Operations and Governance Framework

Core Question: Is the charter school operating and governed effectively?

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OPERATIONS AND GOVERNANCE: ANNOTATED

Core Question: Is the charter school operating and governed effectively?

Introduction

The Operations and Governance Framework (Framework) is intended as a starting point for authorizers to adopt, or use to augment their existing procedures to evaluate their charter schools’ operational performance.[[1]](#footnote-1) Any measure of a charter school’s operational performance should be grounded in the operational standards by which the charter school is accountable to its authorizer and the public. These operational standards are often a combination of legal requirements (based on state and federal law and regulation) and authorizer-specific requirements. These obligations of the charter school are typically found in the charter petition or memorandum of understanding (MOU) as specific compliance requirements (e.g., submission timeline) or broad statements or assurances that the charter school shall comply with applicable laws. Because the Framework monitors compliance with uniformly applicable standards, it holds all charter schools to the same standards of legal and ethical requirements.

Whereas the academic and financial frameworks focus on outcomes, this Framework evaluates compliance with processes and requirements (e.g., instructional minutes, appropriate teacher certification, enrollment lottery). The Framework seeks to outline minimum legal and ethical standards for California charter schools. It is likely, if not certain, that this Framework will not include all of the measures that any given authorizer would want to evaluate, especially given the contextual nuances that drive compliance-based oversight. Indeed, today’s headlines are tomorrow’s compliance measures. As authorizers and their boards consider what to monitor and measure, they are encouraged to do so in a manner that strives to achieve a balance between protecting the public’s interest and exponentially increasing the oversight burden on charter schools. This balance is often achieved by focused oversight on the processes mandated by law, rule, regulation, or the charter petition/MOU.

How an authorizer executes this Framework and conducts its oversight is also an important consideration addressed by the design principles of the California Charter Authorizing Professionals (CCAP). An authorizer cannot sit in every meeting of a charter school’s governing board to ensure compliance with the Brown Act, every IEP meeting to ensure that federal and state law are followed, or every holding of an enrollment lottery. An authorizer may assume that a charter school is compliant unless the authorizer learns otherwise, or the authorizer may spot check or monitor certain activities. Most authorizers assume that the charter school is complying, and also institute checks for charter schools to demonstrate their compliance on a specific set of measures.

The guidance in this Framework assumes that the majority of the data collection and reporting is the responsibility of the authorizer. However, authorizers may complete this Framework or direct charter schools to complete sections of the Framework — the responsibility for data collection may be shared between the authorizer and the school.

This Framework is based on work by CCAP and the Tri-State Alliance, California’s Fiscal Crisis and Management Assistance Team (FCMAT), the National Association of Charter School Authorizers, and several examples from California authorizers. The FCMAT Charter School Oversight Checklist[[2]](#footnote-2) (July 2020) provides additional metrics that an authorizer may wish to include. Authorizers are encouraged to view the FCMAT resource for a complete list of additional metrics.

Framework Structure

The Operations and Governance Framework is organized by categories and is composed of measures and metrics. This Framework includes targets and ratings that reflect a general consensus among authorizers implementing nationally accepted best practices. The intent of providing the targets and ratings is to establish an example of an Operations and Governance Framework; however, each authorizer should review and modify the Framework as it deems appropriate.

Overview

|  | **Definition** | **Example** |
| --- | --- | --- |
| **Indicator** | Categories of operational performance | Near-term |
| **Measure** | Means to evaluate one aspect of an indicator | Reporting compliance |
| **Metrics** | Method of quantifying a measure | Verify submission |
| **Targets** | Thresholds that signify success in meeting the standard of performance for a specific measure | Complete and compliant report submitted |
| **Rating** | Assignment of a school’s performance into a category, based on how the school performs against a target | Meets standard |

The Framework is organized according to six categories used to evaluate a school’s operational performance: 1. General Requirements and Fidelity to Mission; 2. Education Program: Specific Student Populations; 3. Financial Management and Oversight; 4. Governance and Reporting;   
5. Students and Employees; and 6. School Environment.

1. General Requirements and Fidelity to Mission

This indicator of the Framework assesses the school’s adherence to the material[[3]](#footnote-3) terms, or provisions that concern significant issues, of its proposed education program.

Measure 1a: Education Program Implementation

Description: This measure does not evaluate the academic performance of the school, which is the focus of the Academic Performance Framework. Rather, this measure addresses the educational program itself and the school’s fidelity or adherence to the program as approved by the authorizer. This measure is often referred to as “truth in advertising.” For example, is the school implementing a Montessori model if that is what it committed to in its petition? This measure takes on additional importance given recent changes to the California Charter Schools Act where authorizers are now to consider whether a proposed model would duplicate a program already offered within the district. This consideration places all the more importance on a charter school’s adherence to its original mission.

