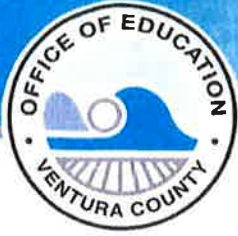


**Administration**

5189 Verdugo Way  
Camarillo, CA 93012  
805-383-1902 • FAX: 805-383-1908  
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## VENTURA COUNTY OFFICE OF EDUCATION

Stanley C. Mantooth, County Superintendent of Schools

August 3, 2020

Sent via Email and US Mail

Mr. Richard Boehmer, Foreperson  
County of Ventura Grand Jury  
800 S. Victoria Avenue  
Ventura, CA 93009

Dear Mr. Boehmer:

On May 22, 2020 the Ventura County Office of Education (VCOE) received a copy of the 2019-2020 Ventura County Grand Jury Final Report entitled, *Oversight of Charter Schools Authorized by Ventura County School Districts and the Ventura County Office of Education*. In that report, the Grand Jury required responses from the Ventura County Office of Education to the following conclusions and recommendations: C-01, C-02, C-03, C-04, R-01, R-02, R-03, R-04, and R-05.

We are pleased to provide the attached response in accordance with Penal Code 933 and 933.05. Please note that all referenced documents can be accessed by using the following link to a shared Google Drive: <https://bit.ly/VCOEgrandjury082020>.

If you have any questions regarding the information presented in this response, please contact Ms. Marlo Hartsuyker, Director of Charter School Support and Oversight at 805-383-1931, or [mhartsuyker@vcoe.org](mailto:mhartsuyker@vcoe.org).

Sincerely,

Stanley C. Mantooth  
Ventura County Superintendent of Schools

CC: Dr. Cesar Morales, Deputy Superintendent, Student Services

## Response to Grand Jury Report Form

Report Title: Oversight of Charter Schools Authorized by Ventura County School Districts and the Ventura County Office of Education

Report Date: April 6, 2020 (Received May 22, 2020)

Response by: Ms. Marlo Hartsuyker Title: Ventura County Office of Education,  
Director of Charter School Support and Oversight

### FINDINGS

- I (we) agree with the findings numbered: N/A
- I (we) disagree wholly or partially with the findings numbered: See Attached  
(Attach a statement specifying any portions of the findings that are disputed;  
include an explanation of the reasons therefor.)

### RECOMMENDATIONS

- Recommendations numbered R-01, R-02, and R-03 have been implemented.  
(Attach a summary describing the implemented actions.)
- Recommendations numbered (NONE) have not yet been implemented, but will be implemented in the future.  
(Attach a timeframe for the implementation.)
- Recommendations numbered (NONE) require further analysis.
- Recommendations numbered R-04 and R-05 will not be implemented because they are not warranted or are not reasonable.

Date: August 3, 2020

Signed: 

Number of pages attached: 4



## RESPONSE TO GRAND JURY REPORT

*Oversight of Charter Schools Authorized by Ventura County School Districts and the Ventura County Office of Education*  
April 6, 2020 (Received May 22, 2020)

*All documents referenced in this response can be accessed using the following link to a shared Google Drive:*

<https://bit.ly/VCOEgrandjury082020>

**CONCLUSION 1:** The Grand Jury concluded that, while the authorizing districts in the County and VCOE are following state law in reporting fiscal and administrative information, there is a lack of consistency in report monitoring and oversight of charter schools.

**RECOMMENDATION 1:** The Grand Jury recommends that VCOE, in conjunction with charter schools and district authorizers, collaborate to review and enhance the current VCOE oversight checklist/timeline utilizing the FCMAT suggested guidelines for oversight.

The VCOE created and began implementing the Charter School Reporting Timeline (hereinafter "Timeline") ([See Google Drive](#)) several years ago to ensure that our VCOE authorized charter schools follow an established schedule for consistency in reporting and other oversight requirements. The VCOE annually reviews the Timeline for updates and shares this document with Ventura County authorizing districts. The Timeline serves as a detailed list of reports, presentations, trainings, site visits, and documents that are required to be submitted by each VCOE authorized charter school by the due date provided pursuant to our memorandum of understanding. We currently have an upcoming Ventura County Authorizer Collaboration and Training meeting scheduled for September 22, 2020 at which time VCOE staff and Ventura County district authorizers will review the Timeline, as well as other resources, and collaborate to identify suggested changes.

While we agree that the FCMAT Charter School Oversight Checklist ([See Google Drive](#)) provides a very comprehensive overview of oversight items, we created our VCOE Timeline from the most pertinent sections of the FCMAT Charter School Oversight Checklist to provide a more succinct list of required reporting items. Alternatively, the VCOE utilizes the FCMAT Charter School Oversight Checklist as a guide for a more in-depth evaluation during charter school site visits. During each school year, VCOE staff visits the VCOE authorized charter schools multiple times for both scheduled and random site visits, at which time we utilize the FCMAT Charter School Oversight Checklist. We will also review the FCMAT Charter School Oversight Checklist at our Ventura County Authorizer Collaboration and Training meeting on September 22, 2020.

