



REGULAR MEETING

June 16, 2021

2:30 p.m.

Location: *The public meeting will be conducted onsite with limited seating at 200 Kalmus Drive, Costa Mesa, CA 92626 and via YouTube live stream at <https://www.youtube.com/watch?v=YQHkl21fqkE>*

ORANGE COUNTY BOARD OF EDUCATION
AGENDA

WELCOME

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 June 16, 2021 – adoption

PUBLIC COMMENTS

TIME CERTAIN

2:30 p.m.

1. Inter-district Appeal Hearing (Open) – 06162021001I – Orange Unified School District to Tustin Unified School District.
2. Inter-district Appeal Hearing (closed) – 06162021002I – Garden Grove Unified School District to Tustin Unified School District.
3. Inter-district Appeal Hearing (closed) – 06162021005I – Placentia Yorba Linda Unified School District to Fullerton Joint Union High School District.

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-PENDING LITIGATION
Orange County Board of Education v. OC Superintendent of Schools, Al Mijares, and State Superintendent of Public Instruction, Tony Thurmond Case No 30-2019-01112665-CU-WM-CJC -Government Code §§ 54956.9(a) and (d)(1)

CLOSED SESSION 3

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to subdivision (d)(2) of Section 54956.9

INVOCATION
5:00 p.m.

Rev. Dr. Mandye Yates
First Christian Church (Disciples of Christ)

PLEDGE OF ALLEGIANCE

INTRODUCTIONS

(*)MINUTES

Regular Meeting of May 5, 2021 – approval

PUBLIC COMMENTS

INFORMATION ITEMS

COMMUNICATION/INFORMATION/DISCUSSION

BOARD DISCUSSIONS

- Concept of FAQ document for Ethnic Studies Forum

ANNOUNCEMENTS

Superintendent

Associate Superintendent

CONSENT CALENDAR

- (*)
4. Approve the granting of diplomas to the students listed from Alternative, Community, and Correctional Education Schools and Services, Alternative Education Division.
 5. Approve Resolution #11-21 in accordance of regulations required under Proposition 30 and 55 regarding the Education Protection Account Proposed Expenditures.
 6. Approve apportionment of Federal Forest Reserve receipts in the amount of \$27,506.38.

CHARTER SCHOOLS

7. Charter submissions
8. ISSAC Update

STAFF RECOMMENDATIONS

9. Board action on Countywide Expulsion Plan
10. Board action on 2021/2024 Local Control Accountability Plan and 2022/2024 Dashboard/LCAP Local Control Indicators Report for OCDE ACCESS and Special Education Divisions
11. Board action on 20/21 Local Control Accountability Plan for College and Career Pathways Academy (CCPA)
12. Board review and action on updated Board Policy 400-14 - Suicide Prevention Policy

BOARD RECOMMENDATIONS

- | | | |
|-----|-----|--|
| (*) | 13. | Board action to approve 2021-22 Annual Budget of the Orange County Department of Education (Executive Committee) |
| (*) | 14. | Redistricting Committee Appointment (Executive Committee) |
| (*) | 15. | Board action – Notice of violation ISSAC Charter School |
| (*) | 16. | Media Committee Appointment – Orange County board of Education Forums: July 27, 2021 and August 24, 2021 |
| (*) | 17. | Security Detail – Orange County Sheriff Department Deputies (minimum – 4) |

INFORMATION ITEMS (continue)

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

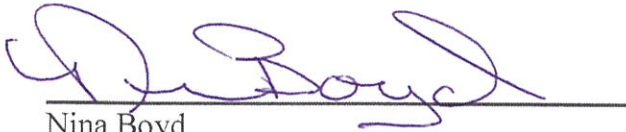
BOARD MEMBER COMMENTS

COMMITTEE REPORT

PUBLIC COMMENTS

(15 minutes)

ADJOURNMENT



Nina Boyd
Assistant Secretary, Board of Education

Next Regular Board Meeting: Wednesday, July 7, 2021 at 5:00 p.m. The meeting will be held onsite at 200 Kalmus Drive, Costa Mesa, CA 92626 with limited seating and via YouTube live stream.

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

UB

MINUTES
Regular Meeting
May 5, 2021

ORANGE COUNTY BOARD OF EDUCATION
MINUTES

WELCOME

CALL TO ORDER

The Regular Meeting of the Orange County Board of Education was called to order by Board President Williams at 2:35 p.m., May 5, 2021 in the Board Room, 200 Kalmus Drive, Costa Mesa, California and via YouTube live stream.

ROLL CALL

Present:

Lisa Sparks, Ph.D. (virtual zoom)
Tim Shaw
Mari Barke
Ken L. Williams, D.O.

Absent:

Rebecca "Beckie" Gomez

(*)AGENDA

Motion by Williams, seconded by Barke, and carried by a vote of 4-0 (Gomez Absent) to approve the agenda of the Regular meeting of May 5, 2021.

Trustee Williams recessed the board meeting to go into closed session.

TIME CERTAIN

1. Inter-district Appeal Hearing (closed) – 050520210011 – Savanna School District to ABC Unified School District

Motion by Barke, seconded by Shaw, and carried by a roll call vote of 4-0 (Williams, Barke, Sparks, and Shaw voted Yes: Gomez Absent) to approve the appeal and allow the student to attend the ABC Unified School District for the period of one academic year (2021-22).

2. Inter-district Appeal Hearing (closed) – 05052021002I – Brea-Olinda Unified School District to Fullerton School District

Motion by Barke, seconded by Williams, and carried by a roll call vote of 4-0 (Williams, Barke, Sparks, and Shaw voted Yes; Gomez Absent) to approve the appeal and allow the student to attend the Fullerton School District for the period of one academic year (2021-22).

3. Inter-district Appeal Hearing (closed) – 05052021003I – Anaheim Union High School District to Fullerton Joint Union High School District

Motion by Barke, seconded by Williams, and carried by a roll call vote of 4-0 (Williams, Barke, Sparks, and Shaw voted Yes; Gomez Absent) to approve the appeal and allow the student to attend the Fullerton Joint Union High School District for the period of one academic year (2021-22).

Terrance Dunn, Coordinator, Educational Services facilitated the hearings.

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-EXISTING LITIGATION Orange County Board of Education v. OC Superintendent of Schools, Al Mijares, and State Superintendent of Public Instruction, Tony Thurmond Case No 30-2019-01112665-CU-WM-CJC -Government Code §§ 54956.9(a) and (d)(1)

The Board received an update from counsel and took the following two actions in closed session 1 and closed session 2:

1. Approved Height, Brown & Bonesteel Invoices # 3242253 and 3242252, dated April 23, 2021 by a vote of 3-1-0 (Williams, Barke, and Shaw voted Yes; Sparks abstained, Gomez was not present for the vote.)
2. Approved Epstein, Becker & Green invoices #1048475 and 1048476, dated April 30, 2021 by a vote of 3-1-0 (Spaw, Barke and Williams voted Yes; Sarks abstained, Gomez was not present for the vote.)

Trustee Gomez arrived at 4:31 p.m.

INVOCATION

Rabbi Peter S. Levi
President, Orange County Board of Rabbis

PLEDGE OF ALLEGIANCE

Sunburst Color Guard
Scott Williams

NATIONAL ANTHEM

Cadet Gomez

INTRODUCTIONS

None

PRESENTATIONS

Video presentation in memory of former Trustee, 4th District,
John “Jack” Bedell, Ph.D. (1942-2021).

Presentation of awards to the Seventh Annual Jack R. Hammett
Memorial Day Essay Contest participants and winners:

- Mr. Scott Williams – Jack Hammett Bio
- Jeff Hittenberger, Ph.D. – Introductions and Program Overview
 - First Place Winner – Cadet Wilson, Sunburst Youth Academy

PUBLIC COMMENTS

- Brian Colondra
- Florida
- Robert Lawton
- Saga
- Elizabeth
- Jeff Barke
- Linda
- Nate
- Jenna
- Ahn Nguyen
- Blaie
- Kent
- Susan
- Mindy
- Krishna
- Nicole
- Gexin
- George
- Lynne Riddle
- Laurie
- Jeanette

INFORMATION ITEMS

COMMUNICATION/INFORMATION/DISCUSSION

- Esplanade Quarterly Report
- FCMAT Update (Williams)
- Harbor Learning Center North

MINUTES

Motion by Barke, seconded by Shaw, and carried by a roll call vote of 5-0 to approve the minutes of the April 7, 2021 regular meeting.

Motion by Barke, seconded by Shaw, and carried by a roll call vote of 5-0 to approve the minutes of the April 14, 2021 special meeting.

CONSENT CALENDAR

Motion by Williams, seconded by Barke, and carried by a roll call vote of 5-0 to approve the granting of diplomas to the students listed from Alternative, Community, and Correctional Education Schools and Services, Alternative Education Division.

Motion by Williams, seconded by Barke, and carried by a roll call vote of 5-0 to approve the adoption of Resolution #07-21 to recognize May 31, 2021 as Memorial Day.

CHARTER SCHOOLS

Charter School Public Hearing – Tomorrow's Leadership Collaborative Charter School material revisions - Aracely Chastain, Director, Charter Schools, facilitated the public hearing.
Discussion Format:
Tomorrow's Leadership Collaborative Charter School
Public Comments
Board Questions

STAFF RECOMMENDATIONS

Motion by Barke, seconded by Shaw, and approved by a roll call vote of 5-0 to approve the Orange County Department of Education's Expanded Learning Opportunity Plan pursuant to EC 43521(b) and 43522 (a)(1) by June 1, 2021.

Motion by Gomez, seconded by Barke, and carried by a roll call vote of 5-0 to approve the College and Career Preparatory Academy's Expanded Learning Opportunity Plan pursuant to EC 43521(b) and 43522(a)(1) by June 1, 2021.

BOARD RECOMMENDATIONS

Motion by Williams, seconded by Barke, and carried by a roll call vote of 4-1 (Williams, Barke, Sparks and Shaw voted Yes; Gomez voted No) to approve the resolution to conduct the Ethnic Study Community forum.

Motion by Williams, seconded by Barke and carried by a roll call vote of 4-1 (Williams, Barke, Sparks and Shaw voted Yes; Gomez voted No) to approve the Board statement regarding vaccination.

Motion by Williams, seconded by Barke, and carried by a roll call vote of 4-1 (Williams, Barke, Sparks and Shaw voted Yes; Gomez voted No) to approve the resolution against digital vaccine passport mandates.

The board unanimously agreed to bring back item #15 regarding action on AB 1316.

Motion by Williams, seconded by Barke, and carried by a roll call vote of 4-1 (Williams, Barke, Sparks and Shaw voted Yes; Gomez voted No) to approve a new contract with the Law Offices of Margaret A. Chidester & Associates

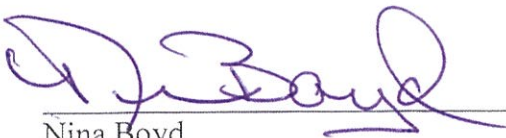
INFORMATION ITEMS

COMMUNICATION/INFORMATION/DISCUSSION

- Teacher Appreciation Week (Gomez)
- Services for Jack Bedell (Gomez)
- Jack Bedell (Shaw)

ADJOURNMENT

On a motion duly made, and seconded, the Board meeting of May 5, 2021 adjourned at 8:48 p.m.



Nina Boyd
Assistant Secretary, Board of Education

Ken L. Williams, D.O.
President, Board of Education

Next Regular Board Meeting, Wednesday, June 2, 2021 at 5:00 p.m. - The meeting will be in the Board Room at 200 Kalmus Drive, Costa Mesa, CA and via virtual conference.

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.

4/18

ORANGE COUNTY BOARD OF EDUCATION
BOARD AGENDA ITEM

DATE: June 16, 2021
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

Board Agenda Item
Diploma Approval
May 12, 2021 - May 25, 2021

ADMIN UNIT	STUDENT NAME	DISTRICT OF RESIDENCE
Area #1		
	Noah G. Freligh	Huntington Beach
	Diego Armando Ochoa	Saddleback Valley
	Shirley Torres	Santa Ana
Area #2		
	Dominic M. Galvan	Los Alamitos
	Lilyana Garcia	Anaheim
	Gage Bradley Park	Huntington Beach
	Jonathan Perez	Fullerton
	Elijah J. Rheeman	Fullerton
	Yadira Salinas-Mendoza	Anaheim
	Jay S. Shawn	Fullerton
	Jaden Silva	Fullerton
Area #3		
	Douglas Heffley	Tustin
	Jair Laris	Santa Ana
	Angie Patino	Placentia-Yorba
	Heaven Leigh Sung	Tustin
	Jesse Vasquez	Orange
College & Career Prep. Acad.		
	Lubna Alwi	Garden Grove
	Lauren Victoria Brookins	Capistrano
	Jose Gonzalez	Irvine
	Mark A. Gonzalez	Anaheim
	Destiny K. Herrera	Orange
	Alejandra Melchor	Santa Ana
	Janette Ocampo	Santa Ana
	Kepziel Rivera Ortiz	Tustin
	Benjamin Shaw	Placentia-Yorba
	Alejandra Soto Alcazar	Stanislaus
	Wendy Zamora	Anaheim
Fischer DC		
	Elvin Tran	Anaheim

BLANK PAGE

June 16, 2021

☒ Mailed ☐ Distributed at meeting



ORANGE COUNTY BOARD OF EDUCATION

BOARD AGENDA ITEM

DATE: June 16, 2021

TO: Nina Boyd, Associate Superintendent

FROM: Renee Hendrick, Associate Superintendent, Administrative Services

SUBJECT: Education Protection Account Proposed Expenditures Including College and Career Preparatory Academy Charter

RECOMMENDATION:

Approve Resolution # 11-21 in accordance of regulations required under Proposition 30 and 55 regarding the Education Protection Account Proposed Expenditures.

The monies received from the EPA shall be spent as required by Article XIII, Section 36 and the spending determinations on how the money will be spent shall be made in open session of a public meeting of the governing board of the Orange County Department of Education.