Data source: Approved petition (or most recent petition if amended), MOU, site visit, formal reports.

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| Measure 1a: Education Program Implementation |
| Meets Standard:  The school implemented the material terms of the education program, and the education program in operation reflects the material terms as defined in the petition/MOU. |
| Partially Meets Standard:  The school partially implemented the material terms of the education program. |
| Does Not Meet Standard:  The school has failed to materially comply in the manner described above. |

Additional measures that may be considered or used by an authorizer to determine the material terms:

* Material revisions to the approved charter have been approved by the governing board of the charter school and by the authorizing entity.
* There is evidence that the charter school provides support and services that are consistent with its stated mission as written in the approved charter petition.
* The charter school is following its curricular and instructional plan as presented in the approved charter petition, enabling pupils to become self-motivated, competent, lifelong learners.

Measure 1b: Education Program Requirements

Description: Some elements of a public school’s education program are fixed in law or regulation and apply to all charter schools. This measure evaluates the school’s adherence to legally required components of the education program.

Data source: Approved petition (or most recent petition if amended), MOU, formal reports, site visit, follow-up investigation from complaints.

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| Measure 1b: Education Program Requirements |
| Meets Standard:  The school materially complies with applicable federal and state laws, rules, regulations, and provisions of the charter petition and/or MOU relating to education requirements, including but not limited to:   * Assurances in its charter petition; * Those Education Program requirements enumerated in Education Code §47605 (c)(5)(A); * Minimum instructional minutes and days, as required by grade; * Records retention policies, particularly for student records; * Graduation requirements; * Statewide educational standards; * State assessments required; and * Implementation of mandated programming as a result of state or federal funding. |
| Partially Meets Standard:  The school partially complies with applicable federal and state laws, rules, regulations, and provisions of the charter petition and/or MOU relating to education requirements. |
| Does Not Meet Standard:  The school has failed to materially comply in the manner described above. |

1. Education Program: Specific Student Populations

This section of the Framework assesses the school’s adherence to the federal and state laws, rules, and regulations governing certain student populations.

Measure 2a: Students with Disabilities

Description: Charter schools must follow state and federal special education laws. This measure includes an evaluation of how well the school is meeting its legal obligations regarding services to students with disabilities and protecting their rights under state and federal law.

Data source: Document review, site visit, lack of adverse actions/findings.

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| Measure 2a: Students with Disabilities |
| Meets Standard:  Consistent with the school’s status and responsibilities as a public school within a local education agency or as a local education agency, the school materially complies with applicable laws, rules, regulations, and provisions of the charter petition/MOU relating to the treatment of students with identified disabilities and those suspected of having a disability, including but not limited to:   * Equitable access and opportunity to enroll and to remain enrolled; * Referral and assessment of students believed to require special education and related services; * Compliance with timelines related to special education, including legal requirements for scheduling and conducting IEPs and interim IEPs; * Compliance with services as required by a student’s IEP; * Process for determining a student’s eligibility for services under Section 504 of the Rehabilitation Act of 1973; * Discipline, including due process protections, manifestation determinations, and behavioral intervention plans; and * Staffing—staff have legally required credentials, certificates, and/or authorizations. |
| Partially Meets Standard:  The school partially complies in the manner described above. |
| Does Not Meet Standard:  The school has failed to materially comply in the manner described above. |

Additional measures that may be considered:

* All facilities in which the charter school is housed meet federal requirements for school facilities, including those in the Americans with Disabilities Act.
* The charter school facilitates admissions for a student with an IEP in the same manner as for a student without an IEP.
* If the charter school is an independent study charter school, it facilitates admissions for a student with an IEP in the same manner as for a student without an IEP and in accordance with Education Code §51746 (b) and 5 CCR 11700 related to the enrollment of students with IEPs in an independent study program.
* The charter school provides for the inclusion of all required IEP team members in IEP team meetings.
* No requirement to produce IEP prior to enrollment. (Education Code § 47605(4)(B).

Measure 2b: English Learners

Description: Charter schools must follow state and federal laws with respect to English learners. This measure includes an evaluation of how well the school is meeting its legal obligations regarding services to these students and protecting their rights under state and federal law.

Data source: Document review, site visit, lack of adverse actions/findings.

