OVERSIGHT (continued)***Legal reference: (continued)*

35330 *Field trips and excursions; student fees*  
 38080-38086 *School meals*  
 39831.3 *Transportation safety plan*  
 39843 *Disciplinary action against bus driver; report to Department of Motor Vehicles*  
 41024 *Report of expenditure of state facility funds*  
 42100 *Annual statement of receipts and expenditures*  
 44030.5 *Reporting change in employment status due to alleged misconduct*  
 44237 *Criminal record summary*  
 44691 *Information on detection of child abuse*  
 44830.1 *Certificated employees, conviction of a violent or serious felony*  
 45122.1 *Classified employees, conviction of a violent or serious felony*  
 45125.1 *Fingerprinting; employees of contracting entity*  
 46015 *Accommodations for pregnant and parenting students; parental leave*  
 47600-47616.7 *Charter Schools Act of 1992*  
 47634.2 *Nonclassroom-based instruction*  
 47640-47647 *Special education funding for charter schools*  
 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 ~~of~~ to issue work permits*  
 49381 *Human trafficking prevention*  
 49414 *Epinephrine auto-injectors*  
 49414.3 *Administration of opioid antagonist*  
 49428 *Notification of mental health services*  
 49430-49434 *The Pupil Nutrition, Health, and Achievement Act of 2001, 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*  
 51745-51749.36 *Independent study*  
 51930-51939 *California Healthy Youth Act*

*Legal reference: (continued next page)*

**CHARTER SCHOOL OVERSIGHT (continued)**

Legal reference: (continued)

~~52051.5-52052 Academic performance index, applicability to charter schools~~

~~52052 Accountability; numerically significant student subgroups~~

52060-52077 Local control and accountability plans

52075 Uniform complaint procedures

56026 Special education

56145-56146 Special education services in charter schools

60600-60649 Assessment of academic achievement

~~60850-60859 High school exit examination~~

~~64000 Categorical programs included in consolidated application~~

~~64001 School plan for student achievement, consolidated application programs~~

~~65000-65001 School site councils~~

69432.9 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

~~15497.5 Local control and accountability plan template~~

Legal Reference continued: (see next page)

## CHARTER SCHOOL OVERSIGHT (continued)

### Legal Reference: (continued)

#### 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

#### 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

*Every Student Succeeds Act 2016-17 School Year Transition Plan*, April 2016

*California School Accounting Manual*

*Sample Copy of a Memorandum of Understanding*

*Pupil Fees, Deposits, and Other Charges*, Fiscal Management Advisory ~~12-02~~, April 24, 2013 *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*, ~~April 2011~~ January 2014

#### WEB SITES

CSBA: <http://www.csba.org>

California Charter Schools Association: <http://www.calcharters.org>

California Department of Education, Charter Schools: <http://www.cde.ca.gov/sp/cs>

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

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

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**BEAUMONT UNIFIED SCHOOL DISTRICT**  
Beaumont, California

**CHARTER SCHOOL OVERSIGHT****REQUIREMENTS FOR CHARTER SCHOOLS**

A Charter schools shall be subject to the terms of ~~their~~ **its** charters; any memorandum of understanding **between the school and the District Board of Trustees; with their chartering authority, the state and federal constitutions, applicable federal laws, and 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)

**Operations**

3. 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)
14. Be nonsectarian in its programs, admission policies, employment practices, and all other operations (Education Code 47605)

**Admission/Enrollment**

5. Adhere to all laws establishing the minimum age for public school attendance (Education Code 47610)
6. 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. Serve students with disabilities in the same manner as such students are served in other district schools (Education Code 47646, 56145)



**CHARTER SCHOOL OVERSIGHT** (continued)

8. 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 ~~the~~ **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 ~~the~~ **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)
9. Immediately enroll a homeless student, except where such enrollment would conflict with Education Code 47605(d) (Education Code 48850; 42 USC 11431-11435)
10. Comply with the requirements of Education Code 48850-48859 regarding the enrollment and placement of foster youth (Education Code 48853.5, 48859)
11. **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**

