REGULAR MEETING
October 16, 2019
9:00 a.m.
Board Room
200 Kalmus Drive, Costa Mesa, CA

ORANGE COUNTY BOARD OF EDUCATION
AGENDA

CALL TO ORDER
STATEMENT OF PRESIDING OFFICER: For the benefit of the record, this Regular Meeting of the Orange County Board of Education is called to order.

ROLL CALL

(*)AGENDA
Regular Meeting of October 16, 2019 – adoption

PUBLIC COMMENTS
Related to Closed Session Only

CLOSED SESSION 1
CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Orange County Board of Education v. Orange County Superintendent of Schools, Case No. 30-2018-01023385-CU-MC-CJC
Government Code Section 54956.9(a) and (d)(1)

CLOSED SESSION 2
CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION and receipt of correspondence from California Department of Education dated October 2, 2019. Decision to initiate litigation pursuant to paragraph (4) of subdivision (d) of Government Code section 54956.9

WELCOME
10:00 a.m.

INVOCATION
Lael Sunny Meagher, Member of EvFree Fullerton Church and Liaison for Grace Tv India

PLEDGE OF ALLEGIANCE

INTRODUCTIONS

(*)MINUTES
Regular Meeting of September 11, 2019- approval
Special Meeting of October 7, 2019 – approval

Recess to adopt the minutes of the Facilities Corporation Meeting of September 11, 2019- approval
PUBLIC COMMENTS  (30 minutes)

CONSENT CALENDAR

(*) 1. Approve the granting of diplomas to the students listed from Alternative, Community, and Correctional Education Schools and Services, Alternative Education Division.

(*) 2. Receive the results of the California School Dashboard – Local Indicators for Alternative, Community and Correctional Education Schools and the Special Education Division.

(*) 3. Receive the results of the California School Dashboard – Local Indicators for the College and Career Preparatory Academy.

CHARTER SCHOOLS

4. Charter Submissions

(*) 5. Orange County Department of Education staff determined the charter petition for renewal meets the requirements of the Charter Schools Act and recommends the Orange County Board of Education approve with conditions the Vista Heritage Global Academy charter renewal.

(*) 6. Based on a comprehensive review of the petition as submitted, information presented during the public hearing, and an in-person clarification meeting, Orange County Department of Education staff determined the petition does not meet the requirements of the Charter Schools Act for approval and recommends the Orange County Board of Education deny the Achievers Global Academy charter school petition.

BOARD RECOMMENDATIONS

(*) 7. Approve board resolution #15-19 on adopted 2019-2020 OCDE Budget. (Williams)

(*) 8. Adopt Resolution #17-19: Full and Fair Funding of California’s Public Schools. (Gomez)

(*) 9. Adopt Resolution #18-19: Declaring Support for a New State School Bond. (Gomez)
STAFF RECOMMENDATIONS


TIME CERTAIN

INFORMATION ITEMS

BOARD DISCUSSION
- Trustee salary and benefits (Bedell)
- Term Limits (Bedell)
- Board meetings

ANNOUNCEMENTS
- Superintendent
- Associate Superintendent

Legislative Updates
- CSBA Update
- CCBE Update
- NSBA Update
- Capitol News Update
- School Services Update

BOARD MEMBER COMMENTS

EXECUTIVE COMMITTEE REPORT

PUBLIC COMMENTS (15 minutes)

ADJOURNMENT

Nina Boyd
Assistant Secretary, Board of Education

Next Regular Board Meeting: Wednesday, November 6, 2019 at 9:00 a.m. The meeting will be in the Board Room at 200 Kalmus Drive, Costa Mesa, CA.

Individuals with disabilities in need of copies of the agenda and/or the agenda packet or in need of auxiliary aides and services may request assistance by contacting Darou Sisavath, Board Clerk at (714) 966.4012.

(*) Printed items included in materials mailed to Board Members
MINUTES
Regular Meeting
September 11, 2019

ORANGE COUNTY BOARD OF EDUCATION
MINUTES

CALL TO ORDER
The Regular Meeting of the Orange County Board of Education was called to order by Board President Barke at 10:05 a.m., September 11, 2019 in the Board Room, 200 Kalmus Drive, Costa Mesa, California.

INVOCATION
William Owens, Author, Christian Life

PLEDGE OF ALLEGIANCE
Dr. Gabriela Mafi, Superintendent, Garden Grove USD

ROLL CALL
Present:
Lisa Sparks, Ph.D.
Mari Barke
Ken L. Williams, D.O.
Rebecca “Beckie” Gomez
John W. Bedell, Ph.D.

INTRODUCTIONS
None

AGENDA
Motion by Williams, seconded by Sparks, and carried by a vote of 5-0, to approve the agenda of the September 11, 2019 Board meeting.

MINUTES
Motion by Williams, seconded by Sparks, and carried by a vote of 5-0, to approve the minutes of the August 1, 2019 Special Board Meeting and the August 14, 2019 Regular Board meeting.

PUBLIC COMMENTS
• Susan Meyer, General
• Charlene Metoyer, General
• Jill Marks, General
• Lynne Riddle, General
• Dr. Mike Weiss, General

CONSENT CALENDAR
Motion by Williams, seconded by Sparks, and carried by a vote of 5-0, to approve Consent Calendar Items #1 and #2.

1. Approve the granting of diplomas to the students listed from Alternative, Community, and Correctional Education Schools and Services, Alternative Education Division.
2. Adopt Resolution #14-19 in support of October 20-26, 2019, as Orange County’s Red Ribbon Week campaign, and encourage all community members to promote alcohol, tobacco, and other drug prevention education programs and activities, and send copies of this resolution to school districts in Orange County.

The Board went into closed session from 10:27 a.m. to 11:03 a.m.

CLOSED SESSION 1

CONFERECE WITH LEGAL COUNSEL – EXISTING LITIGATION
Orange County Board of Education v. Orange County Superintendent of Schools, Case No. 30-2018-01023385-CU-MC-CJC
Government Code Section 54956.9(a) and (d)(1)

Mr. Brenner reported the Board received an update regarding the litigation between the Board and the Superintendent. No action was taken with respect to the discussion. The Board also reviewed and approved (3-1-1: Barke, Williams, and Sparks voted Yes; Gomez voted No; and Bedell Abstained) invoices through July 31, 2019 from Epstein, Becker & Green.

CHARTER SCHOOLS

3. Charter Schools Submissions – There were no charter submissions.

PUBLIC COMMENTS (continue)

- Michelle Anderson, ISSAC
- Shelby Tipton, ISSAC
- Nicole Umholtz, ISSAC
- Veronica Kroll, ISSAC
- Thu Nguyen, ISSAC
- Tho Tran, ISSAC
- Halimo Mohamed, ISSAC
- Susanna Davoodi, ISSAC
- Adrine Davoodi, ISSAC
- Greer Wylder, ISSAC

4. ISSAC Charter School Update – Renee Williams, Principal, ISSAC and Dr. Padmini Hands provided an update to the Board.

- ISSAC to be put on the October agenda for further discussions

STAFF RECOMMENDATIONS

5. EPIC Update- Paul McGregor, Executive Director of EPIC charter school in California and Bill Hickman, Attorney of EPIC Oklahoma provided an update to the Board.
6. Unity Update- Roy Kim, back office consultant and Rashi Seth, Principal provided an update to the Board.

The Board took a recess from 1:07 p.m. to 1:26 p.m.

9. Adopt amended board policy #100-11. (Williams)- Tabled to the October meeting at the request of Trustee Williams.

10. Approve board resolution #15-19 on adopted 2019-2020 OCDE Budget. (Williams)- Tabled to the October meeting at the request of Trustee Williams.

CHARTER SCHOOLS (continue)


PUBLIC COMMENTS (continue)

- Esther Morales, Garden Grove USD
- Tan Wong, Garden Grove USD
- Sara Monge, Garden Grove USD
- Andrea Perez, Garden Grove USD
- Miquel Gudino, Achiever’s Global Academy
- Sanchez Magdalene, Achiever’s Global Academy
- Sylvia Gudino, Achiever’s Global Academy

- Achiever’s Global Academy’s presentation was conducted by Virginia Carillo, Founder.

- Garden Grove Unified School District’s presentation was conducted by Gabriela Mafi, Ed.D., Superintendent and Teri Rocco, Board Member.

The Board took a recess from 2:45 p.m. to 2:58 p.m.

CHARTER SCHOOLS (continue)


PUBLIC COMMENTS (continue)

- Susan Mas, Vista Heritage
- Mirta Catalan, Vista Heritage
- Rosario Ruiz, Vista Heritage
- Araceli Catalan, Vista Heritage
- Vista Heritage Global Academy's presentation was conducted by Dr. Don Wilson, Superintendent and Dr. Collin Felch, Principal.

Trustee Sparks departed the meeting at 3:30 p.m.

The Board took a recess from 3:35 p.m. to 3:41 p.m.

7. **TIME CERTAIN**

   **7. Inter-district Appeal Hearing (closed) – Student #09112019001I–Anaheim Union High School District to Irvine Unified School District.**

   The Board went into closed session from 4:00 p.m. to 4:08 p.m.

   Motion by Williams, seconded by Barke, and carried by a vote of 3-1 (Williams, Barke, and Gomez voted Yes; Bedell voted No; Sparks Absent) to deny the appeal and uphold the decision of the Irvine Unified School District.

   Kathy Ikola, Interim Coordinator, CWA & SARB, Educational Services facilitated the hearing.

8. **Inter-district Appeal Hearing (closed) – Student #09112019002I–Long Beach Unified School District to Los Alamitos Unified School District.**

   The Board went into closed session from 4:30 p.m. to 4:43 p.m.

   Motion by Bedell, seconded by Barke, and carried by a vote of 3-1 (Williams, Barke, and Bedell voted Yes; Gomez voted No; Sparks Absent) to approve the appeal and allow the student to attend the Los Alamitos Unified School District for the 2019-20 academic year.

   Kathy Ikola, Interim Coordinator, CWA & SARB, Educational Services facilitated the hearing.

**The Board recessed the Board of Education Regular Meeting to hold the meeting of the Facilities Corporation from 4:47 p.m. to 4:54 p.m.**

**INFORMATION ITEMS**

**BOARD DISCUSSION**

- Trustee salary and benefits (Bedell)- Tabled to the October meeting at the request of Trustee Bedell.

- Term Limits (Bedell)- Tabled to the October meeting at the request of Trustee Bedell.
ANNOUNCEMENTS
Superintendent
- Met with Don Thompson and Susan Mas regarding Tomorrow's Leadership Collaborative (TLC)
- Padres Unidos
- Latino Educational Attainment Initiative sponsored by the OCBC-Orange County Business Council
- PLI at Long Beach Convention Center
- eSports
- OCDE Budget

Associate Superintendent
- Next board meeting is October 16 at 10:00 a.m. – Submission deadline is October 2
- 2019 CSBA Annual Conference is December 5 through December 7 in San Diego
- NSBA's Annual Conference has been announced for Chicago, April 4 through April 6, 2020
- California Charter Schools Association conference is March 16 through March 19
- November board date

BOARD MEMBER COMMENTS
- Trustee Gomez recommended the Board hold all Closed sessions from 9:00 a.m. to 10:00 a.m.
- Trustee Barke- 911 Ceremony

ADJOURNMENT

On a motion duly made, and seconded, the Board meeting of September 11, 2019, adjourned at 5:08 p.m.

Nina Boyd
Assistant Secretary, Board of Education

Mari Barke
President, Board of Education

Next Regular Board Meeting, Wednesday, October 16, 2019 at 9:00 a.m. - The meeting will be held in the Board Room at 200 Kalmus Drive, Costa Mesa, CA.

Individuals with disabilities in need of copies of the agenda and/or the agenda packet or in need of auxiliary aides and services may request assistance by contacting Darou Sisavath, Board Clerk at (714) 966-4012.
MINUTES
Special Meeting
October 7, 2019

ORANGE COUNTY BOARD OF EDUCATION
MINUTES
Special Board Meeting

CALL TO ORDER
The Special Meeting of the Orange County Board of Education was called to order by Board President Barke at 6:05 p.m., October 7, 2019 in the Board Room, 200 Kalmus Drive, Costa Mesa, California.

PLEDGE OF ALLEGIANCE
Ken Williams, D.O., Board Vice President

ROLL CALL
Present:
Lisa Sparks, Ph.D.
Mari Barke
Ken L. Williams, D.O.
Rebecca “Beckie” Gomez
John W. Bedell, Ph.D.

AGENDA
Motion by Williams, seconded by Sparks, and carried by a vote of 5-0 to approve the agenda of the October 7, 2019 Special Board meeting.

PUBLIC COMMENTS
None

The Board went into closed session from 6:07 p.m. to 8:06 p.m.

CLOSED SESSION 1
CLOSED SESSION 1 CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Orange County Board of Education v, Orange County Superintendent Of Schools, Case No. 30-2018-01023385-CUMC-CJC, Government Code section 54956.9 (a) and (d) (1)

CLOSED SESSION 2
CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION and receipt of correspondence from California Department of Education dated October 2, 2019. Decision to initiate litigation pursuant to paragraph (4) of subdivision (d) of Government Code section 54956.9

On Closed Session item #1, Ms. Kristin Halsing of Epstein, Becker and Green, reported an update regarding the litigation
between the Board and the Superintendent was provided to the Board. No action was taken with respect to the litigation.

On Closed Session item #2, the Board voted 3-2 (Williams, Barke, and Sparks voted Yes; Bedell and Gomez voted No), to engage Epstein, Becker and Green to pursue a litigation in response to the October 2, 2019 letter from the California Department of Education.

ADJOURNMENT

On a motion duly made, and seconded, the Board meeting of October 7, 2019, adjourned at 8:08 p.m.

Nina Boyd
Assistant Secretary, Board of Education

Mari Barke
President, Board of Education

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REGULAR MEETING OF FACILITIES CORPORATION
October 16, 2019
9:05 a.m.
Board Room
200 Kalmus Drive
Costa Mesa, California

ORANGE COUNTY BOARD OF EDUCATION
FACILITIES CORPORATION
AGENDA

CALL TO ORDER - STATEMENT OF PRESIDING OFFICER: "For the benefit of the record, this Regular Meeting of Facilities Corporation is called to order."

ROLL CALL

(*) AGENDA Regular Meeting of October 16, 2019 – adoption

(*) MINUTES Regular Meeting of September 11, 2019 – approval

PUBLIC COMMENTS

At this time, members of the public may address the Board of Education regarding any agenda and/or off-agenda items within the subject matter jurisdiction of the Board of Education provided that NO action may be taken on off-agenda items unless authorized by law. Comments shall be limited to three (3) minutes per person per meeting and thirty (30) minutes for all comments.

SPECIAL RECOMMENDATIONS

CLOSED SESSION

ADJOURNMENT

Nina Boyd
Assistant Secretary to the Facilities Corporation, Orange County

(*) Printed items included in materials mailed to Board Members
ORANGE COUNTY DEPARTMENT OF EDUCATION
FACILITIES CORPORATION
MINUTES

CALL TO ORDER
The Regular Meeting of the Orange County Board of Education Facilities Corporation was called to order at 4:48 p.m. on September 11, 2019 in the Board Room, 200 Kalmus, Costa Mesa, California.

ROLL CALL
Present:
  Mari Barke
  Ken Williams, D.O.
  Rebecca “Beckie” Gomez
  John W. Bedell, Ph.D.