RH:sh

Orange County Department of Education

Expenditures through: June 30, 2022

For Fund 01, Resource 1400 Education Protection Account

Description	Function Codes	Object Codes	Amount
AMOUNT AVAILABLE FOR THIS FISCAL YEAR			
Adjusted Beginning Fund Balance	0000	9791-9795	0.00
Revenue Limit Sources	0000	8010-8099	200,600.00
Federal Revenue	0000	8100-8299	0.00
Other State Revenue	0000	8300-8599	0.00
Other Local Revenue	0000	8600-8799	0.00
All Other Financing Sources and Contributions	0000	8900-8999	0.00
Deferred Revenue	0000	9650	0.00
TOTAL AVAILABLE			200,600.00
EXPENDITURES AND OTHER FINANCING USES			
(Functions 1000-9999)	Function Codes	Object Codes	
Instruction	1000-1999		0.00
Teacher Salary	1000	1110	136,518.00
STRS	1000	3101	0.00
PERS	1000	3201	31,399.00
Medicare	1000	3313	1,980.00
Medical	1000	3451	25,669.00
Dental	1000	3453	1,857.00
Vision	1000	3455	249.00
State Unemployment	1000	3501	68.00
Workers Compensation	1000	3601	2,785.00
Life Insurance	1000	3951	75.00
Service Contract Audit	1000	5857	0.00
Instruction-Related Services			
Instructional Supervision and Administration	2100-2150		0.00
AU of a Multidistrict SELPA	2200		0.00
Instructional Library, Media, and Technology	2420		0.00
Other Instructional Resources	2490-2495		0.00
School Administration	2700		0.00
Pupil Services			
Guidance and Counseling Services	3110		0.00
Psychological Services	3120		0.00
Attendance and Social Work Services	3130		0.00
Health Services	3140		0.00
Speech Pathology and Audiology Services	3150		0.00
Pupil Testing Services	3160		0.00
Pupil Transportation	3600		0.00
Food Services	3700		0.00
Other Pupil Services	3900		0.00
Ancillary Services	4000-4999		0.00
Community Services	5000-5999		0.00
Enterprise	6000-6999		0.00
General Administration	7000-7999		0.00
Plant Services	8000-8999		0.00
Other Outgo	9000-9999		0.00
TOTAL EXPENDITURES AND OTHER FINANCING USES			200,600.00
BALANCE (Total Available minus Total Expenditures and Other Financing Uses)			0.00

College and Career Preparatory Academy

Expenditures through: June 30, 2021

For Fund 01, Resource 1400 Education Protection Account

Description	Function Codes	Object Codes	Amount
AMOUNT AVAILABLE FOR THIS FISCAL YEAR			
Adjusted Beginning Fund Balance	0000	9791-9795	0.00
Revenue Limit Sources	0000	8010-8099	39,806.00
Federal Revenue	0000	8100-8299	0.00
Other State Revenue	0000	8300-8599	0.00
Other Local Revenue	0000	8600-8799	0.00
All Other Financing Sources and Contributions	0000	8900-8999	0.00
Deferred Revenue	0000	9650	0.00
TOTAL AVAILABLE			39,806.00
EXPENDITURES AND OTHER FINANCING USES			
(Functions 1000-9999)	Function Codes	Object Codes	
Instruction	1000-1999		0.00
Teacher Salary	1000	1110	28,890.00
STRS	1000	3101	4,666.00
PERS	1000	3201	0.00
Medicare	1000	3313	420.00
Medical	1000	3451	4,862.00
Dental	1000	3453	292.00
Vision	1000	3455	62.00
State Unemployment	1000	3501	14.00
Workers Compensation	1000	3601	589.00
Life Insurance	1000	3951	11.00
Service Contract Audit	1000	5857	0.00
Instruction-Related Services			
Instructional Supervision and Administration	2100-2150		0.00
AU of a Multidistrict SELPA	2200		0.00
Instructional Library, Media, and Technology	2420		0.00
Other Instructional Resources	2490-2495		0.00
School Administration	2700		0.00
Pupil Services			
Guidance and Counseling Services	3110		0.00
Psychological Services	3120		0.00
Attendance and Social Work Services	3130		0.00
Health Services	3140		0.00
Speech Pathology and Audiology Services	3150		0.00
Pupil Testing Services	3160		0.00
Pupil Transportation	3600		0.00
Food Services	3700		0.00
Other Pupil Services	3900		0.00
Ancillary Services	4000-4999		0.00
Community Services	5000-5999		0.00
Enterprise	6000-6999		0.00
General Administration	7000-7999		0.00
Plant Services	8000-8999		0.00
Other Outgo	9000-9999		0.00
TOTAL EXPENDITURES AND OTHER FINANCING USES			39,806.00
BALANCE (Total Available minus Total Expenditures and Other Financing Uses)			0.00

College and Career Preparatory Academy

Expenditures through: June 30, 2022

For Fund 01, Resource 1400 Education Protection Account

Description	Function Codes	Object Codes	Amount
AMOUNT AVAILABLE FOR THIS FISCAL YEAR			
Adjusted Beginning Fund Balance	0000	9791-9795	0.00
Revenue Limit Sources	0000	8010-8099	25,800.00
Federal Revenue	0000	8100-8299	0.00
Other State Revenue	0000	8300-8599	0.00
Other Local Revenue	0000	8600-8799	0.00
All Other Financing Sources and Contributions	0000	8900-8999	0.00
Deferred Revenue	0000	9650	0.00
TOTAL AVAILABLE			25,800.00
EXPENDITURES AND OTHER FINANCING USES			
(Functions 1000-9999)	Function Codes	Object Codes	
Instruction	1000-1999		0.00
Teacher Salary	1000	1110	18,647.00
STRS	1000	3101	2,969.00
PERS	1000	3201	0.00
Medicare	1000	3313	271.00
Medical	1000	3451	3,287.00
Dental	1000	3453	191.00
Vision	1000	3455	41.00
State Unemployment	1000	3501	9.00
Workers Compensation	1000	3601	380.00
Life Insurance	1000	3951	5.00
Service Contract Audit	1000	5857	0.00
Instruction-Related Services			
Instructional Supervision and Administration	2100-2150		0.00
AU of a Multidistrict SELPA	2200		0.00
Instructional Library, Media, and Technology	2420		0.00
Other Instructional Resources	2490-2495		0.00
School Administration	2700		0.00
Pupil Services			
Guidance and Counseling Services	3110		0.00
Psychological Services	3120		0.00
Attendance and Social Work Services	3130		0.00
Health Services	3140		0.00
Speech Pathology and Audiology Services	3150		0.00
Pupil Testing Services	3160		0.00
Pupil Transportation	3600		0.00
Food Services	3700		0.00
Other Pupil Services	3900		0.00
Ancillary Services	4000-4999		0.00
Community Services	5000-5999		0.00
Enterprise	6000-6999		0.00
General Administration	7000-7999		0.00
Plant Services	8000-8999		0.00
Other Outgo	9000-9999		0.00
TOTAL EXPENDITURES AND OTHER FINANCING USES			25,800.00
BALANCE (Total Available minus Total Expenditures and Other Financing Uses)			0.00

Orange County Department of Education

Expenditures through: June 30, 2021

For Fund 01, Resource 1400 Education Protection Account

Description	Function Codes	Object Codes	Amount
AMOUNT AVAILABLE FOR THIS FISCAL YEAR			
Adjusted Beginning Fund Balance	0000	9791-9795	0.00
Revenue Limit Sources	0000	8010-8099	519,244.00
Federal Revenue	0000	8100-8299	0.00
Other State Revenue	0000	8300-8599	0.00
Other Local Revenue	0000	8600-8799	0.00
All Other Financing Sources and Contributions	0000	8900-8999	0.00
Deferred Revenue	0000	9650	0.00
TOTAL AVAILABLE			519,244.00
EXPENDITURES AND OTHER FINANCING USES			
(Functions 1000-9999)	Function Codes	Object Codes	
Instruction	1000-1999		0.00
Teacher Salary	1000	1110	378,396.00
STRS	1000	3101	39,559.00
PERS	1000	3201	27,624.00
Medicare	1000	3313	5,487.00
Medical	1000	3451	53,867.00
Dental	1000	3453	5,320.00
Vision	1000	3455	858.00
State Unemployment	1000	3501	189.00
Workers Compensation	1000	3601	7,719.00
Life Insurance	1000	3951	225.00
Service Contract Audit	1000	5857	0.00
Instruction-Related Services			
Instructional Supervision and Administration	2100-2150		0.00
AU of a Multidistrict SELPA	2200		0.00
Instructional Library, Media, and Technology	2420		0.00
Other Instructional Resources	2490-2495		0.00
School Administration	2700		0.00
Pupil Services			
Guidance and Counseling Services	3110		0.00
Psychological Services	3120		0.00
Attendance and Social Work Services	3130		0.00
Health Services	3140		0.00
Speech Pathology and Audiology Services	3150		0.00
Pupil Testing Services	3160		0.00
Pupil Transportation	3600		0.00
Food Services	3700		0.00
Other Pupil Services	3900		0.00
Ancillary Services	4000-4999		0.00
Community Services	5000-5999		0.00
Enterprise	6000-6999		0.00
General Administration	7000-7999		0.00
Plant Services	8000-8999		0.00
Other Outgo	9000-9999		0.00
TOTAL EXPENDITURES AND OTHER FINANCING USES			519,244.00
BALANCE (Total Available minus Total Expenditures and Other Financing Uses)			0.00

**RESOLUTION OF THE BOARD OF EDUCATION
ORANGE COUNTY, CALIFORNIA, INCLUDING
COLLEGE AND CAREER PREPARATORY ACADEMY**

EDUCATION PROTECTION ACCOUNT

WHEREAS, the voters approved Proposition 30 on November 6, 2012;

WHEREAS, Proposition 30 added Article XIII, Section 36 to the California Constitution effective November 7, 2012;

WHEREAS, the voters approved Proposition 55 on November 8, 2016, which extended the Proposition 30 temporary income tax increase on high income earners by twelve years through 2030;

WHEREAS, the provisions of Article XIII, Section 36(e) create in the state General Fund an Education Protection Account to receive and disburse the revenues derived from the incremental increases in taxes imposed by Article XIII, Section 36(f);

WHEREAS, before June 30th of each year, the Director of Finance shall estimate the total amount of additional revenues, less refunds that will be derived from the incremental increases in tax rates made pursuant to Article XIII, Section 36(f) that will be available for transfer into the Education Protection Account during the next fiscal year;

WHEREAS, if the sum determined by the State Controller is positive, the State Controller shall transfer the amount calculated into the Education Protection Account within ten days preceding the end of the fiscal year;

WHEREAS, all monies in the Education Protection Account are hereby continuously appropriated for the support of school districts, county offices of education, charter schools and community college districts;

WHEREAS, monies deposited in the Education Protection Account shall not be used to pay any costs incurred by the Legislature, the Governor or any agency of state government;

WHEREAS, a community college district, county office of education, school district, or charter school shall have the sole authority to determine how the monies received from the Education Protection Account are spent in the school or schools within its jurisdiction;

WHEREAS, the governing board of the district shall make the spending determinations with respect to monies received from the Education Protection Account in open session of a public meeting of the governing board;

WHEREAS, the monies received from the Education Protection Account shall not be used for salaries or benefits for administrators or any other administrative cost;

WHEREAS, each community college district, county office of education, school district and charter school shall annually publish on its Internet website an accounting of how much money was received from the Education Protection Account and how that money was spent;

WHEREAS, the annual independent financial and compliance audit required of community college districts, county offices of education, school districts and charter schools shall ascertain and verify whether the funds provided from the Education Protection Account have been properly disbursed and expended as required by Article XIII, Section 36 of the California Constitution;

WHEREAS, expenses incurred by community college districts, county offices of education, school districts and charter schools to comply with the additional audit requirements of Article XIII, Section 36 may be paid with funding from the Education Protection Act and shall not be considered administrative costs for purposes of Article XIII, Section 36.

NOW, THEREFORE, IT IS HEREBY RESOLVED:

The monies received from the Education Protection Account shall be spent as required by Article XIII, Section 36 and the spending determinations on how the money will be spent shall be made in open session of a public meeting of the governing board of the Orange County Department of Education;

In compliance with Article XIII, Section 36(e), with the California Constitution, the governing board of the Orange County Department of Education has determined to spend the monies received from the Education Protection Act as attached.

AYES:

NOES:

ABSENT:

STATE OF CALIFORNIA, COUNTY OF ORANGE

I, Ken Williams, 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 sixteenth day of June 2021 and passed by a vote of _____.

IN WITNESS THEREOF, I have hereunto set my hand and seal this sixteenth day of June 2021.

Ken Williams,
Orange County Board of Education

9/13

ORANGE COUNTY DEPARTMENT OF EDUCATION

BOARD AGENDA ITEM

DATE: June 16, 2021
TO: Nina Boyd, Associate Superintendent
FROM: Renee Hendrick, Associate Superintendent
SUBJECT: Apportionment of Federal Forest Reserve Receipts

Funds are received each year from the United States Government from forest reserves to be used by school districts of the County within or adjacent to a United States Forest Reserve. Section 2300 of the Education Code indicates that upon approval of the County Board of Education, the County Superintendent of Schools may retain 15% of the funds and shall apportion 85% of these funds to such school districts.

The following apportionment is based on the same proportion of land of the Cleveland National Forest that exists in the component district:

Capistrano Unified	2.80%	\$ 770.18
Orange Unified	31.52%	8,670.01
Rancho Santiago Community College	15.77%	4,337.76
South OC Community College	12.57%	3,457.55
Saddleback Valley Unified	22.34%	6,144.93
Orange County Department of Education	<u>15.00%</u>	4,125.95
Total	100.00%	\$ 27,506.38

RECOMMENDATION:

Approve apportionment of Federal Forest Reserve receipts in the amount of \$27,506.38

2020-21 FOREST RESERVE ALLOCATION

Vendor ID	District	Allocation	\$ 27,506.38
V9400641	Capistrano USD	2.80%	770.18
V9403049	Orange USD	31.52%	8,670.01
V9404213	Rancho Santiago Community College	15.77%	4,337.76
V9405252	So. OC Community College	12.57%	3,457.55
V9403516	Saddleback Valley USD	22.34%	6,144.93
N/A	Orange County Dept. of Education	15.00%	4,125.95
	Total	100.00%	27,506.38

Received: 018155-8260

Distribution from: 018032-7281

ORANGE COUNTY BOARD OF EDUCATION

BOARD AGENDA II

Item: Staff Recommendations #9
June 16, 2021
☒ Mailed ☐ Distributed at meeting

DATE: June 16, 2021

TO: Nina Boyd, Associate Superintendent

FROM: Christine Olmstead, Ed.D., Associate Superintendent, Educational Services Division

SUBJECT: Acceptance of the *2021 Countywide Plans for Provision of Educational Services to Expelled Students* (Countywide Plans) for the 2021-2024 triennial cycle

BACKGROUND:

California *Education Code* (EC) Section 48926 requires county superintendents, in conjunction with superintendents of the school districts within the county, to develop a plan for providing educational services to all expelled pupils in that county. The initial plan was to be adopted by the governing board of each school district within the county and by the county board of education and submitted to the State Superintendent of Public Instruction (SSPI) in 1997. EC Section 48926 also requires that each county superintendent of schools, in conjunction with district superintendents in the county, submit a triennial update to that plan to the SSPI.

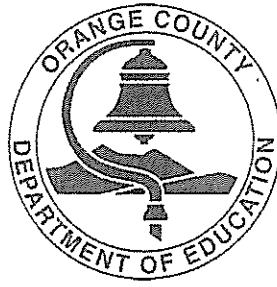
EC Section 48926 provides specifically that: The plan shall enumerate existing educational alternatives for expelled pupils, identify gaps in educational services to expelled pupils, and strategies for filling those service gaps. The plan shall also identify alternative placements for pupils who are 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, as determined by the governing board.

The enclosed plan is the final draft of the *2021 Countywide Plan for Provision of Educational Services to Expelled Students*. Upon approval of the initial plan at the February 3, 2021 Board Meeting, the plan was forwarded to the school districts of Orange County. School districts used the initial plan as a model to create their district's plan. After the districts' plans were approved by their local governing boards in the spring of 2021, all plans from Orange County school districts were forwarded to the OCDE County Board of Trustees for final approval before sending to the California Department of Education/SSPI.

