

ORCUTT UNION SCHOOL DISTRICT
Regular Charter Meeting of the Board of Trustees
Wednesday, September 12, 2012
Closed Session 6:00 p.m.
Public Session —6:15 p.m.
District Office Board Room
500 Dyer Street, Orcutt, CA. 93455

CALL TO ORDER 6:00 P.M.

PUBLIC COMMENT ANNOUNCEMENT

The Board of Trustees welcomes comments about items appearing or not appearing on tonight's agenda. The audience members wishing to address the Board during the Public Comment segment of the agenda are reminded to fill out a Public Comment Form from the Superintendent's secretary and submit it prior to the time the presiding officer calls for Public Comment.

A maximum of thirty (30) minutes is set aside for Public Comment; speakers are allowed a maximum of three (3) minutes to address the board on any items within the Board's jurisdiction in accordance with the Brown Act. The Board will limit any response to public comments to brief statements, referral to staff, or referral to a future board meeting.

CLOSED SESSION PUBLIC COMMENTS

This section of the agenda is intended for members of the public to address the Board of Trustees on items that are being considered in Closed Session.

ADJOURN TO CLOSED SESSION

Adjourn to Closed Session for the purpose of discussing matters expressly authorized by Government Code Section 3549.1, 54956.95, 54957, and 54957.6.

1. Public Employment per Personnel Report.
2. Public Employee Employment/Discipline/Dismissal/Release.
3. Conference with labor negotiator Robert Bush, Superintendent and/or Don Nicholson.
 - a. OEA
 - b. CSEA
4. Conference with labor negotiators for unrepresented employees:
 - a. Certificated and Classified Management, and Confidential.
Agency representative – Superintendent.
 - b. Superintendent. Agency representative – Board of Trustees
5. Student disciplinary/expulsion matters.

RECONVENE TO PUBLIC SESSION 6:15 P.M.

- A. Pledge of Allegiance
- B. Public Report on Action Taken in Closed Session
- C. Superintendent's Report

An opportunity for the Superintendent to share matters of special interest or importance which are not on the board agenda and/or special presentations of district programs or activities such as curriculum/instructional updates, timely events/information, and district activities.

1. Introduction of Kaitlin Tilley, OAHS ASB President
2. CAHSEE Results – Ted Lyon
3. WASC Visit – Joe Dana
4. Changes to the Charter – Joe Dana
 - Lottery
 - OUSD Residence Preferences

D. Public Comment

An opportunity for the public to provide input to the Board of Trustees. Those wishing to speak about a specific agenda item may do so during the Public Comment segment or when the item is being considered. Any request to speak must be submitted on a **Request for Public Comment Form** which can be obtained from the Superintendent's secretary and submitted prior to the presiding officer addressing the item. If you choose to speak when an item is before the Board, your name will be called prior to board consideration. An item not on the agenda must be addressed during the Public Comment segment of the agenda.

E. Written Communication

Documents addressed to or by board members as communications during a Board of Education meeting are defined as letters from parents or community members regarding issues within the jurisdiction of authority of the Board of Education; information or reports from professional organizations, i.e., CSBA, SBCSBA, etc.; letters or reports from other public agencies; letters or reports from legislators; or letters or reports from district schools or staff.

F. Public Hearing – Textbook Adoption

CONSENT AGENDA ITEMS

Actions proposed for Consent Agenda (block vote) items are consistent with approved practices of the district and are deemed routine in nature. Since trustees receive board agenda backup information in advance of scheduled meetings, they are prepared to vote with knowledge on the block vote items. Consent Agenda items are voted on at one time, although any such item can be considered separately at a board member's request.

- A. Certificated Personnel Action Report
- B. Classified Personnel Action Report
- C. Regular Charter Board Minutes, August 1, 2012
- D. Hiring of Charter High School Coaches for 2012-2013

It is recommended that the Board of Trustees approve Consent Agenda Items A through D, as submitted.

Moved _____ Second _____ Vote _____

ITEMS SCHEDULED FOR ACTION

A. GENERAL

1. Acceptance of Gifts

OAHS received a donation in the amount of \$1,500 from United Launch Alliance to be used by the Robotics class to purchase parts for the building of their Robot and travel expenses for competitions. OAHS also received a donation in the amount of \$1,000 from Mr. Mike Foster to be used to support the football program.