Absent:
  Lisa Sparks, Ph.D.

AGENDA
Motion by Bedell, seconded by Williams, and carried by a vote of 4-0 (Sparks absent) to approve the September 11, 2019 agenda of the Facilities Corporation regular meeting.

MINUTES
Received – Approved on November 7, 2018.

PUBLIC COMMENTS
None at this meeting

SPECIAL RECOMMENDATIONS
1. Motion by Bedell, seconded by Gomez, and carried by a vote of 4-0 (Sparks absent) to confirm the appointment of the officers of the Education Facilities Corporation for 2019-20.

Motion by Barke, seconded by Bedell, and carried by a vote of 4-0 (Sparks absent) to approve the nomination of Trustee Gomez as Treasurer.
  • Mari Barke – President
  • Ken L. Williams, D.O. - Secretary
  • Rebecca “Beckie” Gomez - Treasurer

2. The Esplanade Project Operational Report for fiscal year 2018-2019 was received by the Board.
3. Motion by Gomez, seconded by Bedell, and carried by a vote of 4-0 (Sparks absent) to receive and approve the Esplanade Project Operational Budget for fiscal year 2019-2020.

CLOSED SESSION

None

ADJOURNMENT

On a motion duly made and seconded, the Regular Meeting of the Facilities Corporation of September 11, 2019 ended at 4:53 p.m.

Nina Boyd
Assistant Secretary, Board of Education

Mari Barke
President, Board of Education
ORANGE COUNTY BOARD OF EDUCATION

BOARD AGENDA ITEM

DATE: October 7, 2019

TO: Nina Boyd, Associate Superintendent

FROM: Jeff Hittenberger, Chief Academic Officer

SUBJECT: Granting of Diplomas

The students listed on the attached pages have been certified for graduation by the Custodian of Records or their designee for the Division of Alternative Education of the Orange County Department of Education. These students have met the standards of proficiency in the basic skills prescribed by the governing board in accordance with Education Code 51412. It is requested that the Board approve the granting of diplomas to these students.

RECOMMENDATION:

Approve granting of diplomas to the students listed from Alternative, Community, and Correctional Education Schools and Services, Alternative Education Division.

LS:sl
Pages 15-17 removed (CONFIDENTIAL STUDENT INFORMATION)
DATE: October 16, 2019

TO: Nina Boyd, Associate Superintendent

FROM: Jeff Hittenberger, Chief Academic Officer, OCDE and Analee Kredel, Chief, Special Education Division

SUBJECT: California School Dashboard Local Indicators: ACCESS and Orange County Special Education Division

Based on the Local Control Funding Formula (LCFF) passed in 2013, California has a new accountability system that is based on multiple measures. This new system requires Local Education Agencies (LEAs) to report progress on the locally identified priority areas. The approved standards require the LEA to do the following:

- Annually report its measures
- Report the results at a regularly scheduled public meeting of the local governing board
- Upload and report results through the Dashboard by November 1, 2019

Each local district and County Office of Education is required to upload progress on the local indicators on an Accountability Dashboard, rating each category as “Met”, “Not Met” or “Not Met for Two Years”. Responses reflect use of the self-reflection tools that the State Board of Education approved as part of the new accountability system.

Local indicators for County Offices of Education include the following LCAP state priorities:

- Priority 1 – Basic Services that include appropriately assigned teachers, student access to standards-aligned curriculum, and safe, clean and functional school facilities.
- Priority 2 – Implementation of State Academic Standards
- Priority 3 – Family Engagement
- Priority 6 – School Climate
- Priority 7 – Access to a Broad Course of Study
- Priority 9 – Coordination of Services for Expelled Students
- Priority 10 – Coordination of Services for Foster Youth

Priorities 4, “Pupil Achievement,” and 5, “Pupil Engagement,” are populated by State CALPADS data; CDE has not developed a response method at this time for Priority 8, “Pupil Outcomes.”

RECOMMENDATION:

Receive the results of the California School Dashboard – Local Indicators for Alternative, Community and Correctional Education Schools and the Special Education Division.
Orange County Special Education Division

California School Dashboard
Local Indicators
Fall 2019
Priority 1

Appropriately Assigned Teachers, Access to Curriculum-Aligned Instructional Materials, and Safe, Clean and Functional School Facilities
(The local performance indicator for appropriately assigned teachers, access to curriculum-aligned instructional materials, and safe, clean and functional school facilities).

**Standard:** Local educational agency annually measures its progress in meeting the Williams settlement requirements at 100% at all of its school sites, as applicable, and promptly addresses any complaints or other deficiencies identified throughout the academic year, as applicable; and provides information annually on progress meeting this standard to its local governing board and to stakeholders and the public through the evaluation rubrics.

**Criteria:** Met

**Narrative:**

1. All teachers are appropriately assigned within ACCESS and the Special Education Division. Teacher assignments are reviewed by Human Resources to ensure compliance.

2. All students have access to their own copies of standards-aligned instructional materials for use at school and home. Students have access to laptops and a hot spot if needed to access online curriculum at home.

3. There were no Williams Complaints submitted during the 2018-19 school year.

4. All ACCESS and Special Education Division facilities data in their School Accountability Report Cards had an overall rating of “Good” for facility conditions.
Priority 2

Self-Reflection Tool for Implementation of State Academic Standards
(The local performance indicator for the implementation of state academic standards)

Standard: Local educational agency annually measures its progress implementing state academic standards and reports the results to its local governing board at a regularly scheduled meeting of the local governing board and to stakeholders and the public through the evaluation rubrics.

Criteria: Met

1. Rate the LEA’s progress in providing professional learning for teaching to the recently adopted academic standards and/or curriculum frameworks identified below. Rating Scale (lowest to highest): 1 – Exploration and Research Phase; 2 – Beginning Development; 3 – Initial Implementation; 4 – Full Implementation; 5 – Full Implementation and Sustainability

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2. Rate the LEA’s progress in making instructional materials that are aligned to the recently adopted academic standards and/or curriculum frameworks identified below available in all classrooms where the subject is taught. Rating Scale (lowest to highest): 1 – Exploration and Research Phase; 2 – Beginning Development; 3 – Initial Implementation; 4 – Full Implementation; 5 – Full Implementation and Sustainability

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3. Rate the LEA’s progress in implementing policies or programs to support staff in identifying areas where they can improve in delivering instruction aligned to the recently adopted academic standards and/or curriculum frameworks identified below (e.g., collaborative time, focused classroom walkthroughs, teacher pairing).

Rating Scale (lowest to highest): 1 – Exploration and Research Phase; 2 – Beginning Development; 3 – Initial Implementation; 4 – Full Implementation; 5 – Full Implementation and Sustainability

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Other Adopted Academic Standards

4. Rate the LEA’s progress implementing each of the following academic standards adopted by the State Board of Education for all students. Rating Scale (lowest to highest): 1 – Exploration and Research Phase; 2 – Beginning Development; 3 – Initial Implementation; 4 – Full Implementation; 5 – Full Implementation and Sustainability

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Support for Teachers and Administrators

5. During the 2017-18 school year (including Summer 2017) or during the 2018-19 school year (including summer 2018), rate the LEA’s success at engaging in the following activities with teachers and school administrators Rating Scale (lowest to highest): 1 – Exploration and Research Phase; 2 – Beginning Development; 3 – Initial Implementation; 4 – Full Implementation; 5 – Full Implementation and Sustainability

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Priority 3

Self-Reflection Tool for Priority 3: Family Engagement

Standard: The local educational agency (LEA) annually measures its progress in: (1) seeking input from parents in decision making; and (2) promoting parental participation in programs, and reports the results to its local governing board at a regularly scheduled meeting and to stakeholders and the public through the California School Dashboard (Dashboard).

Criteria: Met

Building Relationships

1. Rate the LEA’s progress in developing the capacity of staff (i.e. administrators, teachers, and classified staff) to build trusting and respectful relationships with families. Rating Scale (lowest to highest): 1 – Exploration and Research Phase; 2 – Beginning Development; 3 – Initial Implementation; 4 – Full Implementation; 5 – Full Implementation and Sustainability

   3 – Initial Implementation

2. Rate the LEA’s progress in creating welcoming environments for all families in the community. Rating Scale (lowest to highest): 1 – Exploration and Research Phase; 2 – Beginning Development; 3 – Initial Implementation; 4 – Full Implementation; 5 – Full Implementation and Sustainability

   3 – Initial Implementation

3. Rate the LEA’s progress in supporting staff to learn about each family’s strengths, cultures, languages, and goals for their children. Rating Scale (lowest to highest): 1 – Exploration and Research Phase; 2 – Beginning Development; 3 – Initial Implementation; 4 – Full Implementation; 5 – Full Implementation and Sustainability

   3 – Initial Implementation

4. Rate the LEA’s progress in developing multiple opportunities for the LEA and school sites to engage in 2-way communication between families and educators using language that is understandable and accessible to families. Rating Scale (lowest to highest): 1 – Exploration and Research Phase; 2 – Beginning Development; 3 – Initial Implementation; 4 – Full Implementation; 5 – Full Implementation and Sustainability

   3 – Initial Implementation
Briefly describe the LEA's current strengths and progress in this area, and identify a focus area for improvement, including how the LEA will improve the engagement of underrepresented families.

Orange County Department of Education schools continue to build capacity for authentic relationships with families from diverse backgrounds, teams of school staff have been trained in best practices for creating a welcoming trauma-informed and inclusive school environment for all families. Staff development has included Bridges Out of Poverty, Cultural Proficiency, and Parent Liaison Certificate training. Bilingual Title I Family Community Liaisons, who serve as a two-way communication bridge between the school, families, and community, are the school's greatest asset in this area. To improve the engagement of underrepresented families and strengthen the understanding of the needs of a high turnover student population, the school will continue to align family engagement activities with culturally proficient practices and increase outreach efforts to underserved populations.

Building Partnerships for Student Outcomes

5. Rate the LEA's progress in providing professional learning and support to teachers and principals to improve a school's capacity to partner with families. Rating Scale (lowest to highest): 1 – Exploration and Research Phase; 2 – Beginning Development; 3 – Initial Implementation; 4 – Full Implementation; 5 – Full Implementation and Sustainability

3 – Initial Implementation

6. Rate the LEA's progress in providing families with information and resources to support student learning and development in the home. Rating Scale (lowest to highest): 1 – Exploration and Research Phase; 2 – Beginning Development; 3 – Initial Implementation; 4 – Full Implementation; 5 – Full Implementation and Sustainability

3 – Initial Implementation

7. Rate the LEA’s progress in implementing policies or programs for teachers to meet with families and students to discuss student progress and ways to work together to support improved student outcomes. Rating Scale (lowest to highest): 1 – Exploration and Research Phase; 2 – Beginning Development; 3 – Initial Implementation; 4 – Full Implementation; 5 – Full Implementation and Sustainability

3 – Initial Implementation

8. Rate the LEA’s progress in supporting families to understand and exercise their legal rights and advocate for their own students and all students. Rating Scale (lowest to highest): 1 – Exploration and Research Phase; 2 – Beginning Development; 3 – Initial Implementation; 4 – Full Implementation; 5 – Full Implementation and Sustainability

3 – Initial Implementation
Briefly describe the LEA’s current strengths and progress in this area and identify a focus area for improvement, including how the LEA will improve the engagement of underrepresented families.

Continuing to build effective partnerships for learning, the LEA provides regular opportunities for families to meet with teachers to discuss students’ academic progress and ways that parents can support their students’ academic success at home, as outlined in the School-Family Compact. School Counselors provide guidance to students with academic planning to ensure student success. Transition Specialists also provide support to students and families in choosing a career pathway and planning for college. The LEA’s personalized approach to student academic planning is a strength in this area. As a focus for improvement, the LEA will provide staff development to train staff in best practices for working effectively with underrepresented families.

Seeking Input for Decision Making

9. Rate the LEA’s progress in building the capacity of and supporting principals and staff to effectively engage families in advisory groups and with decision-making. Rating Scale (lowest to highest): 1 – Exploration and Research Phase; 2 – Beginning Development; 3 – Initial Implementation; 4 – Full Implementation; 5 – Full Implementation and Sustainability

   3 – Initial Implementation

10. Rate the LEA’s progress in building the capacity of and supporting family members to effectively engage in advisory groups and decision-making. Rating Scale (lowest to highest): 1 – Exploration and Research Phase; 2 – Beginning Development; 3 – Initial Implementation; 4 – Full Implementation; 5 – Full Implementation and Sustainability

   3 – Initial Implementation

11. Rate the LEA’s progress in providing all families with opportunities to provide input on policies and programs, and implementing strategies to reach and seek input from any underrepresented groups in the school community. Rating Scale (lowest to highest): 1 – Exploration and Research Phase; 2 – Beginning Development; 3 – Initial Implementation; 4 – Full Implementation; 5 – Full Implementation and Sustainability

   3 – Initial Implementation

12. Rate the LEA’s progress in providing opportunities to have families, teachers, principals, and district administrators work together to plan, design, implement and evaluate family engagement activities at school and district levels. Rating Scale (lowest to highest): 1 – Exploration and Research Phase; 2 – Beginning Development; 3 – Initial Implementation; 4 – Full Implementation; 5 – Full Implementation and Sustainability

   3 – Initial Implementation
Briefly describe the LEA’s current strengths and progress in this area and identify a focus area for improvement, including how the LEA will improve the engagement of underrepresented families.

The LEA values and seeks the input of families on each schools’ continuous improvement efforts, and encourages active participation in advisory committees such as ELAC/DELAC, School Site Council, and LCAP Parent Focus Groups. The accessibility of these meetings is a strength for the LEA. To facilitate engagement of underrepresented families, advisory group meetings are held at times and locations preferred by families, interpretation is provided, transportation is available, and activities are offered to families with young children.

To continually increase the capacity of parents to participate more fully in decision-making groups, the LEA provides opportunities for parent leaders to attend local and regional conferences and trainings. The LEA will focus on building the capacity of school leaders to work collaboratively with families by establishing a Family Engagement Team for the 2019-20 school year, which will focus on implementing the strategies outlined in the CDE’s Family Engagement Toolkit.
Priority 6

School Climate
(The local performance indicator for school climate)

Standard: Local educational agency administers a local climate survey at least every other year that provides a valid measure of perceptions of school safety and connectedness, such as the California Healthy Kids Survey, to students in at least one grade within the grade span(s) that the local educational agency serves (e.g., K-5, 6-8, 9-12), and reports the results to its local governing board at a regularly scheduled meeting of the local governing board and to stakeholders and the public through the evaluation rubrics.

Criteria: Met

Narrative:

ACCESS administers the California Healthy Kids Survey to students in grades 5, 8, and 9-12 every other year. Survey results are communicated to school administrators and this data is used to evaluate the student support services at the school sites as well as to add or modify actions and services in the LCAP. This analysis resulted in ongoing funding for school-based mental health services for both general and special education students in our community schools.