RECOMMENDATION:

Accept the *2021-2024 Countywide Final Plan for Provision of Educational Services to Expelled Students*

CO:ag



2021-2024
COORDINATED PLAN FOR PROVIDING EDUCATIONAL
SERVICES TO ALL EXPELLED STUDENTS

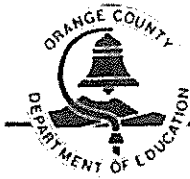
between the

Orange County Superintendent of Schools

and

the Superintendents of:

Anaheim Elementary School District
Anaheim Union High School District
Brea-Olinda Unified School District
Buena Park School District
Capistrano Unified School District
Centralia School District
Cypress School District
Fountain Valley School District
Fullerton Joint Union High School District
Fullerton School District
Garden Grove Unified School District
Huntington Beach City School District
Huntington Beach Union High School District
Irvine Unified School District
Laguna Beach Unified School District
La Habra City School District
Los Alamitos Unified School District
Lowell Joint School District
Magnolia School District
Newport-Mesa Unified School District
Ocean View School District
Orange Unified School District
Placentia-Yorba Linda Unified School District
Saddleback Valley Unified School District
Santa Ana Unified School District
Savanna School District
Tustin Unified School District
Westminster School District



PLAN FOR PROVIDING EDUCATIONAL SERVICES TO ALL EXPELLED STUDENTS IN ORANGE COUNTY 2021-2024

General Provisions

As required by Education Code section 48926, the Orange County Superintendent of Schools has developed an expulsion plan in conjunction with the Superintendents of the school districts in Orange County. The plan provides for educational services to all expelled students in the county for school years 2021-22, 2022-23 and 2023-24. The current plan has been adopted by the governing board of each school district in Orange County and the Orange County Board of Education. A student whose behavior has resulted in an expulsion is provided a rehabilitation plan which ensures placement in an educational program. All educational alternatives provided by Orange County school districts are not available to all expelled students. The type of offense, location of offense, grade level and nature of the student's individualized needs all have the potential to affect the educational alternatives available to the student during the period of expulsion. Students expelled for any of the offenses listed in subdivision (a) or (c) of Section 48915 of the California Education Code shall not be permitted to enroll in any district-operated program during the period of expulsion unless it is a county community school pursuant to subdivision (c) of Education Code Section 1981, or a juvenile court school, as described in Section 48645.1, or a community day school pursuant to Article 3, (commencing with Section 48660 of Chapter 4 of Part 27 of the Education Code.

All expelled students shall be referred to an educational placement that is 1) appropriately prepared to accommodate students who exhibit discipline problems; 2) not situated at a comprehensive middle, junior, or senior high school, or at any elementary school; and 3) not housed at the school site attended by the student at the time of the offense (E.C. section 48915). In addition to the requirements stated above, such factors as district size, district level alternatives, county level alternatives, Local Control Accountability Plans (LCAP), and district policy and philosophy can influence the decisions by a district board of education regarding what educational alternatives are appropriate for the students who are expelled.

Educational Alternatives for Expelled Students

The governing board of each school district will determine which educational alternatives are appropriate and available pursuant to Education Code section 48916.1. Educational alternatives throughout Orange County for students recommended for expulsion include, but are not limited to the following options:

1. Expulsion, *suspended order*, with placement on the same school campus [E.C. section 48917 (a)].
2. Expulsion, *suspended order*, with placement on a different school campus within the district [E.C. section 48917 (a)].
3. Expulsion with referral to a district community day school program, if available [E.C. section 48660].
4. Expulsion with subsequent transfer to another district subject to acceptance by the district of proposed enrollment [E.C. section 48915.1].
5. Expulsion with referral to the Orange County Department of Education, Division of Alternative, Community and Correctional Education Schools and Services (ACCESS) [E.C. section 1981].

A specific referral to a district community day school or county community school is made by the school district with recommendations from the district discipline review board, School Attendance Review Board (SARB), or by another established district referral process as required by statute.

The school district of residence maintains the responsibility for developing a rehabilitation plan for expelled students and referring students to an appropriate educational setting. Expelled students who complete their rehabilitation plan obligations are reviewed by the district for possible return to district of residence programs. Expelled students who fail to meet the terms and conditions of the district rehabilitation plan for readmission may continue to be referred to an appropriate educational setting within another district alternative program, district community day school program, or the Orange County Department of Education ACCESS program.

Charter School Requirements and Expulsion

Charter schools develop their own policies and procedures regarding student expulsion and student dismissal subject to the requirements of Education Code Section 47605(c)(5)(J). They are not required to follow Education Code section 48900 et seq. as the basis of their discipline or expulsion policy, although by regulation petitioners must demonstrate familiarity with these provisions. Charter schools have the option to adopt their chartering district's policy and procedures regarding expulsion.

A student who is expelled from a charter school may return to the school district of residence. As set forth in Education Code Section 47605(e)(3), if a pupil subject to compulsory full-time education pursuant to Education Code section 48200 is expelled or leaves a charter school without graduating or completing the school year for any reason, the charter school shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card, and health information. Once the school district has documentation of the expulsion order, the provisions of Education Code sections 48915.1 and 48915.2 to determine whether the pupil may enroll in a district school or must be referred to a county community school or district community day school (EC section 48915.2).

Expelled Students Who Commit Subsequent Violation(s)

The placement of expelled students who commit subsequent expellable violations will be placed in one of the following options:

- If the student commits a subsequent violation of Education Code section 48900 and following, the student may be referred to another district alternative program or to the Orange County Department of Education.
- If the expelled student commits another violation of the Education Code while enrolled in the Orange County Department of Education ACCESS program, the student will be placed at another community school site within the ACCESS Area or transferred to another ACCESS Area operated by the Orange County Department of Education, in accordance with Orange County Department of Education Policy and Procedures.

Expelled Students Who Fail District Community Day School

An expelled student who fails his/her placement in a district community day school program may be placed in one of the following options:

- Other existing district educational alternatives.
- Orange County Department of Education, ACCESS program or a program operated by the Orange County Department of Education Division of Special Education Services.
- Non-Public School (NPS) placements for students with disabilities may be considered by school districts if the IEP team determines a NPS is appropriate.

Special Education Students

Students eligible under the Individuals with Disabilities Act (IDEA) may be referred to the Orange County Department of Education pursuant to the Individualized Education Program (IEP) process

outlined in Education Code section 48915.5 and Orange County Department of Education procedures. Students eligible under Section 504 of the Rehabilitation Act of

1973 may also be referred to the Orange County Department of Education program in accordance with Section 504 procedures. School districts must take into consideration the contents of the student's IEP when making placement recommendations. Any change in placement requires the school district to convene an IEP meeting. The IEP team identifies a special education program and related services appropriate for the student. Placement options may include district, Special Education Local Plan Area (SELPA), or county-operated programs.

- If the district refers an expelled student to the Orange County Department of Education, the district shall convene an IEP meeting prior to the referral to jointly identify an appropriate special education program and related services. A representative from the Orange County Department of Education shall participate in the IEP meeting. The district or Orange County Department of Education may provide special education services in accordance with the student's IEP.
- When the IEP cannot be implemented within the Orange County Department of Education, the district of residence is responsible for providing a Free and Appropriate Public Education (FAPE) within the continuum of program options identified in its SELPA local plan.
- The Orange County Department of Education may also provide an interim alternative educational setting while a school district locates an educational placement for students eligible under the IDEA (not excluding county options). [34 C.F.R. section 300.530(g)]

Orange County Department of Education Options

Orange County Department of Education Options

The Orange County Department of Education is committed to providing a spectrum of educational options for students expelled from Orange County school districts. Educational options are provided through the Division of Alternative Education, known as Alternative, Community, and Correctional Education Schools and Services (ACCESS), a Western Association of Schools and Colleges-accredited (WASC) program, and the Division of Special Education Services. The Orange County Department of Education's mission is to ensure that all students are equipped with the competencies they need to thrive in the 21st Century. In addition, ACCESS' mission is to care for, teach, and inspire all students to discover their potential, develop their character, and maximize their learning so they may become successful contributors to society.

The policy of each individual school district affects how the Orange County Department of Education will meet the needs of that school district. Some districts use the Orange County Department of Education programs as educational options for those students expelled under Education Code section 48900. The Orange County Department of Education also works with

Orange County school districts to provide information and data in support of local control accountability plan goals and priorities, including but not limited to pupil engagement, school climate and pupil outcomes.

The Orange County Department of Education Division of Special Education Services provides special education programs and services to individuals with exceptional needs requiring intensive educational services. Referrals to the Division of Special Education Services shall be made in accordance with current procedures.

The ACCESS program provides options for expelled youth at over 45 sites contained within 7 Areas located throughout the county. Regional options may include:

- Classroom instruction serving grades 9-12, delivered daily for 240-270 minutes aligned with the State Frameworks/Standards.
- Classroom instruction serving grades 6-8, delivered daily for 240-270 minutes aligned with the State Frameworks/Standards.
- Contracted learning/independent study programs for students who elect, with parent/teacher approval, not to participate in daily classroom instructional programs. These contracted learning/independent study programs require students to complete a minimum of 20 hours per week of educational product. For students with disabilities, this would be considered and discussed at an IEP meeting.
- Parent-directed home instruction, independent study programs through the Community Home Education Program (CHEP) serving students in transitional kindergarten (TK) through grade 8 and Pacific Coast High School, a University of California (UC) approved and National Collegiate Athletic Association-accredited program serving students in grades 9-12. For students with disabilities this would be considered and discussed during an IEP meeting.

Referral Process to the Orange County Department of Education Alternative Community Correctional Education Schools and Services (ACCESS)

ACCESS Administrators regularly meet with school district representatives and agency partners to collaborate and coordinate placement of expelled students. Regional meetings of the Child Welfare and Attendance (CWA) Administrators as well as district Student Attendance Review Board (SARB) members provide a venue for district and Orange County Department of Education representatives to discuss potential placement challenges, explore regional options and address the needs of expelled students.

Referrals to the Orange County Department of Education ACCESS program may be made directly to the ACCESS Areas listed below. Referrals of students eligible under the IDEA shall be made through the IEP process and in accordance with ACCESS Special Education Procedures.

An *Individual Learning Plan* (ILP) will be developed for expelled students referred to ACCESS. Part of this plan includes a goal of assisting the student with meeting the requirements stated in the district rehabilitation plan to facilitate returning the student to the school district of residence at completion of the district expulsion. A *Supplemental Referral Form* and a *Return to District Form* were developed with the support of District Student Services Administrator's feedback to improve communication. Districts will use the *Supplemental Referral Form* to highlight unique needs of students, interventions in place, and rehabilitation plans for students. When returning to the district of residence, ACCESS will use the *Return to District Form* to communicate student progress on the district rehabilitation plan as well as share important contact information in the case that questions may arise.

ACCESS and the Orange County school districts have resolved the difficulty for students returning to their district of residence following their expulsion period about completing the required courses prior to graduation, which was a Gap in Service in the previous triennial countywide plan 2018-2021.

ACCESS and school districts have implemented online programs that provide "a-g" approved courses as well as credit recovery options and electives, including career technical education. These programs have expanded the options available to expelled and returning students seeking to satisfy the "a-g" requirements or other college-preparatory courses. ACCESS continues to provide professional development to teachers to effectively utilize their on-line program. In addition, Pacific Coast High School (Administrative Area 5) offers a full range of college-preparatory courses satisfying the "a-g" requirements. *GradPoint*, the online course option with "a-g" approved courses utilized by ACCESS, satisfies the subject requirements for admission into the University of California and California State University Systems.

ACCESS Administrative Areas

AREA	ADDRESS	CONTACT INFORMATION	STAFF CONTACT
Area 1 – South County	15872 Harbor Blvd. Fountain Valley, CA 92708	(714) 245-6535 (714) 966-1685 fax	Ken Ko KKo@ocde.us
Area 2 – Mid-County	505 N. Euclid St., Suite 500 Anaheim, CA 92801	(714) 245-6795 (714) 781-5891 fax	Chris Alfieri CAlfieri@ocde.us
Area 3 - North County	1277 S. Lyon St., Suite 501 Santa Ana, CA 92705	(714) 245-6680 (714) 731-7269 fax	Vern Burton VBurton@ocde.us
Area 4 - Juvenile Court Schools*	331 City Drive South Orange, CA 92868	(714) 935-7651 (714) 935-6339 fax	Kirk Anderson KAnderson3@ocde.us
Area 5 - Pacific Coast High School, Community Home Educational Program (CHEP), Skyview	14262 Franklin Ave. Suite 100 Tustin, CA 92780	(714) 245-6500 (714) 508-0215 fax	Machele Kilgore MKilgore@ocde.us
Area 6 – Sunburst Academy	4022 Saratoga Ave., Bldg. 25 Los Alamitos, CA 92702	(714) 796-8780 (714) 662-8770 fax	Dinah Ismail DIsmail@ocde.us
Area 7 – College and Career Preparatory Academy (CCPA)	1669 E. Wilshire Ave., Suite 605 Santa Ana, CA 92705	(714) 796-8795 (714) 547-8674	Dave Connor DConner@ocde.us

**Juvenile Court Institutions/Juvenile Court Schools Placement are made through the Juvenile Justice Department*

ACCESS Student Services

DEPARTMENT/OFFICE	ADDRESS	CONTACT INFORMATION	STAFF CONTACT
Student Support Services and Special Education	1715 E. Wilshire Ave., Suite 706 Santa Ana, CA 92705	(714) 647-2596 (714) 796-8811 fax	Lynn Garrett LynnGarrett@ocde.us
Title I	1735 E. Wilshire Ave., Suites 801 & 802 Santa Ana, CA 92705	(714) 836-0301 (714) 836-1920 fax	Lisa Lanier LLanier@ocde.us
Assessment Center	1715 E. Wilshire Ave., Suite 706 Santa Ana, CA 92705	(714) 835-2776 (714) 835-3861 fax	Jane Doney JDoney@ocde.us
Attendance and Records	1669 E. Wilshire Ave., Suite 601 Santa Ana, CA 92705	(714) 547-9972 (714) 547-2344 fax	Sharon Lakin SLakin@ocde.us
Educational Programs and Services	1669 E. Wilshire Ave., Suite 608 Santa Ana, CA 92705	(714) 647-2593 (714) 957-0736 fax	Katy Ramezani KRamezani@ocde.us
District Partnerships and Operations	1669 E. Wilshire Ave., Suite 603 Santa Ana, CA 92705	(714) 245-6404 (714) 547-2344 fax	Dennis Cole DCole@ocde.us
Foster Youth Services Coordinating Program	OCDE/FYSCP, C/O OC SSA/CFS 800 N. Eckhoff Street, Bldg. 124 Orange, CA 92868	(714) 668-7830 (714) 662-8753 fax	Raina K. Lee Rlee@ocde.us

Summary of Gaps in Education Services to Expelled Students and Strategies for Filling Those Gaps

Previously identified gaps have been examined and considerable improvement has been made through a collaborative process between the 27 Orange County School Districts and the Orange County Department of Education. The 27 School Districts in Orange County and the Orange County Department of Education have committed themselves to an ongoing process to resolve the remaining identified gaps.

Service Gap 1: Expelled Students in Grades K-5

While there are several California Education Code sections that prohibit the expulsion of students in lower grades for various offenses, a student in grade K-3 can be expelled for commission of any of the other offenses. Specifically, Education Code section 48900(k) prohibits the expulsion of any student for disruption/defiance and Education Code 48900.2 prohibits the expulsion of a student in K-3 for sexual harassment. Education Code 48900.3 (hate violence) and 48900.4 (harassment, threats, or intimidation) pertain only to students in grades 4-12.

As identified mainly by elementary school and smaller districts, students in grades K-5 who are expelled do not have as many educational options available as do expelled youth in grades 6-12. In some instances, it has been difficult to place elementary school students who are expelled, especially at the K-4 level. The number of community day schools at the elementary school grade level is limited.