Staff recommends that the Board of Trustees accept these gifts and direct that a letter of acceptance and appreciation be forwarded to United Launch Alliance and Mr. Mike Foster.

Moved _____ Second _____ Vote _____

2. OAHS Girl's Varsity Tennis Team Trip to Whittier, CA.

Staff requests that the Board of Trustees approve the OAHS Girl's Varsity Tennis Team trip to Whittier, CA. on September 7-8, 2012.

Moved _____ Second _____ Vote _____

3. OAHS Girl's Varsity Tennis Team Trip to Santa Monica, CA.

Staff requests that the Board of Trustees approve the OAHS Girl's Varsity Tennis Team trip to Santa Monica, CA. on October 5-6, 2012.

Moved _____ Second _____ Vote _____

4. OAHS Boy's Barbershop Quartet Trip

Staff requests that the Board of Trustees approve the OAHS Boy's Barbershop Quartet trip to participate in the Youth Harmony Camp on September 21-23, 2012.

Moved _____ Second _____ Vote _____

5. Board Policy 0420.4, Charter School Authorization

It is recommended that the Board of Trustees adopt Board Policy 0420.4, Charter School Authorization for first reading and that it is placed on the next Consent Agenda for second reading.

Moved _____ Second _____ Vote _____

6. Board Policy 0420.41, Charter School Oversight

It is recommended that the Board of Trustees adopt Board Policy 0420.41, Charter School Oversight for first reading and that it is placed on the next Consent Agenda for second reading.

Moved _____ Second _____ Vote _____

7. Board Policy 0420.42, Charter School Renewal

It is recommended that the Board of Trustees adopt Board Policy 0420.42, Charter School Renewal for first reading and that it is placed on the next Consent Agenda for second reading.

Moved _____ Second _____ Vote _____

8. Board Policy 0420.43, Charter School Revocation

It is recommended that the Board of Trustees adopt Board Policy 0420.43, Charter School Revocation for first reading and that it is placed on the next Consent Agenda for second reading.

Moved _____ Second _____ Vote _____

B. BUSINESS

1. Charter Fund District Certification of Unaudited Actuals

It is recommended that the Board of Trustees approve and certify the Unaudited Actuals Finance Report as submitted. A copy of the Unaudited Actuals Finance Report is available for review at the District Office, 500 Dyer Street, Monday-Friday from 7:30 a.m. to 4:30 p.m.

Moved _____ Second _____ Vote _____

C. CURRICULUM

1. Proposed Use of Saxon Algebra 1 Textbooks at OAK-8

Staff recommends that the Board of Trustees approve the use by OAK08 staff of the Saxon Algebra1: An Incremental Development text.

Moved _____ Second _____ Vote _____

D. HUMAN RESOURCES

1. Ratification of OEA, Management and Public Disclosure of Collective Bargaining Agreement for Charter School.

Staff recommends approval of changes as presented to the negotiated contracts with OEA and Management employee groups.

Moved _____ Second _____ Vote _____

ITEMS SCHEDULED FOR INFORMATION/DISCUSSION

1. Charter Financial Report
2. Items from the Board

GENERAL ANNOUNCEMENTS

Unless otherwise noticed, the next regular board meeting is scheduled for Wednesday, October 10, 2012 with Closed Session beginning at 6:00 p.m. followed by Public Session at 6:15 p.m. in the District Office Board Room, 500 Dyer Street, Orcutt, CA.

ADJOURN

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Superintendent's Office at (805) 938-8907. Notification 48 hours prior to the meeting will enable the district to make reasonable arrangements to ensure accessibility to this meeting.

All documents related to the open session agenda are available for review 72 hours prior to the meeting at the Orcutt Union School District Office, 500 Dyer Street, Orcutt, CA.