Our School Accountability Report Cards, as well as the measures in the LCAP, provide data on student suspension, attendance, dropout, and graduation rates. The LEA has developed and is in the process of implementing a comprehensive policy for addressing student behavior consistently across the program within the Multi-Tiered Systems of Support (MTSS) framework. To support fidelity in MTSS implementation, the LEA collects and analyzes both state and local data on an ongoing basis.
Priority 7

Self-Reflection Tool for Access to a Broad Course of Study
(The local performance indicator for student access to a broad course of study)

Standard: Local educational agencies (LEAs) annually measure their progress in the extent to which students have access to, and are enrolled in, a broad course of study that includes the adopted courses of study specified in the California Education Code for Grades 1-6 and Grades 7-12, as applicable, including the programs and services developed and provided to unduplicated students and individuals with exceptional needs, and report the results to their local governing board at regularly scheduled meetings of the local governing board and to stakeholders and the public through the Dashboard.

Criteria: Met

Summarize:

1. Briefly identify the locally selected measures or tools that the LEA is using to track the extent to which all students have access to, and are enrolled in, a broad course of study, based on grade spans, unduplicated student groups, and individuals with exceptional needs served.

   Student transcripts are requested at enrollment for all students. The teacher reviews the transcript to ensure the appropriate classes are assigned to the student. An Individualized Learning Plan (ILP) is completed by the student and teacher to gather input from the student regarding learning goals, interests, and transition plans. School Counselors, transition specialists and paraeducators are also available to support student access to a broad course of study, in alignment with their goals and academic needs.

2. Using the locally selected measures or tools, summarize the extent to which all students have access to, and are enrolled in, a broad course of study. The summary should identify any differences across school sites and student groups in access to, and enrollment in, a broad course of study. LEAs may describe progress over time in the extent to which all students have access to, and are enrolled in, a broad course of study.

   All students have access to the core curriculum and electives required for graduation. Career Technical Education (CTE) classes were held at several school sites in the 2018-2019 school year, and the option to attend CTE classes was open to all students. However, transportation remained a challenge. The LEA is currently in the process of developing and implementing a CTE program for all sites that would be accessible to all students within the next 3-5 years. For the 2019-2020 school year, our goal is to establish two CTE pathways: (1) Building and Construction pathway at the Orange County Juvenile Hall, and (2) a Digital Media Arts pathway at the Harbor Learning Center site, serving students in both the ACCESS and the Special Education Division.
In addition, we plan to pilot Exploring CTE Labs through Paxton Patterson at five school sites. Exploring CTE Labs will give students exposure to a broad range of career clusters by engaging them in hands-on activities and authentic problem-solving activities. Students will also have the opportunity to obtain industry certifications and engage in work based learning experiences. The Special Education Division has also developed an Agriculture and Natural Resources pathway.

3. **Given the results of the tool or locally selected measures, identify the barriers preventing the LEA from providing access to a broad course of study for all students.**

   A significant barrier is the current high number of school sites, which makes providing equitable resources a challenge. A restructuring plan is in process, which will relocate and, in many cases, consolidate school sites with a goal of maximizing resources and ensuring consistent accessibility to all courses of study.

4. **In response to the results of the tool or locally selected measures, what revisions, decisions, or new actions will the LEA implement, or has the LEA implemented, to ensure access to a broad course of study for all students?**

   The LEA is continuing to explore innovative ideas to ensure access to a broad course of study in alignment with the LEA’s mission of college and career readiness for all students. This includes continued growth in the use of technology to overcome any geographical or transportation barriers that may exist, providing students with alternative methods for accessing courses and demonstrating their learning.

   LEA staff also benefit from targeted professional development opportunities on instructional practices that support and engage all learners, following the principles of MTSS that have become a foundation for our program. Recognizing the important connection between family engagement and student achievement, the LEA is continuing to provide more opportunities for families to actively engage in their students’ academic goal setting and plans.
Priority 9

Coordination of Services for Expelled Students
(The local performance indicator for the coordination of services for expelled students. This form is for county offices of education only)

**Standard:** County office of education annually measures its progress in coordinating instruction as required by Education Code Section 48926 and reports the results to its local governing board at a regularly scheduled meeting of the local governing board and to stakeholders and the public through the evaluation rubrics.

**Criteria:** Met

Coordination of Services for Expelled Students – COE Only (Priority 9)

Assess the degree of implementation of the progress in coordinating instruction for expelled students in your county. Rating Scale (lowest to highest): 1 – Exploration and Research Phase; 2 – Beginning Development; 3 – Initial Implementation; 4 – Full Implementation; 5 – Full Implementation and Sustainability

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<th>Priority 9</th>
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<tr>
<td>1. Assessing status of triennial plan for providing educational services to all expelled students in the county, including: a. Review of required data</td>
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<td>b. Identifying existing educational alternatives for expelled pupils, gaps in educational services to expelled pupils, and strategies for filling those service gaps.</td>
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<td>c. Identifying alternative placements for pupils who are expelled and placed in district community day school programs, but who fail to meet the terms and conditions of their rehabilitation plan or who pose a danger to other district pupils.</td>
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<td>2. Coordinating on development and implementation of triennial plan with all LEAs within the county.</td>
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<tr>
<td>3. Establishing ongoing collaboration and policy development for transparent referral process for LEAs within the county to the county office of education or other program options, including dissemination to all LEAs within the county a menu of available continuum of services for expelled students.</td>
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<td>4. Developing memorandum of understanding regarding the coordination of partial credit policies between district of residence and county office of education.</td>
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Priority 10

Coordination of Services for Foster Youth – COE Only
(The local performance indicator for the coordination of services for foster youth. This form is for county offices of education only)

**Standard:** County office of education annually measures its progress in coordinating services for foster youth and reports the results to its local governing board at a regularly scheduled meeting of the local governing board and to stakeholders and the public through the evaluation rubrics web-based system (California School Dashboard).

**Criteria:** Met

Coordination of Services for Foster Youth – COE Only (Priority 10)

Assess the degree of implementation of coordinated service program components for foster youth in your county. Rating Scale (lowest to highest): 1 – Exploration and Research Phase; 2 – Beginning Development; 3 – Initial Implementation; 4 – Full Implementation; 5 – Full Implementation and Sustainability

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<tr>
<th>Priority 10</th>
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<tbody>
<tr>
<td>1. Establishing ongoing collaboration and supporting policy development, including establishing formalized information sharing agreements with child welfare, probation, Local Education Agency (LEAs), the courts, and other organizations to support determining the proper educational placement of foster youth (e.g., school of origin versus current residence, comprehensive versus alternative school, and regular versus special education).</td>
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<td>2. Building capacity with LEA, probation, child welfare, and other organizations for purposes of implementing school-based support infrastructure for foster youth intended to improve educational outcomes (e.g., provide regular professional development with the Foster Youth Liaisons to facilitate adequate transportation services for foster youth).</td>
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<td>3. Providing information and assistance to LEAs regarding the educational needs of foster youth in order to improve educational outcomes.</td>
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<td>4. Providing direct educational services for foster youth in LEA or county-operated programs provided the school district has certified that specified services cannot be provided or funded using other sources, including, but not limited to, Local Control Funding Formula, federal, state or local funding.</td>
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<td>5. Establishing ongoing collaboration and supporting development of policies and procedures that facilitate expeditious transfer of records, transcripts, and other relevant educational information.</td>
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<tr>
<td>6. Facilitating the coordination of post-secondary opportunities for youth by engaging with systems partners, including, but not limited to, child welfare transition planning and independent living services, community colleges or universities, career technical education, and workforce development providers.</td>
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<td>7. Developing strategies to prioritize the needs of foster youth in the community, using community-wide assessments that consider age group, geographical area, and identification of highest needs students based on academic needs and placement type.</td>
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<td>8. Engaging in the process of reviewing plan deliverables and of collecting and analyzing LEA and COE level outcome data for purposes of evaluating effectiveness of support services for foster youth and whether the investment in services contributes to improved educational outcomes for foster youth.</td>
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DATE: October 16, 2019

TO: Nina Boyd, Associate Superintendent

FROM: Jeff Hittenberger, Chief Academic Officer, OCDE and Dave Connor, Principal, College and Career Preparatory Academy, OCDE

SUBJECT: California School Dashboard Local Indicators: College and Career Preparatory Academy

Based on the Local Control Funding Formula (LCFF) passed in 2013, California has a new accountability system that is based on multiple measures. This new system requires Local Education Agencies (LEAs) to report progress on the locally identified priority areas. The approved standards require the LEA to do the following:

- Annually report its measures
- Report the results at a regularly scheduled public meeting of the local governing board
- Upload and report results through the Dashboard by November 1, 2019

Each Local district and County Office of Education is required to upload progress on the local indicators on an Accountability Dashboard, rating each category as “Met”, “Not Met” or “Not Met for Two Years”. Responses reflect use of the self-reflection tools that the State Board of Education approved as part of the new accountability system.

Local Indicators for County Offices of Education include the following LCAP State Priorities:

- Priority 1 – Basic Services that include appropriately assigned teachers, student access to standards-aligned curriculum, and safe, clean and functional school facilities.
- Priority 2 – Implementation of State Academic Standards
- Priority 3 – Family Engagement
- Priority 6 – School Climate
- Priority 7 – Access to a Broad Course of Study
- Priority 9 – Coordination of Services for Expelled Students
- Priority 10 – Coordination of Services for Foster Youth

Priorities 4, “Pupil Achievement,” and 5, “Pupil Engagement,” are populated by State CALPADS data; CDE has not developed a response method at this time for Priority 8, “Pupil Outcomes.”

RECOMMENDATION:

Receive the results of the California School Dashboard – Local Indicators for the College and Career Preparatory Academy.
College and Career Preparatory Academy

California School Dashboard
Local Indicators
Fall 2019

California School Dashboard
Priority 1

 Appropriately Assigned Teachers, Access to Curriculum-Aligned Instructional Materials, and Safe, Clean and Functional School Facilities
(The local performance indicator for appropriately assigned teachers, access to curriculum-aligned instructional materials, and safe, clean and functional school facilities).

Standard: Local educational agency annually measures its progress in meeting the Williams settlement requirements at 100% at all of its school sites, as applicable, and promptly addresses any complaints or other deficiencies identified throughout the academic year, as applicable; and provides information annually on progress meeting this standard to its local governing board and to stakeholders and the public through the evaluation rubrics.

Criteria: Met

Narrative:

1. All teachers are appropriately assigned within the College and Career Preparatory Academy (CCPA).

2. All students have access to their own copies of standards-aligned instructional materials for use at school and home.

3. There were no Williams complaints submitted during the 18-19 school year. All CCPA facilities reported on the School Accountability Report Card had an overall rating of "Good" for facility conditions.
Priority 2

Self-Reflection Tool for Implementation of State Academic Standards
(The local performance indicator for the implementation of state academic standards)

Standard: Local educational agency annually measures its progress implementing state academic standards and reports the results to its local governing board at a regularly scheduled meeting of the local governing board and to stakeholders and the public through the evaluation rubrics.

Criteria: Met

1. Rate the LEA’s progress in providing professional learning for teaching to the recently adopted academic standards and/or curriculum frameworks identified below. Rating Scale (lowest to highest): 1 – Exploration and Research Phase; 2 – Beginning Development; 3 – Initial Implementation; 4 – Full Implementation; 5 – Full Implementation and Sustainability

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2. Rate the LEA’s progress in making instructional materials that are aligned to the recently adopted academic standards and/or curriculum frameworks identified below available in all classrooms where the subject is taught. Rating Scale (lowest to highest): 1 – Exploration and Research Phase; 2 – Beginning Development; 3 – Initial Implementation; 4 – Full Implementation; 5 – Full Implementation and Sustainability

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<td>History – Social Science</td>
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3. Rate the LEA’s progress in implementing policies or programs to support staff in identifying areas where they can improve in delivering instruction aligned to the recently adopted academic standards and/or curriculum frameworks identified below (e.g., collaborative time, focused classroom walkthroughs, teacher pairing). Rating Scale (lowest to highest): 1 – Exploration and Research Phase; 2 – Beginning Development; 3 – Initial Implementation; 4 – Full Implementation; 5 – Full Implementation and Sustainability

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Other Adopted Academic Standards

4. Rate the LEA’s progress implementing each of the following academic standards adopted by the State Board of Education for all students. Rating Scale (lowest to highest): 1 – Exploration and Research Phase; 2 – Beginning Development; 3 – Initial Implementation; 4 – Full Implementation; 5 – Full Implementation and Sustainability

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<td>Health Education Content Standards</td>
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Support for Teachers and Administrators

5. During the 2017-18 school year (including Summer 2017) or during the 2018-19 school year (including Summer 2018), rate the LEA’s success at engaging in the following activities with teachers and school administrators. Rating Scale (lowest to highest): 1 – Exploration and Research Phase; 2 – Beginning Development; 3 – Initial Implementation; 4 – Full Implementation; 5 – Full Implementation and Sustainability

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<td>Identifying the professional learning needs of groups of teachers or staff as a whole</td>
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<td>Identifying the professional learning needs of individual teachers</td>
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<td>Providing support for teachers on the standards they have not yet mastered</td>
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Narrative:

We used the California Standards Implementation Reflection Tool as our basis for measurement in determining if we have met our criteria.
Priority 3

Self-Reflection Tool for Priority 3: Parent Engagement

Standard: The local educational agency (LEA) annually measures its progress in: (1) seeking input from parents in decision making; and (2) promoting parental participation in programs, and reports the results to its local governing board at a regularly scheduled meeting and to stakeholders and the public through the California School Dashboard (Dashboard).

Criteria: Met

Building Relationships

1. Rate the LEA’s progress in developing the capacity of staff (i.e. administrators, teachers, and classified staff) to build trusting and respectful relationships with families. Rating Scale (lowest to highest): 1 – Exploration and Research Phase; 2 – Beginning Development; 3 – Initial Implementation; 4 – Full Implementation; 5 – Full Implementation and Sustainability

   4 – Full Implementation

2. Rate the LEA’s progress in creating welcoming environments for all families in the community. Rating Scale (lowest to highest): 1 – Exploration and Research Phase; 2 – Beginning Development; 3 – Initial Implementation; 4 – Full Implementation; 5 – Full Implementation and Sustainability

   4 – Full Implementation

3. Rate the LEA’s progress in supporting staff to learn about each family’s strengths, cultures, languages, and goals for their children. Rating Scale (lowest to highest): 1 – Exploration and Research Phase; 2 – Beginning Development; 3 – Initial Implementation; 4 – Full Implementation; 5 – Full Implementation and Sustainability

   3 – Initial Implementation

4. Rate the LEA’s progress in developing multiple opportunities for the LEA and school sites to engage in 2-way communication between families and educators using language that is understandable and accessible to families. Rating Scale (lowest to highest): 1 – Exploration and Research Phase; 2 – Beginning Development; 3 – Initial Implementation; 4 – Full Implementation; 5 – Full Implementation and Sustainability

   3 – Initial Implementation

Briefly describe the LEA’s current strengths and progress in this area, and identify a focus area for improvement, including how the LEA will improve the engagement of underrepresented families.

CCPA has strived to create an inviting space for student learning at their school sites and has developed resource centers at each site for family and student use.

CCPA teaching staff members have between 18-25 years of experience working with at-risk students. This vast source of knowledge is the strongest attribute of the program. To build capacity for authentic relationships with families from diverse backgrounds, staff
have been trained in best practices for creating a welcoming and inclusive school environment. Staff development has included Bridges Out of Poverty, Cultural Proficiency, and Parent Liaison Certificate training. Bilingual staff members, who serve as a two-way communication bridge between the school, families, and community, are the school's greatest asset in this area.

