

<u>Authorization</u>	<u>To provide quality educational settings for all students and to obtain benefits under Education Code 11.174 and 42.2511, the District may establish Partnerships as permitted by law and as described in this policy. The District shall be committed to a rigorous authorization process to identify partners that are a best fit based on District need and shall grant Partnerships only to applicants that have demonstrated the competence and capacity to improve student outcomes through the proposed Partnership.</u>
<u>Definitions</u>	<u>An operating partner means an eligible entity as defined by law for purposes of contracting to partner with the District to operate a District campus under state law.</u>
<u>“Operating Partner”</u>	
<u>“Partnership”</u>	<u>A Partnership means a District-authorized campus charter established in accordance with state law in which the Board contracts to operate a District campus in partnership with an eligible entity as defined by law.</u>
<u>Compliance with Law</u>	<u>A Partnership shall comply with all applicable requirements of state law, any applicable grant program requirements, local criteria specified in policy, and the applicable partnership performance contract. Partnerships shall comply with all federal and state laws governing such partnerships and shall be nonsectarian. [See EL(LEGAL)]</u>
<u>Applicability</u>	<u>The District will consider applications for pre-kindergarten Partnerships only.</u>
<u>Application Process</u>	<u>The District will consider applications from non-profit organizations, governmental entities, and institutions of higher education. The District will not consider applications from charter schools. In establishing a Partnership, the District shall issue a local application designed to identify operating partners best qualified to meet the needs of the District and the instructional model of a campus under consideration for partnership.</u> <u>The District shall consider an application if the applicant:</u> <ol style="list-style-type: none"><u>1. Meets the eligibility requirements for a Partnership in accordance with law;</u><u>2. Follows the application process established by the District; and</u><u>3. Provides assurances to the Board that the applicant will comply with the statutory and District requirements for a Partnership.</u>

The application process shall include:

1. **A comprehensive written application;**
2. **A rigorous review of the application by a Partnership application review committee using criteria established by the District;**
3. **A formal recommendation from the review committee to the Superintendent or designee for approval or denial of each application;**
4. **A formal recommendation from the Superintendent or designee to the Board for approval or denial of each application; and**
5. **A vote by the Board to approve or deny each application.**

**Review Committee
Composition**

The Superintendent or designee shall establish a review committee to conduct a substantive and merit-focused evaluation of each application submitted in accordance with the District's published application procedures.

The review committee shall be composed of a minimum of three members with relevant and diverse expertise, including at least one District staff member and one external evaluator, with one campus representative, and/or one community representative.

**Conflicts of
Interest**

A review committee member shall disclose any potential conflict of interest with an applicant. A review committee member with a conflict of interest with an applicant will be removed from the committee and replaced.

Review Process

The review committee may:

1. **Request additional information or documents from the applicants;**
2. **Schedule interviews with applicants; or**
3. **Request that the Board schedule a public hearing to allow applicants an opportunity to present their application and campus plans to the Board and to the community before formal consideration by the Board.**

Recommendations

The review committee shall provide to the Superintendent or designee a recommendation for denial or approval of each application based on the District's established criteria. After considering the review committee's recommendation, the Superintendent or designee shall make a formal

recommendation to the Board for approval or denial of each application.

Communication
with Applicants

The application process through which partners may be identified constitutes a call for proposals for professional services and will therefore not be subject to a restricted contact period. [See policies CH (LOCAL) and CHE (LOCAL).]

Partnership
Performance
Contract

If the Board approves an application, the District shall execute a written partnership performance contract that includes provisions as required by law and establishes the legally binding terms under which the Partnership will operate and be evaluated during the partnership term and for renewal.

Each partnership performance contract shall address the material terms of the Partnership's operation as required by law. Each partnership performance contract shall be granted for a period of at least three years and no more than ten years.

Standards

In addition to standards required by law, the partnership performance contract shall include additional standards established by the District, including expectations for academic performance, short-term financial performance, long-term financial stability, and operational and governance performance.

The performance standards shall also address expectations for appropriate access, education, support services, and outcomes for students with disabilities.

Oversight and
Evaluation

Monitoring System

The District shall implement a comprehensive performance accountability and compliance monitoring system that is aligned with the District's performance standards and provides the Board with the information necessary to make rigorous, evidence-based decisions regarding partnership renewal, revocation, and probation or other interventions. This monitoring system shall be based on and aligned with academic, financial, operational, and governance standards set forth in the partnership performance contract.

To the extent possible, the District shall minimize administrative and compliance burdens on Partnerships and focus on holding Partnerships accountable for outcomes rather than processes.

Evaluation and
Reports

Quarterly during the first year of a Partnership's operation of a campus and at least annually thereafter, the District shall

evaluate each Partnership against the performance standards established by the District or law.

The District shall communicate evaluation results to the Partnership's governing body and leadership in a written report that summarizes compliance and performance, including areas of strength and improvement. The results of all evaluations shall be made accessible to the public and available on the District website.

The District shall produce for the public an annual report that provides performance data for all the Partnerships it oversees, including individual campus performance and overall Partnership performance. The annual report shall at a minimum be posted on the District website.

Partnership
Autonomy

In accordance with law and the partnership performance contract, the District shall support the operating partner's authority over the Partnership's day-to-day operations.

The Board shall recognize the governing board of the Partnership as independent and autonomous from the Board and District, with full authority and accountability for the Partnership's performance and operations.

Conflicts of Interest

The District and the operating partner shall comply with applicable conflict of interest provisions in law. [See policy BBFA.]

Intervention

The District shall give timely notice to the Partnership of any violations of the partnership performance contract or performance deficiencies justifying formal intervention. The notice shall identify in writing the concerns, and, if applicable, the time frame for remediation. The notice may include additional consequences if any of the concerns are not remedied within the stated timeline.