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| Measure 2b: English Learners |
| Meets Standard:  Consistent with the school’s status and responsibilities as a public school within a local education agency or as a local education agency, the school materially complies with applicable laws, rules, regulations, and provisions of the charter petition/MOU relating to the treatment of students who are English learners, including but not limited to:   * Equitable access and opportunity to enroll; * Processes to identify, monitor and reclassify students who are English learners, using state and local assessments as appropriate; * Designing a program for English learners that is based on sound educational theory and that ensures access to grade-level core curricula; * Providing data on students’ linguistic and academic progress and reclassification rates to measure success of the school’s English learner educational program; and * Staffing—staff have the legally required credentials, certificates, and/or authorizations. |
| Partially Meets Standard:  The school partially complies in the manner described above. |
| Does Not Meet Standard:  The school has failed to materially comply in the manner described above. |

Additional measures that may be considered:

* The charter school uses instructional practices, curricula, and materials that address the specific needs of English learners.
* Teachers have the legally required Crosscultural, Language, and Academic Development (CLAD); Bilingual, Crosscultural, Language, and Academic Development (B-CLAD); or other appropriate English learner authorization to provide instruction to the students enrolled in their classes.
* Classified employees who provide instructional support in the areas of special education and English language learner services meet the qualifications for these positions in compliance with the federal Every Student Succeeds Act.

1. Financial Management and Oversight

The purpose of this measure is to determine whether the school is submitting accurate and timely information as required. It is not a measure of the school’s financial health, which is the focus of the Financial Health and Sustainability Framework.

Measure 3a: Financial Reporting and Compliance

Description: Charter schools, as public schools, must follow specific timelines to complete and submit accurate financial reporting and compliance documentation. This measure focuses on compliance with certain specific reports as required by federal and state law.

Data source: Document review, site visit, lack of adverse actions/findings.

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| Measure 3a: Financial Reporting and Compliance |
| Meets Standard:  Consistent with the school’s status and responsibilities as a public school within a local education agency or as a local education agency, the school materially complies with applicable laws, rules, regulations, and provisions of the charter petition/MOU relating to financial reporting and compliance, including but not limited to:   * If a nonclassroom-based program, the charter school has documentation that it has completed the “determination of funding” [EC §47634.2; Title 5, 11963.2–11963.7]; * The charter school submits data for CALPADS and meets CALPADS deadlines; * The charter school annually submits the reports required under EC §47604.33; * There are approved policies regarding budget, short-term/long-term debt, accruals, accounting, and financial reporting. These include policies regarding implementation of the Local Control Funding Formula and the charter school’s annual requirement to update the Local Control and Accountability Plan (LCAP) to account specifically for the expenditures of the supplemental and concentration grant funds generated by English learners, low-income students, or students in foster care; * Separate accounts are maintained for unrestricted and restricted revenues and expenditures in accordance with the California School Accounting Manual; * Financial reports are provided to the authorizing LEA regularly and on time; and * On or before December 15 of the subsequent fiscal year, a copy of the audit for the prior year has been provided to the authorizing LEA, the county superintendent of schools of the county in which the charter school is located, the State Controller’s Office, and the California Department of Education, in accordance with Education Code §47605(m) and 41020. |
| Partially Meets Standard:  The school partially complies in the manner described above. |
| Does Not Meet Standard:  The school has failed to materially comply in the manner described above. |

Measure 3b: Local Control and Accountability Plan

Description: This measure assesses the charter school’s timely completion of the LCAP.

Data source: Document review, site visit.

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| Measure 3b: LCAP |
| Meets Standard:  Consistent with the school’s status and responsibilities as a public school within a local education agency or as a local education agency, the school materially complies with applicable laws, rules, regulations, and provisions of the charter petition/MOU relating to the Local Control and Accountability Plan (LCAP), including but not limited to:   * The charter school completed, held a public hearing on, and submitted an LCAP (or annual update) to the charter school authorizer by July 1, in accordance with Education Code §47606.5; * The charter school LCAP addresses each of the state priorities, as required by grade level; * Schoolwide goals, including for subgroups, are included for applicable priorities; * Stakeholders received notice and were consulted; and * Services for low-income pupils, foster youth, and English learners provide for increased or improved services in proportion to the increase in funding. |
| Partially Meets Standard:  The school partially complies in the manner described above. |
| Does Not Meet Standard:  The school has failed to materially comply in the manner described above. |

1. Governance and Reporting

Charter school boards are responsible for improving student achievement in their schools. In doing so, they are responsible to the authorizer, state and federal government, and the public for ensuring that the school is operating in accordance with the board’s charter and with all applicable laws, regulations, and ordinances. This section concerns governance-related laws, the board’s bylaws and policies, and its oversight of its school and its fidelity to its fiduciary duties.