CCPA has increased opportunities for parent/family participation by mailing out a Parent Welcome Letter to students’ parents/guardians. Parents/families have the option to attend Governance Council meetings, DELAC/ELAC meetings, open houses, financial aid workshops, college tours, and career and job fairs. To improve the engagement of underrepresented families, the school will align family engagement activities with culturally proficient practices and increase outreach efforts to underserved populations.

Building Partnerships for Student Outcomes

5. Rate the LEA’s progress in providing professional learning and support to teachers and principals to improve a school’s capacity to partner with families. Rating Scale (lowest to highest): 1 – Exploration and Research Phase; 2 – Beginning Development; 3 – Initial Implementation; 4 – Full Implementation; 5 – Full Implementation and Sustainability

3 – Initial Implementation

6. Rate the LEA’s progress in providing families with information and resources to support student learning and development in the home. Rating Scale (lowest to highest): 1 – Exploration and Research Phase; 2 – Beginning Development; 3 – Initial Implementation; 4 – Full Implementation; 5 – Full Implementation and Sustainability

3 – Initial Implementation

7. Rate the LEA’s progress in implementing policies or programs for teachers to meet with families and students to discuss student progress and ways to work together to support improved student outcomes. Rating Scale (lowest to highest): 1 – Exploration and Research Phase; 2 – Beginning Development; 3 – Initial Implementation; 4 – Full Implementation; 5 – Full Implementation and Sustainability

3 – Initial Implementation

8. Rate the LEA’s progress in supporting families to understand and exercise their legal rights and advocate for their own students and all students. Rating Scale (lowest to highest): 1 – Exploration and Research Phase; 2 – Beginning Development; 3 – Initial Implementation; 4 – Full Implementation; 5 – Full Implementation and Sustainability

3 – Initial Implementation

Briefly describe the LEA’s current strengths and progress in this area and identify a focus area or improvement, including how the LEA will improve the engagement of underrepresented families.

To build effective partnerships for learning, CCPA provides regular opportunities for student/families to meet with teachers to discuss students’ academic progress and ways that parents can support their children’s academic success at home. In addition, the school counselor and the project liaison meet with students one-on-one to assure that students are
on track to graduate, and to provide support to students and families with choosing a career pathway and planning for college. CCPA creates an Individualized Career Education Service Plan (IECSP) that identifies student needs and sets goals to support student success. As a focus for improvement, CCPA will provide staff development to train teachers in best practices for working effectively with underrepresented families.

Seeking Input for Decision Making

9. Rate the LEA’s progress in building the capacity of and supporting principals and staff to effectively engage families in advisory groups and with decision-making. Rating Scale (lowest to highest): 1 – Exploration and Research Phase; 2 – Beginning Development; 3 – Initial Implementation; 4 – Full Implementation; 5 – Full Implementation and Sustainability

3 – Initial Implementation

10. Rate the LEA’s progress in building the capacity of and supporting family members to effectively engage in advisory groups and decision-making. Rating Scale (lowest to highest): 1 – Exploration and Research Phase; 2 – Beginning Development; 3 – Initial Implementation; 4 – Full Implementation; 5 – Full Implementation and Sustainability

3 – Initial Implementation

11. Rate the LEA’s progress in providing all families with opportunities to provide input on policies and programs, and implementing strategies to reach and seek input from any underrepresented groups in the school community. Rating Scale (lowest to highest): 1 – Exploration and Research Phase; 2 – Beginning Development; 3 – Initial Implementation; 4 – Full Implementation; 5 – Full Implementation and Sustainability

3 – Initial Implementation

12. Rate the LEA’s progress in providing opportunities to have families, teachers, principals, and district administrators work together to plan, design, implement and evaluate family engagement activities at school and district levels. Rating Scale (lowest to highest): 1 – Exploration and Research Phase; 2 – Beginning Development; 3 – Initial Implementation; 4 – Full Implementation; 5 – Full Implementation and Sustainability

3 – Initial Implementation

Briefly describe the LEA’s current strengths and progress in this area and identify a focus area for improvement, including how the LEA will improve the engagement of underrepresented families.

CCPA values and seeks out the input of students/parents on the school’s continuous improvement efforts, and encourages families to participate in advisory committees such as the ELAC/DELAC meetings, Governance Council and LCAP surveys. The accessibility of these meetings is a strength for CCPA. To facilitate participation by underrepresented families, advisory group meetings are held at times and locations preferred by students/parents, interpretation is provided, transportation is available, and children’s activities are offered. CCPA will continue to strive to improve by using the LCAP surveys to identify the needs of the students to increase participation at these events.
Priority 6

School Climate
(The local performance indicator for school climate)

Standard: The local educational agency **administers a local climate survey at least every other year** that provides a valid measure of perceptions of school safety and connectedness, such as the California Healthy Kids Survey, to students in at least one grade within the grade span(s) that the local educational agency serves (e.g., K-5, 6-8, 9-12), and reports the results to its local governing board at a regularly scheduled meeting of the local governing board and to stakeholders and the public through the evaluation rubrics.

Criteria: **Met**

Narrative:
As the College and Career Preparatory Academy services students ages 18-25, the California Healthy Kids Survey is not administered to our students. However, CCPA administers a student survey for input in establishing and meeting priorities within the LCAP. These results are communicated to school administrators and this data is used to evaluate student support services at the school sites. This analysis has resulted in increased student services, technology availability, and expansion of collaboration with community partners, which allows students more pathways to careers.

The survey resulted in these key findings:

- Ninety-five percent of CCPA students surveyed felt the school was preparing them for college and/or career pathways, which reflects an increase of 3% from the previous year.

- Ninety-nine percent of CCPA students surveyed felt that the school staff works with them to help them do their best, which is consistent with last year’s survey results.

- Ninety-eight percent of CCPA students surveyed felt safe at school, which reflects an increase of 3% from the previous year.

- Ninety-seven percent of CCPA students surveyed felt that their school is clean, safe, and in good condition, which is consistent with last year’s survey results.
Priority 7

Self-Reflection Tool - Access to a Broad Course of Study
(The local performance indicator for student access to a broad course of study)

Standard: Local educational agencies (LEAs) annually measure their progress in the extent to which students have access to, and are enrolled in, a broad course of study that includes the adopted courses of study specified in the California Education Code for Grades 1-6 and Grades 7-12, as applicable, including the programs and services developed and provided to unduplicated students and individuals with exceptional needs, and report the results to their local governing board at regularly scheduled meetings of the local governing board and to stakeholders and the public through the Dashboard.

Criteria: Met

Summarize:

1. Briefly identify the locally selected measures or tools that the LEA is using to track the extent to which all students have access to, and are enrolled in, a broad course of study, based on grade spans, unduplicated student groups, and individuals with exceptional needs served.

   Student transcripts are requested at enrollment for all students. Upon enrollment, students are assessed utilizing the I-Ready online diagnostic in the areas of math and reading and are also given a career assessment. The school counselor and teacher review the transcript to ensure the proper classes are assigned to the student. An Individualized Education Career Service Plan (IECSP) is completed by the student, school counselor, project liaison, and teacher to gather input from the student regarding learning goals, interests, and transition plans. A school counselor is available to support student access to a broad course of study. In addition, each student is enrolled with a federally funded workforce provider that offers job readiness skills and career pathway opportunities.

2. Using the locally selected measures or tools, summarize the extent to which all students have access to, and are enrolled in, a broad course of study. The summary should identify any differences across school sites and student groups in access to, and enrollment in, a broad course of study. LEAs may describe progress over time in the extent to which all students have access to, and are enrolled in, a broad course of study.

   All students have access to the core curriculum and electives that are required for high school graduation. Students have the ability to concurrently enroll at local community colleges and explore career pathways identified in their IECSP. CCPA students also have the opportunity to take advantage of Career Education courses offered within the OCDE’s Alternative Education program at various sites and workshops, apprenticeships and internships offered by the federally funded workforce providers.
3. Given the results of the tool or locally selected measures, identify the barriers preventing the LEA from providing access to a broad course of study for all students.

The primary barriers for CCPA students in taking advantage of the various broad course of studies offered to them are every-day life issues that affect young adults. These issues include transportation, daycare, work schedules, and family responsibilities. To address these challenges, CCPA offers a very flexible schedule, bus passes and has attempted to secure non-public funds to support students. CCPA students have the ability to access additionally needed resources through their workforce development partners.

4. In response to the results of the tool or locally selected measures, what revisions, decisions, or new actions will the LEA implement, or has the LEA implemented, to ensure access to a broad course of study for all students?

CCPA has expanded its workforce development partners to include the Orange County Conservation Corps (OCCC), giving its students a location in the city of Fullerton on the OCCC's campus. It continues to support Taller San Jose/Hope Builders in providing an educational component aligned with their Career Education programs in their Santa Ana and Anaheim locations. CCPA works very closely with all the federally funded workforce partners to ensure student success.
DATE: October 2, 2019

TO: Nina Boyd, Associate Superintendent

FROM: Kelly Gaughran, Director, Charter Schools
       Aracely Chastain, Administrator, Charter Schools

SUBJECT: Vista Heritage Global Academy Renewal – Board Action

DESCRIPTION:

On August 11, 2019, Orange County Board of Education accepted a submission for the renewal of the Vista Heritage Global Academy charter petition for a charter term of July 1, 2020 to June 30, 2025.

The Orange County Board of Education traditionally has had three options for action regarding a charter petition:

1. Option One: Grant the renewal and approve the charter petition as written.

2. Option Two: Grant the renewal and approve the charter petition with conditions. This action would result in approval of the charter and require the execution of an Agreement to address the issues outlined in the Staff Report and Findings of Fact and any concerns raised by the Board, and establish appropriate timelines for the petitioners to meet the conditions as specified.

3. Option Three: Deny the renewal and deny the charter petition.

RECOMMENDATION:

Orange County Department of Education staff determined the charter petition for renewal meets the requirements of the Charter Schools Act and recommends the Orange County Board of Education approve with conditions (Option Two) the Vista Heritage Global Academy charter renewal.
MEMO
ORANGE COUNTY DEPARTMENT OF EDUCATION

October 2, 2019

To: Members, Orange County Board of Education

From: Orange County Department of Education Charter Schools Unit

Re: Staff Report and Findings of Fact – Vista Heritage Global Academy

I. INTRODUCTION

The purpose of this report is to summarize findings from the review of the Vista Heritage Global Academy renewal petition in compliance with Education Code section 47607 and to provide a recommendation for the Orange County Board of Education’s consideration.

II. BACKGROUND

Vista Heritage Global Academy (VHGA) was granted its initial charter on appeal by the Orange County Board of Education (OCBE) on February 5, 2015, and the five-year term began on July 1, 2015. On August 16, 2019, VHGA submitted its renewal petition to OCBE, and a public hearing was held on September 11, 2019 at which the Board considered the level of support for VHGA’s renewal petition. The charter school is currently in the fifth year of its charter term, and the renewal petition is submitted for a five-year charter term beginning July 1, 2020.

III. LEGAL STANDARD

OCBE shall renew the charter for a charter school if the school provides evidence it has met one of the academic performance criteria established by Education Code 47607(b) and meets the conditions established by Education Code 47605. Increases in pupil academic achievement for all groups of pupils, including all numerically significant student subgroups, served by the charter school shall be the most important factor in determining whether to grant renewal. In addition to the academic performance criteria under Education Code 47607(b), the County Board shall consider the past performance of the school’s academics, finances, and operations in evaluating the likelihood of future success, along with plans for improvement, if any. Each renewal shall be for a period of five (5) years.

IV. SUMMARY OF FINDINGS

Vista Heritage Global Academy’s academic performance exceeds the academic performance of the public schools that the schools pupils would otherwise have been required to attend, as well as the schools in Santa Ana Unified School District. In addition, the past performance of the school’s academics, finances and operations indicate the likelihood of future success.

Overall, the charter school presented a comprehensive petition for renewal and has not evidenced any major concerns since its inception. However, for purposes of this report, the factual findings discussed under this section of the report have been condensed to the most significant areas to be addressed in an
Agreement between the parties should the Board approve the renewal petition.

A. Employee Qualifications

The charter is missing a description of the general and additional qualifications expected of the Culture and Community Coordinator. This is currently not a position that is held at the Santa Ana campus and is currently only filled in the Los Angeles Unified School District approved charter school. There may be a future role in Orange County, therefore VHGA administration indicated that they will make changes to the charter Element 5 – Employee Qualifications to include the description of the Culture and Community Coordinator position.

B. Admission Requirements

Current lottery preferences are not reflective of what was approved by Orange County Board of Education on July 11, 2018. The lead petitioner stated that enrollment preferences have not changed and that the preferences for the Los Angeles school were accidently put into the Orange County renewal charter petition. VHGA administration indicated that they will correct the charter Element 8 – Admission Requirements and revert back to the previously approved enrollment preferences.

V. STAFF RECOMMENDATION

OCDE staff recommends approval with conditions of the Vista Heritage Global Academy renewal charter school petition. This action would result in approval of the charter renewal and require the execution of an Agreement no later than the Board’s regularly scheduled meeting in January 2020 to address the operational relationship between the School, the Board and OCDE, findings outlined in this Staff Report, and establish appropriate timelines for the petitioners to meet the conditions as specified.

VI. CONCLUSION

The Orange County Board of Education traditionally has had three options for action regarding the charter petition:

- Option One: Approve the charter petition as written.

- Option Two: Approve the charter petition with conditions. This action would result in approval of the charter and require the execution of an Agreement to address the issues outlined in the Staff Report and Findings of Fact.

- Option Three: Deny the charter petition.

* * *
AGREEMENT BETWEEN
ORANGE COUNTY BOARD OF EDUCATION AND
VISTA CHARTER PUBLIC SCHOOLS
FOR THE OPERATION OF VISTA HERITAGE GLOBAL ACADEMY

This Agreement is made and entered into this **16 day of October, 2019** by and between the Orange County Board of Education ("Board") and Vista Charter Public Schools, a nonprofit benefit corporation operating **Vista Heritage Global Academy** (hereinafter collectively referred to as "Charter School"). Hereinafter, the Board and Charter School shall be collectively referred to as "the Parties," and the Board-designated staff of the Orange County Superintendent of Schools ("County Superintendent") shall be referred to as "OCDE."

I. **INTRODUCTORY PROVISIONS**

A. The Board approved with conditions the petition of Charter School, filed on appeal from a district-denied petition for a five-year period beginning on **July 1, 2020** through **June 30, 2025**, with specific conditions placed upon opening and operations, including entering into this Agreement. The Staff Report and Findings of Fact, submitted to and approved by the Board is incorporated herein by reference, and identifies the conditions to be met that will be part of the monitoring and oversight of the charter.

B. Charter School will be operated as or by a nonprofit public benefit corporation, formed and organized pursuant to the Nonprofit Public Benefit Corporation Law (Corp. Code § 5110 et seq.). Vista Charter Public Schools is a California non-profit public benefit corporation that will operate the Charter School. Charter School shall ensure that at all times throughout the term of this charter, the terms and conditions of any agreement between Charter School and a third party, as well as the Articles of Incorporation and Bylaws of Vista Charter Public Schools as they pertain to Charter School are and remain consistent with the Charter School’s Act, all applicable laws and regulations, provisions of the charter, and this Agreement. Charter School will notify OCDE of any amendments or modifications to the non-profit public benefit corporation’s articles of incorporations within **ten (10) business days** of the change. Amendments or modifications to the bylaws may require approval by the Board as a material revision to the petition.