ORCUTT ACADEMY CHARTER SCHOOLS

ORCUTT UNION SCHOOL DISTRICT

Certificated Personnel Action Report

TO: Robert Bush
District Superintendent

FROM: Jan Yanagisako
Assistant Superintendent, Human Resources

DATE: Board Meeting of September 15, 2011

RE: **RECOMMENDATIONS FOR APPROVAL AND RATIFICATION**

SCHOOL	CLASS/STEP	EFFECTIVE DATE	ACTION INFORMATION
Ind. Study	Hourly	2012-13	Ind. Study Teacher, 18 hrs wk
Casmalia	Hourly	2012-13	Support Teacher, 24 hrs wk
Casmalia	Extra Duty	8/13-8/16/12	Curriculum Development
Casmalia	Hourly	2012-13	PE Teacher, 15 hrs wk
Ind. Study	Extra Duty	8/16/12	Technology, 2 hrs
Academy HS	Stipend VI-7	2012-13	Senior Class Advisor Completed MA Program
Academy HS	Extra Duty	2012-13	Gym Supervisor
Academy HS	Stipend	2012-13	Boys JV Basketball Coach
Academy HS	Hourly	2012-13	Choir Pianist, as needed
Academy HS	Stipend	2012-13	Track Coach
Academy HS	Stipend	2012-13	Track Assistant
Casmalia	Extra Duty	8/16/12	Technology, 1.25 hrs
Ind. Study	Hourly	2012-13	Ind. Study Teacher, 6 hrs wk
Academy HS	VI-13	2012-13	Units for Column Movement
Ind. Study	Hourly	2012-13	Ind. Study Teacher, 10 hrs wk
Charter	Hourly	2012-13	Charter Advisor, Not to Exceed 468 hours
Academy HS	VI-20	8/13/12	Teacher, Prob 2
Academy HS	IV-6	2012-13	Units for Column Movement
Ind. Study	Hourly	2012-13	Ind. Study Teacher, 2 hrs wk

*To be prorated

Classified Personnel Action Report
 Orcutt Academy Charter School
 September 12, 2012

10/12TO: Bob Bush
 Superintendent

SUBMITTED BY: Jan Yanagisako
 Assistant Superintendent, Human Resources

SUBJECT: RECOMMENDATIONS FOR APPROVAL AND RATIFICATION

Jan Y.

SITE	CLASSIFICATION	CLASS STEP	HOURS	SALARY	EFFECTIVE	ACTION INFORMATION
OAHS	Inst Assistant I	11/1	3.50	\$12.11/hr	08/22/12	Permanent/Probationary
OAHS	Inst Assistant I	11/1	3.50	\$12.11/hr	08/16/12	Permanent/Probationary
OAHS	Gym Supervisor			\$1,600/yr	08/15/12	Stipend
OAHS	AVID Tutor			\$10.00/hr	08/22/12-06/08/13	Temporary Assignment
OAHS	AVID Tutor			\$10.00/hr	08/22/12-06/08/13	Temporary Assignment
OAHS	AVID Tutor			\$10.00/hr	08/22/12-06/08/13	Temporary Assignment
OAHS	AVID Tutor			\$10.00/hr	08/22/12-06/08/13	Temporary Assignment
OAHS	AVID Tutor			\$10.00/hr	08/22/12-06/08/13	Temporary Assignment

**ORCUTT UNION SCHOOL DISTRICT
BOARD OF TRUSTEES
REGULAR CHARTER MEETING
August 1, 2012**

CALL TO ORDER

A regular charter meeting of the Board of Trustees of the Orcutt Union School District was held on Wednesday, August 1, 2012 beginning with Mrs. Meissner calling Public Session to order at 6:02 p.m. Members Present: Peterson, Hatch Zilli and Meissner. Absent: Buchanan. Administrators Present: Bush, Ochej, Yanagisako and Edds. Absent: None The meeting was adjourned to Closed Session at 6:03 p.m.

RECONVENE TO PUBLIC SESSION

The meeting reconvened to Public Session at 6:15 p.m. and Mrs. Meissner reported that no action was taken in Closed Session. Ted Lyon led the Pledge of Allegiance.