Measure 4a: Governance

Description: Charter school boards hold fiduciary responsibility for the charter schools they oversee and must comply with applicable governance requirements. Boards may have different governance requirements based on how they are legally structured.

Data source: Document review, site visit, lack of adverse actions/findings.

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| Measure 4a: Governance requirements |
| Meets Standard:  Consistent with the school’s status and responsibilities as a public school within a local education agency or as a local education agency, the school materially complies with applicable laws, rules, regulations, and provisions of the charter petition/MOU relating to governance by its board, including but not limited to:   * Charter school structure is consistent with EC §47604; * Board policies, including but not limited to: conflict of interest in accordance with Government Codes 1090–1099 and 87100–91014, internal controls, complaint resolution and due process, safety, suicide prevention (EC 215); * Board bylaws; * Code of ethics; * Compliance with the Political Reform Act, Public Records Act, Brown Act, and all other legal requirements; and * The composition of the governing board is consistent with the approved charter and corporate bylaws. |
| Partially Meets Standard:  The school partially complies in the manner described above. |
| Does Not Meet Standard:  The school has failed to materially comply in the manner described above. |

Additional measures that may be considered:

* The charter school is constituted as a nonprofit corporation, and the corporate papers, including articles of incorporation, are available.
* If the charter school is considered a nonprofit 501(c)(3) organization, a copy of Internal Revenue Service (IRS) form 1023 and the IRS determination letter are available to the authorizer.
* The governing board regularly reviews the budget and financial statements of the charter school and demonstrates knowledge of the charter school’s short- and long-term financial outlook.
* The governing board is free of real or perceived conflicts of interest.
* The governing board members understand and execute their role in developing, supporting, and evaluating the charter school leader.

Measure 4b: Reporting

Description: Required reports from schools allow the authorizer to monitor and evaluate the school’s performance, and form the basis for renewal. Many reporting requirements may be fixed in state law, while others are outlined in the petition/MOU.

Data source: Submitted reports, site visit.

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| Measure 4b: Reporting |
| Meets Standard:  The school materially complies with applicable laws, rules, regulations, and provisions of the charter petition/MOU relating to relevant reporting requirements to the authorizer, LEA (if applicable), state, and/or federal authorities, including but not limited to:   * Attendance and enrollment; * Compliance and oversight; * Accountability tracking; and * Additional information required by the authorizer. |
| Partially Meets Standard:  The school partially complies in the manner described above. |
| Does Not Meet Standard:  The school has failed to materially comply in the manner described above. |

1. Student and Employee Rights and Requirements

Charter schools must comply with a variety of laws and requirements related to students and employees, including laws related to the rights of students and employees, as well as operational requirements such as teacher licensure and background checks. This section incudes measures that address state and federal laws related to students and staff.

Measure 5a: Student Rights and Protections

Description: Charter schools must protect the rights of the students they serve. This measure monitors the charter school’s compliance with a range of requirements, from admissions requirements to protecting students’ civil rights.

Data source: Document review, site visit, lack of adverse actions/findings.

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| Measure 5a: Student Rights and Protections |
| Meets Standard:  The charter school materially complies with applicable laws, rules, regulations, and provisions of the charter petition/MOU relating to the rights of students, including but not limited to:   * Policies and practices designed to protect the rights of students in relation to admissions, waiting lists, fair and open recruitment, and enrollment; * Due process protections, privacy, civil rights, and student liberties; * Conduct of discipline (hearings and suspension and expulsion policies and practices); and * Policies and practices for the involuntary removal of a student per 47605(c)(5)(J)(iii). |
| Partially Meets Standard:  The school partially complies in the manner described above. |
| Does Not Meet Standard:  The school has failed to materially comply in the manner described above. |

Measure 5b: Recruitment for Racial and Ethnic Balance, Special Education, and English learners

Description: State law requires that schools attempt to achieve a balance of enrollment that is reflective of the general population residing within its jurisdiction. This measure assesses the school’s success in achieving a balance of racial and ethnic student populations, special education students, and English learner students that is reflective of the general population residing within its jurisdiction.

Data source: Official state records, document review, site visit.

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| Measure 5b: Recruitment for Racial and Ethnic Balance, Special Education, and English learners |
| Meets Standard:  The charter school materially complies with its legal responsibilities and has documented efforts to enroll a balance of racial and ethnic pupils, special education pupils, and English learner pupils, including redesignated fluent English proficient pupils, as defined by the evaluation rubrics in Education Code §52064.5, that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted. [EC §47605 (b)(5)G] |
| Partially Meets Standard:  The school partially complies in the manner described above. |
| Does Not Meet Standard:  The school has failed to materially comply in the manner described above. |

Measure 5c: Health and Safety

Description: Charter schools are required to protect the health and safety of their students and staff, using a variety of tools and strategies. They must develop specific policies, plans, and practices that address issues such as bullying and disaster preparedness, and must also conduct specific assessments of staff, such as background tests and tuberculosis tests.