C. The purpose of this Agreement is to set forth the responsibilities of the Parties with respect to the operational relationship between Charter School, the Board, and OCDE; to address those matters that require clarification; and to outline the Parties’ agreements governing their respective fiscal and administrative responsibilities and their legal relationships. To the extent this Agreement contains terms that are inconsistent with the terms of the charter approved on October 16, 2019, the terms of this Agreement shall control.

II. **TERM OF AGREEMENT**

A. This Agreement is effective from the date upon which it is approved by the governing boards of each Party for the term of the charter, shall be reviewed at least annually, and may be amended at any time with written mutual agreement of the Parties.

B. The approved Agreement continues in existence until Charter School voluntarily closes or its charter is non-renewed or revoked and closure procedures are completed, as determined by the Board and Charter School, after which the Agreement automatically expires. This Agreement is subject to termination during the charter term or during any subsequent renewal as specified by law or as otherwise set forth in this Agreement.

C. Charter School may seek renewal of its charter by submitting a renewal request to the Board prior to the expiration of the term of the charter, and the Board will evaluate and decide on the renewal request in accordance with Education Code § 47607 and 47605, and their implementing regulations. Charter School will submit its renewal petition for the new charter term to OCDE no sooner than **September** and no later than **March** of the final school year for which Charter School is authorized to operate.
III. FULFILLING CHARTER TERMS

A. Governance

1. Charter School acknowledges and agrees it shall comply with the Public Records Act, the Political Reform Act, Ralph M. Brown Act, Government Code § 1090 et seq. and all applicable laws and regulations as they may be amended or added during the term of the charter, including all conflict of interest laws, federal and state nondiscrimination laws, and prohibitions against unauthorized student fees.

2. Charter School, the Board and OCDE are separate legal entities, and neither the Board nor OCDE is liable for the debts and obligations of Charter School.

3. Within ten (10) business days of board meetings, including special and emergency board meetings, Charter School shall provide OCDE with a complete audio recording of the meeting and all materials provided to the governing board by its administration, contractors, or the public including approved previous meeting minutes, except for confidential communications as defined in Evidence Code § 952 and Government Code § 54963. Charter School will update OCDE of any changes to the charter school board calendar within ten (10) business days.

4. Charter School will provide Brown Act and ethics training to its governing board members and administrative staff within 45 days of taking office, or as otherwise agreed with OCDE, and at least once every year. Charter School will certify that the trainings have been provided to the specified individuals.

B. Educational Program

1. Independent Study: Any independent study program operated by Charter School shall comply with all applicable laws and regulations regarding independent study. Charter School may on a case-by-case basis, use short-term independent study contracts for students who receive prior approval for absences due to travel or extended illness. Any such independent study will be limited to occasional, incidental instances of extended absences and must be fully compliant with all independent study statutes and regulations applicable to charter schools.

2. Family Educational Rights and Privacy Act (FERPA): Charter School, its officers and employees will comply with FERPA as well as the California Education Code sections related to student information protection at all times. Charter School will authorize OCDE to access educational records maintained by Charter School, in accordance with FERPA, and provide notice in Charter School policies and Parent/Student Handbook.

C. Fiscal Operations

1. Charter School will be directly funded in accordance with Education Code § 47630 et seq. Charter School’s general-purpose entitlement will be calculated in accordance with Education Code § 47633 et seq. The Parties recognize the authority of Charter School to pursue additional sources of funding.

2. The Parties agree that OCDE is not responsible to provide funding in lieu of property taxes to Charter School.

3. Charter School shall comply with Generally Accepted Accounting Principles (GAAP) applicable to public school finance and fiscal management.

4. Charter School shall adopt accounting policies and practices that establish separate accounts and/or sub-accounts for each affiliated charter school. The expenses attributable to each charter school shall be paid only from the account or sub-account of that charter school. Invoices, purchases orders, and other appropriate documentation shall be maintained by Charter School and shall be deemed to be public records subject to disclosure to OCDE upon request.
a) Each year Charter School shall make all records relating to the expenses of all affiliated charter schools available to OCDE and Charter School’s auditor for review and audit to ensure that all expenses are appropriately allocated. In addition, Charter School shall promptly respond as required by Education Code § 47604.3.

b) Each year Charter School shall provide an updated organizational chart of all affiliated charter schools and all related parties operated or otherwise controlled by the same nonprofit public benefit corporation.

c) Charter School may temporarily loan funds between schools that it operates pursuant to a resolution approved by its Board of Directors that specifies the duration and interest rate of the loan and understands and agrees to provide access to records of Charter School and its affiliated charter schools, upon request from OCDE in accordance with Education Code § 47604.3.

5. Charter School shall establish a fiscal plan for repayment of any loans received by and/or on behalf of Charter School. It is agreed that OCDE shall receive written notice of all loans sought for Charter School and repayment of loans shall be the sole responsibility of Charter School.

6. Charter School will use all revenue received from the state and federal sources only for the educational services specified in the charter and this Agreement for the students enrolled and attending Charter School. Other sources of funding must be used in accordance with applicable state and federal statutes, and the terms or conditions, if any, of any grant or donation.

D. Fiscal Agent

1. The Parties agree that neither the Board nor OCDE shall act as fiscal agent for Charter School. It is agreed that Charter School shall be solely responsible for all fiscal services such as payroll, purchasing, attendance reporting, and completion and submission of state budget forms, but may contract with OCDE for such services by way of a separate written contract.

2. Charter School is responsible for establishing the appropriate funds or accounts in the Orange County Treasury for Charter School and for making the necessary arrangements for Charter School’s participation in the State Teachers’ Retirement System, the Public Employees Retirement System, or social security. Nothing in this paragraph shall be interpreted to mean that Charter School must maintain all funds in the County Treasury. If funds are not maintained in the County Treasury, they must be deposited with a federally insured commercial bank or credit union.

   a) OCDE will only withdraw funds from the Orange County Treasury to a charter school owned bank account. Bank account name must match the charter school name or a Doing Business As (DBA) reference. No fund transfers will be made to a third party.

   b) Orange County Treasury withdrawals will take place two (2) times per month. The first withdrawal will take place on the 10th day of each month and the second withdrawal will take place at the end of each month.

   c) Charter school’s Orange County Treasury account will maintain a minimum balance that is sufficient to cover one month of CalSTRS and CalPERS retirement contributions.

E. Student Attendance Accounting and Reporting

Charter School shall utilize commercially available attendance accounting software.

F. Oversight Fees

1. Charter School will be charged an annual oversight fee not to exceed one percent (1%) of the revenue received by Charter School in accordance with Education Code § 47613. The oversight fee will be
calculated on the LCFF base grant, supplemental grant and concentration grant funding provided at the First Principal Apportionment (P-1). The amount will be calculated in April of each year based upon first principal apportionment (P-1) data for ninety-five percent (95%) of the estimated total. The calculation will also include an adjustment for the preceding year based upon final revenue for that year.

2. Payment Schedule: Charter School shall pay to County Superintendent its actual oversight costs not to exceed one percent (1%) of the LCFF base grant, supplemental grant, and concentration grant revenue received by Charter School ("Oversight Fee") in two equal payments during each Fiscal Year: (1) First Payment -- fifty percent (50%) of the Oversight Fee will be paid on or about January 15; and (2) Second Payment -- the remaining fifty percent (50%) plus any adjustment necessary to the First Payment, will be paid on or about June 15. County Superintendent will bill Charter School for the Oversight Fee that is due and Charter School shall make payment within thirty (30) days from the date of receipt of the bill, or thirty-two (32) days from the date of the bill. If County Superintendent does not receive the payment within the above-specified timeframe, Charter School hereby authorizes County Superintendent to transfer the payment from Charter School account to County Superintendent's account upon expiration of the thirty (30) days from the receipt of the bill or thirty-two (32) days from the date of the bill.

G. Insurance and Liability

1. Charter School will provide certificates of insurance coverage to OCDE prior to opening and annually thereafter. The certificates shall indicate that the Board, County Superintendent, and OCDE are endorsed as additional insured under the coverage and shall include a provision that the coverage will be primary and will not participate with any valid and collectible insurance or program of self-insurance carried or maintained by the Board, County Superintendent or OCDE. Exhibit A, Insurance Coverage and Policies, indicates the minimum insurance requirements and is incorporated by reference herein. Charter School shall forward any written notice to OCDE within three (3) business days of any modification, change or cancellation of any of the above insurance coverage. It shall be expressly understood that the coverage and limits referenced herein shall not in any way limit the liability of Charter School. In addition, Charter School shall assure that its vendors have adequate insurance coverage for the goods and/or services provided to Charter School to protect the interests of Charter School as well as OCDE, the Board and the County Superintendent.

2. Charter School shall hold harmless, defend, and indemnify the Board, the County Superintendent, and OCDE, its officers, agents, and employees, from every liability, claim, or demand (including settlement costs and reasonable attorneys' fees) which may be made by reason of: 1) any injury to volunteers; and 2) any injury to person or property sustained by any person, firm or Charter School related to any act, neglect, default or omission of Charter School, its officers, employees or agents, including any claims for any contractual liability resulting from third party contracts with Charter School's vendors, contractors, partners or sponsors. In cases of such liabilities, claims or demands, Charter School, at its own expense and risk, shall defend all legal proceedings which may be brought against it and/or the Board, the County Superintendent or OCDE, its officers and employees, and satisfy any resulting judgments up to the required Agreements that may be rendered against any of them. Notwithstanding the foregoing: (a) any settlement requiring the Board, the County Superintendent or OCDE to admit liability or to pay any money will require the prior written consent of the Board, the County Superintendent or OCDE, as applicable; and (b) the Board, County Superintendent and/or OCDE may join in the defense with its counsel at its own expense.

3. Charter School understands and agrees that its employees, contractors, subcontractors and agents shall not be considered officers, employees or agents of the Board, the County Superintendent or OCDE, and are not entitled to benefits of any kind or nature normally provided to OCDE employees. Charter School further assumes the full responsibility for acts and/or omissions of its employees, agents or contractors.
as they relate to the services to be provided under the charter and this Agreement. Charter School shall assume full responsibility for payment of all federal, state and local taxes or contributions, including unemployment insurance (as applicable), social security and income tax withholding with respect to employees of Charter School.

4. Required Disclosures: Charter School shall notify OCDE in writing within three (3) business days of any pending or actual litigation and/or formal claim from any party or notice of potential criminal infraction, criminal or civil action against Charter School or any employee, or request for information by any governmental agency to the extent permitted by law. Charter School acknowledges and agrees it shall comply with all applicable laws and regulations as applicable laws and regulations may be amended or added during the term of the charter.

H. Human Resources

STRS and PERS Reporting Requirements: Charter School shall accept and assume sole financial responsibility for any and all STRS and PERS reporting fines and penalties, including any and all financial consequences from the implementation of regulations, or any other action, that renders employees of Charter School ineligible to participate in a governmental defined-benefit retirement plan.

I. Contracts

1. Charter School shall not have the authority to enter into a contract that would bind the Board, County Superintendent and/or OCDE, nor to extend the credit of the Board, County Superintendent and/or OCDE to any third person or party. Charter School shall clearly indicate in writing to vendors and other entities with which or with whom Charter School enters into an agreement or contract that the obligations of Charter School under such agreement or contract are solely the responsibility of Charter School and are not the responsibility of the Board, County Superintendent and/or OCDE.

2. Charter School shall ensure that all contracts for goods and services comply with the criteria noted in Title V § 11967.5.1 of California Code of Regulations. Charter School shall comply with bidding requirements tied to receipt of any state, federal or grant funds that require compliance with more stringent bidding or purchasing requirements. Additionally, records and information regarding implementation of the contract will be provided to OCDE in accordance with Education Code § 47604.3.

3. Charter School will make every effort to ensure that vendors comply with all reasonable inquiries by OCDE for records and information related to this contract.

4. Charter/Education Management Organization (C/EMO) Contracts:

Entering into or substantively revising a contract with an Educational Charter Management Organization (E/CMO) shall be presented to the Board for approval as a material revision to the charter.

Charter School shall ensure the following for any C/EMO contract:

a) Require that any C/EMO contract (or revision to an agreement) that is entered into be in compliance with state and federal law and the charter and includes language that:

i. None of the principals of either the C/EMO or Charter School has conflicts of interest.

ii. C/EMO shall comply with Education Code § 47604.3 and the California Public Records Act, Government Code § 6250 et. seq.

iii. Any provision of the agreement that is in violation of state or federal law or the charter is void.

b) Upon approval by Charter School board, Charter School shall provide OCDE a copy of the following:

i. C/EMO agreement (or revision to an agreement).
ii. Evidence that the C/EMO is a nonprofit public benefit corporation.

iii. A description of the C/EMO’s roles and responsibilities for the management of Charter School and the internal controls that will be put in place to guide the relationship.

iv. A list of other schools managed by the C/EMO.

v. A list of and background on the C/EMO’s leaders and board of directors.

J. Facilities Agreement

1. Prior to opening, Charter School will provide a written signed agreement, lease or other similar document indicating Charter School’s right to use the principal school site identified in the charter, and any ancillary facilities identified by Charter School, for that school year unless Charter School has previously provided a long term lease that includes the school year at issue, and evidence that the facility will be adequate for Charter School’s needs.

2. A pre-opening site visit shall be conducted by OCDE prior to the opening of Charter School. Once open, Charter School must request a material revision to the charter petition in order to change facilities. Following an approved revision to the charter, OCDE will conduct, without unreasonable delay, a site visit of a new or changed Charter School facility prior to students attending the new facilities. Under extraordinary circumstances (e.g., a change of facilities necessitated by fire, natural disaster or inhabitability) the Parties may waive the pre-opening site visit.

K. Zoning and Occupancy

1. Charter School shall provide OCDE with a Certificate of Occupancy issued by the applicable permitting agency, allowing Charter School to use and occupy the site, prior to opening, unless Charter School is located at a public school site provided pursuant to Proposition 39 or other facilities use agreement with a school district. In lieu of the zoning certification, Charter School can provide OCDE with evidence that zoning ordinances have been overridden by the school district in which the facility is located or by another entity authorized to override zoning ordinances pursuant to current or then applicable state law. The facility must meet all applicable health and fire code requirements, zoning laws, and Americans with Disabilities Act (ADA) requirements for a K-12 public school.

2. If Charter School moves or expands to another facility during the term of this charter, Charter School shall provide a Certificate of Occupancy to OCDE for each facility before the school is scheduled to open or operate in the facility or facilities. If Charter School ever seeks facilities from a school district in which it intends to locate (or is located) under Education Code § 47614 (Proposition 39), it will follow applicable statute and regulations regarding submission of such a request to the school district.

3. Notwithstanding any language to the contrary in this charter, the interpretation, application and enforcement of this provision are not subject to the Dispute Resolution Process outlined in the charter. The Parties agree that should a dispute arise under this section, to meet to attempt to resolve any concerns within ten calendar days of the dispute.

