

William S. Hart Union High School District

April 19, 2017

STAFF REPORT

Opportunities for Learning Charter Petition

I. BACKGROUND

Petitioners submitted the Opportunities for Learning Charter Petition ("Petition") to renew its charter and operate the Opportunities for Learning ("OFL" or "Charter School") under the oversight of the Governing Board of the William S. Hart Union High School District ("Board"). The Petition was formally received by the Board of the William S. Hart Union High School District ("District") on March 15, 2017.

Education Code section 47607 governs the renewal and requires the process to comply with Education Code section 47605, subdivision (b), as follows: Within 30 days of receiving a petition, the Board must "[hold] a public hearing on the provisions of the charter, at which time the governing board of the school district shall consider the level of support for the petition by teachers employed by the district, other employees of the district, and parents." On March 15, 2017 the Board held a public hearing to consider the level of support for the Petition from teachers employed by the district, other employees of the district, and parents. Education Code section 47605, subdivision (b) requires the Board to "either grant or deny the charter within 60 days of the receipt of the petition." The Board must act on whether to grant or deny the Petition during its April 19, 2017 meeting.

If the District grants the Petition, the Charter School becomes a legal entity. Under Education Code section 47605, subdivision (j)(1), if the District denies the Petition, the Petitioners may appeal that denial to the Los Angeles County Office of Education. If the County Office grants the Petition, the County Office becomes the supervisory agency over the Charter School. If the County Office denies the Petition, then Petitioners may appeal to the State Board of Education ("SBE"). (Ed. Code, § 47605, subd. (j)(1).)

II. STANDARD FOR REVIEW OF CHARTER RENEWAL PETITION

Education Code section 47607 authorizes the renewal of a charter petition and provides in material part as follows:

- A charter granted by a school district governing board, a county board of education, or the state board may be granted one or more subsequent renewals by that entity. Each renewal shall be for a period of five years.
- Renewals and material revisions of charters are governed by the standards and criteria in Section 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.
- The authority that granted the charter shall consider increases in pupil academic achievement for all groups of pupils served by the charter school as the most important factor in determining whether to grant a charter renewal.

Education Code section 47605, subdivision (b), sets forth the following guidelines for governing boards to consider in reviewing charter petitions including renewal petitions:

- The chartering authority shall be guided by the intent of the Legislature that charter schools are, and should become an integral part of the California educational system and that establishment of charter schools should be encouraged.
- A school district governing board shall grant a charter for the operation of a school under this part if it is satisfied that granting the charter is consistent with sound educational practice.
- The governing board of the school district shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings:
 - (1) *The charter school presents an unsound educational program for the pupils 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 by statute.*
 - (4) *The petition does not contain an affirmation of each of the conditions required by statute.*
 - (5) *The petition does not contain reasonably comprehensive descriptions of the required elements of a charter petition.*

III. STAFF TEAM REVIEW

The Petition was thoroughly reviewed by a team of District staff members who each reviewed the Petition, or sections thereof, as relevant to their area of expertise. Staff determined that Petitioner has met one or more of the criteria under Education Code section 47607, subdivision (b), and is eligible for renewal.

IV. STAFF RECOMMENDATION

Staff recommends approval of the Petition for the term July 1, 2017 through June 30, 2022, subject to the following conditions:

- Execution of District's Memorandum of Understanding on or before June 30, 2017.
- Amendment of the Charter to provide for indemnification/hold harmless language for the District to the furthest extent allowed by law to be completed on or before June 30, 2017.
- Charter to name District and its affiliates as additional insured on Charter School insurance policies on or before June 30, 2017.
- The only sites to be operated under this Charter are those locations expressly identified in the Charter and which are located within the District's boundaries.