Data source: Official state records, document review, site visit.

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| Measure 5c: Health and Safety |
| Meets Standard:  The charter school materially complies with legal responsibilities related to the health and safety of students and staff, including but not limited to:   * Policies and practices, safety procedures, and a crisis plan to deal with violence and threats of violence as well as bullying; * Methods for conducting legally required criminal background checks on potential employees, contractors, and volunteers; * Documentation of tuberculosis test results for all employees; * By March 1 annually, the charter school has reviewed and updated its comprehensive health, safety, and disaster preparedness and emergency plan for students and employees and provided evidence that the School Safety Plan includes all topics listed in Education Code §32282 and 47605; and * Conduct training and emergency drills. |
| Partially Meets Standard:  The school partially complies in the manner described above. |
| Does Not Meet Standard:  The school has failed to materially comply in the manner described above. |

Measure 5d: Personnel

Description: Charter schools are required to follow state and federal laws related to school personnel, including laws related to appropriate credentialing and school personnel policies, and federal laws such as the Family Medical Leave Act.

Data source: Official state records, document review, site visit.

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| Measure 5d: Personnel |
| Meets Standard:  The charter school materially complies with applicable laws, rules, regulations, and provisions of the charter petition/MOU related to school personnel, including but not limited to:   * Personnel policies that cover issues such as sick leave, personal necessity leave, and overtime; * Credentials required by the CA Commission on Teacher Credentialing and qualifications required by the federal Every Student Succeeds Act; and * All teachers have a certificate of clearance and satisfy the requirements for professional fitness pursuant to Education Code §44339, 44340, and 44341. |
| Partially Meets Standard:  The school partially complies in the manner described above. |
| Does Not Meet Standard:  The school has failed to materially comply in the manner described above. |

1. School Environment

Charter schools must adhere to federal and state laws regarding the school’s physical plant and other matters pertaining to ensuring a healthy and safe school environment.

Measure 6a: Facilities and Transportation (if applicable)

Description: A charter school’s physical plant must be safe for occupancy as a school, and the school must comply with laws related to the provision of transportation, as applicable.

Data source: Document review, site visit, lack of adverse actions/findings.

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| Measure 6a: Facilities and Transportation (if applicable) |
| Meets Standard:  The charter school materially complies with applicable laws, rules, regulations, and provisions of the charter petition/MOU relating to the school facilities and grounds, and transportation, including but not limited to:   * Fire inspections and related records; * Viable certificate of occupancy or other required building use authorization; * Documentation of requisite insurance coverage; and * Student transportation. |
| Partially Meets Standard:  The school partially complies in the manner described above. |
| Does Not Meet Standard:  The school has failed to materially comply in the manner described above. |

Measure 6b: Health and Food Services

Description: Charter schools must meet state and federal health and safety requirements related to health and food services, whether these services are provided by the school or by another entity. These requirements relate to providing medical care to students and managing food services.

Data source: Document review, site visit, lack of adverse actions/findings.

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| Measure 6b: Health and Food Services |
| Meets Standard:  The charter school materially complies with applicable laws, rules, regulations, and provisions of the charter petition/MOU relating to safety and health-related services, including but not limited to:   * Appropriate nursing services and dispensing of pharmaceuticals; * Food service requirements; and * Other services as applicable. |
| Partially Meets Standard:  The school partially complies in the manner described above. |
| Does Not Meet Standard:  The school has failed to materially comply in the manner described above. |

OPERATIONS AND GOVERNANCE: TEMPLATE

Core Question: Is the charter school operating and governed effectively?

1. General Requirements and Fidelity to Mission

Measure 1a: Education Program Implementation

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| Measure 1a: Education Program Implementation |
| Meets Standard:  The school implemented the material terms of the education program and the education program in operation reflects the material terms as defined in the petition/MOU. |
| Partially Meets Standard:  The school partially implemented the material terms of the education program. |
| Does Not Meet Standard:  The school has failed to materially comply in the manner described above. |

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| --- | --- | --- | --- | --- | --- |
| Meets |  | Partially Meets/Does Not Meet Standard | | |  |
| Comments: | | | | | |
| Action Required? | Yes |  |  | No |  |
| Detail Action: | | | | | |