L. Dispute Resolution

The Parties acknowledge and agree that in addition to the provisions of the charter, dispute resolution procedures shall be consistent with applicable laws and regulations, including Education Code § 47607(d). The staff and governing board members of Charter School agree to resolve any claim, controversy or dispute arising out of or relating to the Charter agreement between OCDE and Charter School, except any controversy or claim that is in any way related to revocation of this Charter School, pursuant to the terms of the dispute resolution procedures in the charter.
IV. MATERIAL REVISIONS

Modifications of the approved charter must be in writing and submitted to OCDE for review and
determination as to whether such amendments must be submitted to the Board as a material revision to the
charter. Such amendments may only be submitted to the Board upon the approval of Charter School’s board,
and will take effect only if approved by the Board.

V. CHARTER-SPECIFIC CONDITIONS

A. As a condition of charter petition approval by the Board, Charter School agrees to make all amendments to
the charter and bylaws as specified in Exhibit B, Charter-Specific Conditions, which is herein incorporated
by reference.

B. Should Charter School fail to meet the conditions delineated in Exhibit B, the Board reserves the right to take
further action including, but not limited to, revoking its approval of the charter.

VI. SEVERABILITY

If any provision or any part of this Agreement is for any reason held to be invalid and/or unenforceable or
contrary to public policy or statute, the remainder of this Agreement shall not be affected thereby and shall
remain valid and fully enforceable.

VII. NON-ASSIGNMENT

No portion of this Agreement or the Charter petition approved by the Board may be assigned to another entity
without the prior written approval of the Board.

VIII. WAIVER

A waiver of any provision or term of this Agreement must be in writing and signed by both Parties. Any such
waiver shall not constitute a waiver of any other provision of this Agreement. All Parties agree that neither
party to this Agreement waives any of the rights, responsibilities and privileges established by the Charter

IX. NONDISCRIMINATION

The Parties recognize and agree that in addition to complying with all nondiscrimination requirements of the
Charter Schools Act, including agreement that Charter School shall not charge tuition, shall be nonsectarian,
and pursuant to Education Code § 200 et seq, the School shall be open to all students. In addition to these
nondiscrimination provisions, Charter School shall not discriminate against applicants or employees on the
basis of any characteristics or categories protected by state or federal law. Charter School acknowledges and
agrees that it shall comply with all applicable federal and state nondiscrimination laws and regulations as
they may be amended.

X. NOTIFICATION

All notices, requests and other communications under this Agreement shall be in writing and mailed to the
proper addresses as follows:

To OCDE at:
Nina Boyd, Associate Superintendent
Orange County Department of Education
200 Kalmus Drive, Costa Mesa CA, 92628-9050
To Vista Charter Public Schools at:
Dr. Donald S. Wilson, Superintendent
Vista Charter Public Schools
2900 West Temple Street
Los Angeles, CA 90026-4516

XI. INTEGRATION

This Agreement contains the entire Agreement of the Parties with respect to the matters covered hereby, and supersedes any oral or written understandings or agreements between the Parties with respect to the subject matter of this Agreement. No person or party is authorized to make any representations or warranties except as set forth herein, and no Agreement, statement, representation or promise by any party hereto which is not contained herein shall be valid or binding. The undersigned acknowledges that she/he has not relied upon any warranties, representations, statements or promises by any of the Parties herein or any of their agents or consultants except as may be expressly set forth in this Agreement. The Parties further recognize that this Agreement shall only be modified in writing by the mutual agreement of the Parties.

XII. ORDER OF PRECEDENCE

The Parties further acknowledge and agree that, unless otherwise noted in this Agreement, any inconsistency in the charter shall be resolved by giving precedence in the following order:

1. This Agreement
2. Documents incorporated by reference to the Agreement, including Exhibit A and Exhibit B
3. The Charter as amended by Charter School and approved by the Board
4. The bylaws and articles of incorporation of the nonprofit public benefit corporation operating or acting as Charter School, as applicable

For Charter School:

Date: ____________________________
Name: ____________________________
Title: ____________________________
Signature: _________________________

For the Board:

Date: ____________________________
Name: ____________________________
Title: ____________________________
Signature: _________________________
EXHIBIT A

INSURANCE COVERAGE AND POLICIES

Charter School, at its sole cost and throughout the charter term, shall procure and maintain in effect each insurance listed below. All required insurance, and if self-insurance will be provided, must contain coverage that complies, at a minimum, with the following requirements:

1. Property Insurance for replacement value, if offered by the insurance carrier, including coverage for all assets listed in Charter School’s property inventory and consumables. If full replacement value coverage is not available, Charter School shall procure property insurance in amounts as close to replacement value as possible and sufficient to protect the school’s interests.

2. General Commercial Liability with at least $2,000,000 per occurrence and $5,000,000 in total general liability insurance, providing coverage for negligence, errors and omissions/educators legal liability, Fire Legal Liability, of Charter School, its governing board, officers, agents, employees, and/or students. The deductible per occurrence for said insurance shall not exceed $20,000 for any and all losses resulting from negligence, errors and omissions of Charter School, its governing board, officers, agents, employees, and/or students.

3. Workers’ Compensation insurance in accordance with the California Labor Code, adequate to protect Charter School from claims under Workers’ Compensation Acts, which may arise from Charter School’s operation, with statutory limits. The Workers’ Compensation Insurance coverage must also include Employers Liability coverage with limits of $1,000,000/$1,000,000/$1,000,000.

4. Commercial Auto Liability, including Owned, Leased, Hired, and Non-owned, coverage with limits of $1,000,000 Combined Single Limit per Occurrence if Charter School does not operate a student bus service. If Charter School provides student bus services, the required coverage limit is $5,000,000 Combined Single Limit per Occurrence.

5. Crime Insurance or Fidelity Bond coverage to cover all Charter School employees who handle, process, or otherwise have responsibility for Charter School’s funds, supplies, equipment or other assets. Minimum amount of coverage shall be $1,000,000 per occurrence, with no self-insured retention.

6. Professional Educators Errors and Omissions liability coverage with minimum limits of $3,000,000 per occurrence and $3,000,000 general aggregate.

7. Sexual Molestation and Abuse coverage with minimum limits of $3,000,000 per occurrence. Coverage may be held as a separate policy or included by endorsement in the Commercial General Liability or the Errors and Omissions Policy.

8. Employment Practices Legal Liability coverage with limits of $3,000,000 per occurrence and $3,000,000 general aggregate.

9. Excess/umbrella insurance with limits of not less than $10,000,000 is required of all high schools and any other school that participates in competitive interscholastic or intramural sports programs.
EXHIBIT B

CHARTER-SPECIFIC CONDITIONS

As a condition of charter petition approval by the Board, the following charter-specific conditions must be met by November 29, 2019:

1. Add a description of the general and additional qualifications expected of the Culture and Community Coordinator to Element 5 – Employee Qualifications of the charter.

2. Correct charter Element 8 – Admission Requirements to reflect current enrollment preferences approved by the Orange County Board of Education on July 11, 2018.

3. Submit a Vista Heritage Global Academy revised charter that includes the following technical corrections regarding references to grade levels, which are designed to clarify ambiguities and not substantively change the petition:

   a. Page 76 correct the sentence that reads, “At VHGA, we are preparing our students to be fully participatory in their own educational journey, which extends beyond the fifth grade.”

   b. Page 78 correct the sentence that reads, “Students are also allowed to take devices home for select projects with increasing opportunities for home use in preparation for our middle school experience which will allow all students greater flexibility for daily use.”

   c. Page 101 correct bullet that reads, “Fourth and Fifth grade student Way of Council leadership opportunities.”
RESOLUTION AND WRITTEN FINDINGS
OF THE ORANGE COUNTY BOARD OF EDUCATION
TO APPROVE THE RENEWAL OF
VISTA HERITAGE GLOBAL ACADEMY

WHEREAS, the Legislature has enacted the Charter Schools Act of 1992, Education Code section 47600 et seq.;

WHEREAS, Education Code section 47607(a)(1) states that a charter school granted by a county board of education may be granted one or more subsequent renewals by that entity;

WHEREAS, the county board of education is required to review the renewal petition pursuant to Education Code section 47607 and the standards and criteria in Education Code 47605;

WHEREAS, Section 47607(a) states that the county board is required to consider increases in pupil academic achievement for all groups of pupils served by the charter school as the most important factor in determining whether to grant a charter renewal;

WHEREAS, the county board of education cannot deny a renewal petition of a charter school unless it makes written factual findings specific to the particular petition setting forth specific facts stating the reasons for the denial of the charter renewal;

WHEREAS, on August 11, 2019, the Orange County Board of Education ("Board") received a petition from Vista Charter Public Schools, a nonprofit public benefit corporation, for the renewal of Vista Heritage Global Academy;

WHEREAS, charter schools, as part of the California public school system and subject to the laws governing public agencies generally, are subject to the provisions of the Ralph M. Brown Act (Government Code section 54950 et seq.), the requirements of conflict of interest laws, including, but not limited to, Government Code section 1090 et seq., 1126, and 87100 et seq., and the California Public Records Act (Government Code section 6250 et seq.);

WHEREAS, charter schools are subject to the requirements of federal law, including, but not limited to, the Every Student Succeeds Act, 20 U.S.C. §6301 et seq. and the Individuals with Disabilities Education Act, 20 U.S.C. §1400 et seq.;
WHEREAS, the law requires that the county board obtain information regarding the pupil academic achievement and the operation and potential impacts of the proposed charter school renewal;

WHEREAS, the Board has obtained, reviewed and analyzed all information received with respect to the renewal petition, including information related to pupil academic achievement and the operation and potential impacts of the charter school;

WHEREAS, the Board held a public hearing on the charter renewal on September 11, 2019, and received public comment thereon;

WHEREAS, in reviewing charter school petitions the Board is guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system; and

WHEREAS, the Board, at its regular meeting of October 16, 2019, reviewed and considered the renewal petition and all appropriate information received with respect to the renewal and a Staff Report prepared by members of Orange County Department of Education (“OCDE”) staff.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the renewal petition for a charter school by Vista Charter Public Schools for the operation of Vista Heritage Global Academy.

BE IT FURTHER RESOLVED that the Board approves the renewal with the understanding that Vista Heritage Global Academy will enter into an Agreement that addresses the operational relationship between the School, the Board and OCDE no later than the Board’s regularly scheduled meeting in January 2020. The terms of this Resolution are severable.

STATE OF CALIFORNIA  )
COUNTY OF ORANGE   )
____________________)

I, Darouny Sisavath, Clerk of the Orange County Board of Education, do hereby certify that the foregoing Resolution was duly passed, approved and adopted by the Orange County Board of Education at a regular meeting thereof held on the 16th day of October, 2019, and that it was so adopted by the following vote:
AYES: ____________
NOES: ____________
ABSENT: ____________
ABSTAIN: ____________

BY:

________________________
Clerk of the Orange County Board of Education
RESOLUTION AND WRITTEN FINDINGS
OF THE ORANGE COUNTY BOARD OF EDUCATION
TO APPROVE WITH CONDITIONS
THE RENEWAL FOR
VISTA HERITAGE GLOBAL ACADEMY

WHEREAS, the Legislature has enacted the Charter Schools Act of 1992, Education Code section 47600 et seq.;

WHEREAS, Education Code section 47607(a)(1) states that a charter school granted by a county board of education may be granted one or more subsequent renewals by that entity;

WHEREAS, the county board of education is required to review the renewal petition pursuant to Education Code section 47607 and the standards and criteria in Education Code section 47605;

WHEREAS, Section 47607(a) states that the county board is required to consider increases in pupil academic achievement for all groups of pupils served by the charter school as the most important factor in determining whether to grant a charter renewal;

WHEREAS, the county board of education cannot deny a petition for the renewal of a charter school unless it makes written factual findings specific to the particular petition setting forth specific facts stating the reasons for the denial of the charter renewal;

WHEREAS, on August 11, 2019, the Orange County Board of Education (“Board”) received a petition from Vista Charter Public Schools, a nonprofit public benefit corporation for the renewal of Vista Heritage Global Academy;

WHEREAS, charter schools, as part of the California public school system and subject to the laws governing public agencies generally, are subject to the provisions of the Ralph M. Brown Act (Government Code section 54950 et seq.), the requirements of conflict of interest laws, including, but not limited to, Government Code section 1090 et seq., 1126, and 87100 et seq., and the California Public Records Act (Government Code section 6250 et seq.);
WHEREAS, charter schools are subject to the requirements of federal law, including, but not limited to, the Every Student Succeeds Act, 20 U.S.C. §6301 et seq. and the Individuals with Disabilities Education Act, 20 U.S.C. §1400 et seq.;

WHEREAS, the law requires that the county board obtain information regarding the pupil academic achievement, operation and potential impacts of the proposed charter school renewal;

WHEREAS, the Board has obtained, reviewed and analyzed all information received with respect to the renewal petition, including information related to the operation and potential impacts of the proposed charter school;

WHEREAS, the Board held a public hearing on the charter renewal on September 11, 2019, and received public comment thereon;

WHEREAS, in reviewing charter school petitions the Board is guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system; and

WHEREAS, the Board, at its regular meeting of October 16, 2019, reviewed and considered the renewal petition and all appropriate information received with respect to the renewal including a Staff Report prepared by members of Orange County Department of Education ("OCDE") staff.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby adopts the findings and recommendations set forth in the attached Staff Report and Findings of Fact dated October 2, 2019, which is attached hereto and integrated herein by this reference, and the Board further finds as follows:

1. The renewal petition as written may not contain reasonably comprehensive descriptions of the certain required elements set forth in Education Code section 47605, subdivisions (b)(5)(A-P) unless petitioners comply with conditions to address the findings as specified in the Staff Report and Findings of Fact.

BE IT FURTHER RESOLVED that the Board approves with conditions the renewal on the basis of the findings herein adopted and subject to conditions to address the findings as specified in the Staff Report and Findings of Fact. To satisfy the conditions, Petitioner and Board must fully execute an Agreement that addresses all of the conditions,
as well as addressing the operational relationship between the renewal petition, the Board and OCDE no later than the Board’s regularly scheduled meeting in January 2019. Should the Petitioner and Board fail to reach agreement by the regularly scheduled meeting in January 2019, the Board reserves the right to take further action, including but not limited to revoking its approval of the renewal of the charter. The terms of this Resolution are severable. Should it be determined that one or more of the findings is invalid, the remaining findings and the board action shall remain in full force and effect. Each finding is, in and of itself, a sufficient basis for the conditional approval.

