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**ORANGE COUNTY DEPARTMENT OF EDUCATION**  
Staff Report Findings of Fact and Recommendations  
California Online Public Schools Southern California  
May 19, 2026

## **I. INTRODUCTION**

This report summarizes the review conducted by Orange County Department of Education staff of the petition submitted by California Online Public Schools to establish California Online Public Schools Southern California as a countywide nonclassroom-based charter school, and recommendations for consideration by the Orange County Board of Education (the Board).

Pursuant to Education Code section 47605.6, the Board must approve or deny the petition within ninety (90) days of receipt, unless the timeline is extended by mutual agreement for up to thirty (30) additional days. Board action is scheduled for the Board's regular meeting on June 3, 2026.

Based on the review, including a clarification meeting with petitioners on May 4, 2026, Orange County Department of Education staff recommends approval of the California Online Public Schools Southern California countywide charter petition for a five-year term.

## **II. BACKGROUND**

On March 18, 2026, the Board received a petition to establish California Online Public Schools Southern California as a countywide nonclassroom-based charter school. California Online Public Schools, a California nonprofit public benefit corporation, currently operates six schools, including a district-authorized nonclassroom-based charter school in the Capistrano Unified School District. California Online Public Schools Southern California intends to serve students in transitional kindergarten through grade twelve beginning in the 2026-27 academic year.

Per statutory requirements, the petitioner notified the following districts of its intent to establish facilities with their boundaries: Buena Park, Brea-Olinda Unified, Capistrano Unified, Fullerton, Fullerton Joint Union High, Placentia-Yorba Linda Unified, and Newport-Mesa Unified.

On May 6, 2026, the Board held a public hearing to consider the provisions of the petition and to receive public comment regarding the level of support from teachers, parents/guardians, and school districts where facilities are proposed.

## **III. LEGAL STANDARD**

The Charter Schools Act reflects a legislative preference for charters locally authorized by the district in which they operate. A county board of education may only approve a countywide charter school if it makes specific threshold findings, in addition to the legal standards and criteria under Education Code section 47605.6(b)(1)-(7).

Education Code section 47605.6(a)(1) provides:

“A county board of education may approve a countywide charter only if it finds, in addition to the other requirements of this section, that the educational services to be provided by the charter school will offer services to a pupil population that will benefit from those services and that cannot be served as well by a charter school that operates in only one school district in the county.”

Additionally, Education Code section 47605.6(b) states that a county board may grant a charter only if it is satisfied that:

- 1) Granting the charter is consistent with sound educational practice; and
- 2) The charter school has reasonable justification for why it could not be established by petition to a school district pursuant to Education Code section 47605.

If the threshold criteria are met, the Board must then determine whether the petition satisfies the criteria under Education Code section 47605.6(b)(1)-(7). The Board shall deny the petition if it makes one or more of the following findings:

- 1) The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.
- 2) The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
- 3) The petition does not contain the number of signatures required by subdivision (a).
- 4) The petition does not contain an affirmation of each of the conditions described in subdivision (e).
- 5) The petition does not contain reasonably comprehensive descriptions of the required elements under Education Code section 47605.6.
- 6) The petition does not contain a declaration of whether or not the charter school shall be deemed the exclusive public-school employer of the employees of the charter school for purposes of the Educational Employment Relations Act Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code.
- 7) Any other basis that the county board of education finds justifies the denial of the petition.

If a countywide charter petition is denied, there is no appeal to the State Board of Education (5 CCR § 11966.5).

#### **IV. COUNTYWIDE JUSTIFICATION ANALYSIS**

Education Code section 47605.6(a)(1) requires the Board to determine whether the proposed educational services 1) will serve a pupil population that will benefit from those services, and 2) cannot be served as well by a charter school operating in only one school district within the county.

##### **A. Identifiable Pupil Population**

The petition identifies a geographically dispersed TK–12 pupil population across Southern California, including students residing in Orange, Los Angeles, San Bernardino, Riverside, and San Diego Counties who intentionally select a nonclassroom-based instructional model in lieu of a traditional site-based program.

The proposed instructional model is primarily a fully online, nonclassroom-based program designed to serve students who require flexibility due to a range of individual circumstances, including health needs, mobility limitations, family responsibilities, or preference for a nontraditional learning environment.

In addition to its virtual program, the school proposes to implement strategically located in-person resource centers to support Career Technical Education (CTE), individualized academic support, and opportunities for student engagement. These services include one-on-one instruction, tutoring, counseling, and hands-on CTE coursework that complement the online instructional model.

Based on the record presented, staff find that the petition identifies a distinct pupil population that will benefit from a flexible, hybrid model combining online instruction with targeted in-person supports.

##### **B. Inability to Serve as Well Through a Single-District Charter**

The petition describes a proposed educational model that is designed to serve students across multiple counties rather than within the geographic boundaries of a single school district.

The school's planned resource centers are intended to be located strategically based on student population density and need, rather than within a single district's jurisdiction. These centers will support CTE programming, services for students with disabilities, and opportunities for in-person collaboration and socialization.

Additionally, the petition indicates that the delivery of specialized service, such as hands-on CTE training and structured in-person supports for students with disabilities requires facilities and partnerships that may be regionally distributed and cannot be effectively implemented within a single district boundary.

Countywide authorization would allow the school to align its operational model, facility planning, and service delivery with the geographic distribution of its student population, thereby ensuring that access to educational services is based on student need rather than district residency.

### **C. Staff Determination**

Based on the program design, geographic scope, and proposed delivery of services, staff find that:

- 1) The proposed educational services will benefit a distinct pupil population; and
- 2) That population cannot be served as well by a charter school operating in only one school district.

Accordingly, staff conclude that the petition satisfies the threshold countywide criteria set forth in Education Code section 47605.6(a)(1), as the proposed model requires a countywide structure to effectively serve its intended student population.

### **V. SUMMARY OF FINDINGS**

The California Online Public Schools Southern California charter petition and all related information received concerning the charter petition were reviewed and considered, including information presented at the public hearing and information obtained during the clarification meeting. The California Online Public Schools Southern California charter petition meets the standards outlined in Education Code 47605.6. The educational program to be provided by the charter school will offer services to a pupil population that will benefit from those services and cannot be served as well by the charter school that operates in only one school district in the county.

### **VI. STAFF RECOMMENDATION**

OCDE staff recommend that the Board approve the California Online Public Schools Southern California countywide charter petition for a five-year term from July 1, 2026, through June 30, 2031, and approve the standard Agreement that delineates the operational relationship between the parties, with an understanding that the charter school will enter into said Agreement by July 2026.

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