Measure 1b: Education Program Requirements

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| Measure 1b: Education Program Requirements |
| Meets Standard:  The school materially complies with applicable federal and state laws, rules, regulations, and provisions of the charter petition and/or MOU relating to education requirements, including but not limited to:   * Assurances in its charter petition; * Those Education Program requirements enumerated in Education Code §47605 (c)(5)(A); * Minimum instructional minutes and days, as required by grade; * Records retention policies, particularly for student records; * Graduation requirements; * Statewide educational standards; * State assessments required; and * Implementation of mandated programming as a result of state or federal funding. |
| Partially Meets Standard:  The school partially complies with applicable federal and state laws, rules, regulations, and provisions of the charter petition and/or MOU relating to education requirements. |
| Does Not Meet Standard:  The school has failed to materially comply in the manner described above. |

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| --- | --- | --- | --- | --- | --- |
| Meets |  | Partially Meets/Does Not Meet Standard | | |  |
| Comments: | | | | | |
| Action Required? | Yes |  |  | No |  |
| Detail Action: | | | | | |

1. Education Program: Specific Student Populations

Measure 2a: Students with Disabilities

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| Measure 2a: Students with Disabilities |
| Meets Standard:  Consistent with the school’s status and responsibilities as a public school within a local education agency or as a local education agency, the school materially complies with applicable laws, rules, regulations, and provisions of the charter petition/MOU relating to the treatment of students with identified disabilities and those suspected of having a disability, including but not limited to:   * Equitable access and opportunity to enroll and remain enrolled; * Referral and assessment of students believed to require special education and related services; * Compliance with timelines related to special education, including legal requirements for scheduling and conducting IEPs and interim IEPs; * Compliance with services as required by a student’s IEP; * Process for determining a student’s eligibility for services under Section 504 of the Rehabilitation Act of 1973; * Discipline, including due process protections, manifestation determinations, and behavioral intervention plans; and * Staffing—staff have legally required credentials, certificates, and/or authorizations. |
| Partially Meets Standard:  The school partially complies in the manner described above. |
| Does Not Meet Standard:  The school has failed to materially comply in the manner described above. |

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| --- | --- | --- | --- | --- | --- |
| Meets |  | Partially Meets/Does Not Meet Standard | | |  |
| Comments: | | | | | |
| Action Required? | Yes |  |  | No |  |
| Detail Action: | | | | | |

Measure 2b: English Learners

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| Measure 2b: English Learners |
| Meets Standard:  Consistent with the school’s status and responsibilities as a public school within a local education agency or as a local education agency, the school materially complies with applicable laws, rules, regulations, and provisions of the charter petition/MOU relating to the treatment of students who are English learners, including but not limited to:   * Equitable access and opportunity to enroll; * Processes to identify, monitor, and reclassify students who are English learners, using state and local assessments as appropriate; * Designing a program for English learners that is based on sound educational theory and that ensures access to grade-level core curricula; * Providing data on students’ linguistic and academic progress and reclassification rates to measure success of the school’s English learner educational program; and * Staffing—staff have the legally required credentials, certificates, and/or authorizations. |
| Partially Meets Standard:  The school partially complies in the manner described above. |
| Does Not Meet Standard:  The school has failed to materially comply in the manner described above. |

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| --- | --- | --- | --- | --- | --- |
| Meets |  | Partially Meets/Does Not Meet Standard | | |  |
| Comments: | | | | | |
| Action Required? | Yes |  |  | No |  |
| Detail Action: | | | | | |

1. Financial Management and Oversight

Measure 3a: Financial Reporting and Compliance

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| Measure 3a: Financial Reporting and Compliance |
| Meets Standard:  Consistent with the school’s status and responsibilities as a public school within a local education agency or as a local education agency, the school materially complies with applicable laws, rules, regulations, and provisions of the charter petition/MOU relating to financial reporting and compliance, including but not limited to:   * If a nonclassroom-based program, the charter school has documentation that it has completed the “determination of funding” [EC §47634.2; Title 5, 11963.2–11963.7]; * The charter school submits data for CALPADS and meets CALPADS deadlines; * The charter school annually submits the reports required under EC §47604.33; * There are approved policies regarding budget, short-term/long-term debt, accruals, accounting and financial reporting. These include policies regarding implementation of the Local Control Funding Formula and the charter school’s annual requirement to update the Local Control and Accountability Plan (LCAP) to account specifically for the expenditures of the supplemental and concentration grant funds generated by English learners, low-income students, or students in foster care; * Separate accounts are maintained for unrestricted and restricted revenues and expenditures in accordance with the California School Accounting Manual; * Financial reports are provided to the authorizing LEA regularly and on time; and * On or before December 15 of the subsequent fiscal year, a copy of the audit for the prior year has been provided to the authorizing LEA, the county superintendent of schools of the county in which the charter school is located, the State Controller’s Office, and the California Department of Education, in accordance with Education Code §47605(m) and 41020. |
| Partially Meets Standard:  The school partially complies in the manner described above. |
| Does Not Meet Standard:  The school has failed to materially comply in the manner described above. |

