



SAUSALITO MARIN CITY SCHOOL DISTRICT

Board of Trustees:
William Ziegler, President
Joshua Barrow, Vice President
Caroline Van Alst, Clerk
Shirley Thornton, Ed. D.
Thomas Newmeyer
Superintendent: Steve Van Zant

Sausalito Marin City School District **Agenda for the Regular Meeting of the Board of Trustees** **Bayside/Martin Luther King School** **200 Phillips Drive, Marin City, CA 94965**

Thursday, August 22nd, 2013

5:30 p.m. Open Session – Bayside/Martin Luther King School Conference Room
5:31 p.m. Closed Session – Bayside/Martin Luther King School Conference Room
6:00 p.m. Open Session – Bayside/Martin Luther King School Library

I. OPEN SESSION – Call to Order

II. CLOSED SESSION – AGENDA

Pupil Services

A. Interdistrict Transfers

Personnel Services

A. Certificated Assignment Order

Employment/Assignment/Resignation/Discipline/Dismissal/Release/
Retirement/Leave Request/Lay Off (Government Code §54957)

A.1 Teacher

A.2 Speech and Language

A.3 Physical Education

B. Classified Assignment Order

Employment/Assignment/Resignation/Discipline/Dismissal/Release/
Retirement/Leave Request/Lay Off
None

C. Negotiations

C.1 STA – Steve Van Zant, Paula Rigney

C.2 CSEA – Steve Van Zant, Paula Rigney

Legal

A. Pending Litigation

None

OPEN SESSION AGENDA

- III. **OPEN SESSION** - Depending upon completion of Closed Session items, the Board of Trustees intends to convene in open Session at 6:00 p.m. to conduct the remainder of the meeting, reserving the right to return to Closed Session at any time.

PLEDGE OF ALLEGIANCE

1. **AGENDA REORGANIZATION/APPROVAL**

Are there any requests from the Board to move any agenda item to a different location?

Motion_____Second_____Vote_____

2. **BOARD COMMUNICATIONS**

Board of Trustees Reports - Board Members may make brief announcements or briefly report on their own activities as they may relate to school business.

3. **CORRESPONDENCE**

3.01 School Activity Calendars, Schedules and Events

4. **REPORTS**

- 4.01 ASB Report
- 4.02 Willow Creek Academy
- 4.03 SMCS D Report
- 4.04 CSEA Report
- 4.05 Superintendent's Report – Steve Van Zant
- 4.06 Business Manager's Report – Paula Rigney
- 4.07 Principal's Report – Daniel Norbutas

5. **ORAL COMMUNICATIONS**

Because the Board has a responsibility to conduct district business in an orderly and efficient way, the following procedures shall regulate public presentations to the Board. The Board is asking that members of the public wishing to speak, fill out a form located on the counter/table, stating their name and address; the agenda item; and the topic to be discussed. BB 9323.

The Governing Board is prohibited from taking any action on any item raised in this section unless the item is specifically agendized. The members of the Governing Board may ask a question for clarification, provide a reference to staff or other resources for factual information, request staff to report back at a subsequent meeting on any matter or take action directing staff to place a matter of business on a future agenda. Governing Board members may make brief announcements or briefly report on his/her own activities as they relate to school business.

State open meeting laws allow members of the public to lodge public criticism of District policies, procedures, programs, or services. However, those same laws include specific provisions designed to protect the liberty and reputational interests of public employees by providing for the non-public hearing of complaints or charges against employees of the District. Under these laws, it is the employee subject to complaints or charges who is provided the right to choose whether those complaints or charges will be heard in open or closed session. It is therefore the desire of the Sausalito Marin City School District that complaints against an employee be put in writing, and that when the Board hears complaints or charges against an employee it do so in closed session unless the employee requests an open session. Consistent with the law and the opinion of the State Attorney General's Office, please submit any complaints against an employee in writing, to the administration, in accordance with the district's complaint procedure. This procedure is designed to allow the District to address complaints against employees while at the same time respecting their legitimate privacy rights and expectations.

6. **GENERAL FUNCTIONS**

6.01 Consent agenda: 6.02, 6.03, 7.01,8.01, 9.01, 9.02.

- Motion_____Second_____Vote_____
- *6.02** Minutes of Board Meeting, July 25, 2013
 Motion_____Second_____Vote_____
- 6.03** Approval of Student Field Trip
 Motion_____Second_____Vote_____
- 6.04** Conscious Kitchen
 Information Only

7. PUPIL SERVICES

- *7.01** Interdistrict Transfers 2013/14
 Motion_____Second_____Vote_____

8. PERSONNEL SERVICES

- *8.01** Certificated Personnel Assignment Order
 Motion_____Second_____Vote_____

9. FINANCIAL & BUSINESS

- *9.01** Warrants batches #4 - #7
 Motion_____Second_____Vote_____
- 9.02** Construction Update
 Information Only

10. CURRICULUM AND INSTRUCTION

11. POLICY DEVELOPMENT

- 11.01** BP and AR 0420.4 – Charter Schools
 First Read - Only
- 11.02** BP and E 0420.41 – Charter School Oversight
 First Read - Only
- 11.03** BP 0420.42 – Charter School Renewal
 First Read - Only
- 11.04** BP 0420.43 – Charter School Revocation
 First Read – Only
- 11.07** BP 3270 – Sale and Disposal of Books, Equipment and Supplies
 First Read – Only
- 11.08** AR 3270 – Sale and Disposal of Books, Equipment and Supplies
 First Read - Only
- 11.09** BP 3280 – Sale or Lease of District-Owned Real Property
 First Read – Only
- 11.10** AR 3280 – Sale or Lease of District-Owned Real Property
 First Read - Only

12. FUTURE PLANNING/ACTION ITEMS

13. FUTURE MEETING

The next Regular Meeting of the Board of Trustees will be on Thursday, September 26th, 2013, in the Bayside/Martin Luther King School Conference Room at 5:30 p.m. for Closed Session, and in the at 6:00 p.m. for Open Session Bayside/Martin Luther King School Library

14. ADJOURNMENT

Motion_____Second_____Vote_____

Entire board packet on www.smcsd.org/School Board/Meeting Agendas and Minutes

Signed:

Signed:

Steve Van Zant
Secretary, Governing Board

Clerk, Governing Board

In compliance with Government Code section 54957.5, open session materials distributed to Board Members for review prior to a meeting may be viewed at the District Office of the Sausalito Marin City School District, 200 Phillips Drive, Marin City, California, or at the scheduled meeting. Board agenda back-up materials may also be accessed online at www.smcsd.org. In addition, if you would like a copy of any record related to an item on the agenda, please contact the Administrative Assistant to the Superintendent at 415-332-3109

In compliance with the Americans with Disabilities Act, if you need special assistance, disability-related modifications or accommodations, including auxiliary aids or services, in order to participate in the public meetings of the District's governing board, please contact the office of the District Superintendent at 415-332-3190. Notification 72 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accommodation and accessibility to this meeting. Upon request, the District shall also make available this agenda and all other public records associated with this meeting in appropriate alternative formats for persons with a disability.

Sausalito Marin City School District

Agenda Item: 6.01

Date: August 22, 2013

☐ Correspondence

☒ Consent Agenda

☐ Reports

☒ General Functions

☐ Pupil Services

☐ Personnel Services

☐ Financial & Business Procedures

☐ Curriculum and Instruction

☐ Policy Development

Item Requires Board Action: ☒

Item is for Information Only: ☐

Item: Consent Agenda

Background:

Items denoted with *: 6.02, 7.01, 8.01, 9.01

Fiscal Impact:

Recommendation:

Approve

Prepared for: S. Van Zant

Prepared by: S. Van Zant

Sausalito Marin City School District

Agenda Item: 6.02

Date: August 22, 2013

☐ Correspondence

☒ Consent Agenda

☐ Reports

☒ General Functions

☐ Pupil Services

☐ Personnel Services

☐ Financial & Business Procedures

☐ Curriculum and Instruction

☐ Policy Development

Item Requires Board Action: ☒

Item is for Information Only: ☐

Item: Board Meeting Minutes July 25, 2013

Background:

As Presented

Fiscal Impact:

Recommendation:

Approve

Prepared for: S. Van Zant

Prepared by: S. Van Zant

**SAUSALITO MARIN CITY SCHOOL DISTRICT
BOARD MEETING MINUTES
July 25, 2013**

ATTENDANCE

Board Members Present: William Ziegler, Caroline Van Alst, Shirley Thornton, Ed. D.,
Joshua Barrow
Superintendent: Valerie Pitts, Ed. D. (Absent)

The meeting was called to order at 5:00 p.m.

The agenda order was approved.

PERSONS WISHING TO ADDRESS THE BOARD PRIOR TO CLOSED SESSION

There was no public comment.

CLOSED SESSION

The Board and Superintendent convened closed session at 5:01 p.m.

RECONVENE TO OPEN SESSION

Open session reconvened at 6:00p.m.

Report Out from Closed Session

President William Ziegler announced that the board approved the contract for the new Superintendent, Steven Van Zant, who is slated to begin work on August 1, 2013. Mr. Ziegler asked him to say a few words. Mr. Van Zant said that he is looking forward to his new assignment in Sausalito/Marin City. His prior district was the Mountain Empire Unified School District in San Diego County, with 1500 students who live across 1606 square miles on the border with Mexico. The seven small communities that the district serves range from a school with 1400 students to one with just 50 pupils. There are also ten charter schools in the district. During his five years as Superintendent of the Mountain Empire district, he learned to bring together the charter and public schools and inculcate the idea that we are only as strong as our weakest student. He said that he recently went on a tour of the Sausalito Marin City district and met many of those he will be working with. He hopes to make sure that all students move forward together, regardless of which part of town they come from.

Pledge of Allegiance

Trustee Joshua Barrow led the Pledge of Allegiance.

PERSONS WISHING TO ADDRESS THE BOARD PRIOR TO OPEN SESSION

There was no public comment.

PERSONS WISHING TO ADDRESS THE BOARD ON ITEMS NOT ON THE AGENDA

Denise Suto, the science teacher at MLK reported on the summer school program. All students completed the program successfully and the parents cooperated fully with the teachers. She mentioned

one student, DaVaris Williams, who has been mentored by the chef at the restaurant in Cavallo Point. She reminded the board that there are many more exciting opportunities such as this for the students in our school.

Trustee Reports

Trustee Barrow talked about the district's continuing dialogue with the Marin Community Foundation regarding grants, and said that he expects the Foundation to make a decision by late September.

Trustee Thornton said that MCF is looking at the Transforming Schools grant in particular and their main concern is the Marin City children and how they are being educated. She is looking forward to a potluck Open House in September when all the community will come together to celebrate the opening of the school and see all the facilities that will be here to serve them.

Trustee Van Alst said that she attended the Fourth of July Parade where attendance has grown tremendously. It is great to see families engaged with their community.

Trustee Ziegler said that he and Trustee Newmeyer attended a meeting with Jonathan Logan of the Marin City Community Services District about a proposal to renovate the ball field at MLK. Mr. Logan is working on a joint-use agreement and a construction agreement to present to the Board. He is also talking to Marin Community Foundation about a \$1.5 million loan for the project.

The trustees agreed that a formal announcement will go out to announce the selection of the new superintendent to the community.

MAINTAIN SOUND FISCAL DISCIPLINE AND OPERATIONS

Budget Update

Business Manager Paula Rigney gave an update on the budget, showing the changes that came about as a result of reinstating certain certificated and classified positions.

Facilities Update

Director of Maintenance and Operations Forrest Corson gave an update on the construction project. As of now, all contractors are three days ahead of schedule. The site work around the modular buildings is scheduled to be completed before the start of school. Landscaping work is slated to finish around the middle of September.

CONSENT AGENDA

Thornton/Van Alst/All - Roll Call, Ayes 5 Noes 0 to approve the following consent agenda items:

Approval of the minutes of the regular meeting of June 27, 2013

Approval of Payments of Warrants

FUTURE BOARD AGENDA ITEMS

Resolution: Temporary Transfer of Funds, Tax Anticipation (TAN)
State 2013-2014 Consolidated Application
Response to Marin County Civil Grand Jury Report

Future Board Meeting Dates

August 22
September 26
October 24

Future Charter School Board Meeting Dates

Meetings are open to the public and generally held on the school campus, 33 Buchanan Street, Sausalito. With the exception of the December meeting, meetings are held on the 3rd Wednesday of the month at 6:30 p.m.

ADJOURNMENT

Thornton/Van Alst/all to adjourn at 7:15 p.m.

Signature/Date

Title

Upcoming Dates and Important Events

Please visit the District website www.smcsd.org

Sausalito Marin City School District

Agenda Item: 6.03

Date: August 22, 2013

☐ Correspondence

☐ Consent Agenda

☐ Reports

☒ General Functions

☐ Pupil Services

☐ Personnel Services

☐ Financial & Business Procedures

☐ Curriculum and Instruction

☐ Policy Development

Item Requires Board Action: ☒

Item is for Information Only: ☐

Item: Overnight Student Field Trip

Background:

Bayside/MLK sixth, seventh, eighth grade students are starting the year with an overnight trip to help with team building and camaraderie between staff and students. All personnel attending the trip have proper clearance to accompany students.

Mr. Norbutas will be here to answer any questions

Fiscal Impact:

Approximately \$5300. \$4500 of which will come from a grant from

Recommendation:

Approve

Prepared for: S. Van Zant

Prepared by: S. Van Zant

Sausalito Marin City School District

Agenda Item: 6.04

Date: August 22, 2013

☐ Correspondence

☐ Consent Agenda

☐ Reports

☒ General Functions

☐ Pupil Services

☐ Personnel Services

☐ Financial & Business Procedures

☐ Curriculum and Instruction

☐ Policy Development

Item Requires Board Action: ☐

Item is for Information Only: ☒

Item: Conscious Kitchen

Background:

This year the Bayside/Martin Luther King School will be the site of an ambitious project to bring exceptional and healthy food to our students. Not only is the goal to increase the nutritional value of school meals, it is also to help students become more aware of the food they are eating and how it can enhance their lives.

