



Opportunities For Learning Public Charter Schools

Opportunities for Learning – William S. Hart Charter School Request For Waiver to Portions of CA Education Code Sections 47605(a) and 47605.1

As you may be aware, on October 17, 2016, a decision was rendered in the case of *Anderson Union High School District v. Shasta Secondary Home School* which interpreted California Education Code Sections 47605 and 47605.1 concerning geographical limitations on where a charter school may operate a resource center. We are actively pursuing several avenues to keep and maintain our resource centers in their current locations, including seeking a waiver from the State Board of Education, so as to limit any impact to our students, teachers and the communities we serve.

Generally speaking, a school district may request that the State Board of Education waive parts of the California Education Code and regulations to provide flexibility in a school district without undermining the basic intent of the law. In order for a charter school to seek a waiver, the charter school's authorizing school district board must submit the waiver request on behalf of the charter school. A charter school cannot submit a general waiver request on its own behalf.

The Waiver Submission document for approval by the William S. Hart Union High School District ("District") Board of Education is attached. It seeks a waiver of certain portions of California Education Code Sections 47605(a) and 47605.1 to remove the geographic limitations on where charter schools may operate resource centers. This waiver is necessary to allow the continued operation of OFL-William S. Hart's existing resource centers which provide a location for state mandated standardized testing, wet labs for A-G requirements, teacher/student meetings, special education services, and intervention services.

The waiver is consistent with public policy and avoids the detrimental impact on the communities served by OFL-William S. Hart. OFL-William S. Hart provides at-risk students with educational opportunities they otherwise may not have if our program is not readily available to them by way of our resource centers strategically placed in the areas of greatest need and in gang-neutral zones. If the waiver is not granted by the State Board of Education, approximately 1,465 students may be displaced with many of them forced to go back into a traditional educational program where they were previously unsuccessful. Additionally, OFL-William S. Hart is forecasted to pay approximately \$66,434 to the District in oversight fees over the next year for these four centers. Closure of these resource centers may also cause the loss of 62 jobs of school employees.

Waiver Request Process and Timeline

- The District's Board will need to vote on approval of the waiver request at a scheduled board meeting. OFL-William S. Hart will provide District Staff with the completed waiver request and accompanying documents in a timely manner to be included in the Board's agenda and packet.
- Once approved by the District's Board, District staff will be responsible for entering the waiver request "data elements" into the SBE's online Waiver Request System, which can be accessed through the following link: <https://www2.cde.ca.gov/waiverweb/logon.aspx>. OFL-William S.

Hart will provide District Staff with a Word Version copy of the waiver request for this purpose.

District Staff will need to set up a username and password to access the system. After submission of the online waiver request, there will be a "Confirmation Page," which serves as a receipt that the waiver has been received by the SBE Waiver Office. A copy will be provided to OFL-William S. Hart for our records.

- The SBE Waiver Office staff will review and process the waiver request and place it on the SBE agenda for approval. The Waiver Office has provided the following guidance: "A waiver request normally takes approximately ten to twelve weeks to analyze and process. Submission of an incomplete waiver request will delay the analysis and processing of the waiver request." In order for the waiver request to be placed on the next available SBE meeting agenda, District Staff should submit the waiver request into the SBE's online Waiver Request System as soon as possible.

The educational success of our students is our highest priority. We are diligently making every effort to minimize any impact of the *Anderson* decision on our authorizing districts, our students, staff members and the communities we serve. Should you have any questions, please do not hesitate to contact Richard Rundhaug, Superintendent of OFL-William S. Hart, by phone at (626) 921-9239 or by email at rrundhaug@emsofl.com. We truly appreciate and thank you for your continued support.