- ~~2~~12. Not discriminate against any student on the basis of the characteristics listed in Education Code 220 (Education Code 47605)
- ~~30~~13. 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 documents

**CHARTER SCHOOL OVERSIGHT** (continued)

regarding the immigration status of students or their family members, and fulfill other requirements of Education Code 234.7

- 4514. 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 or on the web site of the charter operator (Education Code 221.61)
- 2515. If the **charter** school offers competitive athletics, annually post on the school's web site or on the web site 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)
- 37.16. 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)
- 46.17. 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)

**Tuition and Fees**

- 3.18. Not charge tuition (Education Code 47605)
- 4.19. 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
- 20. 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**

- 21. Adopt a local control and accountability plan (LCAP) and update the plan by July 1 each year, 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

**CHARTER SCHOOL OVERSIGHT** (continued)

manner consistent with how information is reported on the California School Dashboard. 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, based on the template developed by the SBE, which includes specified information relating to the school's budget. (Education Code 47604.33, 47606.5, 52064, 52064.1)

22. 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)
23. Develop a comprehensive safety plan in accordance with Education Code 32282 and review and update the plan by March 1 each year (Education Code 47605)
- 35 24. 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 ~~and standards~~ 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**

- ~~22~~ 25. Offer at least the number of instructional minutes required by law for the grade levels provided by the charter school (Education Code 47612.5)
- ~~11~~ 26. If the **charter** school offers a kindergarten program, ~~:(Education Code 48000)~~
  - a. **also** ~~Offer~~ a transitional kindergarten ~~(TK)~~ program to students whose fifth birthday is from September 2 through December 2 (**Education Code 48000**)
  - b. ~~Ensure that any credentialed teacher first assigned to teach a TK class after July 1, 2015 meets the qualifications specified in Education Code 48000 by August 1, 2020~~
- ~~19~~ 27. 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)
28. **If the charter school serves students in any of grades 7-12, provide comprehensive sexual health education and human immunodeficiency 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)**

**CHARTER SCHOOL OVERSIGHT** (continued)

29. 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 by January 1, 2020 (Education Code 49381)
- ~~23.~~30. If the charter school provides independent study, meet the requirements of Education Code 51745-51749.36, 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)
- ~~20.~~31. Meet all statewide standards and conduct any statewide assessments applicable to noncharter public schools (Education Code 47605, 47612.5, 60605)

**High School Graduation**

32. Exempt a foster youth, homeless student, former juvenile court school student, child of a military family, or migrant student who transfers between schools after the second year of high school, or a student participating in a newcomer 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)
- ~~24.~~33. 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)
34. 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)

**Student Expression**

- ~~29.~~35. 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 publications (Education Code 48907, 48950)

**Staffing**

- ~~42.~~36. Require its teachers to hold a certificate, permit, or other document issued by the Commission on Teacher Credentialing (CTC) equivalent to that which a teacher in other public schools would be required to hold (Education Code 47605)

**CHARTER SCHOOL OVERSIGHT** (continued)

- 14.37. 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 with students has had a criminal background check (Education Code 44830.1, 45122.1, 45125.1)
- 15.38. 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)
- 16.39. Meet the requirements of Education Code 47611 regarding the State Teachers' Retirement System (Education Code 47610)
- 17.40. Meet the requirements of Government Code 3540-3549.3 related to collective bargaining in public education employment (Education Code 47611.5)

**Parent/Guardian Involvement**

- 27.41. On a regular basis, consult with parents/guardians and teachers regarding the **charter** school's educational programs (Education Code 47605)
- 28.42. 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)

**Nutrition**

- 43. 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)
- 40. 44. If the **charter** school participates in the National School Lunch and/or Breakfast program, 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)
- 41 45. 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

**CHARTER SCHOOL OVERSIGHT** (continued)

from resulting in the denial or delay of a nutritionally adequate meal (Education Code 49557.5)

42. 46. 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**

18. 47. If the **charter** school serves students in grades 7-12, adopt a policy on suicide prevention, intervention, and postvention 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)

48. **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)

13. 49. 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)