Depending on the severity of the concern or deficiency, the Board may place a Partnership on probation or revoke the partnership performance contract, in accordance with the terms of the contract and applicable law.

Probation
Criteria

The Board hereby authorizes that the Superintendent may place a Partnership on probation as permitted by law or the partnership performance contract, or for failure to meet academic performance standards.

Procedure

In the event of any indication or allegation that a Partnership has committed a violation of law or the partnership

performance contract that may warrant probation, the District shall take the following steps:

1. **The Superintendent or designee shall investigate the allegations and hold a conference with the chief operating officer and governing body of the Partnership to discuss the allegations.**
2. **If the Superintendent or designee determines that a violation or mismanagement has occurred, the District shall issue the chief operating officer of the Partnership a written notice of probation. The chief operating officer of the Partnership may respond to the allegation at the next regularly scheduled Board meeting.**
3. **The Board shall hear the presentation and take action, if necessary, to uphold or remove the Partnership's probation. If the Board decides to uphold the Partnership's probation, it must provide an opportunity for a public hearing as required by law.**
4. **If a Partnership is placed on probation, the Partnership must take action to remedy the identified violations or underperformance and report on the status of its corrective actions in accordance within the timeline for remediation established by the District.**
5. **The District shall establish a timeline for monitoring the Partnership's corrective actions and re-evaluating the Partnership's status to determine when the campus may be removed from probation or whether to consider revocation.**

Notification

6. **If the District decides to place a Partnership on probation, the District shall notify the Partnership of the probation in writing. The notice shall include the reasons for the probation and the timeline for monitoring the Partnership's corrective actions and re-evaluating the Partnership's status to determine when the campus may be removed from probation or whether to consider revocation.**

Revocation
Criteria

The Board may revoke a Partnership as permitted by law or the partnership performance contract for failure to meet performance standards.

The Board shall revoke a Partnership if the District finds clear evidence of a Partnership's persistent or serious underperformance or violation of law, the partnership

performance contract, or the public trust in a way that imperils students or public funds, including any of the following:

1. **Persistent or serious violation of applicable state or federal law;**
2. **Persistent or serious violation of a provision of the partnership performance contract;**
3. **Persistent or serious failure to meet generally accepted accounting standards for fiscal management;**
4. **Persistent failure to improve student academic achievement for all student groups;**
5. **Failure to meet the academic or financial accountability standards outlined in law;**
6. **Failure to meet the academic or financial performance standards established in the partnership performance contract;**
7. **Multiple placements on probation as specified in the partnership performance contract; or**
8. **Failure of the District to obtain the benefits of Education Code 11.174 and 42.2511, if applicable.**

The Board's decision whether to revoke a Partnership shall be based on the best interests of the students, including a decision by the commissioner to extend an exemption from a sanction or other action under Education Code 11.174(g); the severity of the violation; applicable law; and any previous violation committed by the Partnership.

Procedure

In the event of an indication or allegation that may warrant Partnership revocation, the District shall take the following steps:

1. **The Superintendent or designee shall investigate the allegations and hold a conference with the chief operating officer and governing body of the Partnership to discuss the allegations.**
2. **If the Superintendent or designee determines that a violation or mismanagement has occurred, the chief operating officer of the Partnership shall respond to the allegation at the next regularly scheduled Board meeting.**
3. **The Board shall hear the presentation and take action, if necessary, to revoke the Partnership. If the Board**

decides to revoke the Partnership, it must provide an opportunity for a public hearing as required by law.

In the event of a health or safety concern, the Board may immediately suspend campus operations before revocation takes effect.

Notification

If the Board decides to revoke a partnership performance contract, the District shall notify the Partnership of the action in writing. The notice shall include the reasons for the revocation and the effective date of the revocation, which shall be no later than the end of the current school year or may be effective immediately in the event of a health or safety concern.

Contract Renewal

Upon the expiration of a partnership performance contract, the Board may renew the contract for up to an additional ten-year term. In accordance with law, the Board shall renew a partnership performance contract only if the Board finds that the Partnership has substantially fulfilled its obligations and met the performance standards in the contract and applicable law.

The Board shall consider the following, in addition to other factors specified in the partnership performance contract:

- 1. Multiple years and measures of performance against the performance standards and expectations established in the partnership performance contract and applicable law;**
- 2. Financial audits;**
- 3. Performance and compliance reports, including site visit reports, if applicable; and**
- 4. The Partnership's performance on corrective action plans or other required interventions, if necessary.**

Procedure

The District shall publish the renewal application process, including the renewal criteria and timelines.

As part of the renewal application process, the District may provide each Partnership, in advance of the renewal decision, a cumulative report that summarizes the Partnership's performance record over the contract term and states the District's summative findings concerning the campus's performance and its prospects for renewal.

Decision Not to Renew

The Board may choose not to renew a partnership performance contract for any of the following reasons:

1. Failure to meet student performance standards or other obligations in the partnership performance contract;
2. Failure to meet generally accepted accounting standards for fiscal management;
3. Violation of any provision of the contract or applicable state or federal law; or
4. Other reason as determined by the Board.

Notification

If the Board decides not to renew a contract, the District shall notify the Partnership of the action in writing no later than the last Friday in January during the final year of the partnership performance contract. The notice shall include the reasons for the action and the effective date of the Partnership closure, which shall be no later than the end of the current school year.

Wind-Down Protocol

The District shall develop a detailed Partnership wind-down protocol to apply if the Board decides not to renew or to revoke a partnership performance contract. In the event of discontinuing any Partnership, the District shall oversee and work with the Partnership's governing board and leadership to carry out the wind-down protocol.

Adoption or Last Amended Date

This policy was adopted on February 14, 2019.