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| Meets |  | Partially Meets/Does Not Meet Standard | | |  |
| Comments: | | | | | |
| Action Required? | Yes |  |  | No |  |
| Detail Action: | | | | | |

Measure 3b: Local Control and Accountability Plan

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| Measure 3b: LCAP |
| Meets Standard:  Consistent with the school’s status and responsibilities as a public school within a local education agency or as a local education agency, the school materially complies with applicable laws, rules, regulations, and provisions of the charter petition/MOU relating to the Local Control and Accountability Plan (LCAP), including but not limited to:   * The charter school completed, held a public hearing, and submitted an LCAP (or annual update) to the charter school authorizer by July 1, in accordance with Education Code §47606.5; * The charter school LCAP addresses each of the state priorities, as required by grade level; * Schoolwide goals, including for subgroups, are included for applicable priorities; * Stakeholders received notice and were consulted; and * Services for low-income pupils, foster youth, and English learners provide for increased or improved services in proportion to the increase in funding. |
| Partially Meets Standard:  The school partially complies in the manner described above. |
| Does Not Meet Standard:  The school has failed to materially comply in the manner described above. |

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| Meets |  | Partially Meets/Does Not Meet Standard | | |  |
| Comments: | | | | | |
| Action Required? | Yes |  |  | No |  |
| Detail Action: | | | | | |

1. Governance and Reporting

Measure 4a: Governance

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| Measure 4a: Governance requirements |
| Meets Standard:  Consistent with the school’s status and responsibilities as a public school within a local education agency or as a local education agency, the school materially complies with applicable laws, rules, regulations, and provisions of the charter petition/MOU relating to governance by its board, including but not limited to:   * Charter school structure is consistent with EC §47604; * Board policies, including but not limited to: conflict of interest in accordance with Government Codes 1090–1099 and 87100–91014, internal controls, complaint resolution and due process, safety, suicide prevention (EC 215); * Board bylaws; * Code of ethics; * Compliance with the Political Reform Act, Public Records Act, Brown Act, and all other legal requirements; and * The composition of the governing board is consistent with the approved charter and corporate bylaws. |
| Partially Meets Standard:  The school partially complies in the manner described above. |
| Does Not Meet Standard:  The school has failed to materially comply in the manner described above. |

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| Meets |  | Partially Meets/Does Not Meet Standard | | |  |
| Comments: | | | | | |
| Action Required? | Yes |  |  | No |  |
| Detail Action: | | | | | |

Measure 4b: Reporting

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| Measure 4b: Reporting |
| Meets Standard:  The school materially complies with applicable laws, rules, regulations, and provisions of the charter petition/MOU relating to relevant reporting requirements to the authorizer, LEA (if applicable), state, and/or federal authorities, including but not limited to:   * Attendance and enrollment; * Compliance and oversight; * Accountability tracking; and * Additional information required by the authorizer. |
| Partially Meets Standard:  The school partially complies in the manner described above. |
| Does Not Meet Standard:  The school has failed to materially comply in the manner described above. |

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| Meets |  | Partially Meets/Does Not Meet Standard | | |  |
| Comments: | | | | | |
| Action Required? | Yes |  |  | No |  |
| Detail Action: | | | | | |

1. Students and Employees

Measure 5a: Student Rights and Protections

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| Measure 5a: Student Rights and Protections |
| Meets Standard:  The charter school materially complies with applicable laws, rules, regulations, and provisions of the charter petition/MOU relating to the rights of students, including but not limited to:   * Policies and practices designed to protect the rights of students in relation to admissions, waiting lists, fair and open recruitment, and enrollment; * Due process protections, privacy, civil rights, and student liberties are upheld by the school; * Conduct of discipline (hearings and suspension and expulsion policies and practices); and * Policies and practices for the involuntary removal of a student per 47605(c)(5)(J)(iii). |
| Partially Meets Standard:  The school partially complies in the manner described above. |
| Does Not Meet Standard:  The school has failed to materially comply in the manner described above. |

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| Meets |  | Partially Meets/Does Not Meet Standard | | |  |
| Comments: | | | | | |
| Action Required? | Yes |  |  | No |  |
| Detail Action: | | | | | |

Measure 5b: Recruitment for Racial and Ethnic Balance, Special Education, and English learners

