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Superintendent: Dr. Rick Bagley Board of Trustees: Annelise Bauer - Anne Capron - Hadley Dettmer - Wesley Pratt - Amy Stock

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## **FAQ on Ross Valley Charter (RVC)**

Below are some of the questions we've received from RVSD employees and community members, regarding the proposal by Ross Valley Charter (RVC) to convert the District's existing multi-age program (MAP) into an independent charter school. For further information, please refer to the [charter petition](#) and the District's [staff report](#).

### **Q. What is a charter school?**

- A. *Charter schools are public schools operating independently of the school district in which they are physically located. The laws and regulations governing charter schools are generally more broad than for other public schools and school districts.*

### **Q. What is the Ross Valley Charter?**

- A. *In September 2014, the Ross Valley School District received a [charter petition](#) to convert the District's multi-age program ("MAP") into a self-governing K-5 charter school named Ross Valley Charter School. After conducting a public hearing on the charter proposal and performing a thorough [review](#) of the charter petition, the Board of Trustees voted to deny the petition on November 4, 2014.*

*In July 2015, the District received a [second charter petition](#) seeking to create Ross Valley Charter to begin in the 2016-17 school year and proposed essentially the same program as the 2014 petition. After a public hearing and thorough [review](#) of the second charter petition, the District's Board of Trustees voted to deny the petition on August 18, 2015.*

### **Q. If granted, would the charter school provide more educational options to the students and families of Ross Valley?**

- A. *The proposed charter school would convert RVSD's existing multi-age program (MAP) into a charter school. Although the petitioners have indicated a desire to grow the program under independent governance, the MAP already exists as an alternate instructional option for parents and students throughout the District.*

### **Q. Why did the Board of Trustees deny the charter petition?**

- A. *In accordance with Education Code section 47605(b), the Board of Trustees adopted [written factual findings](#) supporting its decision to deny the charter petition for the Ross Valley Charter. Those findings are contained in a 32-page [Staff Report](#) explaining in detail that the charter petition did not contain the requisite number of signatures required by law, the charter petitioners were demonstrably unlikely to successfully implement the program presented in the charter petition, and the charter petition failed to provide reasonably comprehensive elements of a charter petition.*

**Q. I've heard the District denied the charter petition for reasons that "were not significant." Is that true?**

A. *No. The Board of Trustees determined that it was not satisfied that granting the charter would be consistent with sound educational practice for the reasons set forth in its written findings. There is nothing more significant to a school district than sound educational practice, and taken together, the charter deficiencies described in the written findings warranted denial of the charter petition.*

**Q. Why didn't the District administration help the petitioners create a charter petition that would meet the requirements of the Board of Trustees?**

A. *Under the law, a charter school operates independently from the existing school district. The Education Code and supporting regulations promulgated by the State Board of Education define what a compliant charter petition must include in order to become an independent entity. It is the job of the reviewing agency to determine whether the charter petition meets those standards and demonstrates that the charter school sets forth a sound educational program and is demonstrably likely to succeed once it takes on the important responsibility of educating our children. Although the District is always willing to answer questions from charter petitioners, the process set out in the statute and regulations does not call for the District to assist in the creation of a compliant charter. It is ultimately the responsibility of the petitioners to demonstrate an independent ability to operate a successful school. It would not serve the interests of future charter school students to develop the charter petition, only to have the charter school be incapable of implementing a successful program.*

**Q. Can the charter petitioners appeal the Board of Trustees' denial of the charter petition?**

A. *Yes. Education Code section 47505(j)(1) provides: "If the governing board of a school district denies a petition, the petitioner may elect to submit the petition for the establishment of a charter school to the county board of education. The county board of education shall review the petition pursuant to subdivision (b)."*

*This means that a charter petition presented to the County Board of Education will receive a public hearing within 30 days and a determination within 60 days, subject to limited extensions, just as it did before the District's Board of Trustees.*