Sunita Dutt from Teens Turning Green will be here to give the board more information about this project and let us know about the exciting vision she has for our school and our students

Fiscal Impact:

Undetermined – at this time project has not yet started. However, there is a significant benefit in that the project has purchased many pieces of equipment for the kitchen in order to take on this challenge.

Recommendation:

Information Only

Prepared for: S. Van Zant

Prepared by: S. Van Zant

Sausalito Marin City School District

Agenda Item: 7.01

Date: August 22, 2013

☐ Correspondence

☒ Consent Agenda

☐ Reports

☐ General Functions

☒ Pupil Services

☐ Personnel Services

☐ Financial & Business Procedures

☐ Curriculum and Instruction

☐ Policy Development

Item Requires Board Action: ☒

Item is for Information Only: ☐

Item: Interdistrict Transfer 2013-2014

Background:

In closed session.

Fiscal Impact:

Recommendation:

Approve

Prepared for: S. Van Zant

Prepared by: S. Van Zant

Sausalito Marin City School District

Agenda Item: 8.01

Date: August 22, 2013

☐ Correspondence

☒ Consent Agenda

☐ Reports

☐ General Functions

☐ Pupil Services

☒ Personnel Services

☐ Financial & Business Procedures

☐ Curriculum and Instruction

☐ Policy Development

Item Requires Board Action: ☒

Item is for Information Only: ☐

Item: Certificated personnel Assignment Order

Background:

In closed session.

Fiscal Impact:

Recommendation:

Approve

Prepared for: S. Van Zant

Prepared by: S. Van Zant

Sausalito Marin City School District
Office of the Superintendent

Date: August 22, 2013
To: Board of Trustees
From: Steve Van Zant, Superintendent
Re: Action: Adopt a Declaration of Need for Fully Qualified Educators

Background

The District must employ teachers who are appropriately credentialed according to California Ed Code. Occasionally, the need arises to assign a teacher to teach in an area in which they have experience and education but may not have completed a second credential. This most frequently occurs at the middle school when the master schedule changes to accommodate new sections and differences in enrollment by grade level. Teachers who are credentialed in one area may apply for a Limited Assignment Permit to teach another subject for up to three years while they are working on obtaining an additional credential.

Less frequently, the District advertises a position for which there is no appropriately CA credentialed applicant. In this case, the District can hire the most qualified applicant and declare a need to hire the candidate with an Emergency Permit. Emergency Permits are also temporary in nature and require the holder to demonstrate satisfactory progress towards obtaining an appropriate credential.

Analysis

The District may employ as many as five (5) teachers who are currently working towards adding credential authorizations in their assigned areas. The District is requesting that the Board approve three (3) single subject Limited Assignments and two (2) Emergency Permits to address anticipated needs.

Financial Impact

None. Teachers applying for the limited term credential pay their own application fees.

Legal Consideration

The attached Declaration of Need approved by the board is required.

Recommendation

The Superintendent recommends Trustees approve the attached Declaration of Need to assign teachers/specialists with emergency or Limited Term Assignment credentials.

Backup attached: Yes X No Item No. 8.02

DECLARATION OF NEED FOR FULLY QUALIFIED EDUCATORS

☒ Original Declaration of Need for year: 2013-14
☐ Revised Declaration of Need for year: _____

FOR SERVICE IN A SCHOOL DISTRICT

Name of District: Sausalito Marin City District CDS Code: 65474

Name of County: Marin County CDS Code: 21

By submitting this annual declaration, the district is certifying the following:

- A diligent search, as defined below, to recruit a fully prepared teacher for the assignment(s) was made
- If a suitable fully prepared teacher is not available to the school district, the district will make a reasonable effort to recruit based on the priority stated below

The governing board of the school district specified above adopted a declaration at a regularly scheduled public meeting held on 08 / 22 / 13 certifying that there is an insufficient number of certificated persons who meet the district's specified employment criteria for the position(s) listed on the attached form. The attached form was part of the agenda, and the declaration did NOT appear as part of a consent calendar.

► *Enclose a copy of the board agenda item*

With my signature below, I verify that the item was acted upon favorably by the board. The declaration shall remain in force until June 30, 2014.

Submitted by (Superintendent, Board Secretary, or Designee):

Steve Van Zandt		Superintendent
Name	Signature	Title
415-332-9643	415-332-3190	08/22/2013
Fax Number	Telephone Number	Date
200 Phillips Drive, Sausalito, CA 94965		
Mailing Address		
svanzandt@smcsd.org		
EMail Address		

FOR SERVICE IN A COUNTY OFFICE OF EDUCATION, STATE AGENCY OR NONPUBLIC SCHOOL OR AGENCY

Name of County _____ County CDS Code _____

Name of State Agency _____

Name of NPS/NPA _____ County of Location _____

The Superintendent of the County Office of Education or the Director of the State Agency or the Director of the NPS/NPA specified above adopted a declaration on ____/____/____, at least 72 hours following his or her public announcement that such a declaration would be made, certifying that there is an insufficient number of certificated persons who meet the county's, agency's or school's specified employment criteria for the position(s) listed on the attached form.

The declaration shall remain in force until June 30, _____.

► *Enclose a copy of the public announcement*

Submitted by Superintendent, Director, or Designee:

_____	_____	_____
<i>Name</i>	<i>Signature</i>	<i>Title</i>
_____	_____	_____
<i>Fax Number</i>	<i>Telephone Number</i>	<i>Date</i>

<i>Mailing Address</i>		

<i>E-Mail Address</i>		

- *This declaration must be on file with the Commission on Teacher Credentialing before any emergency permits will be issued for service with the employing agency*

AREAS OF ANTICIPATED NEED FOR FULLY QUALIFIED EDUCATORS

Based on the previous year's actual needs and projections of enrollment, please indicate the number of emergency permits the employing agency estimates it will need in each of the identified areas during the valid period of this Declaration of Need for Fully Qualified Educators. This declaration shall be valid only for the type(s) and subjects(s) identified below.

This declaration must be revised by the employing agency when the total number of emergency permits applied for exceeds the estimate by ten percent. Board approval is required for a revision.

Type of Emergency Permit	Estimated Number Needed
<input checked="" type="checkbox"/> CLAD/English Learner Authorization (applicant already holds teaching credential)	<u>2</u>
<input type="checkbox"/> Bilingual Authorization (applicant already holds teaching credential)	_____
List target language(s) for bilingual authorization:	_____
_____	_____
<input type="checkbox"/> Resource Specialist	_____
<input type="checkbox"/> Teacher Librarian Services	_____
<input type="checkbox"/> Visiting Faculty Permit	_____

LIMITED ASSIGNMENT PERMITS

Limited Assignment Permits may only be issued to applicants holding a valid California teaching credential based on a baccalaureate degree and a professional preparation program including student teaching.

Based on the previous year's actual needs and projections of enrollment, please indicate the number of Limited Assignment Permits the employing agency estimates it will need in the following areas:

TYPE OF LIMITED ASSIGNMENT PERMIT	ESTIMATED NUMBER NEEDED
Multiple Subject	
Single Subject	2
Special Education	1
TOTAL	3

EFFORTS TO RECRUIT CERTIFIED PERSONNEL

The employing agency declares that it has implemented in policy and practices a process for conducting a diligent search that includes, but is not limited to, distributing job announcements, contacting college and university placement centers, advertising in local newspapers, exploring incentives included in the Teaching as a Priority Block Grant (refer to www.cde.ca.gov for details), participating in state and regional recruitment centers and participating in job fairs in California.

If a suitable fully prepared teacher is not available to the school district, the district made reasonable efforts to recruit an individual for the assignment, in the following order:

- A candidate who qualifies and agrees to participate in an approved intern program in the region of the school district
- An individual who is scheduled to complete initial preparation requirements within six months

EFFORTS TO CERTIFY, ASSIGN, AND DEVELOP FULLY QUALIFIED PERSONNEL

Has your agency established a District Intern program?

☐ Yes

☒ No

If no, explain. Too small

Does your agency participate in a Commission-approved college or university intern program?

☐ Yes

☒ No

If yes, how many interns do you expect to have this year? 0

If yes, list each college or university with which you participate in an intern program.

If no, explain why you do not participate in an intern program.

Too small

Sausalito Marin City School District

Agenda Item: 9.01

Date: August 22, 2013

☐ Correspondence

☒ Consent Agenda

☐ Reports

☐ General Functions

☐ Pupil Services

☐ Personnel Services

☒ Financial & Business Procedures

☐ Curriculum and Instruction

☐ Policy Development

Item Requires Board Action: ☒

Item is for Information Only: ☐

Item: Warrants Batch # 4 to Batch #7

Background:

As Presented

Fiscal Impact:

Recommendation:

Approve

Prepared for: S. Van Zant

Prepared by: S. Van Zant

(415) 472-4110
FAX (415) 491-6625

DISTRICT: 47 SAUSALITO SCHOOL DISTRICT
BATCH: 0004 GENERAL FUND
FUND : 01 GENERAL FUND

W	NT	VENDOR/ADDR	NAME (REMIT)	DEPOSIT TYPE	ABA NUM	ACCOUNT NUM	AMOUNT
		REQ#	REFERENCE LN	FD RESC Y OBJT SO GOAL FUNC LOC ACT GRP		DESCRIPTION	
20025945	070329/		AT&T CALNET 2				
			PO-140001	1. 01-0000-0-5970.00-0000-2700-700-000-000	7/13		524.10
				WARRANT TOTAL			\$524.10
20025946	000006/		BAY CITIES REFUSE INC				
			PO-140007	1. 01-0000-0-5500.00-0000-8200-000-000-000	7/13		643.80
				WARRANT TOTAL			\$643.80
20025947	070390/		BIG 4 PARTY RENTALS				
			CL-130054	01-0000-0-4300.00-0000-2700-100-000-000		Grill Rental	67.50
				WARRANT TOTAL			\$67.50
20025948	070771/		ECRA GROUP INC.				
			CL-130056	01-0000-0-5849.00-0000-7100-725-000-000	5778		449.24
				WARRANT TOTAL			\$449.24
20025949	000039/		KAISER FOUNDATION				
			PV-140003	01-0000-0-9520.00-0000-0000-000-000-000	16734-0001		12,578.80
				01-0000-0-9520.00-0000-0000-000-000-000	16734-0001		556.22
				01-0000-0-9520.00-0000-0000-000-000-000	16734-0002		944.13
				01-0000-0-9520.00-0000-0000-000-000-000	578-0002		13,651.49
				WARRANT TOTAL			\$27,730.64
20025950	000580/		MARIN COUNTY SHERIFF DEPART.				
			CL-130055	01-0000-0-5821.00-0000-7200-725-000-000	13772		20.00
				WARRANT TOTAL			\$20.00
20025951	070774/		MARIN GENERAL HOSPITAL				
			CL-130050	01-0000-0-4300.00-0000-8211-735-000-000	7000179986		603.00
				WARRANT TOTAL			\$603.00
20025952	000015/		MSIA DENTAL				
			PV-140004	01-0000-0-9520.00-0000-0000-000-000-000	8/13		4,197.94
				WARRANT TOTAL			\$4,197.94
20025953	000117/		MSIA VISION				
			PV-140005	01-0000-0-9520.00-0000-0000-000-000-000	8/13		421.44

COMMERCIAL WARRANT REGISTER
FOR WARRANTS DATED 07/26/2013

21 of 86

DISTRICT: 47 SAUSALITO SCHOOL DISTRICT

BATCH: 0004 GENERAL FUND

FUND : 40 SPECIAL RESERVE~CAP OUTLAY #1

I	NT	VENDOR/ADDR	NAME (REMIT)	DEPOSIT TYPE	ABA NUM	ACCOUNT NUM	AMOUNT
		REQ#	REFERENCE LN	FD RESC Y OBJT SO GOAL FUNC LOC ACT GRP		DESCRIPTION	
20025956	070770/		JL MODULAR INC.				
			CL-130053	40-0000-0-6240.00-0000-8500-700-000-000		115210	357,475.00
				WARRANT TOTAL			\$357,475.00
20025957	000047/		MARIN MUNICIPAL WATER DST				
			PV-140002	40-0000-0-6240.00-0000-8500-700-000-135		APN 052-140-39	25,629.00
				WARRANT TOTAL			\$25,629.00
20025958	070701/		QUATTROCCHI KWOK				
			CL-130051	40-0000-0-6210.00-0000-8500-700-000-000		13143-4	11,751.30
				WARRANT TOTAL			\$11,751.30
*** FUND	TOTALS ***			TOTAL NUMBER OF WARRANTS: 3		TOTAL AMOUNT OF WARRANTS:	\$394,855.30*
*** BATCH TOTALS ***				TOTAL NUMBER OF WARRANTS: 14		TOTAL AMOUNT OF WARRANTS:	\$431,012.66*
*** DISTRICT TOTALS ***				TOTAL NUMBER OF WARRANTS: 14		TOTAL AMOUNT OF WARRANTS:	\$431,012.66*