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| Measure 5b: recruitment for Racial and Ethnic Balance, Special Education, and English learners |
| Meets Standard:  The charter school materially complies with its legal responsibilities and has documented efforts to enroll a balance of racial and ethnic pupils, special education pupils, and English learner pupils, including redesignated fluent English proficient pupils, as defined by the evaluation rubrics in Education Code §52064.5, that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted. [EC §47605 (b)(5)G] |
| Partially Meets Standard:  The school partially complies in the manner described above. |
| Does Not Meet Standard:  The school has failed to materially comply in the manner described above. |

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| Meets |  | Partially Meets/Does Not Meet Standard | | |  |
| Comments: | | | | | |
| Action Required? | Yes |  |  | No |  |
| Detail Action: | | | | | |

Measure 5c: Health and Safety

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| Measure 5c: Health and Safety |
| Meets Standard:  The charter school materially complies with legal responsibilities related to the health and safety of students and staff, including but not limited to:   * Policies and practices, safety procedures, and a crisis plan to deal with violence and threats of violence as well as bullying; * Methods for conducting legally required criminal background checks on potential employees, contractors, and volunteers; * Documentation of tuberculosis test results for all employees; * By March 1 annually, the charter school has reviewed and updated its comprehensive health, safety, and disaster preparedness and emergency plan for students and employees and provides evidence that the School Safety Plan includes all topics listed in Education Code §32282 and 47605; and * Conduct training and emergency drills. |
| Partially Meets Standard:  The school partially complies in the manner described above. |
| Does Not Meet Standard:  The school has failed to materially comply in the manner described above. |

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| Meets |  | Partially Meets/Does Not Meet Standard | | |  |
| Comments: | | | | | |
| Action Required? | Yes |  |  | No |  |
| Detail Action: | | | | | |

Measure 5d: Personnel

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| Measure 5d: Personnel |
| Meets Standard:  The charter school materially complies with applicable laws, rules, regulations, and provisions of the charter petition/MOU related to school personnel, including but not limited to:   * Personnel policies that cover issues such as sick leave, personal necessity leave, and overtime; * Credentials required by the CA Commission on Teacher Credentialing and qualifications required by the federal Every Student Succeeds Act; and * All teachers have a certificate of clearance and satisfy the requirements for professional fitness pursuant to Education Code §44339, 44340, and 44341. |
| Partially Meets Standard:  The school partially complies in the manner described above. |
| Does Not Meet Standard:  The school has failed to materially comply in the manner described above. |

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| Meets |  | Partially Meets/Does Not Meet Standard | | |  |
| Comments: | | | | | |
| Action Required? | Yes |  |  | No |  |
| Detail Action: | | | | | |

1. School Environment

Measure 6a: Facilities and Transportation (if applicable)

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| Measure 6a: Facilities and Transportation (if applicable) |
| Meets Standard:  The charter school materially complies with applicable laws, rules, regulations, and provisions of the charter petition/MOU relating to the school facilities and grounds, and transportation, including but not limited to:   * Fire inspections and related records; * Viable certificate of occupancy or other required building use authorization; * Documentation of requisite insurance coverage; and * Student transportation. |
| Partially Meets Standard:  The school partially complies in the manner described above. |
| Does Not Meet Standard:  The school has failed to materially comply in the manner described above. |

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| Meets |  | Partially Meets/Does Not Meet Standard | | |  |
| Comments: | | | | | |
| Action Required? | Yes |  |  | No |  |
| Detail Action: | | | | | |

Measure 6b: Health and Food Services

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| Measure 6b: Health and Food Services |
| Meets Standard:  The charter school materially complies with applicable laws, rules, regulations, and provisions of the charter petition/MOU relating to safety and health-related services, including but not limited to:   * Appropriate nursing services and dispensing of pharmaceuticals; * Food service requirements; and * Other services as applicable. |
| Partially Meets Standard:  The school partially complies in the manner described above. |
| Does Not Meet Standard:  The school has failed to materially comply in the manner described above. |

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| Meets |  | Partially Meets/Does Not Meet Standard | | |  |
| Comments: | | | | | |
| Action Required? | Yes |  |  | No |  |
| Detail Action: | | | | | |

1. This Toolkit is intended as a resource for authorizers. Authorizers should consult legal counsel before finalizing their templates and guidance. [↑](#footnote-ref-1)
2. https://www.fcmat.org/PublicationsReports/charter-school-oversight-checklist.pdf [↑](#footnote-ref-2)
3. Something is material if it is relevant and significant to the outcome. In the context of this Toolkit, the authorizer should consider whether the information would be relevant and significant to decisions about whether to renew, non-renew, or revoke a charter. [↑](#footnote-ref-3)