Progress from 2018

A common practice for students expelled in grades K-5 is for the school district to suspend the expulsion order and refer the student to another school within the district. School districts also may collaborate with each other to facilitate enrollment of an expelled elementary school student into a school in a different school district, when appropriate. School districts continue to have the option of referring expelled students to Skyview Elementary and Middle School, an Orange County Department of Education ACCESS program serving grades K-8. Skyview is a community elementary/middle school program designed to meet the needs of all at-risk children and offers community support programs for both the students and their families.

Ongoing Strategies for Addressing This Gap

Students in grades K-5 who are expelled, may be served through the following school district or Orange County Department of Education alternative education programs:

- Transfers within the home district which may include district community day school.
- Skyview Elementary and Middle School, located in the city of Orange, is operated by the OCDE ACCESS program, and serves students in grades K-8.
- Students in grade 5, on a case-by-case basis, may be referred to other ACCESS school sites depending upon class composition at the time of referral.

The Orange County Department of Education continues to review the ongoing need for an elementary level regionalized community school program to serve elementary-aged students who may be expelled from their school district. Over the past five years, the number of expulsions for Orange County students in grades K-6, as reported to *DataQuest*, are as follows:

Year	K-3	4-6
2014-15	0	7
2015-16	0	7
2016-17	0	10
2017-18	0	9
2018-19	0	9

Orange County school districts continue to support one another and offer alternative placement options whenever possible, taking students who were expelled for non-mandatory expellable offenses especially in larger districts with community day school options or special classrooms on their sites. School districts are also expanding interventions through a Multi-Tiered System of Support framework with evidence-based programs such as Positive Behavior Intervention and Supports, Restorative Practice, Mindfulness Practice, Trauma-Informed Care Perspective and Resources, and Social and Emotional Learning resulting in reduction of expulsions at the elementary grade level. In addition, the tiered interventions, and strategies of the Student Attendance Review Team (SART) and Student Attendance Review Board (SARB) processes are being implemented as preventative/early warning measures to reduce the number of suspensions and expulsion through a strength-based approach focusing on students' behavior (academic, attendance, social-emotional) challenges and family support.

Challenges to Addressing This Gap

- The location of the Skyview Elementary and Middle School site in proximity to the district of residence may pose a challenge to student attendance.
- To attend Skyview or other schools in neighboring school districts, students may require transportation. However, neither the districts nor ACCESS provide transportation which is a challenge for some students to attend schools outside of the boundaries of the district of residence.
- The low number of elementary students in grades K-5 who need alternative placements due to expulsions continue to make it impractical and cost-inhibitive to sustain operation of multiple school sites and programs throughout the county.

Service Gap 2: Limited Special Education Placements in ACCESS

The Orange County Department of Education is committed to expanded program options for students with exceptional needs that have been expelled from school district programs. As identified through communications with SELPA and District-Special Education Directors, programs for emotionally disturbed and dual diagnosis (Emotionally Disturbed and Developmentally Delayed) students have been developed in some school districts as well as the OCDE Special Schools program. In addition, ACCESS continues to evaluate its Special Education services to provide a continuum of placement options. When a student's unique needs cannot be accommodated through existing OCDE program alternatives, the district of residence will continue to facilitate placement to meet the unique needs of individual students through district and non-public agency/non-public school (NPS) placements.

Progress from 2018

Orange County School Districts have continued to expand efforts to provide services to students within their attendance area reducing the need for referrals to ACCESS and the OCDE Special Schools program. The Orange County School Districts and OCDE will provide ongoing monitoring of the need for additional Special Education services for expelled students. The ACCESS program is prepared to respond to increased demands as conditions warrant in the future.

Programs for Students with intensive Mental Health needs:

- ACCESS has been able to expand the number of licensed mental health clinicians over the past several years. This has allowed for increased support during the school day while students are on campus. Continued expansion of programs for students with intensive mental health and behavioral needs is contingent upon the location of school sites that can accommodate such programs and sufficient enrollment to maintain such programs. Additional training in various behavior management strategies for both general education and special education teachers can support the increased needs of students being enrolled with mental health and behavioral needs.

Programs to Expand Continued Services for Special Education Students:

- Expanding program options for special education students continue to be evaluated through OCDE, Orange County SELPA Directors and Orange County School Districts.

ACCESS will continue to utilize its Director of Student Services as well as Special Education Administrative Liaisons/Coordinators to facilitate participation in district IEP team meetings when a referral for an expelled student is made to ACCESS. In addition, ACCESS has continued to increase its special education staff including a focus to address the increased mental health needs for students with disabilities. ACCESS can provide intensive counseling services by licensed mental health professionals who have been trained in Trauma Informed Care and Restorative Practice. Small group therapy programs have also been developed to address issues that impact social functioning within the classroom and community, such as social skills, anger management and various coping skill strategies.

All ACCESS mental health clinicians will continue to receive training in the most current research-based training in various therapeutic therapies to address the changing needs of our students.

Ongoing Strategies for Addressing This Gap

School districts continue to create, expand, and have success with community day school programs for expelled students with special needs as an option to county operated and non-public school placements. ACCESS provides an inclusive educational setting with students mainstreamed into general educational programs. Placement at non-public schools (NPS) continues to be an option for school districts as well. In addition, districts are utilizing various flexible scheduling opportunities along with alternative education options to meet IEP goals, provide related services, and fulfill the requirements of the rehabilitation plan.

Challenges to Addressing This Gap

- Establishing a regionalized program in an alternative school setting that can be operated and maintained based on an unpredictable number of student referrals as well as transportation barriers pose ongoing challenges. These challenges impact the sustainability of regionalized special education programs operated by OCDE. Although some school districts have expressed a need for a self-contained special day class (SDC) for students with emotional and/or behavior disorders, this has not been sustainable for OCDE due to the minimal number of students being referred. Challenges to addressing Service Gap #1 may also have been a contributing factor to the limited number of referrals for establishing such a program.

- One area of continued concern expressed by some school districts is the ability of the ACCESS program to provide a Free Appropriate Public Education (FAPE) given its inclusive practices and independent study model. Based on the smaller class sizes in ACCESS and the individualized instructional model through contracted learning, the

structure of the school day differs from a traditional school schedule and often requires modification of the IEP.

- Another area of concern has been the combined programming of middle school and high school programs. There is a desire to provide separate classes/programs for middle school students to better address their unique developmental and social-emotional needs, however the low numbers of referrals/enrollment of middle school students make it difficult to maintain separate programs.

Service Gap 3: Rehabilitation Failures

Based on the most recent survey of Orange County School Districts, concerns about students failing to satisfy school district rehabilitation plans during the expulsion period were expressed in combination with general concerns about student transition as they reenter the district. On occasion, students do not meet the provisions of the expulsion rehabilitation plan and fall behind in their academic studies. In these cases, such students are at high risk of not completing their necessary credits and are at a higher risk of dropping out of school.

Progress from 2018

Over the past three years, OCDE has continued discussions with the Orange County School Districts to identify systematic approaches to facilitate the regular transfer of the rehabilitation plan upon referral of an expelled student, as well as identify community resources available to support students in meeting their district rehabilitation plan requirements.

Regional Administrative Areas help to promote communication between the districts and the county community schools, and ACCESS directors, coordinators, principals, and assistant principals attend county Student Services meetings to facilitate ongoing communication. In addition, the ACCESS Student Attendance Review Board (SARB) process has been coordinated more efficiently and ACCESS utilizes one of its staff members in truancy court to make sure students attend school and are connected to community resources.

Ongoing Strategies for Addressing This Gap

Districts will be asked to provide ACCESS a copy of the rehabilitation plan when referring an expelled student. ACCESS staff will review the rehabilitation plan with the student and, as appropriate, the student's parents, and will assist the student in completing his/her plan requirements. Orange County School Districts and ACCESS have implemented the use of a supplemental referral form when students are referred to an ACCESS program. This form includes specific information about a student's needs as well as progress and action items needed to complete the rehabilitation plan requirements. School staff will continue to monitor student achievement toward rehabilitation plan requirements throughout the term of expulsion while

educational services are provided by ACCESS or private agencies. For students struggling to meet rehabilitation plan requirements, the student consultation team process may be considered to provide additional support. Continued, two-way communication and collaboration with school district personnel will continue to be a priority. Enhanced communication promotes student success and early intervention when students are not meeting the terms of the rehabilitation plan. In addition, communication is vital between the districts and ACCESS regarding the status of students who are returning to the district. When returning to the district, ACCESS staff will continue to use the Student Transition form to communicate information on student's completion of the rehabilitation plan.

Districts have expanded their programs and services to support expelled students by hiring additional staff and assigning specific duties to staff to monitor the completion of the student's rehabilitation plan and to communicate/collaborate with ACCESS and other programs. In addition, to meet the academic needs of the students and to ensure that they acquire the necessary credits to meet the graduation requirements, districts have expanded their instructional programs to include enhanced Summer School and after-school programs, district online instruction, and tutoring support for expelled students. Furthermore, upon re-entry to the district, students will continue to be closely monitored and supported by school staff through the creation of a behavior contract, needs assessment survey, and the opportunity for alternative placement at a different school site within the district.

OCDE will continue to explore with districts how to utilize and expand existing collaborations to ensure student success with completion of the rehabilitation plan. This includes the use of community non-profits and private programs to assist in carrying out individual student rehabilitation plans.

Challenges to Addressing This Gap

- A challenge continues to be communication between the districts and ACCESS in ensuring that the district's rehabilitation plan is completed by the student. In some cases, districts do not directly share the student's rehabilitation plan with ACCESS in a timely manner or at all, thus leaving this task to parents and students.
- There continues to be a need to identify additional intervention services for students to meet the specific requirements of their rehabilitation plans especially when involving mental health services.

Service Gap 4: Mental Health Services

Orange County School Districts are seeing an increased need for mental health services and a shortage of affordable and accessible options for students.

Progress from 2018

The Orange County Department of Education will continue to work to promote school and community partnerships and professional development to address the mental health needs of students. The development of Local Control Accountability Plans gives greater attention to the mental health needs of students and the county office will assist districts as they strive to find ways to address the social emotional needs of their students and support the “whole child.” This is one of OCDE’s strategic initiatives articulated in its 2016 -2019 Strategic Plan. OCDE, which heads the California SUMS (Scale Up Multi-Tiered System of Support) initiative, continues to provide technical assistance to many Orange County School Districts in the areas of Academic, Behavioral, and Social and Emotional support. OCDE continues to share-out local resources through network meetings and listservs. The ACCESS program will continue to work with districts to identify and assist expelled students who have mental health needs and whose family needs resources to care for the whole child. To this end, ACCESS has several mental health clinicians. ACCESS will continue to provide more intensive counseling services by licensed mental health professionals who have been trained in **Trauma Informed Care** and Restorative Practice. In addition, ACCESS mental health clinicians are trained in **Trauma Focused Therapy**. The Orange County SELPAs, school districts and OCDE continue to assess any gaps resulting from changes in the funding structures to ensure the availability of appropriate mental health services for both general education and special education students expelled from school.

Ongoing Strategies for Addressing this Gap

OCDE was awarded the **Mental Health Student Services Act (MHSSA) Grant** in partnership with OCHCA through August 31, 2024, with the purpose to strengthen mental health partnerships between county mental health or behavioral health departments, community-based organizations, and Orange County school districts to increase access to mental health services and remove barriers to better serve our students and families in their mental health needs. Expected outcomes related specifically to serving and supporting expelled students are as follow:

- Improve timely access to accessing services.
- Reduce barriers to needed services.
- Increase linkages to mental health services for districts.
- Increase training on mental health topics to educators, administrators, parents/families, and students.
- Improve awareness and understanding of mental health topics and knowledge of how to navigate services.
- Reduce negative student outcomes (e.g., chronic sadness, thoughts of suicide, suicide rates, chronic absenteeism, school failure, etc.).

To accomplish these goals as a Community of Practice, the grant provides funding for seven (7) Regional Mental Health Coordinators (RMHC).

To decrease the student to mental health staff ratio and increase students' access to services, districts have continued to hire more counselors, therapists, psychologists, social workers, clinicians/specialists, administrators/coordinators and increase the number of partnerships with community agencies to expand student access to mental health services, crisis response services, and special education services. Some districts have shifted the duties and responsibilities of existing staff to include mental health support services and community coordination/partnerships for mental health services for students. Districts have placed particular focus on at-risk students, low socio-economic students, Homeless and Foster Youth, LGBTQIA students, and students with irregular school attendance.

Furthermore, districts have participated in Trauma-Informed Care and Education, Trauma Focused Therapy, Social-Emotional Learning (SEL) competencies and Diversity, Equity, and Inclusion (DEI) trainings provided by OCDE in addition to contracting with community agencies to provide similar training to counselors and teacher/staff training within the district. OCDE and Orange County school districts will continue to collaborate about the districts' needs for additional student mental health training and technical assistance with implementing behavior supports and strategies. To implement Positive Behavior Intervention and Supports (PBIS) strategies schoolwide, some districts have established School Climate Lead Teachers and Teams at each school site to enhance the collaboration and coordination of the multi-tiered framework of support.

Challenges to Addressing This Gap

- The distribution of community mental health resources and services, specifically mentorship services, are not equitably dispersed or available throughout all the communities within the Orange County school districts.

<p style="text-align: center;">COUNTYWIDE BEHAVIOR INTERVENTIONS AND BEST PRACTICES TO PREVENT SUSPENSIONS AND EXPULSIONS</p>
--

Orange County schools seek to minimize the number of expulsions by establishing prevention and early intervention practices. School districts pursue a variety of strategies to educate students and establish a safe and caring climate to prevent student misconduct. When warranted, disciplinary measures are implemented consistent with district policies and procedures to ensure fair and consistent disciplinary measures. These efforts will continue to prevent any disproportionate representation of minority students recommended for expulsion.