**Q. What is the appeal process?**

A. *On appeal, the County Office of Education will review the charter petition to determine if it meets the requirements of Education Code section 47605 under the same process set forth in statute and used by the District. Although the County may consider the report prepared by the District, the County's role is to consider the petition under the same criteria required by the Education Code and make an independent assessment of whether the charter petition meets the statutory requirements.*

**Q. Have the Ross Valley Charter petitioners submitted an appeal to the Marin County Office of Education?**

A. *Yes. The Marin County Board of Education will hold a public hearing on petitioners' appeal regarding the Ross Valley Charter petition on **Tuesday September 8, 2015 at 4:00 PM in the Community Room of the Marin County Office of Education.** Anyone is welcome to come to the hearing. If you are unable to come to the public hearing, any person is free to submit written comments to the [MCOE Board of Education](#) to the attention of [Mary Jane Burke](#), Marin County Superintendent of Schools, at [marincoe@marinschools.org](mailto:marincoe@marinschools.org).*

**Q. Can we have input in the appeal process?**

- A. Yes. You may attend the [County Board of Education's](#) meeting on September 8, 2015. The County Office of Education posts agendas for County Board meetings on its [website](#). You may speak to the Board of Education at the September 8th hearing or, alternatively, you may submit your input in writing. You may contact the County Office of Education by phone at (415) 472-4110 or by email at [marincoe@marinschools.org](mailto:marincoe@marinschools.org).

**Q. Does the appeal process end at the County Board?**

- A. No. Education Code section 47605(j)(1) also provides: "If the petitioner elects to submit a petition for the establishment of a charter school to the county board of education and the county board of education denies the petition, the petitioner may file a petition for establishment of a charter school with the state board, and the state board may approve the petition, in accordance with subdivision (b)."

*If denied by the County Board, the charter petition may be presented to the State Board of Education. There will be a public hearing within 30 days and a determination within 60 days, subject to limited extensions. The Ross Valley Charter petitioners have indicated that they plan to submit an appeal to the State Board of Education if the charter petition is denied by the Marin County Board of Education.*

**Q. If the appeal is granted by either the County or the State, who is responsible for overseeing the charter school?**

- A. *If the County grants the charter, it becomes the chartering agency with oversight responsibilities to the charter school. If the State grants the charter, it becomes the chartering agency.*

**Q. If the appeal is granted, where will the charter school be located?**

- A. *As discussed in the written denial findings, the charter petition did not identify a location for the charter school. During the charter review process, however, the charter petitioners indicated a preference to locate at the Red Hill site.*

*The charter school's use of District facilities would be governed by Education Code section 47614 and the supporting regulations promulgated by the State Board of Education and is initiated by a request made by the charter school. This law applies regardless of which entity becomes the charter authorizer. The law requires the District to provide reasonably equivalent facilities to a charter school with 80 or more students that reside within the District. The term "reasonably equivalent" is defined by several factors set forth in the regulations. Red Hill has not been used to house District students for many years and does not meet the criteria for "reasonably equivalent." In light of the intent to continue the MAP program as it was offered at Manor, it is likely that the charter school would continue at that site in accordance with Education Code section 47614 and the regulations.*

**Q. If the appeal is granted, will the District have to close Manor and/or redraw school boundaries?**

- A. *Not necessarily. Manor offers two exceptional educational programs to kindergarten through 5th grade students and their parents: the K-5 Program and the District-wide MAP program. The proposed charter would convert only the MAP program into a charter school, effectively continuing to operate on a District-wide basis and leaving the K-5 Program unaffected. If established, to the degree the charter school may have rights to expand its program, there could be an impact on Manor by requiring the District to provide additional space to the charter school.*

