



ORANGE COUNTY DEPARTMENT OF EDUCATION
Staff Report for Vista Meridian Global Academy
May 17, 2022

I. INTRODUCTION

In accordance with the Charter Schools Act, as set forth in Education Code section 47600, et seq., the Orange County Department of Education staff conducted a comprehensive review of the Vista Public Charter Schools petition proposing to establish Vista Meridian Global Academy (VMGA) as a countywide charter school. This report summarizes findings from that review and provides recommendations for consideration by the Orange County Board of Education (the Board).

II. BACKGROUND

On March 4, 2022, the Board received a petition proposing to establish VMGA as a countywide charter school. VMGA would be operated by Vista Charter Public Schools, a California nonprofit public benefit corporation that currently operates a network of charter schools in Orange and Los Angeles counties.

On April 6, 2021, the Board held a public hearing on the provisions of the charter petition to consider the level of support for the petition by parents/guardians, teachers and school districts in which the charter school proposes to place facilities. On April 12, 2022, Orange County Department of Education staff sent the charter school representatives questions to better understand and clarify information in the petition.

The Board must take action to either grant or deny the charter within ninety (90) days of receipt of the petition, unless this date is extended by up to an additional 30 days by agreement. Board action is scheduled for the Board's regular meeting on June 1, 2022.

III. LEGAL STANDARD

The overall statutory scheme of the Charter Schools Act reflects a preference for charter schools that are locally authorized by the school district in which the charter school operates. As a result, in order to approve a countywide charter petition, a county board of education must be able to make certain threshold findings in addition to determining whether the petition satisfies the legal standards and criteria under Education Code section 47605.6(b)(1)-(5). Specifically:

“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.” Education Code §47605.6(a)(1)

Additionally, Education Code section 47605.6(b) states:

“A county board may grant a charter for the operation of a charter school under this part only if it is satisfied that granting the charter is consistent with sound educational practice and that 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.”

Should the charter school petition meet the threshold requirement for a countywide charter school, the Board must then determine whether the petition satisfies the legal standards and criteria under Education Code section 47605.6(b)(1)-(5). The Board shall deny a petition for the establishment of a charter school if it finds one or more of the following:

- (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.

Should the Board approve the petition, the Board would become the charter authorizer for the Charter School. Should the Board deny the petition, there is no right to appeal to the State Board of Education (5 CCR § 11966.5). However, the petitioners would have the option to submit charter petitions to the school districts in which they propose to operate under Education Code section 47605.

IV. STAFF RECOMMENDATION

Orange County Department of Education staff recommend that the Board approve with conditions the Vista Public Charter Schools petition to establish Vista Meridian Global Academy as a countywide charter school for a term of five years from July 1, 2022 to June 30, 2027. This report contains findings of fact reflecting areas of concern to be addressed in an Agreement by the parties should the Board approve the charter petition with conditions. Should the Board take action to deny the charter school petition, the Board may adopt this Staff Report as written findings in support of the denial.

V. SUMMARY OF FINDINGS

A. The petition does not contain reasonably comprehensive descriptions of the required elements under Education Code section 47605.6.

1. The description of procedures by which pupils may be suspended or expelled from the charter school does not include the statement required under California Education Code section 47606.2 regarding providing homework.

Should the charter be approved, revision of the charter petition to comply with Education Code section 47606.2 should be addressed in an Agreement and submitted prior to the school opening.

2. The charter petition provides limited information regarding the implementation of the robust education program described in the charter petition including the expectation that every student complete one of four Career Technical Education (CTE) pathways with the option to pursue and complete an Associate's Degree from a college partner through dual enrollment and a STEAM model.

Should the charter be approved, the development and maintenance of an action plan that incorporates detailed action steps, timelines, resources, implementation benchmarks, key personnel and status updates regarding all aspects of the education program (CTE, Dual Enrollment and STEAM) should be addressed in an Agreement and submitted prior to the school opening.

3. The charter petition states that the reclassification team will monitor English learner students for two years after reclassification. However, current state and federal law require four years of monitoring under 20 U.S.C. Section 6841(a)(4)(5); Title 5 California Code of Regulations (5CCR) Section 11304.

Should the charter be approved, revision of the charter petition to comply with 20 U.S.C. Section 6841(a)(4)(5); Title 5 California Code of Regulations (5CCR) Section 11304 should be addressed in an Agreement and submitted prior to the school opening.

4. The charter petition includes incomplete information under Measurable Pupil Outcomes and Annual Goals for priorities 2, 4, 5 and 7.

Should the charter be approved, the following items should be addressed in an Agreement and revised prior to the school opening.

- (1) Add English language development or programs which enable English learner students access the state academic standards under Priority 2.

- (2) Add additional language regarding targets for growth in out-years under Priority 4

- (3) Include metrics for the percent of pupils satisfying A-G requirements, completing CTE course requirements, and completing both A-G and CTE course requirements under Priority 4.
- (4) Add actions specific to how the school plans to achieve high attendance rates, low chronic absenteeism, low dropout, high graduation, low suspension, and low expulsion rates under Priority 5.
- (5) Add actions specific to programs and services developed and provided to unduplicated pupils and students with exceptional needs under Priority 7.

VI. CONCLUSION

The Board has three options for action regarding a countywide charter school petition:

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

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