Expulsions occur when student and campus safety is threatened or when other means of correction have not been successful. Districts engage in several preventive and proactive strategies including but not limited to the following:

- Adult Mentoring of Students
- After School Programs
- After-school programs that address specific behavioral issues or expose pupils to positive activities and behaviors, including, but not limited to, those operated in collaboration with local parent and community groups.
- Alternate Suspension Classrooms (ATS)
- Annual Notice of Parent Rights and Responsibilities
- Anti-bullying Programs
- Any of the alternatives described in Section 48900.6 related to community service
- Athletic Drug Testing
- Automated Telephone Notifications
- Behavior Skills Group
- Brief Intervention Counseling (Substance Abuse Counseling)
- Canine Solutions for Contraband Canine School visits
- Character Counts
- Check-in, Check-out
- Classroom Management training for administrators and teachers
- Clifton Strengths Finder
- Come Walk In My Shoes (abilities awareness)
- Community Partnership
- Conferences between school personnel, the pupil's parent or guardian, and the pupil.
- Conflict Mediators/Conflict Resolution Services
- Coordinated Approach to Children's Health (CATCH)
- Crisis Response Network (CRN)
- Enrollment in programs for teaching prosocial behavior or anger management
- Every 15 Minute Program
- Friday Night Live
- Gang Resistance Intervention Partnership (GRIP)
- Grad Night Activities

- Homework Clubs
- In-school Suspensions
- Juvenile Alcohol and Drug Education (JADE), PRYDE Program, Outreach Concern, Straight Talk, Western Youth Services and Other Community Counseling Partnerships
- Kindness Assemblies
- Link Crew
- Mindfulness practice/implementation of Mindful Mondays
- Multi-Tiered System of Support Framework (MTSS Continuum of Support)
- Online Classes and Credit Recovery Opportunities
- Other Means of Correction (OMC) and early intervention training for administrators and teachers
- Parent Meetings and Information Nights
- Peace Week (Anti-bullying week)
- Peer Assistance League (PAL)
- Peer Court
- Police Cadet Programs
- Positive Behavior Intervention and Supports
- Random Acts of Kindness
- Red Ribbon Week
- Referrals for comprehensive psychosocial or psychoeducational assessment, including for purposes of creating an individualized education program, or a plan adopted pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794(a)).
- Referrals to the school counselor, psychologist, social worker, child welfare attendance personnel, or other school support service personnel for case management and counseling.
- Restorative Practices
- Safety Task Force
- Saturday School
- School-based Trauma-Informed Care Perspective and Resources training for school personnel
- School Attendance Review Board (SARB)

- School Attendance Review Team (SART)
- School counseling website with online counseling for self- and peer-referral services
- School Signs and Notices
- Social Emotional Learning (SEL) Curriculum vetted CASEL such as Second Step and Sanford Harmony
- Stanford Tobacco Prevention Toolkit
- Student Behavior Contracts
- Student Clubs and Organizations
- Student Safety Plans
- Study teams, guidance teams, resource panel teams, or other intervention-related teams that assess the behavior, and develop and implement individualized plans to address the behavior in partnership with the pupil and his or her parents
- Successful Mind for School, Work, and Life
- Text-A-Tip
- Thrively (as an interests/strengths assessment and career explorer curriculum)
- TUPE/DATE activities
- Tutoring
- Universal Design for Learning
- Violence Prevention Curricula
- Violence Prevention Education Services
- WEB (Where Everybody Belongs)

Additional proactive and preventative strategies to address student disciplinary incidences considering Distance and Hybrid Learning:

- Care and Support Hotlines to share need-based district and community resources
- Distance Learning for credit recovery for students to meet the academic objectives of the Rehabilitation Plan
- District virtual calming rooms with multifaceted approaches to reduce stress, improve mood, and assist with academic functioning by addressing social emotional barriers
- Online Needs Surveys for staff, students, and families

- Teletherapy or phone sessions for social-emotional support and stress reduction for students
- Virtual small group counseling sessions for students

JB

ORANGE COUNTY BOARD OF EDUCATION

BOARD AGENDA ITEM

DATE: June 16, 2021
TO: Nina Boyd, Associate Superintendent
FROM: Jeff Hittenberger, Ph.D., Chief Academic Officer
SUBJECT: Local Control and Accountability Plan and Local Control Indicators Report

BACKGROUND:

Orange County Department of Education (OCDE) Local Control and Accountability Plan (LCAP) for 2021-2024 was presented to the Board on June 2, 2021. As required by law the LCAP included student, parent and community partner input and was posted to the Orange County Department of Education website for public review. 20/21 Dashboard / LCAP Local Control Indicators Report for OCDE ACCESS and Special Education Division is included for Board approval.

RECOMMENDATION:

The Board is requested to adopt OCDE LCAP for 2021-2024 and the Local Control Indicators Report for 20/21 OCDE ACCESS and Special Education Divisions.

ORANGE COUNTY BOARD OF EDUCATION

BOARD AGENDA ITEM

DATE: June 16, 2021

TO: Nina Boyd, Associate Superintendent

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

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

The State Board of Education (SBE) approved standards for the local indicators that support a local educational agency (LEA) in measuring and reporting progress within the appropriate priority area. The approved performance standards require a LEA to:

- Annually measure its progress in meeting the requirements of the specific LCFF priority.
- Report the results as part of a non-consent item at a regularly scheduled public meeting of the local governing board/body in conjunction with the adoption of the LCAP.
- Report results to the public through the Dashboard utilizing the SBE-adopted self-reflection tools for each local indicator.

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."

Local Performance Indicator Self-Reflection

Local Educational Agency (LEA)	Contact Name and Title	Email and Phone
College and Career Preparatory Academy	Dave Connor, Principal	DConnor@ocde.us ; (714) 796-8795

Introduction

The State Board of Education (SBE) approved standards for the local indicators that support a local educational agency (LEA) in measuring and reporting progress within the appropriate priority area. The approved performance standards require a LEA to:

- Annually measure its progress in meeting the requirements of the specific LCFF priority.
- Report the results as part of a non-consent item at a regularly scheduled public meeting of the local governing board/body in conjunction with the adoption of the LCAP.
- Report results to the public through the Dashboard utilizing the SBE-adopted self-reflection tools for each local indicator.

Below are the approved standards and self-reflection tools that an LEA will use to report its progress on the local indicators.

Performance Standards

The performance standards for the local performance indicators are:

Appropriately Assigned Teachers, Access to Curriculum-Aligned Instructional Materials, and Safe, Clean and Functional School Facilities (LCFF Priority 1)

The LEA 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; the LEA then reports the results to its local governing board at a regularly scheduled meeting and to reports to stakeholders and the public through the Dashboard.

Implementation of State Academic Standards (LCFF Priority 2)

The LEA annually measures its progress implementing state academic standards; the LEA then reports the results to its local governing board at a regularly scheduled meeting and reports to stakeholders and the public through the Dashboard.

Parent and Family Engagement (LCFF Priority 3)

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

School Climate (LCFF Priority 6)

The LEA 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 LEA 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 Dashboard.

Access to a Broad Course of Study (LCFF Priority 7)

The LEA annually measures its 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 (EC) 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; the LEA then reports the results to its local governing board at a regularly scheduled meeting and reports to stakeholders and the public through the Dashboard.

Coordination of Services for Expelled Students-County Office of Education (COE) Only (LCFF Priority 9)

The county office of education (COE) annually measures its progress in coordinating instruction as required by California EC Section 48926; the COE then reports the results to its local governing board at a regularly scheduled meeting and reports to stakeholders and the public through the Dashboard.

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

The COE annually measures its progress in coordinating services for foster youth; the COE then reports the results to its local governing board at a regularly scheduled meeting and reports to stakeholders and the public through the Dashboard.

Self-Reflection Tools

An LEA uses the self-reflection tools included within the Dashboard to report its progress on the local performance indicator to stakeholders and the public.

The self-reflection tools are embedded in the web-based Dashboard system and are also available in Word document format. In addition to using the self-reflection tools to report its progress on the local performance indicators to stakeholders and the public, an LEA may use the self-reflection tools as a resource when reporting results to its local governing board. The approved self-reflection tools are provided below.

Appropriately Assigned Teachers, Access to Curriculum-Aligned Instructional Materials, and Safe, Clean and Functional School Facilities (LCFF Priority 1)

Met/Not Met: Met

LEAs will provide the information below:

- Number/percentage of misassignments of teachers of ELs, total teacher misassignments, and vacant teacher positions
- Number/percentage of students without access to their own copies of standards-aligned instructional materials for use at school and at home
- Number of identified instances where facilities do not meet the "good repair" standard (including deficiencies and extreme deficiencies)

Teachers	Number	Percent
Misassignments of Teachers of English Learners	0	0%
Total Teacher Misassignments	0	0%
Vacant Teacher Positions	0	0%

Access to Instructional Materials	Number	Percent
Students Without Access to Own Copies of Standards-Aligned Instructional Materials for Use at School and at Home	0	0%

Facility Conditions	Number
Identified Instances Where Facilities Do Not Meet The "Good Repair" Standard (Including Deficiencies and Extreme Deficiencies)	0%

Implementation of State Academic Standards (LCFF Priority 2)

Met/Not Met: Met

LEAs may provide a narrative summary of their progress in the implementation of state academic standards based on locally selected measures or tools (Option 1). Alternatively, LEAs may complete the optional reflection tool (Option 2).

OPTION 1: Narrative Summary (Limited to 3,000 characters)

In the narrative box provided on the Dashboard, identify the locally selected measures or tools that the LEA is using to track its progress in implementing the state academic standards adopted by the state board and briefly describe why the LEA chose the selected measures or tools.

Additionally, summarize the LEA's progress in implementing the academic standards adopted by the SBE, based on the locally selected measures or tools. The adopted academic standards are:

- English Language Arts (ELA)-Common Core State Standards for ELA
- English Language Development (ELD) (Aligned to Common Core State Standards for ELA)
- Mathematics-Common Core State Standards for Mathematics
- Next Generation Science Standards
- History-Social Science
- Career Technical Education
- Health Education Content Standards
- Physical Education Model Content Standards
- Visual and Performing Arts
- World Language

OPTION 2: Reflection Tool

Recently Adopted Academic Standards and/or Curriculum Frameworks

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

Academic Standards	1	2	3	4	5
ELA – Common Core State Standards for ELA					5
ELD (Aligned to ELA Standards)					5
Mathematics – Common Core State Standards for Mathematics				4	
Next Generation Science Standards			3		
History-Social Science					5

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

Academic Standards	1	2	3	4	5
ELA – Common Core State Standards for ELA					5
ELD (Aligned to ELA Standards)				4	
Mathematics – Common Core State Standards for Mathematics				4	
Next Generation Science Standards			3		
History-Social Science					5

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

Academic Standards	1	2	3	4	5
ELA – Common Core State Standards for ELA					5
ELD (Aligned to ELA Standards)				4	
Mathematics – Common Core State Standards for Mathematics				4	
Next Generation Science Standards			3		
History-Social Science					5

Recently Adopted Academic Standards and/or Curriculum Frameworks

4. Rate the LEA's progress implementing each of the following academic standards adopted by the state board 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

Academic Standards	1	2	3	4	5
Career Technical Education			3		
Health Education Content Standards			3		
Physical Education Model Content Standards				4	
Visual and Performing Arts			3		
World Language			3		

Support for Teachers and Administrators

5. Rate the LEA's success at engaging in the following activities with teachers and school administrators during the prior school year (including the summer preceding the prior school year).

Rating Scale (lowest to highest) -

- 1 - Exploration and Research Phase
- 2 - Beginning Development
- 3 - Initial Implementation
- 4 - Full Implementation
- 5 - Full Implementation and Sustainability

Academic Standards	1	2	3	4	5
Identifying the professional learning needs of groups of teachers or staff as a whole				4	
Identifying the professional learning needs of individual teachers				4	
Providing support for teachers on the standards they have not yet mastered			3		

Optional Narrative (Limited to 1,500 characters)

6. Provide any additional information in the text box provided in the Dashboard that the LEA believes is relevant to understanding its progress implementing the academic standards adopted by the state board.

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

Parent and Family Engagement (LCFF Priority 3)

Met/Not Met: Met

This self-reflection tool is organized into three sections. Each section includes promising practices in family engagement:

1. Building Relationships between School Staff and Families
2. Building Partnerships for Student Outcomes
3. Seeking Input for Decision-making

LEAs use this self-reflection tool to reflect on its progress, successes, needs and areas of growth in family engagement policies, programs, and practices. This tool will enable an LEA to engage in continuous improvement and determine next steps to make improvements in the areas identified.

The results of the process should be used to inform the LCAP and the development process, to assess prior year goals, actions and services as well as to plan or modify future goals, actions, and services in the LCAP.

For each statement in the table below -

1. Identify the diverse stakeholders that need to participate in the self-reflection process in order to ensure input from all groups of families, staff and students in the LEA, including families of unduplicated students and families of individuals with exceptional needs as well as families of underrepresented students.
2. Engage stakeholders in determining what data and information will be considered to complete the self-reflection tool. LEAs should consider how the practices apply to families of all student groups, including families of unduplicated students and families of individuals with exceptional needs as well as families of underrepresented students.
3. Based on the analysis of data, identify the number which best indicates the LEA's current stage of implementation for each practice using the following 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. Write a brief response to the prompts following each of the three sections.
5. Use the information from the self-reflection process to inform the LCAP and the LCAP development process, as well as the development of other school and district plans.

Building Relationships

Rating Scale (lowest to highest) -

- 1 - Exploration and Research Phase
- 2 - Beginning Development
- 3 - Initial Implementation
- 4 - Full Implementation
- 5 - Full Implementation and Sustainability

Building Relationships	1	2	3	4	5
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.				4	
2. Rate the LEA's progress in creating welcoming environments for all families in the community.				4	
3. Rate the LEA's progress in supporting staff to learn about each family's strengths, cultures, languages, and goals for their children.				4	
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.				4	

Dashboard Narrative Box (Limited to 3,000 characters)

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 School Advisory Committee 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.

While the pandemic created challenges for students to complete their work, as surveyed, 65% did not feel connected to school and 42% felt that other priorities were preventing them from completing schoolwork. CCPA has identified these needs and is in the process of hiring a Community Resource Specialist to improve the commitment of students and supporting the academic and social-emotional needs of all students.

Building Partnerships for 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

Building Partnerships	1	2	3	4	5
1. 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.			3		
2. Rate the LEA's progress in providing families with information and resources to support student learning and development in the home.			3		
3. 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.				4	
4. Rate the LEA's progress in supporting families to understand and exercise their legal rights and advocate for their own students and all students.				4	

Dashboard Narrative Box (Limited to 3,000 characters)

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.

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 also 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.

Additionally, to improve engagement for these underrepresented students, an elective class/workshop was made available. Every teacher was given the opportunity to have students participate in this four-part workshop series called Project GRIT (Generating Resilience to Inspire Transformation) Rethinking Youth from "AT-RISK" to "AT-PROMISE" Scholar System led by Dr. Victor Rios. This workshop provided students information on mentally preparing them for next steps in their life including courses on Career Inventory, From Failing to Plan to Planning to Succeed, From Dreamer to Achiever: One Step at a Time, and Mind, Body, and Soul.

Seeking Input for 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

Seeking Input	1	2	3	4	5
1. 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.				4	
2. Rate the LEA's progress in building the capacity of and supporting family members to effectively engage in advisory groups and decision-making.				4	
3. 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.				4	
4. 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.				4	

Dashboard Narrative Box (Limited to 3,000 characters)

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, School Advisory Committee meetings 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, meetings are live-streamed and call-ins are available, interpretation is provided, transportation is available, and children's activities are offered. CCPA will continue to strive to improve by using the LCAP stakeholder surveys to identify the needs of the students to increase participation at these events.

The School Advisory Committee exists to assist, advise and provide school administration with the broad base of input to improve school and student performance and to help design, develop, and implement workforce partnerships. Representatives from a variety of stakeholders are invited to serve on the committee to provide input and guidance. These stakeholders may include Orange County business leaders, workforce development partners, CCPA classified and certificated staff, students, parents, and other community partners.

School Climate (LCFF Priority 6)

Met/Not Met: Met

LEAs will provide a narrative summary of the local administration and analysis of a local climate survey that captures a valid measure of student perceptions of school safety and connectedness in at least one grade within the grade span (e.g., K–5, 6–8, 9–12) in a text box provided in the California School Dashboard (response limited to 3,000 characters). LEAs will have an opportunity to include differences among student groups, and for surveys that provide an overall score, such as the California Healthy Kids Survey, report the overall score for all students and student groups. This summary may also include an analysis of a subset of specific items on a local survey and additional data collection tools that are particularly relevant to school conditions and climate.