**RECOMMENDATION 2:** The Grand Jury recommends that VCOE, in conjunction with charter schools and authorizing districts, develop consistent, comprehensive and regularly scheduled oversight process for all County charter schools.

Education Code Section (EC) 47604.32 identifies the required oversight duties of a charter authorizing entity. Specifically, the charter authorizing entity must:

1. *Identify at least one staff member as a contact person for the charter school.*
2. *Visit each charter school at least annually.*
3. *Ensure that each charter school under its authority complies with all reports required of charter schools by law.*
4. *Monitor the fiscal condition of each charter school under its authority.*
5. *Provide timely notification to the department if the charter is revoked or if the charter school will cease operation for any reason.*

While the oversight provided by the VCOE of its authorized charter schools goes far beyond what is required by EC 47604.32, we consistently review our process and update it to include best practices adopted by the greater charter authorizing community. Our VCOE staff attends many charter authorizer trainings each year to further refine and enhance our practices at the VCOE.

As evidenced by our Timeline ([See Google Drive](#)) there are many requirements of our VCOE authorized charters schools that are adopted best practices exceeding the minimum legal requirements. As an example, we require that each of our charter schools present an annual Programmatic Audit to the Ventura County Board of Education which provides a comprehensive progress report of the operational status of each charter school. We annually review and update the Programmatic Audit Presentation Guidelines for additional enhancements. Given changes in school operations due to the COVID-19 pandemic, in our 2020-2021 Presentation Guidelines ([See Google Drive](#)), we have added the requirement of charter schools to provide an overview of the charter school's distance learning plan, including a description of steps taken to continue delivering high-quality learning opportunities for all students and specific interventions put in place to meet the needs of its English learners, foster youth and low-income students.

Another example of charter oversight best practice is our VCOE staff attendance at every VCOE authorized charter school board meeting and the increased frequency of site visits to charter schools. While the EC requires an annual visit to charter schools, VCOE staff visits its charter schools several times per year in addition to consistent and regular communication with charter school directors and staff.

While we share these oversight best practices with Ventura County district authorizers, there is no legal mandate that they must adopt the same oversight resources and models that the VCOE employs. As mentioned previously, VCOE staff plans to provide an overview of oversight resources and an opportunity for collaboration at our upcoming Ventura County Authorizer Collaboration and Training meeting scheduled for September 22, 2020.

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**CONCLUSION 2:** The Grand Jury concluded that, while VCOE is providing training opportunities to charter school staff, no training is being offered to the authorizing school districts.

**RECOMMENDATION 3:** The Grand Jury recommends that VCOE periodically conduct meetings to be attended by all charter school authorizers in the County. These meetings are to collaborate and provide training, review new education legislation, share best practices and highlight successes.

With only five charter authorizing school districts in Ventura County, we are fortunate to have the ability to work closely and collaboratively with each authorizing district for training purposes. Given this close network, the VCOE is able to provide one-on-one guidance tailored specifically to meet the individual needs of each Ventura County authorizer. Examples of specific one-on-one training for district authorizers include providing presentations to authorizing district boards on the petition, renewal and oversight responsibilities, as well as, frequent collaboration with district superintendents and staff on the charter petition process, renewal process, revocation process, oversight best practices and legislative updates.

Nonetheless, we agree that periodic group trainings for the Ventura County charter authorizers would be beneficial as well. We currently have a Ventura County Authorizer Collaboration and Training scheduled on September 22, 2020 to provide a comprehensive legislative update on AB 1505 and related changes to the Charter School Act. At this training, we will also review charter oversight resources. In addition, we are providing a Charter School Board Governance Workshop on October 14, 2020 for district authorizers to attend with charter school board members. Further, on October 19-21, 2020, we will encourage our Ventura County district authorizers to attend the Sixth Annual Charter Accountability Resource and Support Network Conference (CARSNET) which will be provided in partnership with the Fiscal Crisis and Management Assistance Team (FCMAT). Following this conference, VCOE staff will hold a collaboration Zoom with our district authorizers to discuss highlights, best practices and key conference takeaways. We anticipate scheduling a district authorizer training in the spring as well featuring charter school site visit best practices.

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**CONCLUSION 3:** The Grand Jury concluded that best practice guidelines for monitoring charter schools by authorizing school districts have been developed by FCMAT and VCOE. These guidelines have not been adopted by all County authorizing districts.

**RECOMMENDATION 1:** The Grand Jury recommends that VCOE, in conjunction with charter schools and district authorizers, collaborate to review and enhance the current VCOE oversight checklist/timeline utilizing the FCMAT suggested guidelines for oversight.

As mentioned previously, while VCOE shares its oversight best practices with Ventura County district authorizers, there is no legal mandate that they must adopt the same oversight resources and models that the VCOE employs. That being said, VCOE staff will continue to exemplify high standards for charter authorizing to the Ventura County district authorizers through one-on-one training and group workshop formats.