Printed: 07/26/2013 10:38:23

DISTRICT: 47 SAUSALITO SCHOOL DISTRICT
BATCH: 0005 GENERAL FUND
FUND : 01 GENERAL FUND

I	NT	VENDOR/ADDR	NAME (REMIT)	DEPOSIT TYPE	ABA NUM	ACCOUNT NUM	AMOUNT
		REQ#	REFERENCE LN	FD RESC Y OBJT SO GOAL FUNC LOC ACT GRP		DESCRIPTION	
20026500		001613/	ASSOC. OF CALIFORNIA SCHOOL				
			PV-140007	01-9479-0-5300.00-0000-2700-100-000-000		Norbutas 13-14 Dues	1,362.69
				WARRANT TOTAL			\$1,362.69
20026501		002550/	ASSOCIATED VALUATION SERVICES				
			PO-140005	1. 01-0000-0-5849.00-0000-7200-700-000-000	4177		250.12
				WARRANT TOTAL			\$250.12
20026502		000192/	AT&T				
			PO-140002	1. 01-0000-0-5970.00-0000-2700-000-000-000	234 343 6954 760 3		1,036.28
				WARRANT TOTAL			\$1,036.28
20026503		002183/	TRELLIS CONDRA				
			PV-140010	01-0000-0-4300.00-1110-1010-101-000-000		Reimb. Paper for Classrooms	13.00
				WARRANT TOTAL			\$13.00
20026504		002711/	CSBA C/O WESTAMERICA BANK				
			PV-140006	01-0000-0-5300.00-0000-7110-725-000-000	100428-14		875.00
				WARRANT TOTAL			\$875.00
20026505		001675/	DISCOUNT SCHOOL SUPPLY				
			PO-140046	1. 01-0000-0-4300.00-1110-1010-100-000-000	D17868460002		163.50
				2. 01-0000-0-4300.00-1110-1010-101-000-000	D17868460002		140.72
				WARRANT TOTAL			\$304.22
20026506		002898/	EAGLE SOFTWARE				
			PV-140008	01-0000-0-5840.00-0000-7705-000-000-450	ANAL-035		1,000.00
				WARRANT TOTAL			\$1,000.00
20026507		070704/	GE CAPITAL				
			PV-140014	01-0000-0-4405.00-1110-1010-700-000-000	90136126663		10,185.79
				WARRANT TOTAL			\$10,185.79
20026508		000023/	GOODMAN BUILDING SUPPLY CO.				
			PO-140034	1. 01-8150-0-4300.00-0000-8100-735-000-000	Due 8/11/13		94.37
				WARRANT TOTAL			\$94.37

DISTRICT: 47 SAUSALITO SCHOOL DISTRICT
BATCH: 0005 GENERAL FUND
FUND : 01 GENERAL FUND

INVT	VENDOR/ADDR REQ#	NAME (REMIT) REFERENCE LN	FD	RESC	Y	OBJT	SO	GOAL	FUNC	LOC	ACT	GRP	ABA NUM	ACCOUNT NUM DESCRIPTION	AMOUNT
20026509	000595/	GRAINGER													
		PO-140029	1.	01-8150-0-4300.00-0000-8100-735-000-000									9198260946		178.93
		WARRANT TOTAL													\$178.93
20026510	001742/	HOUGHTON MIFFLIN HARCOURT													
		PO-140041	1.	01-0000-0-4100.00-1110-1010-100-000-000									949587474		57.91
		WARRANT TOTAL													\$57.91
20026511	002345/	KONE INC.													
		PO-140012	1.	01-8150-0-5600.00-0000-8110-735-000-000									221238065		118.98
		WARRANT TOTAL													\$118.98
20026512	000045/	MARIN COUNTY OFFICE OF EDUC													
		CL-130057		01-0000-0-5840.00-0000-7205-000-000-000									131456		569.64
		WARRANT TOTAL													\$569.64
20026513	001019/	MARIN PUPIL TRANS. AGENCY													
		CL-130058		01-9002-0-7143.00-5001-9200-700-000-000									13-104		426.04
		WARRANT TOTAL													\$426.04
20026514	000548/	MOLLIE STONE'S													
		PV-140009		01-0000-0-4300.00-0000-7110-725-000-000									96944		55.81
		WARRANT TOTAL													\$55.81
20026515	070071/	MSIA - PROP. LIABILITY													
		PO-140048	1.	01-0000-0-5450.00-0000-7200-700-000-000									MSIA-2014-PL-017		40,381.00
		WARRANT TOTAL													\$40,381.00
20026516	000058/	P G & E CO													
		PO-140000	1.	01-0000-0-5510.00-0000-8200-000-000-000									Due 8/12/13		4,401.99
		WARRANT TOTAL													\$4,401.99
20026517	070222/	PROTECTION ONE													
		PO-140004	1.	01-0000-0-5840.00-0000-8300-100-000-000									8/13		68.93
			2.	01-0000-0-5840.00-0000-8300-101-000-000									8/13		601.46
			3.	01-0000-0-5840.00-0000-8300-103-000-000									8/13		103.29

DISTRICT: 47 SAUSALITO SCHOOL DISTRICT
BATCH: 0005 GENERAL FUND
FUND : 01 GENERAL FUND

INT	VENDOR/ADDR	NAME (REMIT)	DEPOSIT TYPE	ABA NUM	ACCOUNT NUM	AMOUNT								
REQ#	REFERENCE	LN	FD	RESC	Y	OBJT	SO	GOAL	FUNC	LOC	ACT	GRP	DESCRIPTION	

WARRANT TOTAL														\$773.68
20026518	001206/	SHELL OIL CO.												
		PV-140013		01-0000-0-4301.00-0000-8110-735-000-000		7/13								389.27
WARRANT TOTAL														\$389.27
20026519	070200/	STANDARD INSURANCE COMPANY CB												
		PV-140012		01-0000-0-9520.00-0000-0000-000-000-000		8/13								107.16
WARRANT TOTAL														\$107.16
20026520	002062/	TRIUMPH LEARNING LLC												
		PO-140045	1.	01-1100-0-4300.00-1110-1010-100-000-000		947326								1,819.20
			2.	01-1100-0-4300.00-1110-1010-101-000-000		947326								1,239.20
WARRANT TOTAL														\$3,058.40
20026521	002172/	WILLOW CREEK ACADEMY												
		CL-130059		01-9471-0-7299.00-0000-9200-103-000-000		Milagro Grant								10,000.00
WARRANT TOTAL														\$10,000.00
*** FUND	TOTALS ***	TOTAL NUMBER OF WARRANTS: 22										TOTAL AMOUNT OF WARRANTS:	\$75,640.28*	
*** BATCH	TOTALS ***	TOTAL NUMBER OF WARRANTS: 22										TOTAL AMOUNT OF WARRANTS:	\$75,640.28*	
*** DISTRICT	TOTALS ***	TOTAL NUMBER OF WARRANTS: 22										TOTAL AMOUNT OF WARRANTS:	\$75,640.28*	

Printed: 08/02/2013 10:41:29



(415) 472-4110
FAX (415) 491-6625

Date 8/7/13

District Name SAUSALITO MARIN CITY District No. 47

The Governing Board of the District named hereon hereby authorizes and directs payment of vendor payments in the total of \$ 35,474.85.

[illegible]

Authorized Signature

Paula Rigney

DISTRICT: 47 SAUSALITO SCHOOL DISTRICT
BATCH: 0006 GENERAL FUND
FUND : 01 GENERAL FUND

NT	VENDOR/ADDR	NAME (REMIT)	DEPOSIT TYPE	ABA NUM	ACCOUNT NUM	AMOUNT
REQ#	REFERENCE LN	FD RESC Y OBJT SO GOAL FUNC LOC ACT GRP	DESCRIPTION			
0027119	070329/	AT&T CALNET 2				
		PO-140001 1. 01-0000-0-5970.00-0000-2700-700-000-000	8/13			365.29
		WARRANT TOTAL				\$365.29
0027120	000006/	BAY CITIES REFUSE INC				
		PO-140025 1. 01-0000-0-5550.00-0000-8200-000-000-000	8/13			643.80
		WARRANT TOTAL				\$643.80
0027121	070513/	BOYS AND GIRLS CLUB				
		PO-140028 1. 01-6010-0-5840.00-1110-1010-101-000-000	smcsd 8-2013			13,905.00
		WARRANT TOTAL				\$13,905.00
0027122	070672/	ARACELI CASTANEDA				
		PV-140018 01-6500-0-5840.00-5770-7120-700-000-000	7/13			600.00
		01-6500-0-5840.00-5770-7120-700-000-000	7/13			114.81
		WARRANT TOTAL				\$714.81
0027123	002547/	DISCOVERY OFFICE SYSTEMS				
		PO-140051 1. 01-0000-0-5605.00-0000-7200-725-000-000	7/13			50.56
		WARRANT TOTAL				\$50.56
0027124	001188/	EBSCO				
		PO-140049 1. 01-0000-0-4300.00-1110-1010-100-000-000	464332			97.00
		2. 01-0000-0-4300.00-1110-1010-101-000-000	464332			96.47
		WARRANT TOTAL				\$193.47
0027125	002757/	EPS				
		PO-140044 1. 01-1100-0-4300.00-1110-1010-100-000-000	10729573			872.94
		WARRANT TOTAL				\$872.94
0027126	000523/	FIREMASTER				
		PV-140016 01-8150-0-5600.00-0000-8110-735-000-000	101369			1,002.84
		WARRANT TOTAL				\$1,002.84
0027127	000029/	HM RECEIVABLES				
		PO-140040 1. 01-0000-0-4100.00-1110-1010-100-000-000	949601553			1,611.28

DISTRICT: 47 SAUSALITO SCHOOL DISTRICT
BATCH: 0006 GENERAL FUND
FUND : 01 GENERAL FUND

I	NT	VENDOR/ADDR	NAME (REMIT)	DEPOSIT TYPE	ABA NUM	ACCOUNT NUM	AMOUNT
		REQ#	REFERENCE LN	FD RESC Y OBJT SO GOAL FUNC LOC ACT GRP		DESCRIPTION	
WARRANT TOTAL							\$1,611.28
20027128	001704/		HOME DEPOT				
			PV-140019	01-8150-0-4300.00-0000-8100-735-000-000	8/13		425.02
				WARRANT TOTAL			\$425.02
20027129	002081/		MAGIC FLUTE INC.				
			PV-140015	01-9476-0-4300.00-1454-1010-100-000-000	98864		100.00
				WARRANT TOTAL			\$100.00
20027130	000045/		MARIN COUNTY OFFICE OF EDUC				
			PO-140054	1. 01-0000-0-5940.00-0000-2700-700-000-000	140059		750.00
				WARRANT TOTAL			\$750.00
20027131	070470/		MARIN RESOURCE RECOVERY CENTER				
			PO-140037	1. 01-0000-0-5550.00-0000-8200-000-000-000	7/13		648.00
				WARRANT TOTAL			\$648.00
20027132	070447/		MAXIM HEALTHCARE SERVICES				
			PO-140026	1. 01-6500-0-5835.00-5770-1182-700-000-000	7/13		4,944.00
				WARRANT TOTAL			\$4,944.00
20027133	000058/		P G & E CO				
			PO-140000	1. 01-0000-0-5510.00-0000-8200-000-000-000	Due 8/12/13		72.14
				WARRANT TOTAL			\$72.14
20027134	000073/		PEARSON				
			PO-140038	1. 01-0000-0-4100.00-1110-1010-101-000-000	3 invoices		2,560.05
				WARRANT TOTAL			\$2,560.05
20027135	070406/		SILYCO				
			PO-140021	1. 01-0000-0-5849.00-0000-2420-700-000-000	JUL2013		3,600.00
				WARRANT TOTAL			\$3,600.00
20027136	000082/		STATE BOARD OF EQUALIZATION				
			CL-130060	01-0000-0-9517.00-0000-0000-000-000-000	Use Tax		31.28
			CL-130061	01-6500-0-9517.00-0000-0000-000-000-000	Use Tax		26.32

DISTRICT: 47 SAUSALITO SCHOOL DISTRICT
BATCH: 0006 GENERAL FUND
FUND : 01 GENERAL FUND

!	INT	VENDOR/ADDR	NAME (REMIT)	DEPOSIT TYPE	ABA NUM	ACCOUNT NUM	AMOUNT
		REQ#	REFERENCE LN	FD RESC Y OBJT SO GOAL FUNC LOC ACT GRP		DESCRIPTION	
			CL-130062	01-8150-0-9517.00-0000-0000-000-000-000		Use Tax	8.53
			CL-130063	01-9476-0-9517.00-0000-0000-000-000-000		Use Tax	115.77
			WARRANT TOTAL				\$181.90
20027137	000234/		TEACHER'S DISCOVERY				
			PO-140042	1. 01-0000-0-4100.00-1110-1010-101-000-000	13786		652.96
			WARRANT TOTAL				\$652.96
20027138	070085/		TEACHERS CURRICULUM INSTITUTE				
			PO-140043	1. 01-0000-0-4100.00-1110-1010-101-000-000	222935		170.25
			WARRANT TOTAL				\$170.25
20027139	070525/		US BANCORP EQUIP. FINANCE INC				
			PO-140052	1. 01-0000-0-5605.00-0000-2700-700-000-000	7/13		744.47
			WARRANT TOTAL				\$744.47
20027140	070759/		VERIZON WIRELESS				
			PO-140055	1. 01-0000-0-5970.00-0000-2700-700-000-000	7/13		266.07
			WARRANT TOTAL				\$266.07
*** FUND		TOTALS ***	TOTAL NUMBER OF WARRANTS: 22		TOTAL AMOUNT OF WARRANTS:		\$34,474.85*

APY250 H.02.09

Marin County Office of Education
COMMERCIAL WARRANT REGISTER
FOR WARRANTS DATED 08/09/2013

08/08/13 PAGE 38

DISTRICT: 47 SAUSALITO SCHOOL DISTRICT

BATCH: 0006 GENERAL FUND

FUND : 40 SPECIAL RESERVE-CAP OUTLAY #1

LINE	NT	VENDOR/ADDR	NAME (REMIT)	DEPOSIT TYPE	ABA NUM	ACCOUNT NUM	AMOUNT
		REQ#	REFERENCE LN	FD RESC Y OBJT SO GOAL FUNC LOC ACT GRP		DESCRIPTION	
20027141		070056/	BANK OF NEW YORK MELLON				
			PV-140017	40-0000-0-5831.00-0000-8500-000-000-000		252-1723313, 252-1723220	1,000.00
				WARRANT TOTAL			\$1,000.00
***	FUND	TOTALS ***		TOTAL NUMBER OF WARRANTS: 1		TOTAL AMOUNT OF WARRANTS:	\$1,000.00*
***	BATCH	TOTALS ***		TOTAL NUMBER OF WARRANTS: 23		TOTAL AMOUNT OF WARRANTS:	\$35,474.85*
***	DISTRICT	TOTALS ***		TOTAL NUMBER OF WARRANTS: 23		TOTAL AMOUNT OF WARRANTS:	\$35,474.85*

