

DISPUTE RESOLUTION POLICY

BOARD GOVERNANCE POLICY #1.17

ADOPTED: 6/1/15

The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter.

(California Education Code Section 47605(b)(5)(N))

INTENT

The intent of this dispute resolution process is to (1) resolve disputes within the school pursuant to the school's policies, (2) minimize the oversight burden to the district, (3) ensure a fair and timely resolution to disputes, and (4) frame a charter oversight and renewal process and timeline so as to avoid disputes regarding oversight and renewal matters.

PUBLIC COMMENTS

The staff and governing board members of the school and the district agree to attempt to resolve all disputes regarding this charter pursuant to the terms of this section. Both shall refrain from public commentary regarding any disputes until the matter has progressed through the dispute resolution process.

DISPUTES ARISING FROM WITHIN THE SCHOOL

Disputes arising from within the school, including all disputes among and between students, staff, parents, volunteers, advisors, partner organizations, and governing board members of the school shall be resolved pursuant to policies and processes developed by the school.

The district shall not intervene in any such internal disputes without the consent of the governing board or its designee for resolution pursuant to the school's policies. The district agrees not to intervene or become involved in the dispute unless the dispute has given the district reasonable cause to believe that a violation of this charter or related laws or agreements has occurred, or unless the governing board of the school has requested the district to intervene in the dispute.

DISPUTES BETWEEN THE SCHOOL AND THE CHARTER-GRANTING AGENCY

In the event that the school or granting agency have disputes regarding the terms of this charter or any other issue regarding the school and grantor's relationship, both parties agree to follow the process outlined below.

In the event of a dispute between the school and the grantor, the staff and governing board members of the school and district agree to first frame the issue in written format and refer the issue to the superintendent of the district and the director of the school.

The director and superintendent shall informally meet and confer in a timely fashion, no later than 10 business days from receipt of the dispute statement, to attempt to resolve the dispute. In the event that this informal meeting fails to resolve the dispute, both parties shall identify two governing board members from their respective boards who shall jointly meet with the superintendent of the district and the director of the school within 20 business days from receipt of the dispute statement and attempt to resolve the dispute. If this joint meeting fails to resolve the dispute, the superintendent and the director shall meet to jointly identify a neutral, third party mediator. The format of the mediation session shall be developed jointly by the superintendent and director, and shall incorporate informal rules of evidence and procedure unless both parties agree otherwise. All timelines in this section may be revised upon mutual agreement of the District and the School.

OVERSIGHT, REPORTING, REVOCATION, AND RENEWAL

The Byron Union School District may inspect or observe any part of the school at any time, but shall provide reasonable notice to the director of the charter school prior to any observation or inspection unless such notice would prevent the performance of reasonable oversight functions. The Byron Union School District shall endeavor to provide such notice at least three working days prior to the inspection or observation unless the school's board or director agrees otherwise. Inspection, observation, monitoring, and oversight activities may not be assigned or subcontracted to a third party by the Byron Union School District without the consent of the governing board of the school.

The charter will submit quarterly fiscal reports in accordance with the timelines stated in the charter school law. The charter school and charter-granting agency will jointly develop a timeline of other required ongoing monitoring documents will be submitted, when reviewed, when feedback will be given to the charter school, and by when corrective action will occur. The charter school will be given reasonable time to take appropriate corrective action, unless the alleged violation presents an immediate threat to health or safety.