**Q. Will the charter be housed at Red Hill starting in 2016-17?**

A. *The allocation of Red Hill's facilities is a separate consideration from the process for approving or denying the charter petition. RVC has indicated that if their charter is approved, it would be interested in working out an arrangement to use Red Hill "as is" and pay rent to the school district for use of the buildings. RVC expects it would need ten classrooms and office space, which it estimates could be accommodated at Red Hill without displacement of the District's current tenants. RVC further indicated it would seek other available space to rent, if Red Hill would not be available. RVC has repeatedly and publicly stated it has no intention of locating the charter at Manor Elementary School.*

**Q. Could the District be required to use Measure "A" Bond funds to modernize the Red Hill site for use by the charter?**

A. *No, Exhibit "B" of Bond Measure "A" reads in part,*

*"Goal and Purpose: Since we are growing out of our schools, new and expanded facilities are needed to accommodate enrollment growth, to restore dedicated art, music, before school and after school care and multipurpose rooms, and to ensure that all students have access to comparable schools throughout the District:*

- Increase the number of classrooms, including science labs, at existing operating school sites.*
- Repair or replace old equipment and facilities at the middle school.*
- Upgrade aging restrooms and unsafe play surfaces and fencing.*
- Meet handicap accessibility requirements, as needed.*
- Renovate classrooms on all campuses. "*

*In 2013-14, the Board of Trustees publicly stated that Measure A Bond funds would not be used to modernize/remodel the Red Hill site.*

**Q. The parent signatures in the appendix of the RVC petition are intended to represent those families who are "meaningfully interested" in enrolling their children in the new charter school, yet I was told my signature represents my support in the charter not being located at Manor. How can I ensure my name is not counted as one who plans to enroll a child in the charter?**

A. *The charter petitioner is required to attach the charter document to the petition that is signed. If you were asked to sign a petition without the charter attached, or if you feel that that you were misinformed, you may raise your concerns either at the public hearing or in writing to the County Office of Education.*

**Q. How would the charter be funded?**

A. *Like all public schools, charters receive a portion of local property taxes, state funds, and (if eligible) federal funds. This funding is essentially "attached" to each student, so school districts and charters receive funding for the students enrolled. When a student moves from one educational entity to another, such as from Ross Valley School District to RVC, the funding for that student moves with him/her.*

**Q. Who would be able to attend a charter school?**

A. *By definition a charter is a public school, so it must be open to the public. Also like any other public school, the process for enrollment must be nonsectarian and non-discriminatory. Laws governing charter schools do allow for admission preferences based on certain criterion. See Element 8*

(Admission Requirements) of the [RVC petition](#) for further information on the charter petitioners' proposed admission policies.

**Q. What is the impact to the District if MAP becomes a Charter School?**

A. RVC projects it will open next fall (2016-17) with 220 students enrolled. The District estimates the net revenue loss to the District for 2016-17 will be approximately \$850,000 to \$900,000, assuming all enrolled students come from the Ross Valley School District. The revenue loss will be less if a portion of the students enrolled come from outside the District. This is a possibility since RVC must be open to all students from inside and outside District boundaries. Other impacts to the District are unknown or difficult to calculate at this time, so the estimated revenue loss could vary (up or down) from the figures quoted above.

**Q. Is the charter school's impact on the Ross Valley School District taken into consideration with regard to approval or denial of the charter petition?**

A. No. The analysis of the required elements of the petition and subsequent [recommendation for denial](#) was made independently of any real or perceived impact to the school district.

We hope this information is helpful in terms of answering many of the questions that have been asked. We realize there are likely other questions we've not addressed, but it is important to remember that since the RVC petition has been denied by the RVSD Board of Trustees, the process now moves from the District to the County.

Details regarding the public hearing at the Marin County Office of Education is listed below. Anyone from the public may attend and all who wish to have an opportunity to speak to the County Board will be given time to do so.

Item: Public hearing regarding petition by Ross Valley Charter (RVC) to open a public charter school within the boundaries of the Ross Valley School District

Date: Tuesday September 8, 2015

Time: 4:00 PM

Location: Marin County Office of Education Community Room  
1111 Las Gallinas Avenue  
San Rafael, CA 94903  
415-472-4110