Printed: 08/09/2013 10:07:18

(415) 472-4710
FAX (415) 491-6625

DISTRICT: 47 SAUSALITO SCHOOL DISTRICT

BATCH: 0007 GENERAL FUND

FUND : 01 GENERAL FUND

W	NT	VENDOR/ADDR	NAME (REMIT)	DEPOSIT TYPE	ABA NUM	ACCOUNT NUM	AMOUNT
		REQ#	REFERENCE LN	FD RESC Y OBJT SO GOAL FUNC LOC ACT GRP		DESCRIPTION	
20027391		070775/	ALLIANCE REDWOODS CONFERENCE				
			PV-140021	01-9479-0-5819.00-1110-1010-101-000-000		Holding Fee Contract 9120	675.00
				WARRANT TOTAL			\$675.00
20027392		070358/	AT&T				
			PO-140003	1. 01-0000-0-5970.00-0000-7200-700-000-000	7/13		168.94
				WARRANT TOTAL			\$168.94
20027393		001811/	STATE OF CALIFORNIA				
			PV-140028	01-0000-0-5821.00-0000-7200-725-000-000	7/13		96.00
				WARRANT TOTAL			\$96.00
20027394		002345/	KONE INC.				
			PO-140012	1. 01-8150-0-5600.00-0000-8110-735-000-000	221243661		118.98
				WARRANT TOTAL			\$118.98
20027395		000047/	MARIN MUNICIPAL WATER DST				
			PO-140010	1. 01-0000-0-5535.00-0000-8200-000-000-000	6-8/13		1,973.16
				WARRANT TOTAL			\$1,973.16
20027396		001927/	MILL VALLEY SERVICES				
			PO-140017	1. 01-0000-0-4300.00-1110-1010-100-000-000	79943I		311.32
				2. 01-0000-0-4300.00-1110-1010-101-000-000	79943I		311.32
				WARRANT TOTAL			\$622.64
20027397		070656/	PAULA RIGNEY				
			PV-140029	01-0000-0-4300.00-0000-7200-725-000-000	Reimb.		20.00
				WARRANT TOTAL			\$20.00
20027398		000082/	STATE BOARD OF EQUALIZATION				
			PV-140020	01-0000-0-4300.00-0000-7200-725-000-000	1959670000		50.00
				WARRANT TOTAL			\$50.00
20027399		002172/	WILLOW CREEK ACADEMY				
			PV-140022	01-0000-0-7299.00-0000-9200-103-000-000	June 13 Supplemental		82,219.00
				WARRANT TOTAL			\$82,219.00

APY250 H.02.09

Marin County Office of Education

08/13/13 PAGE 27

DISTRICT: 47 SAUSALITO SCHOOL DISTRICT

COMMERCIAL WARRANT REGISTER

FOR WARRANTS DATED 08/14/2013

BATCH: 0007 GENERAL FUND

FUND : 01 GENERAL FUND

LN	NT	VENDOR/ADDR	NAME (REMIT)	DEPOSIT TYPE	ABA NUM	ACCOUNT NUM	AMOUNT							
REQ#	REFERENCE	LN	FD	RESC	Y	OBJT	SO	GOAL	FUNC	LOC	ACT	GRP	DESCRIPTION	AMOUNT

***	FUND	TOTALS ***		TOTAL NUMBER OF WARRANTS:				9	TOTAL AMOUNT OF WARRANTS:				\$85,943.72*	

DISTRICT: 47 SAUSALITO SCHOOL DISTRICT

BATCH: 0007 GENERAL FUND

FUND : 40 SPECIAL RESERVE~CAP OUTLAY #1

V	NT	VENDOR/ADDR REQ#	NAME (REMIT) REFERENCE LN	DEPOSIT TYPE FD RESC Y OBJT SO GOAL FUNC LOC ACT GRP	ABA NUM	ACCOUNT NUM DESCRIPTION	AMOUNT
20027400	070056/		BANK OF NEW YORK MELLON				
			PV-140026	40-0000-0-5831.00-0000-8500-000-000-000		252-1723314	300.00
				WARRANT TOTAL			\$300.00
20027401	070778/		DFE & ASSOCIATES				
			PV-140027	40-0000-0-6210.00-0000-8500-700-000-000		201351	8,160.00
				WARRANT TOTAL			\$8,160.00
20027402	070741/		GREYSTONE WEST COMPANY				
			PV-140025	40-0000-0-6281.00-0000-8500-700-000-000		2013-003, 876307	21,805.96
				WARRANT TOTAL			\$21,805.96
20027403	070777/		MICHAEL PAUL COMPANY INC.				
			PV-140023	40-0000-0-6240.00-0000-8500-700-000-135		Application 1	156,303.50
				WARRANT TOTAL			\$156,303.50
20027404	070776/		MIKE BROWN ELECTRIC				
			PV-140024	40-0000-0-6240.00-0000-8500-700-000-135		Application 1	56,656.08
				WARRANT TOTAL			\$56,656.08
*** FUND	TOTALS ***			TOTAL NUMBER OF WARRANTS:	5	TOTAL AMOUNT OF WARRANTS:	\$243,225.54*
*** BATCH	TOTALS ***			TOTAL NUMBER OF WARRANTS:	14	TOTAL AMOUNT OF WARRANTS:	\$329,169.26*
*** DISTRICT	TOTALS ***			TOTAL NUMBER OF WARRANTS:	14	TOTAL AMOUNT OF WARRANTS:	\$329,169.26*

Printed: 08/19/2013 09:01:14

Sausalito Marin City School District

Agenda Item: 9.02

Date: August 22, 2013

☐ Correspondence

☐ Consent Agenda

☐ Reports

☒ General Functions

☐ Pupil Services

☐ Personnel Services

☐ Financial & Business Procedures

☐ Curriculum and Instruction

☐ Policy Development

Item Requires Board Action: ☐

Item is for Information Only: ☒

Item: Construction Update

Background:

With the opening of the new school year fast approaching, a lot of hard work has gone into ensuring that all buildings will be usable the first day of school. Forrest Corson will be here to give and update of the project and answer any questions you may have.

Fiscal Impact:

Recommendation:

Information Only

Prepared for: S. Van Zant

Prepared by: S. Van Zant

Sausalito Marin City School District

Agenda Item: 11.01

Date: August 22, 2013

☐ Correspondence
☐ Reports
☐ General Functions
☐ Pupil Services
☐ Personnel Services
☐ Financial & Business Procedures
☐ Curriculum and Instruction
☒ Policy Development

☐ Consent Agenda

Item Requires Board Action: ☐

Item is for Information Only: ☒

Item: Board Policy (BP) & Administrative Regulation (AR) 0420.4 – Philosophy, Goals, Objectives and Comprehensive Plans: Charter Schools

Background:

As part of our review process this Policy and Administrative Regulation is brought forward for review and comment at our August Meeting.

Fiscal Impact:

Undetermined

Recommendation:

First Read - Only

Prepared for: S. Van Zant

Prepared by: S. Van Zant

Philosophy, Goals, Objectives and Comprehensive Plans

Charter Schools

The Governing Board 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.

The Superintendent/Principal or designee may work with charter school petitioners prior to the formal submission of the petition in order to 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.

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 and adjusted 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 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. 0500 - Accountability)

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 in accordance with law, Board policy, and administrative regulations.
(cf. 0520.2 - Title I Program Improvement Schools)

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

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.csba.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/cs>

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>

(11/02 11/03) 3/06

Approved 03/11/09

Philosophy, Goals, Objectives and Comprehensive Plans***Petition Signatures***

To be considered by the Governing Board, a petition for the establishment of a charter school within the district must be signed by one of the following: (Education Code 47605)

1. A number of parents/guardians, equivalent to at least one-half of the number of students that the charter school estimates will enroll in the charter school for its first year of operation
2. A number of teachers, equivalent to at least one-half of the number of teachers that the charter school estimates will be employed at the school during its first year of operation

If the charter petition calls for an existing public school to be converted to a charter school, the petition must be signed by at least 50 percent of the permanent status teachers currently employed at the school. (Education Code 47605)

In circulating a petition, the petitioners shall include a prominent statement explaining that a signature means that the parent/guardian is meaningfully interested in having his/her child attend the charter school or, in the case of a teacher's signature, that the teacher is meaningfully interested in teaching at the charter school. The proposed charter shall be attached to the petition. (Education Code 47605)

Components of Charter Petition

A charter petition shall include affirmations of the conditions described in Education Code 47605(d) as well as descriptions of all of the following: (Education Code 47605, 47611.5)

1. The educational program of the school, designed, among other things, to identify those whom the school is attempting to educate, what it means to be an "educated person" in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling students to become self-motivated, competent, and lifelong learners.

If the proposed school will serve high school students, the petition shall describe the manner in which the charter school will inform parents/guardians about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered transferable, and courses approved by the University of California or the California State University as creditable under the "A-G" admissions criteria may be considered to meet college entrance requirements.

2. The measurable student outcomes identified for use by the charter school. Student outcomes means the extent to which all students of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school's educational program.

3. The method by which student progress in meeting those student outcomes is to be measured.
4. The governance structure of the school, including, but not limited to, the process to be followed by the school to ensure parent/guardian involvement.
5. The qualifications to be met by individuals to be employed by the school.
6. The procedures that the school will follow to ensure the health and safety of students and staff. These procedures shall include the requirement that each school employee furnish the school with a criminal record summary as described in Education Code 44237.
7. The means by which the school will achieve a racial and ethnic balance among its students that is reflective of the general population residing within the district's territorial jurisdiction.
8. Admission requirements, if applicable.
9. The manner in which annual, independent financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the Board.
10. The procedures by which students can be suspended or expelled.
11. The manner by which staff members of the charter school will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security.
12. The public school attendance alternatives for students residing within the district who choose not to attend charter schools.
13. A description of the rights of any district employee upon leaving district employment to work in a charter school and of any rights of return to the district after employment at a charter school.
14. The procedures to be followed by the charter school and the Board to resolve disputes relating to charter provisions.

Education Code 47611.5 further provides that, if the charter does not specify that the charter school shall comply with laws and regulations governing tenure or a merit or civil service system, the scope of representation for that charter school shall also include discipline and dismissal of charter school employees.

15. A declaration as to whether or not the charter school shall be deemed the exclusive public school employer of the school's employees for purposes of collective bargaining under Government Code 3540-3549.3.

16. The procedures to be used if the charter school closes. The procedures shall ensure a final audit of the charter school to determine the disposition of all assets and liabilities of the school, including plans for disposing of any net assets and for the maintenance and transfer of student records.

According to CSBA's publication *Charter Schools: A Manual for Governance Teams*, some districts request a school calendar, information regarding transportation arrangements, staff development procedures, assurances that the school will provide appropriate services for English language learners and students with disabilities, or any other information that will assist the Board in understanding the proposal. Districts that wish to require additional information in the charter may list those items below.

Charter school petitioners shall provide information to the Board regarding the proposed operation and potential effects of the school, including, but not limited to: (Education Code 47605)

1. The facilities to be used by the school, including where the school intends to locate
2. The manner in which administrative services of the school are to be provided
3. Potential civil liability effects, if any, upon the school and district
4. Financial statements that include a proposed first-year operational budget, including start-up costs and cash-flow and financial projections for the first three years of operation

Location of Charter School

The Attorney General has opined, in 89 Ops.Cal.Atty.Gen. 166 (2006), that online charter schools are subject to the restrictions and conditions placed upon independent study programs, including the condition that students must reside in the charter school's home county or an adjacent county, and therefore may not receive state funding for the instruction of students who do not reside in the county where the school is chartered or in an adjacent county.

Unless otherwise exempted by law, any charter petition submitted to the Board on or after July 1, 2002, shall identify a single charter school that will operate within the geographic boundaries of the district. A charter school may propose to operate at multiple sites within the district as long as each location is identified in the petition. (Education Code 47605, 47605.1)

A charter school that is unable to locate within the district's jurisdictional boundaries may establish one site outside district boundaries but within the county, provided that: (Education Code 47605, 47605.1)

1. The district is notified prior to approval of the petition.
2. The County Superintendent of Schools and Superintendent of Public Instruction (SPI) are notified before the charter school begins operations.

3. The school has attempted to locate a single site or facility to house the entire program but such a facility or site is unavailable in the area in which the school chooses to locate, or the site is needed for temporary use during a construction or expansion project.

A charter school may establish a resource center, meeting space, or other satellite facility located in an adjacent county if both of the following conditions are met: (Education Code 47605.1)

1. The facility is used exclusively for the educational support of students who are enrolled in non-classroom based independent study of the charter school.
2. The charter school provides its primary educational services in, and a majority of the students it serves are residents of, the county in which the school is authorized.

All charter schools shall be subject to these requirements by June 30, 2005, or upon the expiration of a charter that was in existence on January 1, 2003, whichever is later. Until the later of these dates, any charter school that provided educational services before July 1, 2002, shall be subject to these requirements only for new educational services or school sites it establishes or acquires. (Education Code 47605.1)

Charter Approval/Denial

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)

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

The Board shall grant the charter if doing so is consistent with sound educational practice. A charter 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) listed in "Components of Charter Petition" above.

