

**CHARTER SCHOOLS**

**A. Receipt of Petition or Application**

In order to assist in the process of charter development, potential applicants should receive a copy of the Board Policy, as well as information regarding the general content of the Memorandum of Understanding, which is normally considered at the same time as the charter proposal.

Upon receipt of a petition for approval of a charter school or application for renewal of a previously approved charter school, the Superintendent or designee will do all of the following in preparation for the public hearing, which is required within 30 days of such receipt.

1. The Superintendent or designee will notify members of the Board of Trustees of receipt of the petition or application.
2. The Superintendent or designee will complete an initial analysis of the petition or application to determine whether all of the elements required by Board Policy and the Education Code have been included in the submission. If any of the required elements or information has not been included, or if clarification is required, the Superintendent or designee will communicate this to the charter school applicants. The initial analysis, along with any communication directed to the charter school applicant, will also be submitted to the Board of Trustees prior to the public hearing.
3. The Superintendent or designee, in the course of completing the initial analysis, will also assess the petition or application based upon the possible reasons for charter denial as detailed in Board Policy and the Education Code. The Superintendent or designee will communicate to the charter school applicant any questions, which arise as a result of this analysis. Such communication will also be submitted to the Board of Trustees as part of the initial review prior to the public hearing.
4. The Superintendent or designee will contact the charter school applicant no later than seven days prior to the scheduled public hearing advising the applicant of the location and approximate time. The charter school applicant will be given the opportunity to make a presentation to the Board of Trustees and to respond to the initial analysis at the time of the public hearing.

**B. Following the Public Hearing**

Prior to the formal Board of Trustees review and decision concerning the charter petition or application (which will normally be held within 60 days of initial receipt):

1. The charter school applicant will be asked to respond, within 14 days following the public hearing, to any questions or concerns raised by the Board of Trustees. The

Superintendent or designee will conduct an analysis, if directed by the Board of Trustees, of the responses submitted by the charter school applicant. The analysis will be submitted to the Board of Trustees prior to the formal review and decision regarding the charter application.

2. The Superintendent or designee will contact the charter school applicant no later than seven days prior to the formal review and decision meeting advising the applicant of the location and approximate time. The Superintendent or designee will also communicate with the charter school applicant, prior to the formal review, any additional analysis submitted to the Board of Trustees.
3. Following the formal review of and decision on the charter petition or application, the Superintendent or designee will communicate in writing with the charter school applicant the decision of the Board of Trustees. If the Board of Trustees has denied the charter application, this communication will include the factual findings, specific to the information and materials, which were submitted, which support the justification for denial as set out in Board Policy and the Education Code. If the Board of Trustees has given approval while noting certain conditions related to increasing the likelihood of success for the charter school and/or compliance with law, the Superintendent or designee will include that information in the written communication to the charter school applicant.
4. Upon approval of the petition or application by the Board of Trustees, the Superintendent or designee will notify the Charter Schools Section of the State Department of Education, as well as other agencies as required by law. The notification shall include copies of Board of Trustees meeting minutes reporting both the public hearing and the meeting in which the Board approved the charter proposal. The notification shall also include a copy of the charter proposal for State Department of Education review.
5. During the approval process, or following the decision of the Board of Trustees to approve the petition or application, the Superintendent or designee will meet with the charter school applicant to develop a Memorandum of Understanding or Operating Agreement which will describe the legal relationship between the district and the charter school. The agreement will include, but not be limited to the following:
  - a. Recitals
  - b. Term and MOU Amendment Process
  - c. General Business Service Arrangements and Enrollment Reporting
  - d. Financial Audit Provisions
  - e. Employment Audit Provisions
  - f. District Fiscal Oversight, including charter school financial reports as required by the Education Code and outlined in Board Policy
  - g. Insurance and Risk Management

- h. Service to Special Education Students Including Funding Issues
  - i. Hold Harmless/Indemnification Provisions for the District
  - j. Compensation to the District for Oversight Responsibilities
  - k. Annual Evaluation of the Educational Program
  - l. Legal Relationship
  - m. Employment Standards, including specific credentials required for teachers in core academic areas as required by the Education Code and outlined in Board Policy
  - n. Charter School Compliance with All Required Reports
6. The agreement may also address services for which the charter school wishes to contract with the district, as well as any conditions noted by the Board of Trustees as part of approving of the charter school proposal. In the event that an agreement is not completed and signed by the Superintendent and the charter school applicant 120 days prior to the planned opening of the charter school, the Superintendent or designee will be guided by Section B(3) of Board of Education Policy 0420.4

C. Monitoring and Supervision of Approved Charters

1. The Superintendent shall designate a staff member as the contact person for the charter school.
2. Not less than annually, the Superintendent or designee will inspect documents on file at the school which verify that teachers in core academic areas hold the appropriate certification as required by Board Policy and the Education Code.
3. The Superintendent or designee shall receive and review all financial reports required by the charter or by law. A report shall be prepared and submitted to the Board of Trustees following the review of each report as part of the responsibility to monitor the fiscal condition of the charter school.
4. The Superintendent or designee shall receive and review, not less than annually, the financial audit of the charter school. A report shall be prepared and submitted to the Board of Trustees following the review of the financial audit as part of the responsibility to monitor the fiscal condition of the charter school. Any errors or omissions noted in the financial audit shall be resolved to the satisfaction of the Board of Trustees.
5. Not less than annually, the Superintendent or designee will visit and examine the general operation of the charter school.

6. The Superintendent or designee shall ensure that each charter school complies with all reports required of charter schools by law, as determined by the Superintendent or designee.
7. The Superintendent will promptly report to the Board of Trustees any instance in which the continued fiscal solvency of the charter school is in question or when required reports have not been submitted in a timely manner.
8. The process of monitoring and supervision will be guided by Board Policy and the Education Code, including the criteria for charter revocation. The Superintendent or designee will immediately report to the Board of Trustees any condition or circumstance which could result in consideration of charter revocation. The Superintendent will also refer such findings to legal counsel. As directed by legal counsel, the Superintendent or designee will communicate these findings to the charter school.
9. Upon revocation, or a decision by the Board of Trustees to either approve or deny a charter renewal application, the Superintendent or designee shall provide timely notification to the State Department of Education.
10. Not less than annually, the Superintendent or designee will bill the charter school for the actual cost of monitoring and supervision not to exceed 1 percent of the applicable revenue of the charter school except as otherwise provided by Board Policy and the Education Code.
11. The Superintendent or designee will maintain records of all costs for each stage of charter school consideration, monitoring and supervision in order to provide a basis for mandated cost reimbursement.

Adopted: May 11, 1999  
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Feb. 25, 2004

**West Sonoma County UHSD**  
Sebastopol, CA