



Mountain Empire Unified School District
3291 Buckman Springs Road Pine Valley, CA 91962
(619) 473-9022 FAX (619) 473-9728

November 14, 2016

Academy of Arts & Science
850 Hampshire Rd. Ste. P
Thousand Oaks, CA 93161-2851

Dear Mr. Lewis,

I am writing to discuss (1) the recent Court of Appeals decision in the case of *Anderson Union High School District v. Shasta Secondary Home School*, Case No. C078491 (the “*Shasta Ruling*”); (2) your charter school’s operation of out-of-district resource centers; (3) the potential for the District’s Board to revoke your charter petition if these resource center issues are not addressed; and (4) the opportunity for the District to request a waiver of the Charter Schools Act’s (“CSA”) geographic restrictions on behalf of your charter school.

I know that you are already familiar with the *Shasta Ruling* and are already considering its impact on your school’s operations. The *Shasta Ruling* could be “depublished” in the near future because the Court of Appeal reconsiders its decision or because the California Supreme Court decides to review the decision. If the *Shasta Ruling* stands, then I believe your charter school will need to make changes to comply with the Ruling and with the CSA’s geographic restrictions on out-of-district sites.

Please consider this your notice pursuant to Cal. Educ. Code § 47607(d) that, based on the *Shasta Ruling*’s interpretation of the CSA’s geographic restrictions on charter school operations, the District’s Board will have to consider revocation of your charter petition based on your operation of out-of-district resource centers unless you change your operations. We will, however, provide you with a reasonable opportunity to address this issue to the Board’s satisfaction. Therefore, I am asking that you develop a plan for complying with the *Shasta Ruling* and present this plan to me or the District’s Board.

Other District-authorized charter schools have asked the District to submit requests for waivers on behalf of the charter schools to the State Board of Education, asking that the CSA’s geographic restrictions be waived for a certain period of time. The District’s Board will hold public hearings on December 6, 2016, to consider these requests. If you would like to ask the District’s Board to submit a waiver on your behalf, please contact me as soon as possible so that you can be placed on the agenda for the December 6, 2016 meeting. If the District’s Board chooses to submit the waiver request, then we will quickly work to submit the request, but it is my understanding that the State Board of Education is unlikely to consider the waiver request before its March 2017 meeting.

Unfortunately, there is no guarantee that a waiver request will be granted. Even if you do request a waiver, I still ask that you take this time to develop (1) a plan for complying with the *Shasta Ruling* if the waiver request is denied or, (2) if the waiver is granted, for complying with the *Shasta Ruling* when the waiver expires.

Sincerely,

Kathy Granger, Ed.D.
Superintendent, Mountain Empire Unified School District