26. 50. If the **charter** school offers an athletic program, annually provide information sheets about concussions, 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, ~~he/she~~ **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 ~~he/she~~ **the student** is evaluated by a licensed health care provider and receives written clearance to do so. (Education Code 33479-33479.5, 49475)

51. **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, 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)

38. 52. ~~Ensure the availability and proper use of~~ **Provide school nurses or other voluntary, trained personnel with emergency epinephrine auto-injectors of the type required pursuant to Education Code 49414** ~~by:~~ (Education Code 49414)

**CHARTER SCHOOL OVERSIGHT (continued)**

- ~~a. Providing school nurses or other voluntary, trained personnel with at least one regular and one junior device for elementary schools and, for secondary schools, one regular device if there are no students who require a junior device~~
- ~~b. Distributing a notice at least once per school year to all staff requesting volunteers and describing the training that volunteers will receive~~
- ~~c. Providing defense and indemnification to volunteers for any and all civil liability from such administration~~

~~39.~~ **53.** If the **charter** school chooses to make an opioid antagonist available to persons suffering, or reasonably believed to be suffering, from an opioid overdose, comply with the requirements of Education Code 49414.3, including, but not limited to, providing training to personnel who volunteer to administer the opioid antagonist.

**Student Conduct/Discipline**

- 54.** Adopt a policy on bullying and cyberbullying prevention by December 31, 2019, 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)
- 55.** 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)

**Student and Parent/Guardian Records**

- ~~34.~~ **56.** 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)
- 57.** 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)
- ~~33.~~ **58.** 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)

**CHARTER SCHOOL OVERSIGHT** (continued)

34. 59. If the **charter** school serves high school students, submit to the Student Aid Commission, for use in the Cal Grant program, the grade point average (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 to provide test scores in lieu of the GPA. (Education Code 69432.9, 69432.92)

**Facilities**

36. 60. 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.

**Finance**

43. 61. 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)

32. 62. Maintain written contemporaneous records that document all student attendance and make these records available for audit and inspection (Education Code 47612.5)

24. 63. Identify and report to the ~~Superintendent of Public Instruction~~-(SPI) any portion of ~~its~~-the **charter school's** average daily attendance that is generated through nonclassroom-based instruction, including, but not limited to, independent study, home study, work study, and distance and computer-based education (Education Code 47612.5, 47634.2; 5 CCR 11963.2)

44. 64. 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:

- 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)



**CHARTER SCHOOL OVERSIGHT** (continued)

- ~~b.~~ By July 1 an update of the school's goals and the actions to achieve those goals as identified in the charter, developed using the local control and accountability plan template adopted by the State Board of Education. This report shall include a review of the progress toward the goals, an assessment of the effectiveness of the specific actions toward achieving the goals, a description of changes the school will make to the specific actions as a result of the review and assessment, and a listing and description of expenditures for the fiscal year implementing the specific actions. (Education Code 47604.33, 47606.5, 52064;)
- ~~When conducting this review, the governing body of the school may consider qualitative information including, but not limited to, findings that result from any school quality reviews conducted pursuant to Education Code 52052 or any other reviews. To the extent practicable, data shall be reported in a manner consistent with how information is reported on a school accountability report card. The update shall be developed in consultation with teachers, principals, administrators, other school personnel, parents/guardians and students. (Education Code 47606.5)~~
- ~~e.b~~ By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. (Education Code 47604.33)
- ~~d.c~~ By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31. (Education Code 47604.33)
- ~~e.c~~ 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)
- ~~f.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~~the California Department of Education. (Education Code 47605)
65. 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**

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

**CHARTER SCHOOL OVERSIGHT (continued)**

~~In addition, charter schools shall comply with the state and federal constitutions, applicable federal laws, and state laws that apply to governmental agencies in general, such as the Brown Act requirements in Government Code 54950-54963 and the conflict of interest laws in Government Code 1090-1099 and 87100-91014.~~

First reading: January 14, 2020  
~~Exhibit approved: June 26, 2018~~

**BEAUMONT UNIFIED SCHOOL DISTRICT**  
Beaumont, California