1. **DATA:** Reflect on the key learnings from the survey results and share what the LEA learned.
2. **MEANING:** What do the disaggregated results (if applicable) of the survey and other data collection methods reveal about schools in the LEA, such as areas of strength or growth, challenges, and barriers?
3. **USE:** What revisions, decisions, or actions has, or will, the LEA implement in response to the results for continuous improvement purposes? Why? If you have already implemented actions, did you see the results you were seeking?

As the College and Career Preparatory Academy services students ages 16-25, and 95% of the students are 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:

- Eighty-eight percent of CCPA students surveyed felt the school was preparing them for college and/or career pathways.
- Ninety-five percent of CCPA students surveyed felt that their school provides them with textbooks and learning materials to meet their needs.
- Ninety-three percent of CCPA students surveyed felt that the school staff works with them to help them do their best.
- Ninety-one percent of CCPA students feel that at least one adult at CCPA cares about them.

Access to a Broad Course of Study (LCFF Priority 7)

Met/Not Met: Met

LEAs provide a narrative summary of the extent to which all students have access to and are enrolled in a broad course of study by addressing, at a minimum, the following four prompts:

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. (response limited to 1,500 characters)
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, and may describe progress over time in the extent to which all students have access to, and are enrolled in, a broad course of study. (response limited to 1,500 characters)
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. (response limited to 1,500 characters)
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? (response limited to 1,500 characters)

1. 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, 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. All students have access to the core curriculum and electives that are required for high school graduation. Students also have the ability to concurrently enroll at local community colleges, exploring 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 online courses to support their career interests based upon a career inventory assessment result. Additionally, students can participate in workshops, apprenticeships and internships offered by the federally funded workforce providers.
3. 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. Technology and access to textbooks was identified as a barrier for students during the COVID pandemic that could have prevented students from accessing their course work, but students also identified in surveys that they were not feeling connected to school.

4. CCPA has continued to collaborate with workforce development partners such as 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. The Orange County Youth Center is another partner we continue to work with for students located through all other parts of Orange County. CCPA will continue to seek out additional partnerships with workforce development partners in Anaheim and Santa Ana to give additional options for students, CCPA works very closely with all the federally funded workforce partners to ensure student success. Additionally, CCPA has given all students who enroll a Chromebook to ensure they have access to all courses and books online and if needed, a hotspot to use for internet connectivity. Along with these resources, school supplies and PPE were given to each student, ensuring all students had access to a broad course of study.

MB

ORANGE COUNTY BOARD OF EDUCATION

BOARD AGENDA ITEM

DATE: June 16, 2021
TO: Nina Boyd, Associate Superintendent
FROM: Jeff Hittenberger, Chief Academic Officer
SUBJECT: College and Career Preparatory Academy Local Control Accountability Plan

BACKGROUND:

College and Career Preparatory Academy Local Control and Accountability Plan (LCAP) for 2021-2024 was presented to the Board on June 2, 2021. As required by the law, the LCAP includes student, parent, and community partner input and was posted to the Orange County Department of Education website for public review.

RECOMMENDATION:

The Board is requested to adopt College and Career Preparatory Academy LCAP for 2021-2024.

JB

ORANGE COUNTY BOARD OF EDUCATION

BOARD AGENDA ITEM

DATE: June 16, 2021
TO: Nina Boyd, Associate Superintendent
FROM: Jeffrey J. Riel, General Counsel
SUBJECT: Board Policy 400-14

RECOMMENDATION:

Education Code section 215 requires that all school districts and county offices of education serving pupils in any grades kindergarten through 12 adopt policies on suicide prevention. Since the last adoption, there have been legislative changes that require an update to Board Policy 400-14. The changes include, but are not limited to, updates required by the addition of Education Code section 215.5 (suicide prevention hotline on student ID cards) and amendments to Education Code section 234.6 (information accessible on internet website). In addition, the Policy was modified to specifically include Special Education Services Division.

RECOMMENDATION:

Review and/or approve the recommended changes to Board Policy 400-14.

REVISED DRAFT

400-14

Suicide Prevention for Special Education, Alternative, Community and Correctional Education Schools and Services

The Orange County Department of Education (OCDE) recognizes that suicide is a leading cause of death among youth and an even greater amount of youth think about (18.8% of high school students) and attempt suicide (over 8% of high school students), thus requiring vigilant attention from school staff. As a result, OCDE is ethically and legally responsible for responding appropriately and timely in preventing suicidal ideation, attempts, and deaths, as well as to respond to the aftermath of a suicide death. The Orange County Department of Education shall work to create safe and nurturing campuses that minimize suicidal ideation in students.

In an attempt to reduce suicidal behavior and its impact on students and families, the Superintendent shall implement strategies for suicide prevention, intervention, and postvention, and the identification of the mental health challenges that are frequently associated with suicidal thinking and behavior. These strategies shall include ongoing professional development for all school personnel in all job categories who regularly interact with students and are in a position to recognize the risk factors and warning signs of suicide.

The purpose of this policy is to protect the health and well-being of all Orange County Department of Education students by having procedures in place to prevent, assess the risk of, intervene in, and respond to suicide.

OCDE:

- a) Recognizes that physical, behavioral, and emotional health is an integral component of a student's educational outcome.
- b) Further recognizes that suicide is a leading cause of death among young people.
- c) Acknowledges the school's role in providing an environment which helps to foster positive youth development.

Toward this end, this policy is meant to be paired with other policies supporting the emotional and behavioral health of students more broadly. Suicide prevention strategies may include, but are not limited to, efforts to promote a positive school climate that enhances students' feelings of connectedness with the school and is characterized by caring staff, positive relationships, and interactions among students.

The Superintendent or designee shall coordinate a Suicide Prevention Work Group to review and update prevention, intervention, postvention, and bereavement supports. The Suicide Prevention Work Group shall include representatives from ACCESS Community schools, Special Education, School Counseling, Health Services, Title I, Mental Health Clinicians, as well as school administrators, teachers, community partners, and parents. Further, each school area or unit shall identify at least one staff member, preferably an assistant principal, manager, or lead mental health professional, to serve as liaison to the Suicide Prevention Work Group and coordinate suicide prevention activities, resources, and protocols for their specific school site.

The Suicide Prevention Work Group may also serve as an advisory group for mental health services, crisis response planning, threat management, and other areas supporting the social-emotional needs and well-being of students. The Suicide Prevention Work Group shall meet, at minimum, bi-annually to review this policy and related procedures.

The Superintendent or designee, with input from the Suicide Prevention Work Group, shall implement procedures for prevention strategies and intervention guide lines that include, but are not limited to the following:

- 1) Awareness and messaging about suicide
- 2) Suicide prevention, training, and education for all school staff members
 - a) At a minimum, all school staff shall participate in training on the core components of suicide awareness and prevention on a yearly basis. Training materials may include programs that can be completed through self-review of suitable suicide prevention materials. Core components of the general suicide awareness and prevention training shall include:
 - i. Suicide risk factors, warning signs, and protective factors;
 - ii. How to talk with a student about thoughts of suicide;
 - iii. How to respond appropriately to the youth who has suicidal thoughts. Such responses shall include constant supervision of any student judged to be at risk for suicide and an immediate referral for a suicide risk assessment;
 - iv. Emphasis on immediately referring (same day) any student who is identified to be at risk of suicide for assessment while staying under constant monitoring by staff member;
 - v. Emphasis on reducing stigma associated with mental illness and that early prevention and intervention can drastically reduce the risk of suicide;
 - vi. How to identify mental health services, both at the school site and within the larger community;
 - vii. When and how to refer youth and their families to additional services
- 3) Employee qualifications and scope of responsibility
 - a) Employees of the Orange County Department of Education and OCDE partners must act only within the authorization and scope of their credential or license.
 - b) This policy does not authorize or encourage a school employee to diagnose or treat mental illness unless the employee is specifically licensed, authorized, and employed to do so.
- 4) Specialized training for support staff and school mental health providers

- a) Additional professional development in suicide risk assessment and crisis intervention shall be provided to school mental health professionals (school counselors, psychologists, social workers, and nurses).
- 5) Parent, guardian, and caregiver notification, participation, and education
- 6) Student participation and education
- 7) Professional development, education and services shall also include additional information regarding groups of students who may be at elevated risk for suicide. These groups include, but are not limited to, the following:
 - a. Youth affected by suicide;
 - b. Youth with a history of suicide ideation or attempts;
 - c. Youth with disabilities, mental illness, or substance abuse disorders;
 - d. Lesbian, gay, bisexual, transgender, or questioning youth;
 - e. Youth experiencing homelessness, doubled up, or in out-of-home settings, such as foster care;
 - f. Youth who have suffered traumatic experiences
- 8) In-school and out-of-school suicide attempts, contagion effect, and memorials
- 9) Re-entry protocols and postvention
- 10) The requirement to post this policy on the district's website, in a prominent location and in a manner that is easily accessible to parents/guardians and students.
- 11) If a referral is made for mental health or related services for a student in grade K-6 who is a Medi-Cal beneficiary, the Superintendent or designee shall coordinate and consult with the county mental health plan.

Strategies may encompass primary, secondary, and tertiary forms of prevention for grades 7-12. Primary or universal prevention activities should include age appropriate, student-centered curriculum and programs including safe and healthy choices, coping strategies, help-seeking strategies, anti-bullying, communication, mentoring, and drug prevention. Identified higher-risk students will receive more specialized interventions to address risky behaviors and early signs and symptoms of mental illness or drug experimentation. Tertiary strategies will be a supportive practice and intervention for students who have engaged in self-harming behavior, are survivors of suicide attempts, or bereaved due to loss of friends and family.

STUDENT IDENTIFICATION CARDS

Student identification cards for students in grades 7-12 shall include the National Suicide Prevention Lifeline telephone number and may also include the Crisis Text Line and/or a local suicide prevention hotline telephone number.

INTERVENTION

Whenever a staff member suspects or has knowledge of a student's suicidal ideations, he/she shall immediately notify the school administrator, school psychologist, school counselor, or school-based mental health provider. Phone messages or emails are not acceptable methods of notification. Upon verbal notification, school administration or support staff shall follow up with the student immediately.

Appropriate risk assessment procedures will be followed. If appropriate and in the best interest of the student, the mental health team member shall contact the student's parents/guardians/caregivers as soon as possible and shall refer to mental health resources in the community.

Students shall be encouraged to notify a teacher, principal, administrator, school counselor, school psychologist or school based mental health provider, or other adult when they are experience thoughts of suicide or when they suspect or have knowledge of another student's suicidal intentions.

POSTVENTION

A death by suicide in the school community (whether by a student or staff member) can have devastating consequences on students and staff. Therefore, it is vital that schools are prepared ahead of time in the event of such a tragedy. The Superintendent or designee shall establish crisis response procedures to ensure student safety and appropriate communications in the event that a suicide occurs by an attempt made on campus, at a school-sponsored activity, or at home. The Suicide Death Postvention Response Plan along with the Suicide Assessment Summary shall incorporate both immediate and long-term steps. This plan shall also help manage various aspects of the crisis and help prevent suicide contagion. In this way, postvention is inextricably linked to prevention. The response plan may include the following steps:

- a) Contact Key Individuals
- b) Notify School Community
- c) Before School- Staff Meeting/Staff Support
- d) Student Meeting/Support Students
- e) After School Staff Meeting

IMPLEMENTATION GUIDELINES AND ASSOCIATED DOCUMENTS:

OCDE Policies and Procedures:

- Nondiscrimination /Harassment-Students
- Positive School Climate
- Guidance and Counseling Services

Legal Reference:

EDUCATION CODE

215	Student suicide prevention policies
215.5	Suicide prevention hotline contact information on student identification cards
216	Suicide prevention online training programs
234.6	Posting suicide prevention policy on web site
32280-32289	Comprehensive safety plan
49060-49079	Student records
49602	Confidentiality of student information
49604	Suicide prevention training for school counselors

GOVERNMENT CODE

810-996.6	Government Claims Act
-----------	-----------------------

PENAL CODE

11164-11174.3 Child Abuse and Neglect Reporting Act

WELFARE AND INSTITUTIONS CODE

5698 Emotionally disturbed youth; legislative intent
5850-5883 Mental Health Services Act

Management Resources:

WELFARE AND INSTITUTIONS CODE

5698 Emotionally disturbed youth; legislative intent
5850-5883 Mental Health Services Act

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

- Model Youth Suicide Prevention Policy
- Youth Suicide-Prevention Guidelines for California Schools 2005
- Health Framework for California Public Schools, Kindergarten Through Grade Twelve 2003

CALIFORNIA DEPARTMENT OF MENTAL HEALTH PUBLICATIONS

- California Strategic Plan for Suicide Prevention: Every California is Part of the Solution 2008

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

- School Connectedness: Strategies for Increasing Protective Factors Among Youth 2009

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES PUBLICATIONS

- National Strategy for Suicide Prevention: Goals and Objectives for Action 2001

WEB SITES

- American Psychological Association: <http://www.apa.org>
- California Department of Education, Mental Health: <http://www.cde.ca.gov/ls/cg/mh>
- California Department of Mental Health, Children and Youth Programs:
<http://www.dmh.ca.gov/Sevices>
- Programs/Children and Youth Centers for Disease Control and Prevention, Mental Health:
<http://www.cde.gov/mentalhealth>
- National Institute for Mental Health: <http://www.nimh.nih.gov>
- U.S. Department of Health and Human Services, Substance Abuse, and Mental Health Services
Administration: <http://www.samhsa.gov>

Adopted: 11/08/2017
Revised: 6/___/21

ORANGE COUNTY DEPARTMENT OF EDUCATION

Costa Mesa, California

BOARD POLICY

400-14

Suicide Prevention for Alternative, Community and Correctional Education Schools and Services

The Orange County Department of Education (OCDE) recognizes that suicide is a leading cause of death among youth and an even greater amount of youth think about (17% of high school students) and attempt suicide (over 8% of high school students), thus requiring vigilant attention from school staff. As a result, OCDE is ethically and legally responsible for responding appropriately and timely in preventing suicidal ideation, attempts, and deaths, as well as to respond to the aftermath of a suicide death. The Orange County Department of Education shall work to create safe and nurturing campuses that minimize suicidal ideation in students.

In an attempt to reduce suicidal behavior and its impact on students and families, the Superintendent shall implement strategies for suicide prevention, intervention, and postvention, and the identification of the mental health challenges that are frequently associated with suicidal thinking and behavior. These strategies shall include professional development for all school personnel in all job categories who regularly interact with students and are in a position to recognize the risk factors and warning signs of suicide.

The purpose of this policy is to protect the health and well-being of all Orange County Department of Education students by having procedures in place to prevent, assess the risk of, intervene in, and respond to suicide.

OCDE:

- a) Recognizes that physical, behavioral, and emotional health is an integral component of a student's educational outcome.
- b) Further recognizes that suicide is a leading cause of death among young people.
- c) Acknowledges the school's role in providing an environment which helps to foster positive youth development.

Toward this end, this policy is meant to be paired with other policies supporting the emotional and behavioral health of students more broadly. Suicide prevention strategies may include, but are not limited to, efforts to promote a positive school climate that enhances students' feelings of connectedness with the school and is characterized by caring staff, positive relationships, and interactions among students.

The Superintendent or designee shall coordinate a Suicide Prevention Work Group to review and update prevention, intervention, postvention, and bereavement supports. The Suicide Prevention Work Group shall include representatives from Safe School & Support Services, Special Education, School Counseling, Health Services, Title I, Mental Health Clinicians, as well as school administrators, teachers, community partners, and parents. Further, each school shall identify at least one staff member, preferably an assistant principal or lead mental health professional, to serve as liaison to the Suicide Prevention Work Group and coordinate suicide prevention activities, resources, and protocols for their specific school site.