STATE OF CALIFORNIA  
COUNTY OF ORANGE  

I, Darouny Sisavath, Clerk of the Orange County Board of Education, do hereby certify that the foregoing Resolution was duly passed, approved and adopted by the Orange County Board of Education at a regular meeting thereof held on the 16th day of October, 2019, and that it was so adopted by the following vote:

AYES:  

NOES:  

ABSENT:  

ABSTAIN:  

BY:  

__________________________  
Clerk of the Orange County Board of Education
RESOLUTION AND WRITTEN FINDINGS
OF THE ORANGE COUNTY BOARD OF EDUCATION
TO DENY THE RENEWAL PETITION FOR
VISTA HERITAGE GLOBAL ACADEMY

WHEREAS, the Legislature has enacted the Charter Schools Act of 1992, Education Code section 47600 et seq.;

WHEREAS, Education Code section 47607(a)(1) states that a charter school granted by a county board of education may be granted one or more subsequent renewals by that entity;

WHEREAS, the county board of education is required to review the renewal petition pursuant to Education Code section 47607 and the standards and criteria in Education Code section 47605;

WHEREAS, Section 47607(a) states that the county board is required to consider increases in pupil academic achievement for all groups of pupils served by the charter school as the most important factor in determining whether to grant a charter renewal;

WHEREAS, the county board of education cannot deny a petition for the renewal of a charter school unless it makes written factual findings specific to the particular petition setting forth specific facts stating the reasons for the denial of the charter renewal;

WHEREAS, on August 11, 2019, the Orange County Board of Education ("Board") received a petition from Vista Charter Public Schools, a nonprofit public benefit corporation, for the operation of Vista Heritage Global Academy;

WHEREAS, charter schools, as part of the California public school system and subject to the laws governing public agencies generally, are subject to the provisions of the Ralph M. Brown Act (Government Code section 54950 et seq.), the requirements of conflict of interest laws, including, but not limited to, Government Code section 1090 et seq., 1126, and 87100 et seq., and the California Public Records Act (Government Code section 6250 et seq.);

WHEREAS, charter schools are subject to the requirements of federal law, including, but not limited to, the Every Student Succeeds Act, 20 U.S.C. §6301 et seq. and the Individuals with Disabilities Education Act, 20 U.S.C. §1400 et seq.;
WHEREAS, the law requires that the county board obtain information regarding the pupil academic achievement and operation and potential impacts of the proposed charter school;

WHEREAS, the Board has obtained, reviewed and analyzed all information received with respect to the renewal petition, including information related to the operation and potential impacts of the proposed charter school;

WHEREAS, the Board held a public hearing on the Petition on September 11, 2019, and received public comment thereon;

WHEREAS, in reviewing charter school petitions the Board is guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system; and

WHEREAS, the Board, at its regular meeting of October 16, 2019, reviewed and considered the renewal petition and all appropriate information received with respect to the renewal including a Staff Report prepared by members of Orange County Department of Education (“OCDE”) staff; and

WHEREAS, the Board specifically notes that this Resolution does not include findings relative to every defect in the renewal petition, but is limited to the most significant issues, which as set forth in the Staff Report and Findings of Fact are legally sufficient to support the Board’s denial of the charter renewal.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby adopts the findings and conclusions set forth in the attached Staff Report and Findings of Fact dated October 2, 2019, which is attached hereto and integrated herein by this reference, and the Board further finds as follows:

(1) The Petition does not contain reasonably comprehensive descriptions of the certain required elements set forth in Education Code section 47605, subdivisions (b)(5)(A-O).

BE IT FURTHER RESOLVED that the Board denies the renewal petition based on the findings herein adopted. The terms of this Resolution are severable. Should it be determined that one or more of the findings is invalid, the remaining findings and the board action shall remain in full force and effect. Each finding is, in and of itself, a sufficient basis for the denial.
STATE OF CALIFORNIA  
COUNTY OF ORANGE  
________________________________)

I, Darouny Sisavath, Clerk of the Orange County Board of Education, do hereby certify that the foregoing Resolution was duly passed, approved and adopted by the Orange County Board of Education at a regular meeting thereof held on the 16th day of October 2019, and that it was so adopted by the following vote:

AYES:  ____________

NOES:  ____________

ABSENT:  ____________

ABSTAIN:  ____________

BY:

________________________________

Clerk of the Orange County Board of Education
DATE: October 2, 2019

TO: Nina Boyd, Associate Superintendent

FROM: Kelly Gaughran, Director, Charter Schools
       Aracely Chastain, Administrator, Charter Schools

SUBJECT: Achievers Global Academy Appeal – Board Action

DESCRIPTION:

On August 11, 2019, Orange County Board of Education accepted a submission for an appeal of the denial of the Achievers Global Academy charter School petition by the Garden Grove Unified School District for an initial charter term of July 1, 2020 to June 30, 2025.

The Orange County Board of Education traditionally has had three options for action regarding a charter petition:

1. Option One: Approve the charter petition as written.

2. Option Two: Approve the charter petition with conditions. This action would result in approval of the charter and require the execution of an Agreement to address the issues outlined in the Staff Report and Findings of Fact and establish appropriate timelines for the petitioners to meet the conditions as specified.

3. Option Three: Deny the charter petition.

RECOMMENDATION:

Based on a comprehensive review of the petition as submitted, information presented during the public hearing, and an in-person clarification meeting, Orange County Department of Education staff determined the petition does not meet the requirements of the Charter Schools Act for approval and recommends the Orange County Board of Education deny the Achievers Global Academy charter school petition.
October 2, 2019

To: Members, Orange County Board of Education

From: Orange County Department of Education Charter Schools Unit

Re: Staff Report and Findings of Fact – Achievers Global Academy

The following is a summary of the review conducted by Orange County Department of Education (OCDE) staff of the Achievers Global Academy charter school petition presented on appeal following action by the governing board of the Garden Grove Unified School District, and constitute the findings of fact required by the Charter Schools Act. The information in this report has been condensed to the most relevant areas and does not include items deemed less significant. In addition, commendations or suggestions for improvement are not included as the review process is intended to highlight deficits.

Based on information gathered throughout the entire review process, which included a clarification meeting held with petitioners on September 20, 2019, OCDE staff is recommending denial of the Achievers Global Academy charter school petition. There is substantial information illustrating that the petitioners are demonstrably unlikely to successfully implement the program and the petition does not contain reasonably comprehensive descriptions of the required elements in the charter petition for purposes of Education Code Section 47605(b)(2). Should the Board take action to deny the charter petition, the Orange County Board of Education (OCBE) may adopt this report as the written factual findings required to support a denial of the petition.

SYNOPSIS OF REVIEW RECOMMENDING DENIAL

The written factual findings specific to the particular petition contained in this staff report sets forth facts to support the following:

I. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.

II. The petition does not contain reasonably comprehensive descriptions of the required elements under EC 47605(b).

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1 The legal basis for the reviewed items include the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. §1232g; Individuals with Disabilities Education Act (IDEA), 20 U.S.C. § 1400 et seq.; Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 794; California Education Code § 47605, 47607, 52052, 49010 et seq.; Title V, California Code of Regulations § 11967.5.1.
I. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.

A. Admission Requirements

Legislation effective January 1, 2018, requires an admission preference for pupils who reside within district boundaries of where the charter school will locate. The charter school’s admission policy fails to comply with Education Code section 47605(d)(2)(B) because the current admission preference would allow non-district resident students to have priority over students who are residents of the school district. During the clarification meeting, school representatives indicated that they would be amenable to discuss changing the preferences.

B. Governance

Charter school board members should be familiar with the information contained in the charter, the methods proposed to deliver the educational program, and have an understanding of their duties to oversee the operations, finances and leadership of the school. This is because a charter school’s board is held accountable by the authorizer and the state to ensure that the school is operating in accordance with its charter. However, the charter school board member present at the clarification meeting indicated that the board had not yet convened a meeting or discussed any aspects of the charter petition or approval process as a cohesive board. Additionally, during the clarification meeting, it became apparent that the board member present had no knowledge of what was contained in the charter petition, the expectations of a charter school board member, or how to work collegially with OCDE staff. Staff were unable to gain clarity as to the governance structure of the board or its priorities because the board member became progressively more argumentative and confrontational during the clarification meeting. Staff were unable to ask any other charter school representative present a question without the board member interrupting and becoming increasingly adversarial. Eventually the board member was asked to leave by the charter school representatives and the meeting was able to continue.

C. Financial and Operational Plan

The charter school has presented an unrealistic financial and operational plan for the proposed charter school. The original budget submitted contained incorrect assumptions and calculations including an incorrect number of teachers, inaccurate special education calculations and facility expenses significantly below market value. The petitioner at the clarification meeting did not address specific questions on the budget because she relied on a back office vendor, Charter School Management Corporation, who did not attend the meeting to respond to financial questions. The charter school was given the opportunity to submit a revised budget to address areas of concern highlighted during the meeting and described in writing to the petitioner following the meeting. In the second submitted budget, inconsistencies remain with respect to the unduplicated pupil count, incorrect revenue assumptions, and inaccurate calculations. After OCDE staff analyzed the revised budget, revenues were overstated, expenses were understated, and the $250,000 loan was incorrectly classified as revenue as opposed to a balance sheet account. After correcting for these inaccuracies, OCDE staff projects the ending fund balance for 2020-21 to be negative $237,910, and the ending fund balance for 2021-22 to be $55,467. Page 163 of the charter states that the school will comply with Section
15450, Title 5 of the California Code of Regulations, which requires a school to maintain unrestricted reserves of five percent of expenditures or $69,000. The revised budget submitted by the petitioner is not only not viable, but would also violate the terms of the charter. Additionally, should Average Daily Attendance come in below projections, funding would be reduced, further negatively impacting the ending fund balance.

II. The petition does not contain reasonably comprehensive descriptions of the required elements under EC 47605(b).

A. Charter Term and Renewal

The charter states that the charter term will be five years. However, on page 160 the petition indicates that renewal may occur October 2022 to January 2023, the third year of the charter term. This is contradictory to Education Code section 47607 that states, “After a charter school has been in operation for four years, a charter school shall meet one of the following criteria before receiving a charter renewal.” During the clarification meeting, the attorney for the charter school stated that the information was inaccurate in the charter and the petitioner was asking for a five-year charter term with renewal after the fourth year.

B. Educational Program

1. The extended school day is identified as a “key element” of the charter school and the charter states that additional support and learning will take place during extended hours (including English Language Development (ELD) and foreign language). However, the lead petitioner stated that they would consider parent feedback when determining school hours and it remains unclear whether the school community desires, or if the petitioner is committed to, the school model articulated in the charter.

2. The method for providing the extended hours, student supervision, required student school hours and teacher work hours are not clearly articulated in the charter. The charter states:

“The school is proposing to operate a 9 hour school day (and a 190 day school year), which equals roughly 50% more instructional hours than students would experience in standard area schools... Students will attend school daily and follow a prescribed schedule. Core instruction will take place between 8:00 am and 3:45 pm. Additional support and learning opportunities will happen from 7:30 and 8:00 am and 3:45 and 5:00 pm. See Appendix C for the sample schedule.”

Additionally, the charter states that teachers do not arrive until 8:30 a.m. and there is no detail provided as to the supervision of students during the extended school hours from 7:30 a.m. to 8:30 a.m. and 3:45 p.m. to 5 p.m. (1:30 p.m. to 5 p.m. on Fridays). During the clarification meeting, the lead petitioner stated that the required hours for students are 7:30 a.m. to 4:30 p.m. (TK/Kindergarten 7:30 a.m. to 3:45 p.m.) with half of the teaching staff working from 7:30 a.m. to 3:30 p.m. and the other half working from 8:30 a.m. to 4:30 p.m. The lead petitioner also stated that they might contract with an outside vendor for after school programming from 4:30
p.m. to 5 p.m. The information from the clarification meeting is inconsistent with what is in the charter and what was previously communicated to the school district.

3. While the charter states that there will be “intensive ELD instruction during a specific period of the day” (page 73) as well as before and after school support, the sample schedule shows it taking place only from 4:30 p.m. to 5 p.m. Per information received in the clarification meeting, there would not be any credentialed teachers providing instruction from 4:30 p.m. to 5 p.m. and because the last half hour of the day is not part of the mandatory school day, students requiring ELD instruction may not be adequately served.

STAFF RECOMMENDATION

Based on a comprehensive review of the petition as submitted, information presented during the public hearing, and an in-person clarification meeting, OCDE staff determined the petition does not meet the requirements of the Charter Schools Act for approval and recommends denial of the Achievers Global Academy charter school petition.

CONCLUSION

The Orange County Board of Education has traditionally had three options for action regarding a charter petition:

- Option One: Approve the charter petition as written.

- Option Two: Approve the charter petition with conditions. This action would result in approval of the charter and require the execution of an Agreement to address the issues outlined in the Staff Report and Findings of Fact and establish appropriate timelines for the petitioners to meet the conditions as specified.

- Option Three: Deny the charter petition.

***
ORANGE COUNTY BOARD OF EDUCATION
BOARD AGENDA ITEM

DATE: September 5, 2019

TO: Nina Boyd, Associate Superintendent

FROM: Ken L. Williams, D.O., Board Vice President

SUBJECT: Resolution #15-19, Adopted 2019-2020 OCDE Budget

RECOMMENDATION:

Approve board resolution #15-19 on Adopted 2019-2020 OCDE Budget.
Board Resolution on Adopted 2019-2020 OCDE Budget

October 16, 2019

Whereas, in February and June 1977, the Orange County Board of Supervisors passed resolutions delegating its budgetary oversight authority to the Orange County Board of Education (the "Board"), and establishing the Board and the County Superintendent as "fiscally independent"; and

Whereas, at the May 2019 regular board meeting, the Board held a budget study session for the 2019-2020 Orange County Department of Education ("OCDE") fiscal year; and on June 12, 2019, the Board held a Public Hearing on the Superintendent proposed 2019-2020 Budget, as well as a discussion on the same budget with staff; and

Whereas, at its June 26, 2019, meeting, the Board approved and adopted the proposed 2019-2020 OCDE budget (the "Budget") submitted to the Board by Al Mijares, County Superintendent of Education (the "Superintendent") with approximately $170,000 in cost reductions for travel, conference, and lobbying expenditures; and

Whereas, per state Education Code 1010, the Superintendent is Secretary to the Board, which is an ex-officio non voting position of the Board. As the non-voting Board Secretary, the aforementioned Education Code obliges the Superintendent to carry out the ministerial and administrative duties reserved for that position at the direction and request of the Board; and

Whereas, state Education Code section 14050 provides in relevant part: "The county superintendent of schools shall on or before June 30 of each year submit a tentative budget and, on or before October 1 of each year, a final budget to the Superintendent of Public Instruction, and

Whereas, state Education Code 17340 addresses the requirement of submitting the Budget. "The county superintendent shall, on or before June 30 of each year, submit to the Superintendent of Public Instruction (SPI) a proposed budget as approved by the county board of education for the succeeding fiscal year, on forms prescribed by the Superintendent of Public Instruction, pursuant to the provisions of Section 14050 of the Education Code.