**RECOMMENDATION 2:** The Grand Jury recommends that VCOE, in conjunction with charter schools and authorizing districts, develop consistent, comprehensive and regularly scheduled oversight process for all County charter schools.

Please see response above.

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**CONCLUSION 4:** The Grand Jury concluded that a benefit would accrue to each charter school's operations by having an official representative of the authorizing district or VCOE on its governing board.

**RECOMMENDATION 4: The Grand Jury recommends that each existing charter school's governing board have at least one official representative from the authorizing district or VCOE.**

We respectfully disagree and will not be adopting R-04. We appreciate the Grand Jury's intended goal of increased oversight by recommending that each existing charter school governing board have at least one official representative from the authorizing district or VCOE. However, we have achieved this objective by having a VCOE observer attend every VCOE authorized charter school board meeting as well as receive the board agenda and supporting documentation prior to the meeting for review.

By placing an authorizer representative on the charter school governing board, many conflicts of interest and confidentiality issues can arise. Authorizer representatives placed on the charter school board must perform the duties of a director with care, in "good faith", and in a manner that the board member believes to be in the best interest of the charter school pursuant to Corporations Code Section 5231(a). Any person appointed to serve on the charter school board of directors must provide complete loyalty to the charter school and must maintain confidentiality of all things acquired in closed session. This can be problematic when the authorizer representative has potentially competing duties to the appropriate execution of their authorizing functions versus duties as a Charter School board member. For this reason, this recommendation is not supported as a best practice in the authorizer community at large, nor is it supported by FCMAT, an established leader in LEA operational management. As mentioned above, we can effectively monitor the charter school's operation by attending all board meetings, reviewing charter school records, and communicating with the school staff on a regular basis without having an authorizer representative on the board of directors as a voting member.

Should it become necessary, the VCOE does reserve the right to place a VCOE representative on the charter school board by way of its memorandum of understanding with the charter schools. Most Ventura County district authorizers have this same clause in their memorandum of understanding with their charter schools. We will be sure to advise district authorizers to add this clause if they have not already.

**RECOMMENDATION 5: The Grand Jury recommends that charter school authorizing entities within the County require future charter school petitions for authorization to include an agreement that the charter school will have a representative from the authorizing school district and/or VCOE on its governing board.**

We respectfully disagree and will not be adopting R-05. As mentioned above, by placing an authorizer representative on the charter school governing board, many conflicts of interest and confidentiality issues can arise, and it is not a best practice within the charter authorizer community given this inherent risk. Also, as mentioned above, should it become necessary, the VCOE does reserve the right to place a VCOE representative on the charter school board by way of its memorandum of understanding with the charter schools. Most district authorizers have this same clause in their memorandum of understanding with their charter schools. We will be sure to advise district authorizers to add this clause if they have not already.

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***All documents referenced in this response can be accessed  
using the following link to a shared Google Drive:***

***<https://bit.ly/VCOEgrandjury082020>***

## Landon, Carolyn

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**From:** Boehmer, Richard  
**Sent:** Wednesday, August 5, 2020 8:08 AM  
**To:** Landon, Carolyn  
**Subject:** FW: Response to Grand Jury Report - Oversight of Charter Schools  
**Attachments:** Grand Jury Response 080320 Charter School Oversight.pdf

Carrie:

Please see the email below.

Rick

**From:** Stan Mantooth [mailto:mantooth@vcoe.org]  
**Sent:** Tuesday, August 04, 2020 4:51 PM  
**To:** Boehmer, Richard <Richard.Boehmer@ventura.org>  
**Cc:** Marlo Hartsuyker <MHartsuyker@vcoe.org>; Cesar Morales <CeMorales@vcoe.org>; Nancy Akkerman <NAkkerman@vcoe.org>  
**Subject:** Response to Grand Jury Report - Oversight of Charter Schools

**CAUTION:** If this email looks suspicious, DO NOT click. Forward to [Spam.Manager@ventura.org](mailto:Spam.Manager@ventura.org)

TO: Ventura County Grand Jury  
c/o Richard Boehmer, Foreperson

DATE: August 3, 2020

Attached please find the Ventura County Office of Education response to the Ventura County Grand Jury Report entitled, *Oversight of Charter Schools Authorized by Ventura County School Districts and the Ventura County Office of Education*. As you will see in the response, all referenced documents can be found at this shared Google drive: <https://bit.ly/VCOEgrandjury082020>. A hard copy of this response will be sent via USMail.

If you have any questions regarding the information presented in this response, please contact Ms. Marlo Hartsuyker, Director of Charter School Support and Oversight at 805-383-1931 or via email at [mhartsuyker@vcoe.org](mailto:mhartsuyker@vcoe.org).

Sincerely,

*Stan*

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Ventura County Superintendent of Schools  
5189 Verdugo Way  
Camarillo, CA 93012  
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[mantooth@vcoe.org](mailto:mantooth@vcoe.org)