

DEPENDENT CHARTER SCHOOLS

A dependent charter school is a charter school that has been created by the district board and is a part of the district's portfolio of schools. Dependent charter schools in VUSD are governed by the VUSD Board of Trustees and follow all VUSD Board Policies.

Purpose

A dependent charter school can assist the District in offering diverse and innovative learning opportunities for district students. The school shall operate as a dependent charter school as a school of the District.

Charter School Students

A dependent charter school shall be open to all students. The dependent charter school shall make a serious and consistent effort to recruit students in a manner that will achieve racial and ethnic balance among its pupil population, one that is reflective of the general population residing within the district.

Funding

As established by Education Code 47630 et. Seq., the dependent charter school shall receive funding under the charter school funding model. Dependent charter schools shall be "indirectly" funded and will receive funds on a pass-through basis through the district for the charter in-lieu tax calculation and Federal funds.

Education Code §47651(a)(2).

The charter shall maintain independent fiscal operation and finances from the district, and the district's only nexus to such fiscal activities is through its oversight duties.

The dependent charter school shall receive a general-purpose entitlement, which includes in lieu property taxes and state aid. The dependent charter school shall receive categorical block grants, as applicable. The dependent charter school is entitled to lottery funds, Federal funds, and State categorical funds as applicable.

Education Code §47638

Education Code §47634

Administrative Services

The dependent charter school will purchase administrative services from the district in accordance with Education Code §47613(d). The district will charge the dependent charter school 15% of the unrestricted revenue for the following services:

Educational Services
Nursing
Superintendent's Office

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Business and Administration
Public Information Office
Human Resources
Facilities
Fiscal Services
Technology/Data Processing
Maintenance and Operations
Educational Options and Supports
Payroll and STRS/PERS Reporting Services
Technology Services and Support
Special Education (outside of resource staffing outlined below)
Property Liability and Insurance
Workers' Compensation Insurance
Child Nutrition

The 15% for administrative services is in addition to the 3% of total revenues per Education Code §47613(a) and (b) for 1% for supervisorial oversight and an additional 2% for district, rent-free facilities.

The District may determine to charge less in any given fiscal year when the dependent charter's budget does not allow for the full amount to be directly charged for these oversight and administrative services.

The District will annually prepare and submit the following reports in a format legally prescribed for charter schools to the Solano County Superintendent of Schools.

A preliminary budget on or before July 1, and

an interim financial report reflecting changes made through October 31, on or before December 15, and

a second interim financial report reflecting changes through January 31, on or before March 15, and

a final unaudited report for the full prior year, on or before September 15.

The Charter School's annual audit will be submitted with the district's audit in accordance with the terms of the charter.

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Special Education Services

The dependent charter school will be treated as a traditional school in the District for the purposes of special education services and funding to provide special education services except for the following positions:

The dependent charter will assume the full responsibility for funding the cost of the dependent charter school's special education Resource Program staff including teachers and paraprofessionals. If a one-to-one Resource Program paraprofessional is required for the student(s) need, then it will be determined by the District who funds the position.

The dependent charter schools and the District shall share the cost of funding a special education coordinator. The cost to each Charter will be based on actual enrollment. The Charter Principals will meet with the Assistant Superintendent of Educational Options and Supports by October 5 of each school year to determine the actual percentages by school.

The District shall retain all state and federal special education funding allocated for the dependent charter school students through the SELPA.

Mental Health and Behavioral Services

All schools, including dependent charter schools, receive special education related mental health/behavioral services based on IEP caseloads of students receiving direct service in these areas. Staff FTE allocations for these services will be determined by March 1.

The District, along with dependent charter input, will determine the individual staff member working directly at the dependent charter. Dependent charters have the option to purchase additional services (staff time) from the District. The charter school shall determine how much FTE they will fund based on what their budget will allow. They still must be able to meet their minimum fiscal obligations throughout their multi-year projected budget. The charter school must request the additional services for the following school year by March 31.

Material Revisions to Charter

Changes to the charter deemed to be material revisions may not be made without Board approval. Amendments to the charter considered to be material changes include, but are not limited to, the following:

Any change that could significantly impact the academic or financial sustainability of the Charter

Any action taken which will result in a significant shift in pupil population being shifted to or from a site (i.e. site-based program changed to an online program)

DEPENDENT CHARTER SCHOOLS (continued)

Changing admissions policies and preferences

Departures in the instructional philosophy as outlined in the Board adopted charter

Material amendments to the dependent charter school's charter may only be made upon the approval of the School's Governing Board and will take effect only if approved by VUSD Board pursuant to EC section 47607.

Charter Renewal

The dependent charter school may seek renewal of the charter prior to expiration of the Term of the Charter in accordance with statutory provisions. The school shall submit its renewal petition for the next charter term along with a copy of the past three years of CAASPP and California School Dashboard results, the most recent Annual Report of Activities and/or Local Control Accountability Plan Annual Update. These are to be submitted to the VUSD no sooner than October 1 of the fiscal year in which Charter School would cease operations without renewal.

Charter Revocation

The District Governing Board is in the unique position of being both the authorizing authority of the dependent charter school as well as the direct Governing Board of the charter school. As the direct Governing Board of the charter school, the District Governing Board has the authority to voluntarily close the charter school.

The District Governing Board shall have the right to revoke the dependent charter school in accordance with Cal. Ed. Code §§47607, 47607.3 or other applicable statute or regulations or if the District determines in writing that there is a severe and immediate threat to the health or safety of the students. Prior to instituting revocation proceedings, the District will provide progressive notices that correction of a problem at the Charter School is to occur with specified timelines. The minimum progression of notification of corrective action for concerns the District Board considers involve violation(s) of Cal. Ed. Code §47607(e) is as specified in 5 CCR §11968.5.2. Additional notification may be provided, at the sole discretion of the district.

If the District Board determines that there is a severe and imminent threat to the health or safety of students and/or staff, and makes such determination in writing, per Cal. Ed. Code §47607(d), it may take immediate action to assure the safety and well-being of the students, staff, and community, consistent with 5 CCR §11968.5.3. Such immediate action, as deemed appropriate by the District Board in its reasonable discretion, may include but is not limited to revocation of its charter in accordance with Cal. Ed. Code §§47607(e).

Governing Board

The District's governing board will serve as the dependent charter school's governing board. The charter will adhere to all district Board policies.

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Additionally, the District Governing Board will adhere to statutory duties with respect to the dependent charter school. The District Governing Board determines whether a petition meets the legal requirements for approval (Ed. Code §47605(b)) and is obligated to perform its oversight duties as prescribed by law or expose the district to potential liability for the acts, errors, or omissions of the charter school. (Ed. Code §47604.1) The district's board also determines whether the charter should be materially revised or renewed (Ed. Code §47607(a)), has committed one of the conditions for revocation, and has the power to revoke the charter if the charter school commits any of the prescribed violations. (Ed. Code §47607(e)) These duties exist regardless of whether the charter school is a "conversion" or a "startup," or whether it is a "dependent" or "independent" charter school.

Exclusive Employer

The district is considered to be the exclusive employer for the purposes of the Educational Employment Relations Act ("EERA"), the collective bargaining law for school districts. Ed. Code §§47605(b)(5)(O) and 47611.5. The dependent charter school administrative staff shall be hired, evaluated, and supervised by the district superintendent or designee.