

**California Department of Education**  
**WAIVER SUBMISSION -General**

CD Code 1964584 Waiver Number: 1-1-2017 Active Year: 2017

Date In: 1/4/2017 11.23:39 AM

Local Education Agency: Gorman Joint Unified School District  
Address: 49847 Gorman School Rd.  
Gorman, CA 93243

Start: 7/1/2016 End: 7/1/2018 Waiver Renewal: N

Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: Charter School Program  
Ed Code Title: Geographic Limitations - Non-classroom Based Ed Code Section: 47605(a)(1),  
47605(a)(5) 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.

[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:]

*Education 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:]

(e) (1) For a charter school that was granted approval of its charter before July 1, 2002, and provided educational services to pupils before July 1, 2002, this section only applies to new [educational services or] schoolsites established or acquired by the charter school on or after July 1, 2002.

(2) For a charter school that was granted approval of its charter before July 1, 2002, but did not provide educational services to pupils before July 1, 2002, this section only applies upon the expiration of a charter that is in existence on January 1, 2003.

(3) [Notwithstanding other implementation timelines in this section, by June 30, 2005, or upon the expiration of a charter that is in existence on January 1, 2003, whichever is later, all charter schools shall be required to comply with this section for school sites at which education services are provided to pupils before or after July 1, 2002. regardless of whether the charter school initially received approval of its charter school petition before July 1. 2002. To achieve compliance with this section, a charter school shall be required to receive approval of a charter petition in accordance with this section and Section 47605.]

(4) This section is not intended to affect the authority of a governmental entity to revoke a charter that is granted on or before the effective date of this section.

Outcome Rationale: Outcome Rational:

The Gorman Joint 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 Gorman Joint 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 2 resource centers located within Los Angeles County that are affected by the ruling. This waiver is necessary to allow the continued operation of German's existing resource centers. Our resource center in Santa Clarita serves 473 students and 27 staff members. In Lancaster we serve 714 students and 29 staff members. The fiscal impact on our 2 resource centers are as follows:

Lancaster operational cost including salaries and benefits- \$205,087.15 per month.

Santa Clarita operational cost including salaries and benefits- \$249,999.07 per month.

Lease information:

Lancaster - Current lease started 9/11/2014, terminates 9/ 10/2019

Santa Clarita- Current lease started 6/16/2016 , terminates 6/15/2026

Student Population: 2429

City Type: Urban

Public Hearing Date: 11/16/2016

Public Hearing Advertised : Website and Board Meeting posting

Local Board Approval Date: 12/ 13/2016

Community Council Reviewed By: Gorman Joint School District, Superintendent

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Community Council Reviewed Date: 11/3/2016  
Community Council Objection: N  
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Johannis Andrews  
Position: Superintendent/Principal  
E-mail: [jandrews@lws.lacoe.edu](mailto:jandrews@lws.lacoe.edu)  
Telephone: 661-248-6441 x123  
Fax: 661-248-0604

Bargaining Unit Date: 3/24/2017

Name: Gorman Elementary Teachers Association

Representative: Casey Stanford, President

Title: President

Position: Supportive on the waiver but neutral with the employees of Gorman Learning

**GORMAN LEARNING CENTER CHARTER SCHOOL**

**California Department of Education  
WAIVER SUBMISSION - General**

Local Education Agency : Gorman Joint School District  
Address: 49847 Gorman School Road. P.O. Box 104. Gorman, CA 93243

Start: 7/1/2016

End: 7/1/2018

Waiver Renewal: N

Waiver Topic: Geographic Restrictions on Resource Center Locations for Nonclassroom-Based Charter Schools

Ed Code Title: Charter School Locations

Ed Code Section: Portions of EC Sections 47605 (a)(1) and 47605.1

Ed Code Authority: 33050

Ed Code or CCR to Waive: Bracketed Portions of California Education Code Sections 47605(a)(1), 47605(a)(5), and 47605.1(d) as follows:

**Education Code section 47605:**

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**Education 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:]

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Student Population: 2429

City Type: City

Public Hearing Date: December 13, 2016

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

Local Board Approval Date: November 16, 2016

Community Council Reviewed by: Gorman Learning Center Board of Directors

Community Council Reviewed Date: November 16, 2016

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Contact Person Name: Denice Burchett

Position: Executive Director, Gorman Learning Center

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District or County Certification: The district or county office of education Superintendent or designee must certify to the accuracy of the information and date the request.