

**CLOVIS UNIFIED  
SCHOOL DISTRICT****PHILOSOPHY, GOALS, OBJECTIVES, AND COMPREHENSIVE PLANS  
CHARTER SCHOOLS**

The Board recognizes that charter schools may offer learning opportunities for students. The Board desires to support charter schools that provide a sound educational program for students and comply with applicable laws.

The Board shall consider the authorization and renewal of charter petitions and any material revisions thereto in accordance with the Education Code and other applicable laws. By law, charter school petitioners are responsible for developing the charter that will govern the charter school. The proposed charter must, at a minimum, address the provisions required by law. As specified in Education Code section 47605, in reviewing charter petitions, the Board shall give preference to petitions that demonstrate the capability to provide comprehensive learning experiences for academically low-achieving students. (Education Code 47605) The Board shall consider charter petitions using the standards and requirements set forth in Education Code section 47605 and other applicable laws.

Concurrent with the Board's approval of a petition to establish a new charter school or renew an existing charter, the Board may approve one or more memorandum of understanding (MOU) between the District and the charter school to address and clarify each party's respective rights and responsibilities relating to the charter school.

Charter schools operated as or by an entity other than the District are separate public entities that are governed independently in accordance with the charter approved by the Board and applicable laws. A charter school shall not operate as, or be operated by, a for-profit corporation, a for-profit educational management organization, or a for-profit charter management corporation. (Education Code 47604) A charter school that is not under the Board's direct control may elect to operate as, or by operated by, nonprofit public benefit corporation formed and organized pursuant to the Nonprofit Public Benefit Corporation Law, Corporations Code 51110 et seq. (Education Code 47604) A charter school shall defend, indemnify, and hold harmless the District, the Board and members thereof, and District officers, employees, and agents from any claims, actions, causes of actions, losses, and liabilities arising from or relating to the charter school.

The Board shall oversee that any charter school authorized by the Board is successfully fulfilling the terms of its charter and providing an education program in accordance with its charter and the law.

The Board may revoke a charter in accordance with law. The closure of any charter schools authorized by the Board shall comply with applicable laws.

Adopted: 12/09/1992

Reviewed: 12/11/2008

Amended: 01/19/2005, 08/08/2007, 11/30/2010, 09/23/2020 (BP 1303 renumbered as BP 0420.4)

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SCHOOL DISTRICT**

## EDUCATION CODE

200 Equal rights and opportunities in state educational institutions  
220 Nondiscrimination  
1240 Duties of County Superintendent  
17078.52-17078.66 Charter schools facility funding; state bond proceeds  
17280-17317 Field Act  
17365-17374 Field Act, fitness for occupancy  
32282 Comprehensive safety plan  
33126 School Accountability Report Card  
41365 Charter school revolving loan fund  
42131 Interim certification  
42238.51-42238.2 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  
47640-47647 Special education funding for charter schools  
47650-47652 Funding of charter schools  
49011 Student fees  
51745-51749.6 Independent study  
52052 Accountability: numerically significant student subgroups  
52060-52077 Local control and accountability plan  
56026 Special education  
56145-56146 Special education services in charter schools

## CORPORATIONS CODE

5110-6910 Nonprofit public benefit corporations

## GOVERNMENT CODE

1090-1099 Prohibitions applicable to specified officers  
3540-3549.3 Educational Employment Relations Act  
6250-6270 California Public Records Act  
54950-54963 Ralph M. Brown Act  
81000-91014 Political Reform Act of 1974

## CODE OF REGULATIONS, TITLE 5

11700.1-11705 Independent study  
11960-11968.5.5 Charter schools

## UNITED STATES CODE, TITLE 20

7223-7225 Charter schools

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**COURT DECISIONS**

Ridgecrest Charter School v. Sierra Sands Unified School District, (2005) 130 Cal.App.4th 986

**ATTORNEY GENERAL OPINIONS**

Opinion No. 11-201 (2018)

89 Ops.Cal.Atty.Gen. 166 (2006)

80 Ops.Cal.Atty.Gen. 52 (1997)

78 Ops.Cal.Atty.Gen. 297 (1995)

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