SUPERINTENDENT'S REPORT

Joe Dana gave an update on preparations for the WASC Accreditation Visit September 30, 2012 – October 3, 2012. He reviewed the membership, areas of strength and areas of growth for the 5 Focus Groups; Organization, Curriculum, Instruction, Assessment and School Culture and Student Support.

CONSENT AGENDA ITEMS

- A. Certificated Personnel Action Report
- B. Minutes, Regular Charter meeting of June 13, 2012
- C. Minutes, Special Charter meeting of June 20, 2012

It was moved by Jim Peterson, seconded by Bob Hatch and carried to approve Consent Agenda Items A through C, as submitted.

ITEMS SCHEDULED FOR ACTION

Acceptance of Gifts

It was moved by Jan Zilli, seconded by Bob Hatch and carried to accept the gift and directed that a letter of acceptance and appreciation be forwarded to the Los Alamos Valley Men's Club.

Adopted Charter Budget Revision

It was moved by Jan Zilli, seconded by Jim Peterson and carried to approve the revision of an additional reduction of \$75,340 to the original adopted budget for the Orcutt Academy High School.

ITEMS SCHEDULED FOR INFORMATION/DISCUSSION

The Charter Financial Report was presented for information/discussion. Marysia reported that the report was not final due to the need to close the books and complete transfers.

GENERAL ANNOUNCEMENTS

Unless otherwise noticed, the next regular meeting is scheduled for Wednesday, September 12, 2012 with Closed Session beginning at 6:00 p.m. followed by Public Session at 6:15 p.m. in the District Office Board Room, 500 Dyer Street, Orcutt, CA.

ADJOURN

It was moved by Bob Hatch, seconded by Jan Zilli and carried to adjourn the meeting at 6:43 p.m.

Bob Bush, Board Secretary

Kathleen Meissner, Clerk, Board of Trustees

ORCUTT ACADEMY CHARTER HIGH SCHOOL

ORCUTT UNION SCHOOL DISTRICT

TO: Robert Bush
District Superintendent

FROM: Jan Yanagisako
Assistant Superintendent, Human Resources

DATE: September 12, 2012

RE: ***NOTIFICATION TO BOARD –HIRING OF CHARTER HIGH SCHOOL COACHES FOR 2012-13 SCHOOL YEAR***

Orcutt Academy Charter High School:

Alicia Pasko	Cheerleading
Tony Payne	Football
Justin Magdaleno	Football Assistant
Jim West	Volunteer Football Assistant – unpaid
Nathan Sparks	Volunteer Football Assistant – unpaid
Jared Hart	Volunteer Football Assistant - unpaid
Annika Walker	Varsity Girls Volleyball
Brenda Sullens	JV Girls Volleyball
Margaret Elfering	Volunteer Girls Asst. Volleyball - unpaid
Shayne Davis	Varsity Boys Volleyball
Tim Papworth	Volunteer Asst. Boys Volleyball - unpaid
Roger Fabing	Varsity Cross Country
Joseph Warrick	Cross Country Assistant
Jared Hart	Varsity Track
Stephanie Krouse	Track Assistant
Danny Avila	Varsity Girls Basketball
Elias Soto	Volunteer Girls Varsity Basketball – unpaid
Tom Sullivan	Volunteer Girls Varsity Basketball - unpaid
Gilbert Fierros	JV Girls Basketball
Darrell Black	Varsity Boys Basketball
Dave Rapson	Volunteer Boys Varsity Basketball - unpaid
Richard Faulk	JV Boys Basketball
Manuel Baro	Varsity Boys Soccer
Bill Tjaden	JV Boys Soccer
Rick Velasco	Varsity Girls Soccer
	JV Girls Soccer
Patrick Ortiz	Varsity Girls Tennis
Stephanie Hull	Volunteer Girls Tennis - unpaid
Raymond Kinsey	JV Girls Tennis

Andrew Gray	Varsity Boys Tennis
	JV Boys Tennis
Deanna Ayers	Varsity Swim
Brittany Enthoven	Swim Assistant
Alicia Pasko	Dive
Karl Cudworth	Boys Golf
Karl Cudworth	Girls Golf
Bill Armstrong	Varsity Baseball
Jim Rose	Volunteer Asst. Baseball – unpaid
Larry Burnham	JV Baseball
Deedra Dutra	Varsity Softball
Gordon Dutra	Volunteer Asst. Softball – unpaid
Debra Flores	JV Softball
Frank Flores	Volunteer Asst. JV Softball - unpaid