Whereas, subsequent to the adoption of the OCDE budget at the June 26, 2019, Board meeting, there was no contact or communication by the Superintendent to the Board’s Executive Committee, or to the Board’s special interim legal counsel regarding the Budget until the July 10, 2019, Board meeting; and

Whereas, at the July 10, 2019 regular Board meeting, the Board learned that the Superintendent did not sign the Board adopted 2019-2020 Budget, or send it to the SPI at the California Department of Education ("CDE"). The Superintendent told the Board at this meeting that because his proposed budget was amended by the Board at the June 26 meeting, that the Board adopted June 26, 2019 Budget needed a new public notice, public hearing, and budget document with the adopted budget reductions included. The Superintendent told the Board in open session he would help prepare the proper document to be sent to the SPI; and

Whereas, on July 19, 2019, the Superintendent sent a memo to the Board reversing his earlier statement that he would assist in producing the new Budget document for a further notice and public hearing process. He informed the board in this memo he would not help the Board construct a new budget (or any other budget variances from his proposed Budget), that included the budget reductions made at June 26, 2019 Board meeting; and

Resolution #15-19
Whereas, in the aforementioned July 19th memo, the Superintendent stated he “...will not agree to amend the budget and will not be providing a modified budget reflecting the changes by the Board. In June 2019, I submitted to the Board a fiscally sound budget. I am requesting the board reconvene a meeting to approve the 2019-2010 budget I already submitted to the Board for public hearing and adoption. If the board does not accept the budget as submitted, takes action to modify the budget, or does not act, I will accept that as the board’s refusal to adopt the 2019-2020 Budget and act accordingly”;

Whereas, at the July 19, 2019 meeting the Board’s majority disagreed with the Superintendent’s interpretation of education statutes that a new notice and meeting were required. In order to address and remove the technical issue raised by the Superintendent, the Board lawfully noticed and conducted a special meeting and public hearing on August 01, 2019 regarding the adopted June 25th Budget. Notice of the meeting and the Budget was properly and timely posted in advance. At the August 01, 2019 special meeting, the Board held a public hearing on the Budget, and subsequent to the Public Hearing, the board re-adopted the Budget previously adopted on June 26, 2019; and

Whereas, the state budget template provided by the SPI provides for signatures on the Budget document. There are two (2) signatures that are recognized on the SPI supplied template as the Board Clerk and/or the Board Secretary. For the purpose of affixing an official signature to the Budget, and in the event the Superintendent would not cooperate in signing the budget and sending it to the SPI, the Board per state Education Code 1040 (a) appointed Trustee Lisa Sparks as Board Clerk, at the August 01, 2019 special meeting; and

Whereas, on August 05, 2019, special interim Board legal counsel, Greg Rolen, sent an email to Superintendent requesting he affix his signature to the adopted Budget. The email read as follows: “On behalf of the Orange County Board of Education we request that you sign the Budget Book which reflects the budget which was adopted on June 26, 2019, and re-adopted on August 1, 2019. Pages 3 and 7 require the signature of the “Board Secretary” or “Board Clerk.” My understanding is that you are currently the Board Secretary, and that in the past you have signed the Department of Education’s prior annual budgets in that capacity and forwarded it to the State Superintendent of Public Instruction. Accordingly, we request you do so again with respect to this budget. Please confirm by reply email that you will do so, and please send either me or Board President Barke a copy of the signed Budget Book and your transmittal to the State Superintendent for our records. The Board would like to submit this by August 7, 2019; and

Whereas, no communication or agreement was received from the Superintendent in response to Mr. Rolen’s August 05, 2019 email, or otherwise to indicate that the Superintendent would, as Board Secretary, follow the Board’s request that he affix his signature to the June 26, 2019 adopted, and August 01, 2019 re-adopted Budget. Accordingly, on the August 11, 2019, Trustee Sparks as Board Clerk affixed her signature to the document, and the Budget was officially submitted to the SPI by special interim legal counsel on behalf of the Board, along with a separate detailed analysis and summary of the 2019-2020 OCDE Budget adoption process; and

Whereas, the Superintendent previously did not submit the June 26, 2019 board adopted budget, but rather he submitted his 2019-2020 proposed budget to the SPI. His proposed budget lacked board approval and was not accepted by the SPI, and subsequently was withdrawn for consideration; and

Whereas, on August 30, 2019 the California Department of Education (CDE) and SPI sent an email informing the Board that the CDE is rejecting the budget as submitted because: 1) Under California Education Code (EC) Section 1010, “The county superintendent of schools is ex
officio secretary and executive officer of the board" and his signature was not affixed to the Budget, and 2) The Board Clerk lacked the ability to sign the SPI template on pages 3 and 7, and thus the Budget had not been properly submitted to the SPI; and

Whereas, on September 4, 2019, Mr. Rolen sent a response rejecting the CDE and SPI conclusions that the Budget could not be approved by the CDE unless the Superintendent as ex-officio Secretary to the Board had signed and submitted the budget; and

Whereas, at the request of the CDE, the Executive Committee and Superintendent collaboratively engaged in budget related discussions for over a month. To date, those discussions and negotiations have not resulted in any changes in the budget variances, and acknowledgement that the board has the final adoption authority on the budget of the county office of education; and

Whereas, on October 02, 2019 the California Department of Education on behalf of the Tony Thurmond, State Superintendent of Public Instruction, sent a letter to the Board and Superintendent setting a deadline of October 08, 2019 to submit a “legally compliant budget”; and

Therefore, the Board hereby resolves as follows:

1. The Board has met all statutory requirements, and has lawfully and properly adopted a 2019-2020 Budget, that has previously been timely sent such to the California Department of Education, and State Superintendent of Public Instruction; and

2. The Superintendent, in his capacity as ex-officio Secretary to the Board, and pursuant to his duties and obligations to the Board in connection therewith, is once again requested and directed to affix his signature to the 2019-2020 OCDE Budget originally adopted by the Board on June 26, 2019 and re-adopted on August 01, 2019; and

3. The Superintendent after affixing his signature to the Budget document, is once again requested and directed to submit the Budget to the CDE and the SPI forthwith; and

4. Based on an October 02, 2019 letter from the California Department of Education, the Board officially publicly authorizes and engages the law firm of Epstein Becker, Green to advance litigation and/or efforts to preserve the statutory, lawful, and legitimate role of the Board in adopting the annual Budget of the OCDE.

AYES:

NOES:

ABSENT:

STATE OF CALIFORNIA, COUNTY OR ORANGE
I, Mari Barke, President of the Board of Education of Orange County, California, hereby certify that the foregoing Resolution was duly and regularly adopted by the said Board at a regular meeting thereof held on the eleventh day of September 2019 and passed by a vote of

IN WITNESS THEREOF, I have hereunto set my hand and seal this eleventh day of September 2019.

Mari Barke, President
Orange County Board of Education
ORANGE COUNTY BOARD OF EDUCATION

BOARD AGENDA ITEM

DATE: October 4, 2019

TO: Nina Boyd, Associate Superintendent

FROM: Rebecca “Beckie” Gomez, Trustee Area 1

SUBJECT: Resolution #17-19
Full and Fair Funding of California’s Public Schools

RECOMMENDATION:

Adopt Resolution #17-19: Full and Fair Funding of California’s Public Schools.
RESOLUTION OF THE BOARD OF EDUCATION
ORANGE COUNTY, CALIFORNIA

Full and Fair Funding of California’s Public Schools

WHEREAS, California has the fifth largest economy in the world, and the largest Gross Domestic Product (GDP) of any state in the nation; and

WHEREAS, despite California’s leadership in the global economy, the state falls in the nation’s bottom quintile on nearly every measure of public K-12 school funding and school staffing; and

WHEREAS, California ranks tied for 40th nationally in the percentage of taxable income spent on education, 38th in per-pupil funding, 45th in pupil–teacher ratios and 48th in pupil–staff ratios; and

WHEREAS, K-12 school funding has not substantially increased, on an inflation-adjusted basis, for more than a decade; and

WHEREAS, under the Local Control Funding Formula (LCFF), state funding for K-12 schools has only this year recently returned to levels predating the Great Recession of 2007; and

WHEREAS, the modest revenue increases since the implementation of LCFF have been eroded by rapidly increasing costs for health care, pensions, transportation and utilities; and

WHEREAS, 58 percent of California’s public school students are eligible for free and reduced-price lunch — 13 percent above the national average — and 23 percent of California students are English learners, more than twice the national average; and

WHEREAS, California’s investment in public schools is out of alignment with its wealth, its ambitions, its demographics and the demands of a 21st-century education; and

WHEREAS, in 2007, a bipartisan group of California leaders commissioned a report titled Getting Down to Facts, which stated it would take an additional $17 billion annually to meet the State Board of Education achievement targets for K-12 schools; and

WHEREAS, in 2016, a California School Boards Association (CSBA) report, California’s Challenge: Adequately Funding Education in the 21st Century, updated the Getting Down to Facts data and determined that, adjusting for inflation, an additional $22 billion to $40 billion annually would be required to provide all public school students with access to a high-quality education; and

WHEREAS, California funds schools at roughly $2,475 per student less than the national average.; and

WHEREAS, California trails the average of the top 10 states by more than $7,000 in per-pupil funding; and

WHEREAS, in Robles-Wong v. State of California, a group of plaintiffs led by CSBA argued that California’s school funding system violated Article IX of the State Constitution by denying all students access to an education that prepares them for economic security and full participation in our democratic institutions; and

WHEREAS, the California Supreme Court declined to hear the case by a 4-3 margin, prompting Justice Goodwin H. Liu to write: “It is regrettable that this court, having recognized education as a fundamental right in a landmark decision 45 years ago [Serrano v. Priest (1971) 5 Cal.3d 584], should now decline to address the substantive meaning of that right.”; and

Resolution #17-19
WHEREAS, in order to prepare our students for participation in a democratic society and an increasingly competitive, technology-driven global economy, California must fund schools at a level sufficient to support student success; and

WHEREAS, despite its vast wealth, California has consistently underfunded public education while widening its scope, adding new requirements and raising standards without providing appropriate resources to prepare all students for college, career and civic life; and

WHEREAS, if California is to close opportunity and achievement gaps and create a public school system that offers consistently high levels of education, the State must provide schools with the resources to meet the needs of their specific populations;

NOW, THEREFORE BE IT RESOLVED, that the governing board of the Orange County Department of Education urges the State Legislature to fund California public schools at the national average or higher by the year 2020, and at a level that is equal to or above the average of the top 10 states nationally by 2025 and to maintain, at a minimum, this level of funding until otherwise decreed.

AYES:
NOES:
ABSENT:
STATE OF CALIFORNIA, COUNTY OF ORANGE

I, Mari Barke, President to the Board of Education of Orange County, California hereby certify that the foregoing Resolution was duly and regularly adopted by the said Board at a regular meeting thereof held on the 16th day of October 2019.

IN WITNESS THEREOF, I have hereunto set my hand and seal this 16th day of October 2019.

Mari Barke, President
Orange County Board of Education

Resolution #17-19
ORANGE COUNTY BOARD OF EDUCATION

BOARD AGENDA ITEM

DATE: October 4, 2019

TO: Nina Boyd, Associate Superintendent

FROM: Rebecca “Beckie” Gomez, Trustee Area 1

SUBJECT: Resolution #18-19: Declaring Support for a New State School Bond on the March 2020 Ballot

RECOMMENDATION:

Approve resolution #18-19: Declaring Support for a New State School Bond on the March 2020 Ballot.
RESOLUTION OF THE BOARD OF EDUCATION
ORANGE COUNTY, CALIFORNIA

Assembly Bill 48
Public Preschool, K-12, and College Health and Safety Bond Act of 2020

WHEREAS, the Orange County Department of Education has an estimated $20 million in facility need which could be partially funded by State matching funds authorized by state bonds; and

WHEREAS, the K-12 public school districts and charter schools in Orange County have identified facility needs in excess of 380 million; and

WHEREAS, Assembly Bill 48, the Public Preschool, K-12, and College Health and Safety Bond Act of 2020, provides for renovation and upgrade of existing classrooms, construction of new classrooms to accommodate growth, Career Technical Education facilities to provide job training to meet the trained workforce needs of California’s employers, testing and remediation of lead levels in water at school sites, disaster assistance, replacement of 50-year-old buildings, and assistance for small school districts; and

WHEREAS, the California unemployment rate is greater than the national unemployment rate; and

WHEREAS, 17,000 middle class jobs are created for each $1 billion in school facility infrastructure investment; and

WHEREAS, these jobs will be created throughout California and will include almost all building trades; and

WHEREAS, quality 21st Century school facilities designed for today’s and tomorrow’s students’ needs enhanced academic achievement and further the State’s academic goals; and

WHEREAS, Assembly Bill 48, the Public Preschool, K-12, and College Health and Safety Bond Act of 2020, will not raise State taxes; and

WHEREAS, Assembly Bill 48 matching funds will reduce the need for additional local property taxes for school facilities.

NOW, THEREFORE BE IT RESOLVED, that the Orange County Board of Education supports Assembly Bill 48, the Public Preschool, K-12, and College Health and Safety Bond Act of 2020.

AYES:

NOES:

ABSENT:

STATE OF CALIFORNIA, COUNTY OR ORANGE

Resolution #18-19
I, Mari Barke, President of the Board of Education of Orange County, California, hereby certify that the foregoing Resolution was duly and regularly adopted by the said Board at a regular meeting thereof held on the 16th day of October 2019 and passed by a vote of ____.

IN WITNESS THEREOF, I have hereunto set my hand and seal this 16th day of October 16, 2019.

______________________________
Mari Barke, President
Orange County Board of Education
ORANGE COUNTY BOARD OF EDUCATION

BOARD AGENDA ITEM

DATE: October 16, 2019

TO: Nina Boyd, Associate Superintendent

FROM: Renee Hendrick, Associate Superintendent, Administrative Services

SUBJECT: Gann Limits – Resolution #16-19

A constitutional amendment, referred to as the Gann Amendment, requiring appropriations limits for state and local government units was passed on November 6, 1979.

Senate Bill 1352, Chapter 1205 of 1980, implements this amendment and requires public agencies to establish an appropriation limit each fiscal year beginning with 1981-82.

Documentation used to compute the actual appropriations limit for 2018-19 and the estimated appropriations limit for 2019-20 is on file in the Administrative Services Division of the County Superintendent of Schools.

RECOMMENDATION:


RH:sh
RESOLUTION FOR ADOPTING THE "GANN" LIMIT

(With Increase to Limit pursuant to G.C. 7902.1

WHEREAS, in November of 1979, the California electorate did adopt Proposition 4, commonly called the Gann Amendment, which added Article XIII-B to the California Constitution; and,

WHEREAS, the provisions of that Article establish maximum appropriation limitations, commonly called “Gann Limits,” for public agencies, including school districts; and,

WHEREAS, the District must establish a revised Gann limit for the 2018-19 fiscal year and a projected Gann Limit for the 2019-20 fiscal year in accordance with the provisions of Article XIII-B and applicable statutory law; and,

WHEREAS, Government Code Section 7902.1 provides that school districts may increase their Gann Limits under specified circumstances;

NOW, THEREFORE, BE IT RESOLVED that this Board does provide public notice that the attached calculations and documentation of the Gann limits for the 2018-19 and 2019-20 fiscal years are made in accord with applicable constitutional and statutory law;

AND BE IT FURTHER RESOLVED that this board does provide public notice that the attached calculations and documentation of the Gann Limits for the 2018-19 and 2019-20 fiscal years include an increase of $10,695,946.84 to the 2018-19 Gann Limit pursuant to the provisions of Government Code Section 7902.1;

AND BE IT FURTHER RESOLVED that the Superintendent notifies the Director of the State Department of Finance of the increase to the 2018-19 Gann Limit;

AND BE IT FURTHER RESOLVED that this Board does hereby declare that the appropriations in the Budget for the 2018-19 and 2019-20 fiscal years do not exceed the limitations imposed by Proposition 4;

Resolution #16-19
AND BE IT FURTHER RESOLVED that the Superintendent provides copies of this resolution along with the appropriate attachments to interested citizens of this district.

PASSED AND ADOPTED by the Governing Board of the Orange County Department of Education, State of California, this 16th day of October 2019, by the following vote:

AYES:

NOES:

ABSENT:

STATE OF CALIFORNIA

COUNTY OF ORANGE

I, Mari Barke, President of the Board of Education in Orange County, California, hereby certify that the foregoing Resolution was duly and regularly adopted by the said Board at a regular meeting thereof held on the 16th of October 2019.

IN WITNESS THEREOF, I have hereunto set my hand and seal this 16th day of October 2019.

__________________________
Mari Barke, President
Orange County Board of Education

Resolution #16-19