



LAW OFFICES OF SPECTOR, MIDDLETON, YOUNG & MINNEY, LLP

LEGAL UPDATE

Reminder to Review Your MOU!

This is the time of year when many Memoranda of Understanding (“MOU”) and other negotiated agreements between charter schools and granting agencies require the parties to exchange proposed amendments and/or modifications. Many set February 1 as the deadline in order to allow time to negotiate these changes before the beginning of the new school year.

This Legal Update seeks to remind you to review your current MOU and see if it includes a "re-opener" clause. Of course, in the absence of such a clause, most MOUs allow the parties to negotiate changes by mutual agreement. Most charter schools can expect that with the changes in the law that took effect January 1, 2004 (for example AB 1137) their granting agency will want to renegotiate provisions in the MOU, among other things, as they relate to charter renewal and the oversight obligations of the granting agency.

Many school districts will also be reviewing and possibly approving new board policies as they relate to their oversight obligations under this new law. The attorneys at SMYM have negotiated hundreds of MOUs throughout California. Please do not hesitate to contact us if we can be of any assistance in helping you understand these new laws or if you would like us to review proposed changes or suggested amendments to these documents.

If you should have any questions regarding this update, please contact Paul Minney at (pminney@smymlaw.com) or Lisa Corr at (lcorr@smymlaw.com) at the Law Offices of Spector, Middleton, Young & Minney, LLP at (916) 646-1400.

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WE DO NOT RECOMMEND THAT YOU ACT ON THIS INFORMATION WITHOUT CONSULTING COUNSEL.

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