The Board shall not grant any charter that authorizes the conversion of a private school to a charter school. (Education Code 47602)

The Board shall not approve any charter petition 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 47605)

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 (SELPA) in which the district participates. (Education Code 47605.7, 47647)

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)

In granting charter petitions, 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)

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, the CDE, and the State Board of Education (SBE). (Education Code 47605)

Material Revisions

Material revisions to a charter may be made only with Board approval. Material revisions shall be governed by the same standards and criteria that apply to new charter petitions as set forth in Education Code 47605 and shall include, but not be limited to, a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed. (Education Code 47607)

If, after receiving approval of its petition, a charter school proposes to establish operations at one or more additional sites within the district's boundaries, the charter school shall request a material revision to its charter and shall notify the Board of those additional locations. The Board shall consider approval of the additional locations at an open meeting. (Education Code 47605)

Renewals

A charter school seeking renewal of its charter shall submit a written request to the Board at least 120 days before the term of the charter is due to expire.

At least 90 days before the term of the charter is due to expire, the Board shall conduct a public hearing to receive input on whether or not to extend the charter. At least 60 days before the expiration date, the Board shall either grant or deny the request for renewal.

Renewals shall be governed by the same standards and criteria that apply to new charter petitions as set forth in Education Code 47605 and shall include, but not be limited to, a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed. (Education Code 47607)

In addition, beginning on January 1, 2005, or after a charter school has been in operation for four years, whichever is later, a charter school shall meet at least one of the following criteria prior to receiving a charter renewal: (Education Code 47607)

1. The charter school attains its Academic Performance Index (API) growth target in the prior year or in two of the last three years, or in the aggregate for the prior three years.
2. The charter school ranks in deciles 4-10 on the API in the prior year or in two of the last three years.
3. The charter school ranks in deciles 4-10 on the API for a demographically comparable school in the prior year or in two of the last three years.
4. The Board determines that the academic performance of the charter school is at least equal to the academic performance of the public schools that the charter school students would otherwise have been required to attend, as well as the academic performance of district schools, taking into account the composition of the student population that is served at the charter school.

The Board's determination shall be based on documented, clear, and convincing data; student achievement data from the Standardized Testing and Reporting Program, and any other available assessments, for demographically similar student populations in comparison schools; and information submitted by the charter school. The Board shall submit to the SPI copies of supporting documentation and a written summary of the basis for its determination.

A charter renewal may not be granted to a charter school prior to 30 days after the school submits related materials.

5. The charter school qualifies for an alternative accountability system pursuant to Education Code 52052(h).

Each renewal shall be for a period of five years. (Education Code 47607)

Revocations

The Board may revoke a charter whenever it finds, through a showing of substantial evidence, that the charter school has done any of the following: (Education Code 47607)

1. Committed a material violation of any of the conditions, standards, or procedures set forth in the charter
2. Failed to meet or pursue any of the student outcomes identified in the charter
3. Failed to meet generally accepted accounting principles or engaged in fiscal mismanagement
4. Violated any provision of law

Prior to revocation, the Board shall notify the charter school of any violation(s) listed in items #1-4 above and give the school a reasonable opportunity to remedy the violation(s) unless the Board determines, in writing, that the violation(s) constitutes a severe and imminent threat to the health or safety of the students. (Education Code 47607)

If the charter school does not successfully remedy the above violation(s), the Board shall provide the charter school with a written notice of intent to revoke the charter and notice of facts in support of revocation. No later than 30 days after providing the notice of intent to revoke the charter, the Board shall hold a public hearing, in the normal course of business, on the issue of whether evidence exists to revoke the charter. No later than 30 days after the public hearing, unless the Board and the charter school agree to a 30-day extension, the Board shall issue its final decision as to whether or not to revoke the charter. The Board shall not revoke a charter unless the action is supported by written factual findings supported by substantial evidence specific to the charter school. A decision to revoke a charter shall be reported to the County Board of Education and the CDE. (Education Code 47607)

Requirements for Charter Schools

In providing general oversight of a charter school, the Board shall determine whether the school meets the legal requirements applicable to charter schools. Each charter school shall:

1. Be nonsectarian in its programs, admission policies, employment practices, and all other operations (Education Code 47605)
2. Not charge tuition (Education Code 47605)
3. Not discriminate against any student on the basis of ethnicity, national origin, gender, or disability (Education Code 47605)
4. Adhere to all laws establishing minimum age for public school attendance (Education Code 47610)
(cf. 5111 - Admission)

5. Serve students who are California residents and who, if over 19 years of age, are continuously enrolled in a public school and making "satisfactory progress" toward a high school diploma as defined in 5 CCR 11965 (Education Code 47612)

6. Serve students with disabilities in the same manner as such students are served in other public schools (Education Code 47646, 56145)

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

(cf. 6159 - Individualized Education Program)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

7. Admit all students who wish to attend the school, according to the following criteria and procedures:

a. Admission to the charter school shall not be determined according to the student's place of residence, or that of his/her parents/guardians, within this state, except that any existing public school converting partially or entirely to a charter school shall adopt and maintain a policy giving admission preference to students who reside within the school's former attendance area. (Education Code 47605)

However, if a charter school will be physically located in a public elementary school attendance area in which 50 percent or more of the student enrollment is eligible for free or reduced-price meals, it may also establish an admissions preference for students who are currently enrolled in the public elementary school and for students who reside in the public school attendance area. (Education Code 47605.3)

b. If the number of students who wish to attend the charter school exceeds the school's capacity, attendance shall be determined by a public random drawing, except that preferences shall be extended to students currently attending the charter school and students who reside in the district, except as provided for in Education Code 47614.5. In the event of a drawing, the Board shall make reasonable efforts to accommodate the growth of the charter school and shall not take any action to impede the charter school from expanding enrollment to meet student demand. (Education Code 47605)

c. Other admissions preferences may be permitted by the Board on an individual school basis as consistent with law.

8. Require its teachers to hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold (Education Code 47605)

(cf. 4112.2 - Certification)

9. Require its teachers of core academic subjects to satisfy requirements for "highly qualified teachers" as defined by the SBE (20 USC 6319; 34 CFR 300.18)

(cf. 4112.24 - Teacher Qualifications Under the No Child Left Behind Act)

10. Not hire any person, in either a certificated or classified position, who has been convicted of a violent or serious felony except as otherwise provided by law (Education Code 44830.1, 45122.1)
(cf. 4112.5 /4312.5 - Criminal Record Check)(cf. 4212.5 - Criminal Record Check)

11. Meet the requirements of Education Code 47611 regarding the State Teachers' Retirement System (Education Code 47610)

12. Meet the requirements of Government Code 3540-3549.3 related to collective bargaining in public education employment (Education Code 47611.5)

13. If applicable, meet federal requirements for qualifications of paraprofessionals working in programs supported by Title I funds (20 USC 6319)
(cf. 4222 - Teacher Aides/Paraprofessionals)

14. Meet all statewide standards and conduct the student assessments required by Education Code 60605 and 60851 and any other statewide standards or student assessments applicable to non-charter public schools (Education Code 47605, 47612.5) (cf. 6011 - Academic Standards)
(cf. 6162.51- Standardized Testing and Reporting Program)
(cf. 6162.52 - High School Exit Examination)

15. Offer at least the number of instructional minutes set forth in Education Code 47612.5 for the grade levels provided by the charter school (Education Code 47612.5)
(cf. 6111 - School Calendar)

16. Meet the requirements of Education Code 51745-51749.3 if it provides independent study, except that it may be allowed to offer courses required for graduation solely through independent study as an exception to Education Code 51745(e) (Education Code 47612.5, 51747.3; 5 CCR 11705) (cf. 6158 - Independent Study)

17. Identify and report to the SPI any portion of its average daily attendance that is generated through non-classroom based instruction, including, but not limited to, independent study, home study, work study, and distance and computer-based education (Education Code 47612.5, 47634.2)

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

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

20. If a student subject to compulsory full-time education is expelled or leaves the charter school without graduating or completing the school year for any reason, notify the Superintendent of the school district of the student's last known address within 30 days and, upon request, provide that district with a copy of the student's cumulative record, including a transcript of grades or report card, and health information (Education Code 47605)

21. By January 1, 2007, comply with the California Building Standards Code as adopted and enforced by the local building enforcement agency with jurisdiction over the area in which the charter school is located, unless the charter school facility meets either of the following conditions: (Education Code 47610, 47610.5)

a. The facility complies with the Field Act pursuant to Education Code 17280-17317 and 17365-17374.

b. The facility is exclusively owned or controlled by an entity that is not subject to the California Building Standards Code, including, but not limited to, the federal government.

22. Promptly respond to all reasonable inquiries from the district, the county office of education, or the SPI, including, but not limited to, inquiries regarding its financial records (Education Code 47604.3)

23. Annually prepare and submit financial reports to the district Board and the County Superintendent in accordance with the following reporting cycle:

a. By July 1, a preliminary budget for the current fiscal year. For a charter school in its first year of operation, financial statements submitted with the charter petition pursuant to Education Code 47605(g) will satisfy this requirement. (Education Code 47604.33)

b. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. (Education Code 47604.33)

c. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31. (Education Code 47604.33)

d. By September 15, a final unaudited report for the full prior year. The report submitted to the Board shall include an annual statement of all the charter school's receipts and expenditures for the preceding fiscal year. (Education Code 42100, 47604.33)

e. By December 15, a copy of the charter school's annual, independent financial audit report for the preceding fiscal year, unless the charter school's audit is encompassed in the district's audit. The audit report shall also be submitted to the state Controller and the CDE. (Education Code 47605)

Administrative and Other District Services

The district may charge for the actual costs of supervisory oversight of a charter school not to exceed one percent of the charter school's revenue. If the district is able to provide substantially rent-free facilities to the charter school, the district may charge actual costs up to three percent of the charter school's revenue for supervisory oversight. (Education Code 47613)

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

At the request of a charter school, the Superintendent or designee shall create and submit any reports required by the State Teachers' Retirement System and the Public Employees' Retirement System on behalf of the charter school. The charter school may be charged for the actual costs of the reporting services, but shall not be required to purchase payroll processing services from the district as a condition for creating and submitting these reports. (Education Code 47611.3)

Waivers

If a charter school submits to the district an application for a waiver of any state Education Code provisions, the Board shall hold a public hearing on the waiver request no later than 90 days following receipt of the request. (Education Code 33054)

The Superintendent or designee shall subsequently prepare a summary of the public hearing to be forwarded with the waiver request to the SBE. If the Board recommends against approval of the waiver request, it shall set forth the reasons for its disapproval in written documentation that shall be forwarded to the SBE. (Education Code 33054)

District Oversight

For each charter school under the Board's authority, the Superintendent shall: (Education Code 47604.32, 47604.33)

1. Identify at least one staff member as a contact person for the charter school
2. Visit the charter school at least annually
3. Ensure that the charter school complies with all reports required of charter schools by law
4. Monitor the fiscal condition of the charter school based on any financial information obtained from the charter school, including, but not limited to, the reports listed above in "Requirements for Charter Schools"
5. Provide timely notification to the CDE if a renewal of the charter is granted or denied, the charter is revoked, or the charter school will cease operation for any reason

The Board and the Superintendent or designee may inspect or observe any part of the charter school at any time. (Education Code 47607)
(11/03 3/06) 11/06

Adopted 04/22/09

Policy Reference UPDATE Service; Copyright 2007 by California School Boards Association, West Sacramento, California 95691; All rights reserved.

Sausalito Marin City School District

Agenda Item: 11.02

Date: August 22, 2013

☐ Correspondence
☐ Reports
☐ General Functions
☐ Pupil Services
☐ Personnel Services
☐ Financial & Business Procedures
☐ Curriculum and Instruction
☒ Policy Development

☐ Consent Agenda

Item Requires Board Action: ☐

Item is for Information Only: ☒

Item: Board Policy (BP) & Exhibit (E) 0420.41 – Philosophy, Goals, Objectives and Comprehensive Plans: Charter School Oversight

Background:

As part of our review process this Bylaw is brought forward for review and comment at our August Meeting. In (E) 0420.41 – Requirements for Charter Schools, this is the Charter Schools responsibilities and not that of the District.

Fiscal Impact:

Undetermined

Recommendation:

First Read - Only

Prepared for: S. Van Zant

Prepared by: S. Van Zant

Philosophy, Goals, Objectives and Comprehensive Plans Charter School Oversight

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

(cf. 0420.4 - Charter School Authorization)

(cf. 0500 - Accountability)

The Superintendent or designee shall identify at least one staff member to serve as a contact for each charter school. (Education Code 47604.32)

The Board and Superintendent or designee may inspect or observe any part of the charter school at any time. The Superintendent or designee shall visit each charter school at least annually.

(Education Code 47604.32, 47607)

Whenever a charter school operates as or is operated by a nonprofit public benefit corporation as authorized by Education Code 47604, the Superintendent shall recommend and the Board shall appoint a district representative, who may be the district's charter school contact, to serve as a voting or nonvoting member of the corporation's board of directors.

Provision of District Services

The district may charge for the actual costs of supervisory oversight of a charter school not to exceed one percent of the charter school's revenue. If the district is able to provide substantially rent-free facilities to the charter school, the district may charge actual costs up to three percent of the charter school's revenue for supervisory oversight. (Education Code 47613)

(cf. 7160 - Charter School Facilities)

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

At the request of a charter school, the Superintendent or designee shall create and submit any reports required by the State Teachers' Retirement System or Public Employees' Retirement System on behalf of the charter school. The charter school may be charged for the actual costs of the reporting services, but shall not be required to purchase payroll processing services from the district as a condition for creating and submitting these reports. (Education Code 47611.3)

Waivers

If the charter school wishes to request a general waiver of any state law or regulation, it shall request that the Superintendent or designee submit a general waiver request to the State Board of Education (SBE) on its behalf.

Material Revisions to Charter

Material revisions to a charter may be made only with Board approval. Material revisions shall be governed by the same standards and criteria that apply to new charter petitions as set forth in Education Code 47605 and shall include, but not be limited to, a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed. (Education Code 47607)

If an approved charter school proposes to expand operations to one or more additional sites within the district's boundaries, the charter school shall request a material revision to its charter and shall notify the Board of those additional locations. The Board shall consider approval of the additional locations at an open meeting. (Education Code 47605)

The Board shall have the authority to determine whether a proposed change in charter school operations constitutes a material revision.