TO: Mr. Bob Bush, Superintendent

FROM: Mr. Ted Lyon, Jr., OAHS Principal

BOARD MEETING DATE: September 12, 2012

BOARD AGENDA ITEM: Acceptance of Gifts from United Launch Alliance

BACKGROUND: We recently received a generous check in the amount of \$1500.00 from United Launch Alliance. This donation will be used in our Robotics class to help purchase parts for the building of our Robot and travel expenses for our competitions.

RECOMMENDATION: Please join me in accepting this generous gift from United Launch Alliance.

FUNDING: No Impact on General Fund



Orcutt Academy Administration Office

TO: Mr. Bob Bush, Superintendent

FROM: Mr. Ted Lyon, Jr., OAHS Principal

BOARD MEETING DATE: September 12, 2012

BOARD AGENDA ITEM: Acceptance of Gift from Mike Foster for OAHS Football

BACKGROUND: We recently received a generous check in the amount of \$1000.00 from Mr. Mike Foster. This donation will be used to support our Football Program's first season of play.

RECOMMENDATION: Please join me in accepting this generous gift from Mr. Mike Foster.

FUNDING: No Impact on General Fund



TO: Mr. Bob Bush, Superintendent

FROM: Mr. Ted Lyon, Jr., OAHS Principal

BOARD MEETING DATE: September 12, 2012

BOARD AGENDA ITEM: OAHS Girls Varsity Tennis Team

BACKGROUND: Orcutt Academy High School Girls Varsity Tennis Team will be competing against La Serna HS in Whittier, CA on Friday, September 7, 2012. On Saturday, September 8, 2012 the team plans to play in the First Serve Tennis Tournament in Long Beach, CA. The team will be traveling to Southern California with Coach Patrick Ortiz.

This trip will be an overnight trip, departing from OAHS on the morning of Friday, September 7, 2012 and returning on the night of Saturday, September 8, 2012.

RECOMMENDATION: Staff recommends that this overnight trip be approved as submitted.

FUNDING: No Impact on General Fund



TO: Mr. Bob Bush, Superintendent

FROM: Mr. Ted Lyon, Jr., OAHS Principal

BOARD MEETING DATE: September 12, 2012

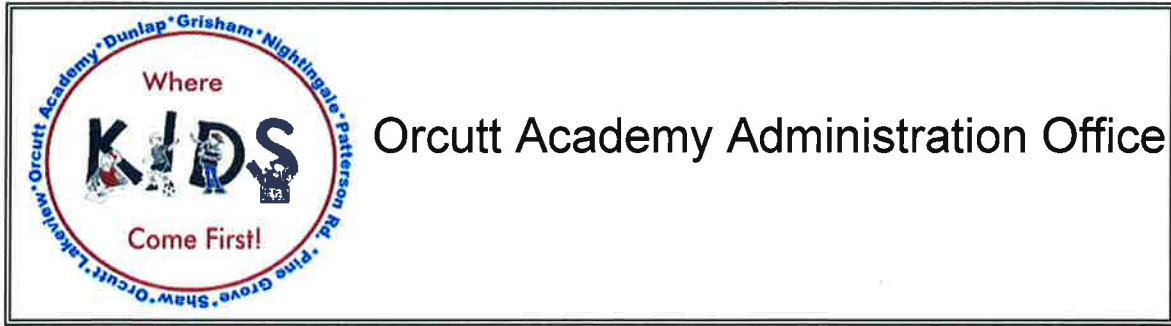
BOARD AGENDA ITEM: OAHS Girls Varsity Tennis Team

BACKGROUND: Orcutt Academy High School Girls Varsity Tennis Team will be competing against Buckley High School in Santa Monica on Friday, October 5, 2012. On Saturday, October 6, 2012 the team will play against Canyon High School in Anaheim.

