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Agenda Item Details

Meeting	Mar 11, 2020 - BOARD OF EDUCATION MEETING
Category	BUSINESS/ACTION ITEMS
Subject	Charter Standing Committee Update - John Henry High School Charter (CLARK) – ACTION
Type	Action
Recommended Action	The Charter Standing Committee met on March 3, 2020 to consider staff's recommendation to take no action to either approve or deny the John Henry School Charter. The Committee agreed to support staff's recommendation based on the following information:

On January 17, 2020, John Henry High School Charter (Petitioner) submitted a five-year renewal petition to the County Office of Education for review on appeal from the West Contra Costa Unified School District, meeting the 30-day submission requirement. The County Office completed the required public hearing on February 12, 2020. The Board shall either grant or deny the charter within sixty (60) days of receipt of the petition, unless both parties agree to a thirty (30) day extension. The County Board has until March 17 to grant or deny the petition. The Petitioner denied a request to extend the review beyond the 60-day requirement.

Background

The Petition presents a number of unusually challenging conditions for the County Office staff as we seek to fulfill our responsibility to complete an independent, objective review of the charter school consistent with the legal requirements set forth in Education Code Sections 47607, 47605, and Code of Regulations Section 11966.4. Our concerns can be summarized as follows:

1. The Petition is a non-renewal of a charter school that has been in operation for more than four years with a waiting list of approximately 300 students.
2. The Charter school appears to have academic results at least equal to the academic performance of the public schools that the charter school pupils would otherwise have been required to attend.
3. Approximately 200 individuals attended the charter public hearing including students, parents and school personnel, which is an indication of support for the charter school.
4. The documentation in the Petition appears out-of-date and does not seem to represent the actual activities and academic programs of the school.
5. Our office has received allegations that the Petitioner has violated law in the administration of the charter school.
6. Our office has received allegations that the Petitioner committed financial fraud through the misuse of grant funds and payroll related activities.
7. School district findings indicate that the Petitioner is not in compliance with special education and EL education requirements.
8. School district findings indicate that significant turnover has impacted the effectiveness of charter governance, administration and instruction.

Discussion and Action

In evaluating a charter renewal petition, the California Code of Regulations mandates the evaluation of the petitioner's past academic, financial, and operational performance. Here, there are multiple outstanding accusations of poor financial, academic, and operational performance, including accusations of legal violations or other non-compliance. Staff believes that we will not have sufficient time to complete the evaluation of these issues and of Petitioner's past performance as required by the California Code of Regulations, nor to complete evaluation as required by Education Code 47607, and 47605.

Because the County Board is not the original authorizer for this petition, no action is required on appeal. Therefore, in these unique circumstances, staff recommends that the County Board of Education take no action on this renewal petition. By taking no action, Petitioner will not be deprived of a chance to have its petition heard and renewed; Petitioner may appeal to the State Board of Education.

Should the Board choose to take action to approve or deny petition at its March 25 meeting, Staff will provide whatever information they are able to gather at that time.

[John Henry 5 CCR 11966.5.pdf \(36 KB\)](#)[Item 10.1.mp3 \(60,761 KB\)](#)