ORANGE COUNTY DEPARTMENT OF
EDUCATION

Costa Mesa, California

BOARD POLICY

EXISTING POLICY

400-14

Suicide Prevention for Alternative, Community and Correctional Education Schools and Services

The Orange County Department of Education (OCDE) recognizes that suicide is a leading cause of death among youth and an even greater amount of youth think about (17% of high school students) and attempt suicide (over 8% of high school students), thus requiring vigilant attention from school staff. As a result, OCDE is ethically and legally responsible for responding appropriately and timely in preventing suicidal ideation, attempts, and deaths, as well as to respond to the aftermath of a suicide death. The Orange County Department of Education shall work to create safe and nurturing campuses that minimize suicidal ideation in students.

In an attempt to reduce suicidal behavior and its impact on students and families, the Superintendent shall implement strategies for suicide prevention, intervention, and postvention, and the identification of the mental health challenges that are frequently associated with suicidal thinking and behavior. These strategies shall include professional development for all school personnel in all job categories who regularly interact with students and are in a position to recognize the risk factors and warning signs of suicide.

The purpose of this policy is to protect the health and well-being of all Orange County Department of Education students by having procedures in place to prevent, assess the risk of, intervene in, and respond to suicide.

OCDE:

- a) Recognizes that physical, behavioral, and emotional health is an integral component of a student's educational outcome.
- b) Further recognizes that suicide is a leading cause of death among young people.
- c) Acknowledges the school's role in providing an environment which helps to foster positive youth development.

Toward this end, this policy is meant to be paired with other policies supporting the emotional and behavioral health of students more broadly. Suicide prevention strategies may include, but are not limited to, efforts to promote a positive school climate that enhances students' feelings of connectedness with the school and is characterized by caring staff, positive relationships, and interactions among students.

The Superintendent or designee shall coordinate a Suicide Prevention Work Group to review and update prevention, intervention, postvention, and bereavement supports. The Suicide Prevention Work Group shall include representatives from Safe School & Support Services, Special Education, School Counseling, Health Services, Title I, Mental Health Clinicians, as well as school administrators, teachers, community partners, and parents. Further, each school shall identify at least one staff member, preferably an assistant principal or lead mental health professional, to serve as liaison to the Suicide Prevention Work Group and coordinate suicide prevention activities, resources, and protocols for their specific school site.

ORANGE COUNTY DEPARTMENT OF EDUCATION

Costa Mesa, California

BOARD POLICY

The Suicide Prevention Work Group may also serve as an advisory group for mental health services, crisis response planning, threat management, and other areas supporting the social-emotional needs and well-being of students. The Suicide Prevention Work Group shall meet, at minimum, bi-annually to review this policy and related procedures.

The Superintendent or designee, with input from the Suicide Prevention Work Group, shall implement procedures for prevention strategies and intervention guidelines that include, but are not limited to the following:

- 1) Awareness and messaging about suicide
- 2) Suicide prevention, training, and education for all school staff members
 - a) At a minimum, all school staff shall participate in training on the core components of suicide awareness and prevention. Training materials may include programs that can be completed through self-review of suitable suicide prevention materials. Core components of the general suicide awareness and prevention training shall include:
 - i. Suicide risk factors, warning signs, and protective factors;
 - ii. How to talk with a student about thoughts of suicide;
 - iii. How to respond appropriately to the youth who has suicidal thoughts. Such responses shall include constant supervision of any student judged to be at risk for suicide and an immediate referral for a suicide risk assessment;
 - iv. Emphasis on immediately referring (same day) any student who is identified to be at risk of suicide for assessment while staying under constant monitoring by staff member;
 - v. Emphasis on reducing stigma associated with mental illness and that early prevention and intervention can drastically reduce the risk of suicide
 - vi. How to identify appropriate mental health services, both at the school site and within the larger community
 - vii. When and how to refer youth and their families to additional services
- 3) Employee qualifications and scope of responsibility
 - a) Employees of the Orange County Department of Education and OCDE partners must act only within the authorization and scope of their credential or license.
 - b) This policy does not authorize or encourage a school employee to diagnose or treat mental illness unless the employee is specifically licensed, authorized, and employed to do so.
- 4) Specialized training for support staff and school mental health providers

ORANGE COUNTY DEPARTMENT OF
EDUCATION

Costa Mesa, California

BOARD POLICY

- a) Additional professional development in suicide risk assessment and crisis intervention shall be provided to school mental health professionals (school counselors, psychologists, social workers, and nurses).
- 5) Parent, guardian, and caregiver notification, participation, and education
- 6) Student participation and education
- 7) Professional development, education and services shall also include additional information regarding groups of students who may be at elevated risk for suicide. These groups include, but are not limited to, the following:
 - a. Youth affected by suicide;
 - b. Youth with a history of suicide ideation or attempts;
 - c. Youth with disabilities, mental illness, or substance abuse disorders;
 - d. Lesbian, gay, bisexual, transgender, or questioning youth;
 - e. Youth experiencing homelessness, doubled up, or in out-of-home settings, such as foster care;
 - f. Youth who have suffered traumatic experiences
- 8) In-school and out-of-school suicide attempts, contagion effect, and memorials
- 9) Re-entry protocols and postvention

Strategies may encompass primary, secondary, and tertiary forms of prevention for grades 7-12. Primary or universal prevention activities should include age appropriate, student-centered curriculum and programs including safe and healthy choices, coping strategies, help-seeking strategies, anti-bullying, communication, mentoring, and drug prevention. Identified higher-risk students will receive more specialized interventions to address risky behaviors and early signs and symptoms of mental illness or drug experimentation. Tertiary strategies will be a supportive practice and intervention for students who have engaged in self-harming behavior, are survivors of suicide attempts, or bereaved due to loss of friends and family.

INTERVENTION

Whenever a staff member suspects or has knowledge of a student's suicidal ideations, he/she shall immediately notify the school administrator, school psychologist, school counselor, or school-based mental health provider. Phone messages or emails are not acceptable methods of notification. Upon verbal notification, school administration or support staff shall follow up with the student immediately.

Appropriate risk assessment procedures will be followed. If appropriate and in the best interest of the student, the mental health team member shall contact the student's parents/guardians/caregivers as soon as possible and shall refer to mental health resources in the community.

ORANGE COUNTY DEPARTMENT OF EDUCATION

Costa Mesa, California

BOARD POLICY

Students shall be encouraged to notify a teacher, principal, administrator, school counselor, school psychologist or school based mental health provider, or other adult when they are experience thoughts of suicide or when they suspect or have knowledge of another student's suicidal intentions.

POSTVENTION

A death by suicide in the school community (whether by a student or staff member) can have devastating consequences on students and staff. Therefore, it is vital that schools are prepared ahead of time in the event of such a tragedy. The Superintendent or designee shall establish crisis response procedures to ensure student safety and appropriate communications in the event that a suicide occurs by an attempt made on campus, at a school-sponsored activity, or at home. The Suicide Death Postvention Response Plan shall incorporate both immediate and long-term steps. This plan shall also help manage various aspects of the crisis and help prevent suicide contagion. In this way, postvention is inextricably linked to prevention. The response plan may include the following steps:

- a) Contact Key individuals
- b) Notify School Community
- c) Before School- Staff Meeting/Staff Support
- d) Student Meeting/Support Students
- e) After School Staff Meeting

IMPLEMENTATION GUIDELINES AND ASSOCIATED DOCUMENTS:

OCDE Policies and Procedures:

- Nondiscrimination/Harassment-Students
- Positive School Climate
- Guidance and Counseling Services

Legal Reference:

EDUCATION CODE

32280-32289	Comprehensive safety plan
49060-49079	Student records
49602	Confidentiality of student information
49604	Suicide prevention training for school counselors

GOVERNMENT CODE

810-996.6	Government Claims Act
-----------	-----------------------

ORANGE COUNTY DEPARTMENT OF EDUCATION

Costa Mesa, California

BOARD POLICY

WELFARE AND INSTITUTIONS CODE

5698 Emotionally disturbed youth; legislative intentMental
5850-5883 Health Services Act

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

- Model Youth Suicide Prevention Policy
- Youth Suicide-Prevention Guidelines for California Schools 2005
- Health Framework for California Public Schools, Kindergarten Through Grade Twelve 2003

CALIFORNIA DEPARTMENT OF MENTAL HEALTH PUBLICATIONS

- California Strategic Plan for Suicide Prevention: Every California is Part of the Solution 2008

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

- School Connectedness: Strategies for Increasing Protective Factors Among Youth 2009

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES PUBLICATIONS

- National Strategy for Suicide Prevention: Goals and Objectives for Action 2001

WEBSITES

- American Psychological Association: <http://www.apa.org>
- California Department of Education, Mental Health: <http://www.cde.ca.gov/ls/cg/mh>
- California Department of Mental Health, Children and Youth Programs:
<http://www.dmh.ca.gov/Services>
- Programs/Children and Youth Centers for Disease Control and Prevention, Mental Health:
<http://www.cde.gov/mentalhealth>
- National Institute for Mental Health: <http://www.nimh.nih.gov>
- U.S. Department of Health and Human Services, Substance Abuse, and Mental Health Services
Administration: <http://www.samhsa.gov>

Adopted: 11/08/2017

ORANGE COUNTY BOARD OF EDUCATION

BOARD AGENDA ITEM

DATE: June 16, 2021
TO: Nina Boyd, Associate Superintendent
FROM: Renee Hendrick, Associate Superintendent, Administrative Services
SUBJECT: Budget Approval for Fiscal Year 2021-22

As required by State regulations, the attached documents include the 2021-22 OCDE budget and the Criteria and Standards. The July budget reflects preliminary estimates of income and expenditures, including projected growth needs, based on information available from the Governor's May Revise.

RECOMMENDATION:

Approve the Annual County School Services Fund Budget of the County Superintendent of Schools.


RH:sh

ORANGE COUNTY BOARD OF EDUCATION

BOARD AGENDA ITEM

DATE: June 16, 2021
TO: Nina Boyd, Associate Superintendent
FROM: Aracely Chastain, Director, Charter Schools
SUBJECT: Board Action – Notice of Violation International School for Science and Culture

Item: Board Recommendations #15
June 16, 2021
[X] Mailed [] Distributed at meeting

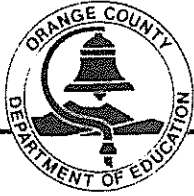


DESCRIPTION:

The Executive Committee of the Orange County Board of Education has requested for the Board to consider issuing a Notice of Violation at the June 16, 2021, regular meeting, pursuant to Education Code section 47607 and the California Code of Regulations, Title 5, sections 11965 and 11968.5.2, regarding concerns of non-compliance by International School for Science and Culture.

RECOMMENDATION:

The Orange County Board of Education shall consider and may take action at the June 16, 2021 regular meeting to issue a Notice of Violation to International School for Science and Culture that will give the school a reasonable opportunity to remedy the violations identified.



MEMO

ORANGE COUNTY DEPARTMENT OF EDUCATION

June 11, 2021

To: Orange County Board of Education

From: Nina Boyd, Associate Superintendent

Re: Request for Issuance of Notice of Violation – International School for Science and Culture

The Executive Committee of the Orange County Board of Education (the Board) has requested for the Board to consider issuing a Notice of Violation at the June 16, 2021, regular meeting, pursuant to Education Code section 47607 and the California Code of Regulations, Title 5, sections 11965 and 11968.5.2, regarding concerns of non-compliance by International School for Science and Culture (ISSAC). The Board reserves the right to consider additional evidence presented to substantiate the violations delineated in this memo. Accompanying this memo is all significant and relevant evidence relied upon in determining the charter school engaged in acts or omissions identified in Education Code 47607 subdivision (f)(1) that necessitate the issuance of a Notice of Violation by the Board.

BACKGROUND

On March 6, 2019, the Board granted ISSAC's appeal of its petition to establish a charter school after a denial by Newport-Mesa Unified School District, to operate a Transitional Kindergarten through eighth grade charter school for five years, beginning July 1, 2019 to June 30, 2024, and entered into an Agreement with ISSAC incorporated as part of the petition. ISSAC began operations in August 2019 on a Proposition 39 facility in the Newport-Mesa Unified School District at 1776 Tustin Ave, Costa Mesa, CA 92627.

An update was provided to the Board in a memo dated May 3, 2021, summarizing ongoing issues identified at ISSAC by Orange County Department of Education (OCDE) staff, which included (1) California Department of Education's (CDE) notification regarding funding adjustment due to the school's misreporting ADA information, (2) the school's use of facilities that are not zoned for K-12 instruction, and (3) allegations of unlawful pupil fees being charged by the school during the school day. In addition to informal conversations, ISSAC was notified in a series of Notices of Concern and Requests for Information dated April 7, 2021, April 13, 2021, April 23, 2021, April 27, 2021, and June 3, 2021, that memorialized the continuing issues and lack of compliance.

Representatives from ISSAC attended the June 2, 2021, regular meeting to respond to the allegations and answer questions from the Board. At that meeting, the Board requested that ISSAC submit a response to the concerns in writing and to provide further updates at the Board's next regular meeting on June 16, 2021. At the request of the Board, a second Notice of Concern was issued by OCDE staff on June 3, 2021, in an attempt to acquire additional information and address outstanding concerns.

Following the June 2, 2021 meeting, the Executive Committee of the Board requested that a Notice of Violation to ISSAC be drafted for discussion and action at the June 16, 2021 meeting.

LEGAL AUTHORITY

Pursuant to Education Code section 47607, subdivision (g), the chartering authority shall notify the charter school of any violations and give the school a reasonable opportunity to remedy the violations before revocation, unless the chartering authority determines, in writing, that the violations constitute severe and imminent threat to the health or safety of the pupils. Under section 47607, subdivision (f), the authorizing entity may revoke the charter of a charter school if it finds, through a showing of substantial evidence, that the charter school did any of the following:

- 1) Committed a material violation of any of the conditions, standards, procedures set forth in the school's charter.
- 2) Failed to meet or pursue any of the pupil outcomes identified in the charter.
- 3) Failed to meet generally accepted accounting principles or engaged in fiscal mismanagement.
- 4) Violated any law.

REASONABLE TIME TO REMEDY VIOLATIONS

Pursuant to Education Code section 47607, subdivision (g), and California Code of Regulations, Title 5, section 11968.5.2, should the Board consider issuing a Notice of Violation, ISSAC is entitled to at least 72 hours' notice and all relevant documents related to the proposed action, which was provided to the school via electronic mail and U.S. mail on June 11, 2021. Upon receipt of a Notice of Violation, the charter school's governing board, may choose to respond to each identified violation to remedy, propose a remedy or refute the identified violations. If the charter school's governing board chooses to respond, the following will be required within a reasonable period of time as determined by the chartering authority.

- 1) A detailed, written response addressing each identified violation which shall include the refutation, remedial action taken, or proposed remedial action by the charter school specific to each alleged violation.
- 2) Attached to the written response, supporting evidence of refutation, remedial action, or proposed remedial action, if any, including written reports, statements, and other appropriate documentation.