Monitoring Charter School Performance

The Superintendent or designee shall regularly report to the Board on the charter school's performance, based on the academic and fiscal accountability measures specified in the approved charter.

In providing general oversight of a charter school, the Board and the Superintendent or designee shall determine whether the school complies with all legal requirements applicable to charter schools, including making all reports required of charter schools in accordance with Education Code 47604.32.

The Board shall monitor the fiscal condition of the charter school based on any financial information obtained from the charter school, including, but not limited to, the charter school's preliminary budget, first and second interim financial reports, and final unaudited report for the full prior year. (Education Code 47604.32, 47604.33)

The Board shall monitor each charter school to determine whether it is achieving the outcomes for student learning set forth in the charter agreement. In addition, the Board shall determine whether the charter school makes "adequate yearly progress" as defined by the SBE 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 in accordance with law, Board policy, and administrative regulations.
(cf. 0520.2 - Title I Program Improvement Schools)

Evaluation data for the charter school shall be considered in the Board's determination of the renewal or revocation of a charter.
(cf. 0420.42 - Charter School Renewal)
(cf. 0420.43 - Charter School Revocation)

School Closure

In the event that the Board revokes or denies renewal of a charter or the school closes for any other reason, the Superintendent or designee shall provide assistance, when applicable in accordance with the charter and/or a memorandum of understanding, to facilitate the transfer of the charter school's former students and to finalize financial reporting and close-out.

The Superintendent or designee shall provide notification to the California Department of Education, within 10 calendar days, if the charter school will cease operation for any reason. Such notification shall include, but not be limited to, a description of the circumstances of the closure, the effective date of the closure, and the location of student and personnel records. (Education Code 47604.32; 5 CCR 11962.1)

Legal Reference:

EDUCATION CODE

220 Nondiscrimination

17280-17317 Field Act

17365-17374 Field Act, fitness for occupancy

35330 Field trips and excursions; student fees

38080-38086 School meals

42100 Annual statement of receipts and expenditures

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

47634.2 Nonclassroom-based instruction

47640-47647 Special education funding for charter schools

48000 Minimum age of admission for kindergarten; transitional kindergarten

48010-48011 Minimum age of admission (first grade)

48907 Students' exercise of free expression; rules and regulations

48950 Student speech and other communication

49061 Student records

49110 Authority of issue work permits

51745-51749.3 Independent study

52052 Alternative accountability system

56026 Special education

56145-56146 Special education services in charter schools

60600-60649 Assessment of academic achievement

60850-60859 High school exit examination

CORPORATIONS CODE

5110-6910 Nonprofit public benefit corporations

GOVERNMENT CODE

3540-3549.3 Educational Employment Relations Act

54950-54963 The Ralph M. Brown Act

LABOR CODE

1198.5 Personnel records related to performance and grievance
PENAL CODE
667.5 Definition of violent felony
1192.7 Definition of serious felony
CALIFORNIA CONSTITUTION
Article 9, Section 5 Common school system
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
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)
CALIFORNIA OFFICE OF ADMINISTRATIVE HEARINGS DECISIONS
Student v. Horizon Instructional Systems Charter School, (2012) OAH Case No. 2011060763

Management Resources:

CSBA PUBLICATIONS

The Role of the Charter School Authorizer, Online Course

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

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Sample Copy of a Memorandum of Understanding

Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory 11-01, November 9, 2011

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.csba.org>

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

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

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

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

3/12

Requirements for Charter Schools

Charter schools are generally exempt from provisions of the Education Code unless they are expressly included in the law. However, charter schools are subject to the terms of their charters, any memorandum of understanding with their chartering authority, and other legal requirements including, but not limited to, requirements that each charter school:

1. Comply with the state and federal constitution and applicable federal laws
2. Comply with state laws that apply to governmental agencies in general, such as the Brown Act requirements in Government Code 54950-54963
3. Be nonsectarian in its programs, admission policies, employment practices, and all other operations (Education Code 47605)
4. Not discriminate against any student on the basis of the characteristics listed in Education Code 220 (Education Code 47605)
5. Not charge tuition (Education Code 47605)

Note: Education Code 47605 specifically prohibits a charter school from charging tuition, but does not mention fees or other charges. As clarified in the California Department of Education's (CDE) advisory Pupil Fees, Deposits, and Other Charges, charter schools are subject to the California Constitution and therefore the free school guarantee of the California Constitution, Article IX, Section 5, applies to charter schools. Charter schools may only charge fees authorized by those Education Code sections that have been made explicitly applicable to charter schools. For example, charter schools may charge fees for meals and field trips pursuant to Education Code 35330, 38082, and 38084 because those provisions apply to charter schools. However, charter schools may not charge other fees authorized by law for school districts, except to the extent that any such fees do not relate to an activity that is an integral component of public education.

6. Not charge student fees for any activity that is an integral component of the educational program, except as authorized by those Education Code provisions that explicitly apply to charter schools
7. Adhere to all laws establishing minimum age for public school attendance (Education Code 47610)
8. Serve students who are California residents and who, if over 19 years of age, are continuously enrolled in a public school and making "satisfactory progress" toward a high school diploma as defined in 5 CCR 11965 (Education Code 47612)

Note: Education Code 56145 requires charter schools to serve students with disabilities in the same manner as other public schools. Pursuant to Education Code 47646, districts must ensure that each charter school receives an equitable share of state and federal special education funding and/or any necessary special education services provided by the district on behalf of disabled students in the charter school.

Note: If a charter school is operating as a public school of the district for purposes of providing special education, the district retains responsibility and must determine how best to ensure that all special education students receive a free appropriate public education (FAPE). However, the California Office of Administrative Hearings has ruled (Student v. Horizon Instructional Systems Charter School) that a charter school operating as its own local educational agency for purposes of special education, including a charter school offering an independent study program, is solely responsible for providing special education students with FAPE.

9. Serve students with disabilities in the same manner as such students are served in other public schools (Education Code 47646, 56145)

10. Admit all students who wish to attend the school, according to the following criteria and procedures:

a. Admission to the charter school shall not be determined according to the student's place of residence, or that of his/her parents/guardians, within this state, except that any existing public school converting partially or entirely to a charter school shall adopt and maintain a policy giving admission preference to students who reside within the school's former attendance area. (Education Code 47605)

However, if a charter school will be physically located in a public elementary school attendance area in which 50 percent or more of the student enrollment is eligible for free or reduced-price meals, it may also establish an admissions preference for students who are currently enrolled in the public elementary school and for students who reside in the public school attendance area. (Education Code 47605.3)

b. If the number of students who wish to attend the charter school exceeds the school's capacity, attendance shall be determined by a public random drawing, except that preferences shall be extended to students currently attending the charter school and students who reside in the district, except as provided for in Education Code 47614.5. (Education Code 47605)

c. Other admissions preferences may be established on an individual school basis as consistent with law.

11. If the school offers a kindergarten program, offer a transitional kindergarten program to eligible students who do not yet meet the age criterion for entry into kindergarten (Education Code 48000)

12. Require its teachers to hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold (Education Code 47605)

Note: According to U.S. Department of Education (USDOE) nonregulatory guidance, The Impact of the New Title I Requirements on Charter Schools, teachers who teach core academic subjects in charter schools, in addition to meeting state charter school laws regarding teacher qualifications, must meet the requirements for "highly qualified" teachers pursuant to 20 USC 6319; see BP/AR/E 4112.24 - Teacher Qualifications Under the No Child Left Behind Act. 34 CFR 300.18 clarifies that, with regard to special education teachers in a charter school, "highly qualified" means that the teacher meets the certification requirements set forth in the state's charter school law.

13. Require its teachers of core academic subjects to satisfy requirements for "highly qualified teachers" as defined by the State Board of Education (SBE) (20 USC 6319; 34 CFR 300.18)

Note: Education Code 44830.1 and 45122.1 prohibit charter schools from hiring any person who has been convicted of a violent or serious felony as defined in Penal Code 667.5 and 1192.7, unless that person has received a certificate of rehabilitation and a pardon. Schools also may not retain in employment any temporary, substitute, or probationary employee who has been convicted of a violent or serious felony. See AR 4112.5/4312.5 - Criminal Record Check and AR 4212.5 - Criminal Record Check.

14. Not hire any person, in either a certificated or classified position, who has been convicted of a violent or serious felony except as otherwise provided by law (Education Code 44830.1, 45122.1)

15. Meet the requirements of Education Code 47611 regarding the State Teachers' Retirement System (Education Code 47610)

16. Meet the requirements of Government Code 3540-3549.3 related to collective bargaining in public education employment (Education Code 47611.5)

Note: According to USDOE nonregulatory guidance, The Impact of the New Title I Requirements on Charter Schools, charter schools that receive Title I funds and have paraprofessionals working in programs supported by Title I funds must comply with requirements of 20 USC 6319 regarding paraprofessional qualifications; see BP/AR/E 4222 - Teacher Aides/Paraprofessionals.

17. If applicable, meet federal requirements for qualifications of paraprofessionals working in programs supported by Title I funds (20 USC 6319)

18. Meet all statewide standards and conduct the student assessments required by Education Code 60605 and 60851 and any other statewide standards or assessments applicable to noncharter public schools (Education Code 47605, 47612.5)

Note: Pursuant to Education Code 47612.5, which specifies the minimum number of instructional minutes that must be offered each fiscal year by grade level, any charter school that fails to meet that requirement will have its state apportionment reduced in proportion to the percentage of instructional minutes that the school fails to offer. Education Code 47612.5 and 47612.6 provide that neither the State Board of Education (SBE) nor the Superintendent of Public Instruction (SPI) may waive the required number of instructional minutes but may waive the fiscal penalties under specified conditions.

19. Offer at least the number of instructional minutes set forth in Education Code 47612.5 for the grade levels provided by the charter school (Education Code 47612.5)

Note: Education Code 47612.5 provides that charter schools offering independent study are subject to Education Code 51745-51749.3. Education Code 51745 requires that no course included among the courses required for graduation may be offered solely through independent study. However, pursuant to 5 CCR 11705, a charter school offering grades 9-12 shall be deemed to be an "alternative school" for purposes of independent study and thus, according to the CDE, would comply with this provision because students in such alternative schools are enrolled voluntarily and, if they wished, could attend any other district high school in which the courses were offered via classroom instruction.

20. Meet the requirements of Education Code 51745-51749.3 if it provides independent study, except that it may be allowed to offer courses required for graduation solely through independent study as an exception to Education Code 51745(e) (Education Code 47612.5, 51747.3; 5 CCR 11705)

Note: Pursuant to Education Code 47634.2 and 5 CCR 11963.2, charter schools offering nonclassroom-based instruction will receive 70 percent of the level of funding to which the charter school would otherwise be entitled, unless the SBE determines that a different percentage is appropriate.

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

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

Note: Education Code 48907 requires charter schools to establish a written "publications code" related to students' rights to freedom of speech and of the press. These written rules and regulations must include reasonable provisions for the time, place, and manner in which free expression may take place within the charter school's jurisdiction.

23. Provide students the right to exercise freedom of speech and of the press including, but not limited to, the use of bulletin boards; the distribution of printed materials or petitions; the wearing of buttons, badges, and other insignia; and the right of expression in official publications (Education Code 48907, 48950)

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

25. If a student subject to compulsory full-time education is expelled or leaves the charter school without graduating or completing the school year for any reason, notify the Superintendent of the school district of the student's last known address within 30 days and, upon request, provide that district with a copy of the student's cumulative record, including a transcript of grades or report card, and health information (Education Code 47605)

26. Comply with the California Building Standards Code as adopted and enforced by the local building enforcement agency with jurisdiction over the area in which the charter school is located, unless the charter school facility meets either of the following conditions: (Education Code 47610, 47610.5)

a. The facility complies with the Field Act pursuant to Education Code 17280-17317 and 17365-17374.

b. The facility is exclusively owned or controlled by an entity that is not subject to the California Building Standards Code, including, but not limited to, the federal government.

27. Promptly respond to all reasonable inquiries from the district, the county office of education, or the SPI, including, but not limited to, inquiries regarding its financial records (Education Code 47604.3)

28. Annually prepare and submit financial reports to the Governing Board and the County Superintendent of Schools in accordance with the following reporting cycle:

a. By July 1, a preliminary budget for the current fiscal year. For a charter school in its first year of operation, financial statements submitted with the charter petition pursuant to Education Code 47605(g) will satisfy this requirement. (Education Code 47604.33)

b. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. (Education Code 47604.33)

c. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31. (Education Code 47604.33)

d. By September 15, a final unaudited report for the full prior year. The report submitted to the Board shall include an annual statement of all the charter school's receipts and expenditures for the preceding fiscal year. (Education Code 42100, 47604.33)

e. By December 15, a copy of the charter school's annual, independent financial audit report for the preceding fiscal year, unless the charter school's audit is encompassed in the district's audit. The audit report shall also be submitted to the state Controller and the California Department of Education. (Education Code 47605)

Sausalito Marin City School District

Agenda Item: 11.03

Date: August 22, 2013

☐ Correspondence
☐ Reports
☐ General Functions
☐ Pupil Services
☐ Personnel Services
☐ Financial & Business Procedures
☐ Curriculum and Instruction
☒ Policy Development

☐ Consent Agenda

Item Requires Board Action: ☐

Item is for Information Only: ☒

Item: Board Policy (BP) 0420.42 – Philosophy, Goals, Objectives and Comprehensive Plans: Charter School Renewal

Background:

As part of our review process this Policy is brought forward for review and comment at our August Meeting.

Fiscal Impact:

Undetermined

Recommendation:

First Read – Only

Prepared for: S. Van Zant

Prepared by: S. Van Zant

Philosophy, Goals, Objectives and Comprehensive Plans Charter School Renewal

The Governing Board believes that the ongoing operation of a charter school established within the district should be dependent on the school's effectiveness in achieving its mission and goals for student learning and other student outcomes. Whenever a charter school submits a petition for renewal of its charter, the Board shall review the petition thoroughly and in a timely manner.

