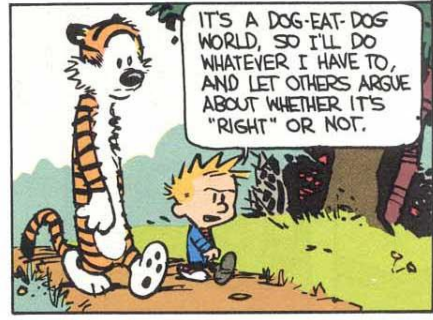
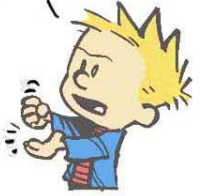


Calvin and Hobbes

BY WATKINSON



GET WHAT YOU CAN WHILE THE GETTING'S GOOD - THAT'S WHAT I SAY! MIGHT MAKES RIGHT! THE WINNERS WRITE THE HISTORY BOOKS!



Revocation

Doing the Right Thing for the Right Reasons

REVOKED

Purpose for This Meeting

- Understand the purpose for revoking a charter school
- Know the legal grounds for revoking a charter school
- Know the legal procedural requirements for revoking a charter school
- Understand best practice for the revocation process

Purpose for Revocation

A Quality Authorizer revokes a charter school when necessary to protect student and public interests. When there is clear evidence of:

- extreme underperformance
- violation of law
- violation of the public trust that imperils students
- violation of the public trust that imperils public funds

Grounds for Revocation EC 47607(c)(1)

- *A charter may be revoked...if the [chartering] authority finds, through a showing of substantial evidence, that the charter school did any of the following:*
 - *(A) Committed a material violation of any of the conditions, standards, or procedures set forth in the charter.*
 - *(B) Failed to meet or pursue any of the pupil outcomes identified in the charter.*
 - *(C) Failed to meet generally accepted accounting principles, or engaged in fiscal mismanagement.*
 - *(D) Violated any provision of law.*

Table Discussion

- What violations/concerns have you had with some of your charters?
- Which one of the criteria in EC 47607 is it aligned to?
- What steps have you taken in the past to help the schools remedy your concerns?

Pupil Academic Achievement

- **EC 47607(c)(2):**
- *The authority that granted the charter shall consider increases in academic achievement for all groups of pupils served by the charter school as the most important factor in determining whether to revoke a charter.*

Substantial Evidence

- “Substantial Evidence” is evidence that a reasoning mind would accept as sufficient to support a conclusion.
(Farrow v. Montgomery Ward Long Term Disability Plan, 176 Cal App. 3d 648, 658 (Cal. App. 1st Dist. 1986))

Procedures

Step One:

Notice of Violation

Reasonable Opportunity to Remedy

**Step Two:
Facts**

**Notice of Intent to Revoke/Notice of
in Support of Revocation**

Public Hearing held within 30 days

Step Three:

Final Decision within 30 days

Notice of Violation

Notify the charter in writing of any violation including written factual findings supported by substantial evidence.

- The school's alleged violation(s) or failure(s) under EC 47607
- Substantial evidence of the allegations that indicate:
 - ✓ date and duration
 - ✓ material and uncured
 - ✓ occurred within a reasonable period of time before a notice of violation was issued
- The reasonable period of time to remedy or refute the findings

Opportunity to Remedy

Time deemed by the authorizer as a reasonable opportunity to remedy the violation(s)

(unless the violation poses an imminent health and safety threat)

Notice of Intent to Revoke

Provide written notice that includes:

- All evidence relied upon in determining that the charter school failed to remedy a violation.
- The date and time at which the chartering authority will hold a public hearing concerning revocation. (no more than 30 calendar days after the notice was issued.)

Public Hearing

Hold a public hearing within 30 days of notice of intent to revoke.

Final Decision

Make a written final decision to revoke or decline to revoke the charter within 30 days of public hearing. (30 day extension by mutual consent)

Immediate Revocation

- When a charter school's structures, systems or practices are in a condition that poses a **severe and imminent threat to the health or safety** of pupils while at school.
- The charter school has made no reasonable attempt to remedy the condition or no remedy exists to cure the condition.
- Does not include any cosmetic or nonessential repairs or severe threats for which the school has initiated corrective action and has removed the pupils from any immediate danger.

Notice of Revocation by Determination of a Severe and Imminent Threat to Pupil Health or Safety

Immediate notice without time to remedy or refute.

Must include:

- The location of the facility;
- The provisions of Education Code section 47607(c) that the charter school has violated and a description of the emergency or urgent conditions that have resulted from this violation;
- A description of how the condition(s) severely and imminently threatens the health or safety of pupils.

Appeal of A Charter Revocation

Charter School Responsibility: Submit appeal within timeline and provide County Board with all required documents.

- Evidence charter school board approved submitting appeal
- District provided documents to support revocation
- Charter school's reasoning why district did not have adequate evidence
- Charter school's explanation how district failed to follow procedural requirements

Appeal of A Charter Revocation

County Board's Appellate Decision:

- **Uphold** the District's revocation.
 - Revocation Stands
 - Charter School may appeal to the State Board of Education (SBE)
- **Reverse** the District's revocation.
 - Charter is Reinstated and District Remains the Authorizer
 - District may appeal to SBE

Appeal of A Charter Revocation

County Board's Appellate Role:

Review administrative record to determine whether:

1. The District's findings met the grounds for revocation established in *EC 47607(c)(1)*
2. The District had *substantial evidence* in support of findings of revocation
3. District followed all legally required procedures

Additional Basis for Revocation

A charter may be revoked by the authorizer if the charter school meets one of the following conditions:

- Fails to improve outcomes, in regard to the state priorities
- Fails, or is unable, to implement recommendations after advice and assistance from the California Collaborative for Educational Excellence
- Exhibits inadequate performance, based on the SBE's evaluation rubric, that is so persistent or acute as to require revocation
- A charter school cannot appeal a revocation made on this basis

Authorizer Oversight of Academic Achievement

When a charter school fails to improve outcomes for three or more student subgroups (*EC* Section 52052) or for all students, in three of four consecutive years, in regard to one or more state or school priorities, the authorizing district:

- Shall provide technical assistance to the charter school using the California State Board of Education (SBE) adopted rubric (CA Dashboard)
- May request the State Superintendent of Public Instruction assign the CA Collaborative for Educational Excellence to provide advice and assistance to the charter school

A Quality Authorizer...

- Clearly communicates to schools the criteria for charter revocation decisions that are consistent with the charter contract.
- Promptly notifies each school of its revocation decision, including written explanation of the reasons for the decision.
- Promptly communicates revocation decisions to the school community and public within a time frame that allows parents and students to exercise choices for the coming school year.

A Quality Authorizer...

- Explains in writing any available rights of legal or administrative appeal through which a school may challenge the authorizer's decision.
- In the event of a school closure, oversees and works with the school governing board and leadership in carrying out a detailed closure protocol that ensures timely notification to parents; orderly transition of students and student records to new schools; and disposition of school funds, property, and assets in accordance with law.

**Los Angeles County Office of Education
Charter School Office
(562) 922-8806**

<https://www.lacoe.edu/Charter-School-Services/Charter-School-Office>

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