

RESPONSE PROCEDURE

RESPONSE TO GRAND JURY REPORT

The governance of responses to the Grand Jury Final Report is contained in Penal Code §933 and §933.05. Responses must be submitted within 60 or 90 days. Elected officials must respond within sixty (60) days, governing bodies (for example, the Board of Supervisors) must respond within ninety (90) days. Please submit all responses in writing and digital format to the Advising Judge and the Grand Jury Foreperson.

Report Title: Putting Students First: Oversight of Yolo County Charter Schools Report Date: June 24, 2013

Response by: Dr. Jorge O. Ayala Title: Superintendent of Schools
William L. Owens, Yolo County Board of Education President

FINDINGS

I (we) agree with the findings numbered:

F3

I (we) disagree wholly or partially with the findings numbered:

F1, F2

RECOMMENDATIONS

Recommendations numbered: R1 (see attached Response to Grand Jury Report) have been implemented (attach a summary describing the implemented actions).

Recommendations numbered: _____ require further analysis (attach an explanation of the analysis or study, and the time frame for the matter to be prepared by the officer or director of the agency or department being investigated or reviewed; including the governing body where applicable. The time frame shall not exceed six (6) months from the date of the Grand Jury Report).

Recommendations numbered: R2 (see attached Response to Grand Jury Report) will not be implemented because they are not warranted and/or are not reasonable (attach an explanation).

Date: 9-16-13 Signed: _____

Total number of pages attached 3





YOLO COUNTY OFFICE OF EDUCATION
Dr. Jorge O. Ayala, Superintendent

VIA U.S. MAIL AND EMAIL (grand-jury@sbcglobal.net)

September 5, 2013

The Honorable Daniel P. Maguire
Yolo County Superior Court
P.O. Box 2142
Woodland, CA 95766

Subject: Response to Grand Jury Report
Putting Students First: Oversight of Yolo County Charter Schools

Dear Judge Maguire:

The following is the Yolo County Office of Education's (YCOE's) response to the findings and recommendations of the 2012-13 Yolo County Grand Jury's Report entitled "Putting Students First: Oversight of Yolo County Charter Schools." For purposes of readability, we have shown the Grand Jury's findings and recommendations in **bold**.

FINDINGS

F1. The Grand Jury found insufficient oversight of CCCTEC, a school authorized to serve students in West Sacramento. When the school closed abruptly, its students were left stranded.

We disagree partially with this finding. The California State Board of Education, the agency that authorized the CCCTEC charter, was the agency responsible for oversight of CCCTEC, including monitoring the fiscal condition of the charter school. The Yolo County Office of Education does not have sufficient information to determine whether the State Board of Education was providing sufficient oversight. The school closure was delayed by the charter school and the State Board of Education's due process. In addition, when the school closed, and the State Board of Education asked for assistance, the Yolo County Office of Education provided support to the students by immediately securing student records and assisting with the communication and timely distribution of student records and in directing parents/students to the district of residence for enrollment.

F2. Charter schools started with support from local educators and districts who perceive a mutual benefit and without adversarial opposition have the easiest paths to success.

This statement is factual in most cases when the Charter is a dependent charter and the petitioner and authorizer have a closer relationship and availability to resources, support, and clarity of direction. Independent charters, however, have fewer resources and greater autonomy in administration and direction which may lead to differences between petitioners and their authorizer. It is the authorizer's

responsibility to monitor the fiscal position of the charter and to ensure compliance with the requirements set forth in Education Code and the charter school petition.

F3. Good communication between any charter school and the authorizer is essential to the success of the school.

We agree with this finding.

RECOMMENDATIONS

R1. When a charter school receives independent status, the school should immediately set up a regular monthly or bi-monthly meeting with the authorizer's administration. An independent charter school's best interest will be served by fostering this interaction and mentoring. The authorizing agency should have a path to intervene with advice before circumstances become dire.

The Yolo County Office of Education is more than willing to meet regularly with an independent charter school upon a school's request. However, we honor and preserve the core autonomies crucial to a charter school's success including governing board independence from the authorizer. Furthermore, we seek to minimize administrative and compliance burdens on a charter school and focus on holding schools accountable for outcomes, rather than processes. Notwithstanding this, when charter schools fail to meet academic or financial goals, we agree that intervention by the authorizer is appropriate. To that extent, the Yolo County Office of Education has formalized its operational relationship with charter schools it has authorized through a memorandum of understanding between the parties.

Moreover, pursuant to Education Code section 47604.4, the county superintendent of schools has discretionary authority to monitor the operations of *any* charter school within Yolo County and conduct an investigation based upon written complaints by parents or any other information that justifies an investigation.

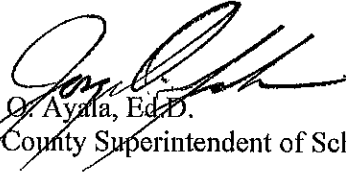
R2. When the state authorizes an independent charter school in Yolo County, the local County Office of Education should petition the State Board of Education to play an advisory role to help ensure that tax dollars are spent lawfully and protect the best interests of the students. In petitioning the state board, the YCOE should cite the failure of CCCTEC and this report of the Yolo County 2012-13 Grand Jury.

While we certainly appreciate that all public schools need adequate advice, support, oversight and supervision to ensure that students' interests are protected and tax dollars are spent wisely, we do not agree that YCOE should necessarily petition to have an advisory role whenever the state authorizes an independent charter in Yolo County. Whether such an advisory role would be appropriate would depend on the circumstances, including factors such as the availability of YCOE and State resources, and the receptivity of the charter school.

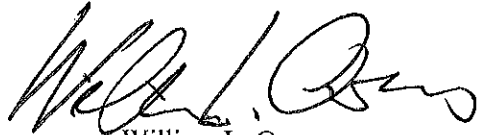
As for a supervisory and oversight role, as compared to an advisory role, we note that there is a mechanism in place established by the Legislature which authorizes the State Board of Education to designate, by mutual agreement, its supervisory and oversight responsibilities for a charter school approved by the State Board to any local educational agency in the county in which the charter school is located, or to the governing board of the school district that first denied the petition. (See, Ed. Code § 47605(k)). We are not aware of instances in the state where such an authorization is the result of a request initiated by a County Office of Education, or of any Ed. Code provision that explicitly authorizes such a request.

We appreciate the opportunity to respond to the Grand Jury Report. Please do not hesitate to contact us if you have any questions or concerns.

Sincerely,



Jorge O. Ayala, Ed.D.
Yolo County Superintendent of Schools



William L. Owens
Yolo County Board of Education President