(cf. 0420.4 - Charter School Authorization)

(cf. 0420.41 - Charter School Oversight)

(cf. 0420.43 - Charter School Revocation)

(cf. 0500 - Accountability)

Each renewal granted by the Board shall be for a period of five years. (Education Code 47607)

Submission of Renewal Petition

A charter school seeking renewal of its charter is encouraged to submit its petition for renewal to the Board sufficiently early before the term of the charter is due to expire.

The signature requirement applicable to new charter petitions is not applicable to petitions for renewal. (5 CCR 11966.4)

The petition for renewal shall include a reasonably comprehensive description of how the charter school has met all new charter school requirements enacted into law after the charter was originally granted or last renewed. The petition also shall include documentation that the charter school meets at least one of the criteria for academic performance specified in Education Code 47607(b), as listed in item #5 in the section "Criteria for Granting or Denying Renewal" below. (Education Code 47607; 5 CCR 11966.4)

Criteria for Granting or Denying Renewal

Renewals shall be governed by the same standards and criteria that apply to new charter petitions as set forth in Education Code 47605. The Board shall consider the past performance of the charter school's academics, finances, and operations in evaluating the likelihood of future success, along with plans for improvement, if any. (Education Code 47607; 5 CCR 11966.4)

In determining whether to grant a charter renewal, the Board shall consider increases in academic achievement for all "numerically significant" groups of students served by the charter school, as defined in Education Code 52052, as the most important factor. (Education Code 47607)

The Board shall deny a renewal petition only if it makes a written factual finding setting forth specific facts to support one or more of the following grounds: (Education Code 47605, 47607; 5 CCR 11966.4)

1. The charter school presents an unsound educational program for the students enrolled in the school.
2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
3. The petition does not contain an affirmation of each of the conditions described in Education Code 47605(d).
4. The petition does not contain reasonably comprehensive descriptions of the charter provisions in Education Code 47605(b).
5. The charter school has failed to meet at least one of the following criteria of academic performance:
 - a. Attainment of its Academic Performance Index (API) growth target in the prior year or in two of the last three years, both schoolwide and for all numerically significant groups of students served by the charter school as defined in Education Code 52052.
 - b. An API ranking in deciles 4-10 in the prior year or in two of the last three years.
 - c. An API ranking in deciles 4-10 for a demographically comparable school in the prior year or in two of the last three years.
 - d. Academic performance at least equal to the academic performance of the public schools that the charter school students would otherwise have been required to attend as well as the academic performance of district schools, taking into account the composition of the student population that is served at the charter school. In determining whether the charter school satisfies this criterion, the Board shall base its decision on:
 - (1) Documented clear and convincing data
 - (2) Student achievement data from assessments, including, but not limited to, the Standardized Testing and Reporting Program, for demographically similar student populations in comparison schools
 - (3) Information submitted by the charter school

Whenever the Board makes a determination based on this criterion, the Superintendent or designee shall submit copies of supporting documentation and a written summary of the basis for the Board's determination to the Superintendent of Public Instruction.
(cf. 6162.51 - Standardized Testing and Reporting Program)

- e. Qualification for an alternative accountability system pursuant to Education Code 52052(h)

Timelines for Board Action

Within 30 days of receiving the renewal petition, the Board shall hold a public hearing to review documentation submitted by the charter school and obtain public input.

If the charter school submits documentation pursuant to item #5d in the section "Criteria for Granting or Denying Renewal" above, the Board shall not grant a renewal until at least 30 days after the submission of such documentation. (Education Code 47607)

Within 60 days of receiving the renewal petition, or within 90 days if extended by mutual written agreement of the Board and the charter school, the Board shall either grant or deny the request to renew the charter. (Education Code 47607; 5 CCR 11966.4)

If the Board fails to make a written factual finding pursuant to items #1-5 in the section "Criteria for Granting or Denying Renewal" above within the required time period, the absence of a written factual finding shall be deemed an approval of the renewal petition. (5 CCR 11966.4)

The Superintendent or designee shall provide notification to the California Department of Education, within 10 calendar days of the Board's action, whenever a renewal of the charter is granted or denied. (Education Code 47604.32; 5 CCR 11962.1)

If the Board denies a renewal petition, the charter school may submit its application for renewal to the County Board of Education within 30 days of the Board's written factual findings supporting the denial. If the County Board then fails to deny or grant the petition within 60 days of receiving the petition, or within 90 days if extended by written mutual agreement of the charter school and the County Board, the charter school may submit the petition to the State Board of Education. (Education Code 47605, 47607.5)

Legal Reference:

EDUCATION CODE

47600-47616.7 Charter Schools Act of 1992

52052 Alternative accountability system; definition of numerically significant student subgroup

56145-56146 Special education services in charter schools

60600-60649 Assessment of academic achievement

CODE OF REGULATIONS, TITLE 5

11960-11969 Charter schools

UNITED STATES CODE, TITLE 20

7223-7225 Charter schools

Management Resources:

CSBA PUBLICATIONS

The Role of the Charter School Authorizer, Online Course

Charter Schools: A Manual for Governance Teams, rev. 2012

WEB SITES

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

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

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

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

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

(3/12) 11/12

Sausalito Marin City School District

Agenda Item: 11.04

Date: August 22, 2013

☐ Correspondence
☐ Reports
☐ General Functions
☐ Pupil Services
☐ Personnel Services
☐ Financial & Business Procedures
☐ Curriculum and Instruction
☒ Policy Development

☐ Consent Agenda

Item Requires Board Action: ☐

Item is for Information Only: ☒

Item: Board Policy (BP) 0420.43 - Philosophy, Goals, Objectives and Comprehensive Plans: Charter School Revocation

Background:

As part of our review process this Policy is brought forward for review and comment at our August Meeting.

Fiscal Impact:

Undetermined

Recommendation:

First Read – only

Prepared for: S. Van Zant

Prepared by: S. Van Zant

Philosophy, Goals, Objectives and Comprehensive Plans Charter School Revocation

The Governing Board expects any charter school it authorizes to provide a sound educational program that promotes student learning and to carry out its operations in a manner that complies with law and the terms of its charter.

(cf. 0420.4 - Charter School Authorization)

(cf. 0420.41 - Charter School Oversight)

(cf. 0420.42 - Charter School Renewal)

(cf. 0500 - Accountability)

The Board may revoke a charter before the date it is due to expire whenever the Board makes a written factual finding, supported by substantial evidence, that the charter school has done any of the following: (Education Code 47607)

1. Committed a material violation of any of the conditions, standards, or procedures set forth in the charter
2. Failed to meet or pursue any of the student outcomes identified in the charter
3. Failed to meet generally accepted accounting principles or engaged in fiscal mismanagement
4. Violated any provision of law

In determining whether to revoke a charter, the Board shall consider increases in student academic achievement for all "numerically significant" groups of students served by the charter school, as defined in Education Code 52052, as the most important factor. (Education Code 47607)

At least 72 hours prior to any Board meeting at which the Board will consider issuing a Notice of Violation, the Board shall provide the charter school with notice and all relevant documents related to the proposed action.

(5 CCR 11968.5.2)

(cf. 9320 - Meetings and Notices)

If the Board takes action to issue a Notice of Violation, it shall deliver the Notice of Violation to the charter school's governing body. The Notice of Violation shall identify: (Education Code 47607; 5 CCR 11965, 11968.5.2)

1. The charter school's alleged violation(s).
2. All evidence relied upon by the Board in determining that the charter school committed the alleged violation(s), including the date and duration of the alleged violation(s). The Notice shall show that each alleged violation is both material and uncured and that it occurred within a

reasonable period of time before the Notice of Violation is issued.

3. The period of time that the Board has concluded is a reasonable period of time for the charter school to remedy or refute the identified violation(s). In identifying this time period, the Board shall consider the amount of time reasonably necessary to remedy each identified violation, which may include the charter school's estimation as to the anticipated remediation time.

By the end of the remedy period identified in the Notice of Violation, the charter school's governing body may submit to the Board a detailed written response and supporting evidence addressing each identified violation, including the refutation, remedial action taken, or proposed remedial action. (5 CCR 11968.5.2)

Within 60 calendar days of the conclusion of the remedy period, the Board shall evaluate any response and supporting evidence provided by the charter school's governing body and shall take one of the following actions: (5 CCR 11968.5.2)

1. Discontinue revocation of the charter and provide timely written notice of such action to the charter school's governing body

2. If there is substantial evidence that the charter school has failed to remedy a violation identified in the Notice of Violation or to refute a violation to the Board's satisfaction, continue revocation of the charter by issuing a Notice of Intent to Revoke to the charter school's governing body

If the Board issues a Notice of Intent to Revoke, it shall hold a public hearing concerning the revocation on the date specified in the notice, which shall be no later than 30 days after providing the notice. Within 30 calendar days after the public hearing, or within 60 calendar days if extended by written mutual agreement of the Board and the charter school, the Board shall issue a final decision to revoke or decline to revoke the charter. (Education Code 47607; 5 CCR 11968.5.2)

If the Board fails to meet the timelines specified above for issuing a Notice of Intent to Revoke or a final decision, the revocation process shall be deemed terminated. (5 CCR 11968.5.2)

Within 10 calendar days of the Board's final decision, the Superintendent or designee shall provide a copy of the final decision to the California Department of Education (CDE) and the County Board of Education. (Education Code 47604.32; 5 CCR 11968.5.2)

Severe and Imminent Threat

The procedures specified above shall not be applicable when the Board determines, in writing, that any violation under Education Code 47607 constitutes a severe and imminent threat to the health or safety of students. In such circumstances, the Board may immediately revoke the school's charter by approving and delivering a Notice of Revocation by Determination of a Severe and Imminent Threat to Pupil Health or Safety to the charter school's governing body, the

County Board, and the CDE. (Education Code 47607; 5 CCR 11968.5.3)

Appeals

In the event that the Board revokes the charter, the charter school may, within 30 days of the Board's final decision, appeal the revocation to the County Board. Either the charter school or the district may subsequently appeal the County Board's decision to the SBE. (Education Code 47607; 5 CCR 11968.5.3-11968.5.5)

Legal Reference:

EDUCATION CODE

47600-47616.7 Charter Schools Act of 1992, especially:

47607 Charter renewals and revocations

52052 Numerically significant student subgroup; definition

CODE OF REGULATIONS, TITLE 5

11960-11969 Charter schools, especially:

11968.5-11968.5.5 Charter revocations

COURT DECISIONS

Today's Fresh Start, Inc. v. Los Angeles County Office of Education, (2011) 197 Cal.App.4th 436

Management Resources:

CSBA PUBLICATIONS

The Role of the Charter School Authorizer, Online Course

Charter Schools: A Manual for Governance Teams, rev. 2012

WEB SITES

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

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

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

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

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

(3/12) 11/12

Sausalito Marin City School District

Agenda Item: 11.05

Date: August 22, 2013.

☐ Correspondence
☐ Reports
☐ General Functions
☐ Pupil Services
☐ Personnel Services
☐ Financial & Business Procedures
☐ Curriculum and Instruction
☒ Policy Development

☐ Consent Agenda

Item Requires Board Action: ☐

Item is for Information Only: ☒

Item: Board Policy (BP) & Administrative Regulation (AR) 3270 – Sale and Disposal of Books, Equipment and Supplies

Background:

As part of our review process this Board Policy and Administrative Regulations is brought forward for review and comment at our August Meeting.

Fiscal Impact:

Undetermined

Recommendation:

First Read - Only

Prepared for: S. Van Zant

Prepared by: S. Van Zant

Sale and Disposal of Books Equipment and Supplies

When any district-owned instructional materials, equipment, supplies, or other personal property becomes unusable, obsolete, or no longer needed, the Superintendent or designee shall notify the Governing Board, provide an estimated value, and recommend whether the items be sold or disposed of by one of the methods prescribed in law and administrative regulation. Upon approval by the Board, the Superintendent or designee shall arrange for the sale or disposal of these items.

Instructional materials may be considered obsolete or unusable when they:

1. Have been replaced by more recent editions or new materials selected by the Board and have no foreseeable value in other instructional areas
2. Are not aligned with the district's academic standards or course of study
3. Contain information rendered inaccurate or incomplete by new research or technologies
4. Contain demeaning, stereotyping, or patronizing references to any group of persons protected against discrimination by law or Board policy
5. Are damaged beyond use or repair

The Superintendent or designee shall establish procedures to be used when selling equipment for which the federal government has a right to receive all or part of the proceeds. These procedures shall ensure a reasonable amount of competition so as to result in the highest possible revenue.

Legal Reference:

EDUCATION CODE

17540-17542 Sale or lease of personal property by one district to another

17545-17555 Sale of personal property

35168 Inventory, including record of time and mode of disposal

42291.5 Temporary school bus designation

42303 School bus sale to another district

60500-60530 Sale, donation, or disposal of instructional materials

GOVERNMENT CODE

25505 District property; disposition; proceeds

CODE OF REGULATIONS, TITLE 5

3944 Consolidated categorical programs, district title to equipment

3946 Disposal of equipment purchased with state and federal consolidated application funds

UNITED STATES CODE, TITLE 40

549 Surplus property

CODE OF FEDERAL REGULATIONS, TITLE 34

80.32 Equipment acquired under a grant or subgrant

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Accounting Manual

Standards for Evaluating Instructional Materials for Social Content, 2000

WEB SITES

California Department of Education: <http://www.cde.ca.gov>

School Services of California, Inc.: <http://www.sscal.com>

Sale and Disposal of Books, Equipment and Supplies

The district may sell surplus or obsolete district-owned personal property through any of the following methods:

1. The Superintendent or designee may advertise for bids by posting a notice in at least three public places in the district for at least two weeks, or by publishing a notice at least once a week for at least two weeks in a newspaper having a general circulation in the district and, if possible, publishing within the district. The district shall sell the property to the highest responsible bidder or shall reject all bids.