After conclusion of the reasonable opportunity to remedy, the Board, as the chartering authority, shall evaluate the response of the charter school's governing body to the Notice of Violation and any supporting evidence, if submitted, and shall take one of the following actions:

- 1) If the chartering authority has substantial evidence that the charter school has failed to refute to the chartering authority's satisfaction, or remedy a violation identified in the Notice of Violation, continue revocation of the school's charter by issuing a Notice of Intent to Revoke to the charter school's governing body; or
- 2) Discontinue revocation of the school's charter and provide timely written notice of such action to the charter school's governing body.

If the Board, as the chartering authority, does not act as specified in Education Code section 47607 subdivision (d), within 60 calendar days of the conclusion of the remedy period specified in the Notice of Violation, the revocation process is terminated and the Notice of Violation is void.

Enclosures: Notice of Violation (Draft dated 6/16/2021)
Exhibit 1 – Agreement OCBE and ISSAC Org Inc (7/17/2019)
Exhibit 2 – Second Notice of Concern and ISSAC Response (6/3/2021)
Exhibit 3 – 2019-20 Second Interim Budget Notice of Concern and ISSAC Response (4/21/2020)
Exhibit 4 – Request for Information and ISSAC Response (4/23/2021)
Exhibit 5 – ISSAC Growth Funding Application (10/20/2020)
Exhibit 6 – CDE Final Determination ISSAC Growth Funding (5/27/2021)
Exhibit 7 – Notice of Concern and ISSAC Response (4/7/2021)
Exhibit 8 – Request for Information and ISSAC Response – Redacted (4/13/2021)
Exhibit 9 – Request for Information and ISSAC Response – Redacted (4/27/2021)
Exhibit 10 – CDE Fiscal Management Advisory 20-01 (7/23/2020)



ORANGE COUNTY BOARD OF EDUCATION

REBECCA "BECKIE" GOMEZ, DISTRICT 1
MARI BARKE, DISTRICT 2
KEN L. WILLIAMS, D.O., DISTRICT 3

Tim Shaw, District 4
LISA SPARKS, PH.D., DISTRICT 5
AL MIJARES, PH.D., SECRETARY

June 17, 2021

Sent via electronic mail and U.S. Mail

Sally Chou, Ph.D., Board Chair, ISSAC Org, Inc
International School for Science and Culture
2131 Tustin Ave.
Costa Mesa, CA, 92627
sally.chou@issaccharter.org

Re: Notice of Violation – International School for Science and Culture

Dear Dr. Chou:

Upon approval in open session at the Orange County Board of Education's (OCBE) regular meeting on June 16, 2021, this letter shall serve as a Notice of Violation issued by OCBE to International School for Science and Culture (ISSAC) regarding concerns of non-compliance, pursuant to Education Code section 47607, subdivision (g), and California Code of Regulations, Title 5, section 11968.5.2. On June 11, 2021, ISSAC received at least 72 hours' notice that included an advanced copy of this letter and all evidence relied upon in determining the charter school engaged in acts or omissions identified in Education Code 47607 subdivision (f) that necessitated the issuance of this Notice of Violation.

I. BACKGROUND

On March 6, 2019, OCBE granted ISSAC's appeal of its petition to establish a charter school after a denial by Newport-Mesa Unified School District, to operate a Transitional Kindergarten through eighth grade charter school for five years, beginning July 1, 2019 to June 30, 2024, and entered into an Agreement with ISSAC incorporated as part of the petition (Exhibit 1). ISSAC began operations in August 2019 on a Proposition 39 facility in the Newport-Mesa Unified School District at 1776 Tustin Ave, Costa Mesa, CA 92627.

An update was provided to OCBE in a memo dated May 3, 2021, summarizing ongoing issues identified at ISSAC by Orange County Department of Education (OCDE) staff, which included (1) California Department of Education's (CDE) notification regarding funding adjustment due to the school's misreporting ADA information, (2) the school's use of facilities that are not zoned for K-12 instruction, and (3) allegations of unlawful pupil fees being charged by the school during the school day. In addition to informal conversations, ISSAC was notified in a series of Notices of Concern and

Requests for Information dated April 7, 2021, April 13, 2021, April 23, 2021, April 27, 2021, and June 3, 2021, that memorialized the continuing issues and lack of compliance.

Representatives from ISSAC attended the June 2, 2021, regular meeting to respond to the allegations and answer questions from the Board. At that meeting, OCBE requested that ISSAC submit a response to the concerns in writing and to provide further updates at its next regular meeting on June 16, 2021. At the request of the Board, a second Notice of Concern (Exhibit 2) was issued by OCDE staff on June 3, 2021, in an attempt to acquire additional information and potentially clear any outstanding concerns.

Following the June 2, 2021 meeting, the Executive Committee of the Orange County Board of Education requested that the issuance of a Notice of Violation to ISSAC be considered at the June 16, 2021 meeting.

II. LEGAL AUTHORITY

As detailed below, the purpose of a Notice of Violation is to commence a process under which the chartering authority sets forth findings in support of the Notice of Violation, as well as a reasonable opportunity to remedy the violations. At the end of the remedy period, the chartering authority will assess the charter school's response and remedies and will determine whether to pursue revocation of the charter school's charter through issuance of a Notice of Intent to Revoke.

A. Education Code

The revocation of a charter is governed by Education Code section 47607. Under section 47607, subdivision (f), the authorizing entity may revoke the charter of a charter school if it finds, through a showing of substantial evidence, that the charter school did any of the following:

- 1) Committed a material violation of any of the conditions, standards, procedures set forth in the school's charter.
- 2) Failed to meet or pursue any of the pupil outcomes identified in the charter.
- 3) Failed to meet generally accepted accounting principles or engaged in fiscal mismanagement.
- 4) Violated any law.

Prior to revocation, the chartering authority shall notify the charter school of any violation of this section and give the school a reasonable opportunity to remedy the violation, unless the chartering authority determines, in writing, that the violation constitutes a severe and imminent threat to the health or safety of the pupils.

In accordance with Education Code section 47607(h), after expiration of the charter school's reasonable opportunity to remedy without successfully remedying the violation, the chartering authority shall provide a written notice of intent to revoke and notice of facts in support of revocation to the charter school. No later than 30 days after providing the notice of intent to revoke a charter, the chartering authority shall hold a public hearing, in the normal course of business, on the issue of whether evidence exists to revoke the charter.

No later than 30 days after the public hearing, the chartering authority shall issue a final decision to revoke or decline to revoke the charter, unless the chartering authority and the charter school agree to extend the issuance of the decision by an additional 30 days. The chartering authority shall not revoke a charter, unless it makes written factual findings supported by substantial evidence, specific to the charter school, that support its findings. Pursuant to Education Code section 47607(j)(1), the charter school may appeal the revocation to the State Board.

B. California Code of Regulation

Cal. Admin. Code tit. 5, § 11968.5.2, sets forth additional procedures for a school district's revocation of a charter. Subsection (a) of the regulation states:

At least 72 hours prior to any board meeting in which a chartering authority will consider issuing a Notice of Violation, the chartering authority shall provide the charter school with notice and all relevant documents related to the proposed action.

III. GROUNDS FOR NOTICE OF VIOLATION

A. Failed to Meet Generally Accepted Accounting Principles, or Engaged in Fiscal Mismanagement pursuant to Education Code section 47607(f)(3)

ISSAC was in poor fiscal health throughout the 2019-2020 school year, as documented in an April 21, 2020, Notice of Concern issued to the school by the OCDE staff (Exhibit 3). Specifically, the school projected negative ending net assets, no cash reserves, and projected increasing payables. OCDE staff determined that timely and appropriate action by ISSAC's governing board was critical in addressing and mitigating the serious decline of the school's fiscal health.

After a review of the P-1 LCFF entitlement calculations for charter schools, OCDE staff noticed a discrepancy between ISSAC's projected growth of 100 students (95 ADA), as documented in the 2020-21 budget adopted by the school's governing board, and ISSAC's P-1 funding basis of 150 students (143.20 ADA). A review of the documents showed that ISSAC reported to the CDE 150 students for projected enrollment and the supporting documents submitted to CDE included a different budget than was adopted by ISSAC's governing board on June 19, 2020. The budget submitted to CDE allowed the school to be paid at a higher rate than eligible according to Education Code section 43505 (Exhibit 4 and Exhibit 5).

Education Code section 43505 states that a charter school is eligible for growth funding if the charter school demonstrates growth in pupil enrollment from its actual 2019-20 level to its projected 2020-21 level, as documented in its 2020-21 budget adopted by the board on or before June 30, 2020.

On May 27, 2021, CDE sent a letter (Exhibit 6) to Dr. Srinivasan notifying that the projected growth funding for ISAAC would be adjusted to match the school's 2020-21 adopted budget, which shows projected enrollment of 100 students, as opposed to the 150 students submitted by the school on their

growth funding application. ISSAC was overpaid in Principal Apportionment funds, in-lieu property tax transfers and Education Protection Account (EPA) entitlement.

Since ADA and LCFF will be proportionally decreased, CDE has determined that ISSAC will not receive a second principal apportionment, or P-2, payment. ISSAC will not receive a fourth quarter EPA payment, and LCFF state aid will be reduced by the amount of the EPA overpayment. Any additional overpaid amounts will be carried over into the next fiscal year and reduce the 2021-22 apportionments beginning with the Advance Apportionment. ISSAC will need to return overpaid in-lieu property tax transfers back to Newport Mesa Unified School District in July 2021.

B. Committed a Material Violation of the Conditions, Standards, or Procedures Set Forth in the Charter pursuant to Education Code section 47607(f)(1) and Violated Law pursuant to Education Code section 47605(f)(4)

On March 22, 2021, the OCDE Charter Schools Unit received a complaint alleging that ISSAC was charging students to attend in-person instruction. Prior information communicated by Dr. Srinivasan to OCDE staff was that the Boys and Girls Club would be running a childcare program utilizing ISSAC instructional assistants to supervise students in attendance due to school campus closure from the COVID -19 pandemic.

OCDE staff visited the school during school hours on March 30, 2021, and observed students receiving instruction from ISSAC's certificated staff. Questions by OCDE staff to Dr. Srinivasan revealed that ISSAC had been running the "childcare program" since its inception and fees were being charged by ISSAC. As of March 2021, ISSAC has collected from parents approximately \$64,000.

Upon review of requested documentation submitted by ISSAC (Exhibit 7, Exhibit 8, and Exhibit 9), OCDE staff determined that the school is charging pupil fees to students attending in-person during regular school hours in violation of article IX, section 5, of the California Constitution regarding free public education, Education Code section 49011, and the school's charter.

C. Committed a Material Violation of the Conditions, Standards, or Procedures Set Forth in the Charter pursuant to Education Code section 47607(f)(1) and Violated Law pursuant to Education Code section 47605(f)(4)

ISSAC failed to comply with Education Code section 47610(d) and Charter Element 6 by failing to utilize facilities that are compliant with the California Building Standards Code (Part 2 (commencing with Section 101) of Title 24 of the California Code of Regulations), as adopted and enforced by the local building enforcement agency with jurisdiction over the area in which the charter school is located.

ISSAC moved from the school's inaugural location to the Boys and Girls Club of Costa Mesa at 2131 Tustin Ave, Costa Mesa, CA 92627 in July 2020. OCDE staff contacted the City of Costa Mesa to verify that the property was zoned correctly for a school. Willa Bouwens-Killeen, Principal Planner for the city of Costa Mesa, confirmed that the location (Boys and Girls Club of Costa Mesa) is not zoned for K-12 educational use and would require a Conditional Use Permit (CUP). Furthermore, she indicated that the school could not occupy the site until it had the proper CUP.

As of June 2021, the current school location is not zoned for K-12 educational use and the school is in the process of acquiring a CUP. During multiple conversations that took place from June 2020 through March 2021, Dr. Srinivasan continually acknowledged understanding that no in-person instruction could take place until a CUP for K-12 educational use was granted.

In March 2021, OCDE staff received a telephone call from an ISSAC parent stating that students were attending a hybrid instructional program on the school's campus and that fees were being charged to attend in-person class. A visit was conducted at the school site where Dr. Srinivasan confirmed that in-person instruction was indeed taking place on campus and that the school had not been granted a CUP for educational use.

On April 7, 2021, a Notice of Concern (Exhibit 7) was sent to ISSAC for operating in-person instruction at a location not zoned for K-12 educational use and corrective action was due on April 30, 2021. On May 3, 2021, in response to the Notice of Concern, ISSAC submitted a CUP for a defunct preschool that at one time operated at the Boys & Girls Club. The preschool CUP only allowed instruction to children ages three to five years on limited days of the week and do not allow for K-12 instruction at that location. ISSAC continues to operate in-person instruction at the Boys & Girls Club in violation of zoning laws and the Agreement with the chartering authority.

IV. REASONABLE TIME TO REMEDY VIOLATIONS

Upon receipt of a Notice of Violation, the charter school's governing board may choose to respond to each identified violation to remedy, propose a remedy or refute the identified violations. The Board, as the chartering authority, concludes that 30 days is a reasonable period of time for the charter school's governing board to remedy or refute the identified violation(s). If the charter school's governing board chooses to respond, the following must be submitted by July 16, 2021.

- 1) A detailed, written response addressing each identified violation which shall include the refutation, remedial action taken, or proposed remedial action by the charter school specific to each alleged violation.
- 2) Attach to the written response supporting evidence of the refutation, remedial action, or proposed remedial action, if any, including written reports, statements, and other appropriate documentation.

After conclusion of the 30-day opportunity to remedy period, the Board, as the chartering authority, shall evaluate the response of the charter school's governing body to this Notice of Violation and any supporting evidence, if submitted, and shall take one of the following actions:

- 1) If the chartering authority has substantial evidence that the charter school has failed to refute to the chartering authority's satisfaction, or remedy a violation identified in the Notice of Violation, continue revocation of the school's charter by issuing a Notice of Intent to Revoke to the charter school's governing body; or
- 2) Discontinue revocation of the school's charter and provide timely written notice of such action to the charter school's governing body.

If the Board, as the chartering authority, does not act as specified in Education Code section 47607 subdivision (d), within 60 calendar days of the conclusion of the remedy period specified in this Notice of Violation, the revocation process is terminated and this Notice of Violation is void.

Enclosed is all evidence relied upon in determining the charter school engaged in any of the acts or omissions identified in Education Code 47607 subdivision (f)(1).

Failure to refute the allegations or remedy a violation identified in this Notice of Violation to the chartering authority's satisfaction, will result in issuance of a Notice of Intent to Revoke pursuant to Title 5 of the California Code of Regulations Section 11965(f).

Sincerely,

Ken Williams, D.O.
Chair, Orange County Board of Education

Enclosures: Exhibit 1 – Agreement OCBE and ISSAC Org Inc (7/17/2019)
Exhibit 2 – Second Notice of Concern and ISSAC Response (6/3/2021)
Exhibit 3 – 2019-20 Second Interim Budget Notice of Concern and ISSAC Response (4/21/2020)
Exhibit 4 – Request for Information and ISSAC Response (4/23/2021)
Exhibit 5 – ISSAC Growth Funding Application (10/20/2020)
Exhibit 6 – CDE Final Determination ISSAC Growth Funding (5/27/2021)
Exhibit 7 – Notice of Concern and ISSAC Response (4/7/2021)
Exhibit 8 – Request for Information and ISSAC Response (4/13/2021)
Exhibit 9 – Request for Information and ISSAC Response (4/27/2021)

cc Al Mijares, Ph.D., County Superintendent of Schools
Nina Boyd, Associate Superintendent, Orange County Department of Education
Padmini Srinivasan, Ph.D., Executive Director, ISSAC