The team will be staying 2 nights in Anaheim, CA. They will be departing from OAHS on the morning of Friday, October 5, 2012 and returning on the night of Sunday, October 7, 2012. Coach Patrick Ortiz will be traveling with his team to both of these events.

RECOMMENDATION: Staff recommends that this overnight trip be approved as submitted.

FUNDING: No Impact on General Fund



Orcutt Academy Administration Office

TO: Mr. Bob Bush, Superintendent

FROM: Mr. Ted Lyon, Jr., OAHS Principal

BOARD MEETING DATE: September 12, 2012

BOARD AGENDA ITEM: OAHS Boys Barbershop Quartet – Youth Harmony Camp

BACKGROUND: This year Orcutt Academy High School Boys Barbershop Quartet will be participating in the Youth Harmony Camp. Dona Kintzi our Choir teacher will be traveling with the following boys Kyle Oakes, Nathaniel Craig, Michael Lavelle and Steven Zepeda to this event. This incredible opportunity will not only give these students an experience of music, friendship, and vocal development, but a greater connection to American Culture, other generations, and our local and national community.

Our boys have been given a scholarship by the local Barbershop Men's Chapter "Central Coast Cordsmen". This scholarship includes room and board to the Far Western District Youth Harmony Camp 2012. Mrs. Kintzi's room and board has also been covered by the local chapter as a chaperone and director.

This trip will be an overnight trip, departing from OAHS on the morning of Friday, September 21, 2012 and returning on Sunday, September 23, 2012.

RECOMMENDATION: Staff recommends that this overnight trip be approved as submitted.

FUNDING: No Impact on General Fund

Memo



To: Bob Bush, Superintendent
From: Joe Dana, Director of Charter Programs
Date: September 4, 2012
Re: Proposed Revision to Board Policy 0420.4

Background

The California School Boards Association (CSBA) has submitted recommendations for major revisions to Board Policy 0420.4 on Charter School Authorization. To summarize, the CSBA revisions incorporate as Board Policies several sections that previously were categorized as Administrative Regulations. In addition, these revisions reflect new law, new state regulations, and a new court decision. This policy addresses processes for submission of a charter petition to the district and for the Board's review and approval/denial of the petition.

Fiscal Impact

None

Recommendation

Staff recommend that the Board of Trustees approve the revisions to Board Policy 0420.4 as presented.

CHARTER SCHOOLS AUTHORIZATION

The Board of Trustees recognizes that charter schools may assist the district in offering diverse learning opportunities for district students. In considering any petition to establish a charter school within the district, the Board shall give careful consideration to the potential of the charter school to provide students with a high-quality education that enables them to achieve to their fullest potential. ~~believes that charter schools provide one opportunity to implement school-level reform and to support innovations which improve student learning. These schools shall operate under the provisions of their charters, federal laws, specified state laws, and general oversight of the Board.~~

One or more persons may submit a petition for a start-up charter school to be established within the district. In addition, an existing district school may be converted to a charter school when deemed beneficial by the district and community or when state or federal law requires restructuring of the school because of low performance.

(cf. 0520.2 - Title I Program Improvement Schools)

Any petition for a start-up charter school or conversion charter school shall include all components and signatures required by law and shall be submitted to the Board.

The Superintendent or designee may work with charter school petitioners prior to the formal submission of the petition in order to ensure compliance of the petition with legal requirements ~~gather information about the proposal and suggest components that would align the petition with the district's vision and goals for student learning.~~ As needed, he/she may work with the petitioners to establish workable plans for technical assistance or contracted services which the district may provide to the proposed charter school.

Within 30 days of receiving a petition to establish a charter school, the Board shall hold a public hearing to determine the level of support for the petition by teachers, other employees of the district, and parents/guardians. (Education Code 47605)

(cf. 9320 - Meetings and Notices)

Within 60 days of receiving a petition, or within 90 days with mutual consent of the petitioners and the Board, the Board shall either approve or deny the request to establish the charter school. (Education Code 47605)

The approval or denial of a charter petition shall not be controlled by collective bargaining agreements nor subject to review or regulation by the Public Employment Relations Board. (Education Code 47611.5)