Property for which no qualified bid has been received may be sold, without further advertising, by the Superintendent or designee.

2. The property may be sold by means of a public auction conducted by district employees, employees of other public agencies, or by contract with a private auction firm. Notice related to the auction shall be posted or published as described in item #1 above.

3. The district may sell the property without advertising for bids under any of the following conditions:

- a. The Governing Board members attending a meeting unanimously agree that the property, whether one or more items, does not exceed \$2,500 in value.)
- b. The district sells the property to agencies of federal, state, or local government, to any other school district, or to any agency eligible under the federal surplus property law (40 USC 484 renumbered 40 USC 549) and the sale price equals the cost of the property plus the estimated cost of purchasing, storing, and handling.
- c. The district sells or leases the property to agencies of the federal, state, or local government or to any other school district and the price and terms of the sale or lease are fixed by the Board and approved by the County Superintendent of Schools.

If the Board members attending a meeting unanimously find that the value of the property is insufficient to defray the costs of arranging a sale, the property may be donated to a charitable organization deemed appropriate by the Board or may be disposed of by dumping.

Money received from the sale of surplus property shall be either deposited in the district reserve or general fund or credited to the fund from which the original purchase was made.

Instructional Materials

Surplus or undistributed obsolete instructional materials that are usable for educational purposes may be sold by the district, in which case all of the proceeds of the sale shall be available to acquire basic instructional materials, supplemental instructional materials, or technology-based materials.

Such materials also may be donated to another district, county free library, or other state institution; a United States public agency or institution; a nonprofit charitable organization; or children or adults in California or foreign countries for the purpose of increasing the general literacy of the people. Any organization, agency, or institution receiving obsolete instructional materials donated by the district shall certify to the Board that it agrees to make no charge to any persons to whom it gives or lends these materials.

At least 60 days before selling or donating surplus or obsolete instructional materials, the Superintendent or designee shall notify the public of the district's intention to do so through a public service announcement on a local television station, in a local newspaper, or by another means he/she believes will most effectively reach the entities described above. The Board shall also permit representatives of these entities and members of the public to address the Board regarding the distribution of these materials.

Surplus or undistributed obsolete instructional materials which are unusable or which cannot be distributed as specified above may be disposed of by either of the following:

1. Mutilated so as not to be salable and sold for scrap at the highest obtainable price
2. Destroyed by any economical means, provided that the materials are not destroyed until at least 30 days after the district has given notice to all persons who have filed a request for such notice

Replacement of School Buses

Upon receiving a state apportionment for the replacement of a school bus, the Board may sell the bus that is being replaced to another California school district if the following conditions are met:

1. The other district is replacing a bus that is in service and has not been designated a temporary school bus pursuant to Education Code 42291.5.
2. The bus being replaced by the other district is older than the bus that is being sold by this district.
3. The bus being replaced by the other district is not sold to a third school district.
4. The other district, by Board resolution, holds the state and this district harmless for any liability that may result from the bus that this district is selling.
5. The proceeds from the sale of the bus shall be used by this district for home-to-school

transportation purposes.

6. Before the sale is finalized, the bus being sold is in compliance with all relevant provisions of the Vehicle Code and Title 13 of the California Code of Regulations.

Sausalito Marin City School District

Agenda Item: 11.06

Date: August 22, 2013

☐ Correspondence
☐ Reports
☐ General Functions
☐ Pupil Services
☐ Personnel Services
☐ Financial & Business Procedures
☐ Curriculum and Instruction
☒ Policy Development

☐ Consent Agenda

Item Requires Board Action: ☐

Item is for Information Only: ☒

Item: Board Policy (BP) & Administrative Regulation (AR) 3280 – Sale or Lease of District-Owned Real Property

Background:

As part of our review process this Board Policy and Administrative Regulations is brought forward for review and comment at our August Meeting.

Fiscal Impact:

Undetermined

Recommendation:

First Read - Only

Prepared for: S. Van Zant

Prepared by: S. Van Zant

Sale or lease of District-Owned Real Property

The Governing Board believes that the district should utilize its facilities and resources in the most economical and practical manner. The Superintendent or designee shall periodically study the current and projected use of all district facilities to ensure the efficient utilization of space and the effective delivery of instruction.

Note: Education Code 17455 authorizes the lease, for up to 99 years, or sale of any surplus district real property and personal property located upon that real property. When the district is selling any property or leasing it with an option to purchase, Education Code 17464 and Government Code 54222 list the public entities that have priority and the types of notice that the district must provide such entities before disposing of the property. Under certain circumstances, districts may also need to comply with Education Code 17485-17500 (the Naylor Act), which require the granting of priority to public agencies when disposing of any district property that includes a playground, playing field, or land with an outdoor recreational purpose. Pursuant to Education Code 17458, the district may, under certain conditions, grant priority to licensed child care providers or, pursuant to Education Code 17230, for less than fair market value to public entities for recreational purposes.

Note: When proposing the sale or lease of surplus property, the district must also comply with the California Environmental Quality Act, Public Resources Code 21000-21177.

Upon determination that district property is no longer needed or may not be needed until some future time, the Board shall offer to sell or lease district-owned real property in accordance with priorities and procedures specified in law, including, but not limited to, Education Code 17230, 17464, 17485-17500, and Government Code 54222.

Note: Prior to the sale or lease of property, Education Code 17388 requires the Governing Board to appoint a district advisory committee to advise the Board regarding the disposition of the property. See the accompanying administrative regulation for details about the membership and duties of this committee. Pursuant to Education Code 17387, this committee is not required for leases or rentals of a district facility to a private school for the purpose of offering summer school. Districts that wish to establish the committee to allow greater opportunity for community input before the Board's decision to sell or lease property has been made should modify the following paragraph accordingly.

Prior to the sale or lease of any surplus real property, the Board shall appoint a district advisory committee to advise the Board regarding the use or disposition of schools or school building space which is not

Resolution of Intention to Sell or Lease

Before ordering the sale or lease of any real property, the Board shall adopt a resolution by a two-thirds vote of all of its members at a regular, open meeting. The resolution shall describe the property proposed to be sold or leased in such a manner as to identify it, specify the minimum price or rent, describe the terms upon which it will be sold or leased, and specify the commission or rate, if any, which the Board will pay to a licensed real estate broker out of the minimum price or rent. The resolution shall fix a time, not less than three weeks thereafter, for a public meeting, held at the Board's regular meeting place, at which sealed proposals to purchase or lease will be received and considered.

The Superintendent or designee shall provide notice of the adoption of the resolution and of the time and place of the meeting that will be held to consider bids by posting copies of the resolution, signed by the Board, in three public places not less than 15 days before the date of the meeting. In addition, the notice shall be published at least once a week for three successive weeks before the meeting, in a newspaper of general circulation published in the county in which the district is located, if such a newspaper exists.

The Superintendent or designee shall take reasonable steps to provide notification to the former owners of the property of the district's intent to sell it in accordance with Education Code 17470.

Acceptance/Rejection of Bids

At the public meeting specified in the resolution of intention to sell or lease property, the Board shall open, examine, and declare all sealed bids. Before accepting any written proposal, the Board shall call for oral bids in accordance with law.

The Board may reject any and all bids, either written or oral, and withdraw the properties from sale when the Board determines that rejection is in the best public interest. If no proposals are submitted or the submitted proposals do not conform to all the terms and conditions specified in the resolution of intention to lease, the Board may lease the property in accordance with Education Code 17477.

Of the proposals submitted by responsible bidders which conform to all terms and conditions specified in the resolution of intention to sell or lease, the Board shall finally accept the highest bid after deducting the commission, if any, to be paid to a licensed real estate broker, unless the Board accepts a higher oral bid or rejects all bids.

The final acceptance of the bid may be made either at the same meeting specified in the resolution or at any adjourned/continued meeting held within 10 days. Upon acceptance of the bid, the Board may adopt a resolution of acceptance that directs the Board president, or any other Board member, to execute the deed or lease and to deliver the document upon performance and compliance by the successful bidder of all of the terms

and conditions of the contract.

Use of Proceeds

Note: Education Code 17462 requires the district to use the proceeds derived from the sale or lease of property for capital outlay or maintenance. However, proceeds from the sale or lease with an option to purchase may be deposited in the district's general fund when the Board and SAB determine that the district has no anticipated need for additional sites or building construction for the next 10 years and no major deferred maintenance requirements. Thus, districts may not apply to the state for new construction or modernization funding during that time period unless certain conditions specified in Education Code 17462 are satisfied.

Note: In addition, Education Code 17462 requires that proceeds be used for one-time expenditures and prohibits the use for ongoing expenditures. 2 CCR 1700 defines "ongoing expenditures" as costs paid by a district's general or special fund in support of salaries. However, 2 CCR 1700 creates an exception and authorizes the use of such proceeds, if approved by the SAB, for one-time funding to reduce a district's unfunded liability for other postemployment benefits (OPEBs) (i.e., medical, dental, vision, hearing, life insurance, long-term care, long-term disability, and other non-pension benefits for retired employees). For information about prefunding OPEBs and reporting the district's liability for OPEBs, see BP 3100 - Budget and AR 3460 - Financial Reports and Accountability.

The Superintendent or designee shall ensure that proceeds from the sale or lease with an option to purchase of district surplus property are used in accordance with law.

Note: As amended by SB 70 (Ch. 7, Statutes of 2011), Education Code 17463.7 authorizes districts, until January 1, 2014, to use the proceeds from the sale of surplus real property, along with the proceeds from any personal property located on that real property, for any one-time general fund purpose. Districts that choose to exercise the authority will be ineligible for hardship funding from the SAB for five years after the proceeds are deposited.

Note: Prior to exercising this authority, Education Code 17463.7 requires the Board to adopt a plan for expending the resources and to make specific certifications to the SAB, as specified below. Education Code 17463.7 contains additional requirements applicable

to the sale of property purchased with proceeds from a local general obligation bond or revenue from developer fees.

Pursuant to the authorization in Education Code 17463.7, the district may expend proceeds from the sale of surplus real property, along with the proceeds from any personal property located on that real property, for any one-time general fund purpose(s). Prior to exercising this authority, the Board shall certify to the State Allocation Board that:

1. The district has no major deferred maintenance requirements not covered by existing capital outlay resources.
2. The sale of real property pursuant to Education Code 17463.7 does not violate the provisions of a local bond act.
3. The real property is not suitable to meet projected school construction needs for the next 10 years.

Prior to exercising this authority, the Superintendent or designee shall present to the Board, at a regularly scheduled meeting, a plan for expending these one-time resources. The plan shall identify the source and use of the funds and shall describe the reasons that the expenditure shall not result in ongoing fiscal obligations for the district.

Legal Reference:

EDUCATION CODE

17219-17224 Acquisition of property not utilized as school site; nonuse payments; exemptions

17230-17234 Surplus property

17385 Conveyances to and from school districts

17387-17391 Advisory committees for use of excess school facilities

17400-17429 Leasing property

17430-17447 Leasing facilities

17453 Lease of surplus district property

17455-17484 Sale or lease of real property, especially:

17463.7 Proceeds for general fund purposes

17485-17500 Surplus school playground (Naylor Act)

17515-17526 Joint occupancy

17527-17535 Joint use of district facilities

33050 Request for waiver

38130-38139 Civic Center Act

GOVERNMENT CODE

54220-54232 Surplus land, especially:

54222 Offer to sell or lease property

54950-54963 Brown Act, especially:

54952 Legislative body, definition

PUBLIC RESOURCES CODE

21000-21177 California Environmental Quality Act

CODE OF REGULATIONS, TITLE 2

1700 Definitions related to surplus property

COURT DECISIONS

San Lorenzo Valley Community Advocates for Responsible Education v. San Lorenzo Valley Unified School District, (2006) 139 Cal.App. 4th 1356

Management Resources:

CSBA PUBLICATIONS

Maximizing Opportunities for Physical Activity Through Joint Use of Facilities, Policy Brief, September 2009

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Closing a School Best Practices Guide

OFFICE OF PUBLIC SCHOOL CONSTRUCTION PUBLICATIONS

Unused Site Program Handbook, May 2008

WEB SITES

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

California Department of Education, School Facilities Planning Division:
<http://www.cde.ca.gov/ls/fa>

Coalition for Adequate School Housing: <http://www.cashnet.org>

Office of Public School Construction: <http://www.opsc.dgs.ca.gov>

Sale or lease of District-Owned Real Property

The district advisory committee on use or disposition of surplus school buildings or space shall consist of 7-11 members representative of each of the following: (Education Code 17389)

1. The district's ethnic, age group, and socioeconomic composition
2. The business community, such as store owners, managers, or supervisors
3. Landowners or renters, with preference to representatives of neighborhood associations
4. Teachers
5. Administrators
6. Parents/guardians of students
7. Persons with expertise in environmental impact, legal contracts, building codes, and land use planning, including, but not limited to, knowledge of the zoning and other land use restrictions of the cities and counties in which the surplus property is located

This committee shall:

1. Review projected school enrollment and other data to determine the amount of surplus space and real property
2. Establish and circulate throughout the attendance area a priority list for use of surplus space and real property that will be acceptable to the community
3. Hold hearings, with community input, on acceptable uses of space and real property, including the sale or lease of surplus real property for child care development purposes
4. Make a final determination of limits of tolerance of use of space and real property
5. Send the Governing Board a report recommending uses of surplus space and real property

Note: Pursuant to Government Code 54952, open meeting laws (the Brown Act) apply to a committee created by formal action of the Board, regardless of whether that body is permanent or temporary, decision making, or advisory. Thus, because Education Code 17388 specifies that the district advisory committee is appointed by the Board, meetings

of that committee are subject to the Brown Act. See AR 1220 - Citizen Advisory Committees and BB 9130 - Board Committees.

The district advisory committee shall comply with open meeting requirements of the Brown Act. (Government Code 54952)