

CHARTER SCHOOL AUTHORIZATION

The Yolo County Governing Board (“County Board”) recognizes that charter schools may assist the Yolo County Office of Education (“YCOE”) in offering diverse learning opportunities for students. In considering any petition to establish a charter school within the YCOE, the County Board shall give thoughtful 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 and whether approving the charter is consistent with sound educational practice.

The YCOE shall not require any student to attend a charter school and no employee of the Yolo County Superintendent of Schools (“Superintendent”) shall be required to work at a charter school. (Education Code 47605.)

Petitions for the establishment of charter schools shall be submitted requesting County Board approval, under the following provisions:

County Program Charters

County Program Charters serve students for whom the YCOE would otherwise be responsible for providing direct education and related services. (Education Code 47605.5.)

Countywide Charters

Countywide Charters provide instructional services not generally provided by the YCOE to a student population that will benefit from those services and that cannot be served as well by a charter school that operates in only one school district in the county. (Education Code 47605.6(d).)

Appeals from School District Denials

A charter school petition denied by a district governing board of a school district within the County Board’s jurisdiction may be submitted to the County Board for approval within 30 calendar days of the denial. If the County Board fails to act within 180 days of receipt, the petitioner(s) may seek judicial review of the district board’s denial. (Education Code 47605)

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

Charter Processing

YCOE staff will evaluate the completeness of a petition including its compliance with all requirements of law, including the merits of the proposed educational program and the requirements under state and federal law. YCOE staff may consult with legal counsel, as appropriate, regarding compliance of the charter petition with legal requirements. The Superintendent or designee may, in their discretion, form a committee or use an existing YCOE

committee to evaluate a charter or may assign the evaluation to one or more employees, consultants, or legal advisors. The YCOE or its outside consultants may use a variety of evaluation tools to assess a charter, including but not limited to a rubric or matrix, but no tool or evaluation instrument is binding on either the YCOE staff's recommendation or the County Board's action on a charter, and YCOE staff and/or the County Board may give different weight to different criteria, charter components, facts, and findings. Based on this evaluation, YCOE staff may make a recommendation to the County Board regarding approval or denial of the charter or charter renewal prior to the County Board's final action on a petition.

The County Board may consider recommendations of the Superintendent or designee regarding a charter petition submitted to the County Board, including but not necessarily limited to the completeness of a charter petition and its compliance with the standards of the Charter Schools Act, any concerns with the petition, any proposed arrangement to provide YCOE services to the charter school, and the development of memoranda of understanding (MOUs) to clarify financial and operational arrangements.

Charter schools are generally exempt from the laws and rules that regulate non-charter public schools and, instead, the parameters for their operation, including the manner in which they educate students, maintain transparency, and ensure public accountability, must be set forth in their individual charter petitions. As such, the County Board will hold charter school petitioners strictly accountable for compliance with all aspects of the Charter Schools Act of 1992 and will hold approved charter operators strictly accountable for compliance with their approved charter petition.

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.)

Legal References:

Education Code, 47605, 47605.5, 47605.6, 47611.5

ADOPTED: 11/19/19

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