Approval of Petition

The Board shall approve the charter petition if doing so is consistent with sound educational practice. In granting charters, the Board shall give preference to schools best able to provide comprehensive learning experiences for academically low-achieving students according to standards established by the California Department of Education (CDE) under Education Code 54032. (Education Code 47605)

The Board may initially grant a charter for a specified term not to exceed five years. (Education Code 47607)

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

~~At his/her discretion, the Superintendent or designee may establish a staff advisory committee to review a submitted petition and the supporting documentation. Such a committee may be used to evaluate the completeness of the proposal, the merits of the proposed educational program, the level of community support, and any concerns that should be addressed by the petitioners. The Superintendent or designee shall also consult with legal counsel as appropriate regarding compliance of the proposal with legal requirements.~~

~~(cf. 1220 - Citizen Advisory Committees)~~

~~In determining whether to grant or deny a charter, the Board shall carefully review the proposed charter and any supplementary information, consider public and staff input, and determine whether the charter petition adequately addresses all the provisions required by law. The Board shall not deny a charter school petition unless specific written factual findings are made pursuant to law and administrative regulation.~~

The Board may approve one or more memoranda of understanding to clarify the financial and operational agreements between the district and the charter school. Any such memorandum of understanding shall be annually reviewed by the Board and charter school **governing body** and ~~adjusted~~ **amended** as necessary.

The district shall not require any student to attend a charter school and shall not require any district employee to work at a charter school. (Education Code 47605)

The Board shall ensure that any **approved** charter ~~granted by the Board~~ contains adequate processes and measures for holding the school accountable for fulfilling the terms of its charter. These shall include, but not be limited to, fiscal accountability systems, multiple measures for evaluating the educational program, and regular reports to the Board.

(cf. 0420.41 - Charter School Oversight)
(cf. 0500 - Accountability)

It shall be the responsibility of the petitioners to provide written notice of the Board's approval and a copy of the charter to the County Superintendent of Schools, the CDE, and the State Board of Education (SBE). (Education Code 47605)

Denial of Petition

The Board shall deny any petition to authorize the conversion of a private school to a charter school or that proposes to serve students in a grade level that is not served by the district, unless the petition proposes to serve students in all the grade levels served by the district. (Education Code 47602, 47605; 5 CCR 11965)

Any other charter petition shall be denied only if the Board presents written factual findings specific to the petition that one or more of the following conditions exist: (Education Code 47605)

1. The charter school presents an unsound educational program for the students to be enrolled in the charter school.
2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
3. The petition does not contain the number of signatures required.
4. The petition does not contain an affirmation of each of the conditions described in Education Code 47605(d).
5. The petition does not contain reasonably comprehensive descriptions of the charter provisions in Education Code 47605(b).

The Board shall not deny a petition based on the actual or potential costs of serving students with disabilities, nor shall it deny a petition solely because the charter school might enroll disabled students who reside outside the special education local plan area in which the district participates. (Education Code 47605.7, 47647)

(cf. 0430 - Comprehensive Local Plan for Special Education)

If the Board denies a petition, the petitioners may choose to submit the petition to the County Board of Education and, if then denied by the County Board, to the SBE. (Education Code 47605)

~~The Board shall monitor each charter school to determine whether it makes "adequate yearly progress" as defined by the State Board of Education and federal Title I accountability requirements. If a charter school fails to make adequate yearly progress for two or more consecutive years, the Board shall take action for program improvement~~

Philosophy, Goals, Objectives and Comprehensive Plans

BP 0420.4 (d)

~~in accordance with law, Board policy, and administrative regulations.~~

~~(cf. 0520.2 Title I Program Improvement Schools)~~

~~The Board may consider converting an existing school to a charter school when state or federal law requires restructuring of the school because of low performance or when otherwise deemed beneficial by the district and community.~~

Legal Reference:

EDUCATION CODE

220 Nondiscrimination

17078.52-17078.66 Charter schools facility funding; state bond proceeds

17280-17317 Field Act

17365-17374 Field Act, fitness for occupancy

41365 Charter school revolving loan fund

42238.51-42238.53 Funding for charter districts

44237 Criminal record summary

44830.1 Certificated employees, conviction of a violent or serious felony

45122.1 Classified employees, conviction of a violent or serious felony

46201 Instructional minutes

47600-47616.7 Charter Schools Act of 1992

47640-47647 Special education funding for charter schools

47650-47652 Funding of charter schools

51745-51749.3 Independent study

53300-53303 Parent Empowerment Act

56026 Special education

56145-56146 Special education services in charter schools

CORPORATIONS CODE

5110-6910 Nonprofit public benefit corporations

GOVERNMENT CODE

3540-3549.3 Educational Employment Relations Act

CODE OF REGULATIONS, TITLE 5

4800-4808 Parent Empowerment Act

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

6316 Program improvement

7223-7225 Charter schools

COURT DECISIONS

Ridgecrest Charter School v. Sierra Sands Unified School District, (2005) 130 Cal.App.4th 986

ATTORNEY GENERAL OPINIONS

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

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

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

Management Resources:

CSBA PUBLICATIONS

The Role of the Charter School Authorizer, Online Course

Charter Schools: A Manual for Governance Teams, rev. 2009

Charter School Facilities and Proposition 39: Legal Implications for School Districts, 2005
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Legal Reference:

EDUCATION CODE

~~17280-17317 Field Act~~

~~17365-17374 Field Act, fitness for occupancy~~

~~41365 Charter school revolving loan fund~~

~~42100 Annual statement of receipts and expenditures~~

~~42238.51-42238.53 Funding for charter districts~~

~~44237 Criminal record summary~~

~~44830.1 Certificated employees, conviction of a violent or serious felony~~

~~45122.1 Classified employees, conviction of a violent or serious felony~~

~~46201 Instructional minutes~~

~~47600-47616.7 Charter Schools Act of 1992, as amended~~

~~47640-47647 Special education funding for charter schools~~

~~47652 Funding of first year charter schools~~

~~48000 Minimum age of admission (kindergarten)~~

~~48010 Minimum age of admission (first grade)~~

~~48011 Minimum age of admission from kindergarten or other school~~

~~51745-51749.3 Independent study~~

~~52052 Alternative accountability system~~

~~54032 Limited English or low-achieving pupils~~

~~56026 Special education~~

~~56145-56146 Special education services in charter schools~~

~~60600-60649 Assessment of academic achievement, including:~~

~~60605 Academic content and performance standards; assessments~~

~~60640-60649 Standardized Testing and Reporting Program~~

~~60850-60859 High school exit examination~~

GOVERNMENT CODE

~~3540-3549.3 Educational Employment Relations Act~~

~~54950-54963 The Ralph M. Brown Act~~

PENAL CODE

~~667.5 Definition of violent felony~~

~~1192.7 Definition of serious felony~~

CODE OF REGULATIONS, TITLE 5

~~11700.1-11705 Independent study~~

~~11960-11969 Charter schools~~

CODE OF REGULATIONS, TITLE 24

~~101 et seq. California Building Standards Code~~

UNITED STATES CODE, TITLE 20

~~6311 Adequate yearly progress~~

~~6319 Qualifications of teachers and paraprofessionals~~

~~7223-7225 Charter schools~~

CODE OF FEDERAL REGULATIONS, TITLE 34

~~200.1-200.78 Accountability~~

~~300.18 Highly qualified special education teachers~~

ATTORNEY GENERAL OPINIONS

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

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

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

COURT DECISIONS

~~Ridgecrest Charter School v. Sierra Sands Unified School District, (2005) 130 Cal.App.4th 986~~

Philosophy, Goals, Objectives and Comprehensive Plans

BP 0420.4 (f)

Management Resources:

CSBA PUBLICATIONS

Charter Schools: A Manual for Governance Teams, rev. 2005

CSBA ADVISORIES

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

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

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

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Charter Schools Program, July 2004

The Impact of the New Title I Requirements on Charter Schools, July 2004

WEB SITES

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

California Building Standards Commission: <http://www.bsc.ca.gov>

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

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

Education Commission of the States: <http://www.ecs.org>

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

National School Boards Association: <http://www.nsba.org>

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

Policy Adopted: 3/11/09 9/12/12

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California