

California Department of Education
Waiver Submission: General

CD Code- 1864162

Waiver Number: 23-12-2016

Active Year: 2016

Date In: 12/15/2016 10:26:08 AM

Local Education Agency: Ravendale-Termo Elementary School District
Address: 709-855 Termo-Grasshopper Rd.
Termo, CA 96132

Start. 7/1/2016

End. 7/1/2018

Waiver Renewal: N

Previous Waiver Number:

Previous SSE Approval Date:

Waiver Topic: Charter School Program

Ed Code Title: Geographic Limitations- Non-classroom Based

Ed Code Section- Portions of EC Sections 47605(a)(1) and 47605.1(d) Ed Code Authority: 33050

Ed Code or CCR to Waive. *Education Code* section 47605:

(a) (1) Except as set forth in paragraph (2), a petition for the establishment of a charter school [within a school district] may be circulated by one or more persons seeking to establish the charter school. A petition for the establishment of a charter school shall identify a single charter school [that will operate within the geographic boundaries of that school district]. A charter school may propose to operate at multiple sites (within the school district] if each location is identified in the charter school petition.

(5) [A charter school that IS unable to locate within the jurisdiction of the chartering school district may establish one site outside the boundaries of the school district, but within the county in which that school district is located. if the school district within the jurisdiction of which the charter school proposes to operate is notified in advance of the charter petition approval, the county superintendent of schools and the Superintendent are notified of the location of the charter school before it commences operations, and either of the following Circumstances exists:]

Educator Code Section 47605.1

(d) [Notwithstanding subdivision (a) or subdivision (a) of Section 47605. a charter school that is unable to locate within the geographic boundaries of the chartering school district may establish one site outside the boundaries of the school district, but within the county within which that school district is located if the school district in which the charter school proposes to operate IS notified in advance of the charter petition approval, the county superintendent of schools is notified of the location of the charter school before it commences operations. and either of the following

Circumstances exist 1

Outcome Rationale: Long Valley Charter School has been in existence since 2001 operating under three different authorizers over that that it has been authorized by Ravendale-Termo Elementary School District since 7/1/2013. The school provides classroom-based instruction to students in an

underserved area of Lassen County after closure of the Doyle School by the Fort Sage School District. Because of parent demand for an alternative model, a resource center was established in Susanville in 2006.

The Ravendale Termo Elementary School District has provided supervisory oversight and performance monitoring services for the Charter School, including monitoring school and student performance data, reviewing the school's audit reports, performing annual visits to the school facilities and resource centers, and considering charter amendment and renewal requests. The Ravendale-Termo Elementary School District affirms that at all times the Charter School has operated its resource centers consistent with the advice and written guidance issued by the California Department of Education since 2002 (see Attachment).

On October 16, 2016, the 3rd District Court of Appeals ruled in AUHSD v. Shasta Secondary Home School that independent study charter schools may not have resource centers outside of the boundaries of the school district in which the charter school is authorized, but within the same county. Currently, the Charter School has one resource center located within Lassen County that is affected by the ruling. This waiver is necessary to allow the continued operation of Long Valley Charter School's existing resource center. This location serves approximately 125 K-12 students and 9 employees. Further, the resource center is leased to 6/30/2017. Long Valley Charter School has engaged in a purchase agreement for a building one block from the current leased location.

Long Valley Charter School's current charter expires 6/30/18 at which time it intends to bring all locations into compliance with the ruling.

Student Population: 350

City Type: Rural

Public Hearing Date: 11/16/2016

Public Hearing Advertised: Notice posted at the District main office and Charter School main office and resource centers.

Local Board Approval Date: 11/8/2016

Community Council Reviewed By: Long Valley Charter School Board of Directors

Community Council Reviewed Date: 11/8/2016

Community Council Objection: N Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N Submitted by: Ms. Sherri Morgan

Position: Executive Director, Long Valley Charter School

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Bargaining Unit Date: Ravendale-Termo Elementary doesn't have a Collective Bargaining Agreement with 1 teacher

Name: N/A Representative: N/A Title: N/A Position: N/A

Comments: The school district is really small and only employs one teacher and two classified staff members. The district doesn't actually employ an administrator. The district has contracted with Susanville School District for administrative services and financial oversight.