

Orange County Board of Education

Board Agenda Item

DATE: June 1, 2015

TO: Nina Boyd, Associate Superintendent

FROM: Ellin Chariton, Executive Director
 Kelly Gaughran, Administrator

SUBJECT: College and Career Preparatory Academy

DESCRIPTION:

On April 15, 2015, an affiliated charter school petition for the College and Career Preparatory Academy was submitted to the Orange County Board of Education. Following a substantive review of the charter school petition, staff have identified three options for consideration by the Board:

- Option One – Approve the charter petition as written,
- Option Two – Approve the charter petition with conditions to be met within established timelines,
- Option Three – Deny the charter petition.

RECOMMENDATION:

Adopt Resolution ___ and accept the Orange County Department of Education's recommendation regarding the charter school petition for the College and Career Preparatory Academy.



Memorandum

June 1, 2015

To: Orange County Board of Education

From: Ellin Chariton, Executive Director, School and Community Services
Kelly Gaughran, Administrator, Charter Schools

Re: Staff Report and Proposed Findings of Fact and Recommendation,
College and Career Preparatory Academy

The following points provide a summary of the review conducted by staff from the Orange County Department of Education (OCDE) of the College and Career Preparatory Academy (CCPA) charter school petition and constitute the findings of fact required by the Charter Schools Act. Based on information gathered throughout the review process, OCDE staff is recommending that the CCPA charter school petition be approved with conditions. The report outlines areas to be addressed should the Orange County Board of Education accept staff's recommendation to approve with conditions. The information below has been condensed to the most relevant areas and does not include items deemed less significant. In addition, commendations or suggestions for improvement are not included as the initial review process is intended to highlight deficits.

SYNOPSIS OF REVIEW

Overall, the petitioners have demonstrated the ability to successfully implement the intended program based on the following findings:

- The petitioners have a past history of involvement with public educational agencies.
- The petitioners are familiar with the petition and the requirements that apply to the proposed charter school.
- The petitioners have presented a realistic financial and operational plan.
- The petitioners have the background to ensure charter school success.

CONDITIONS TO BE ADDRESSED FOR APPROVAL

- The description of the educational program should contain additional references to career preparedness assessments, CTE model standards, and Work-Based Learning opportunities, as noted below.
- The partnership with a workforce development agency, as specified in Education Code section 47612.1, must be memorialized in a Memorandum of Understanding.
- School Governance Council needs further detail.
- Admissions and Racial Balance/Nondiscrimination needs additional detail regarding the outreach plan to inform and attract students of this charter school opportunity.

The following conditions are to be met within the timelines noted below each section:

Educational Program:

- The County Benefit section must be removed and replaced with a reference to California Education Code 47605.5 to reflect that this charter school is a county charter school and not a countywide charter school. It is recommended that the Education Code reference be placed at the top of the *Introduction* on page 1.
- On page 10, CCPA indicates initial placement tests and academic tests will be administered, but career preparedness assessments are not included. Career exploration assessments or competency-based assessments such as ACT's WorkKeys, a job skills assessment system, the Armed Services Vocational Aptitude Battery, or the National Occupational Competency Testing Institute (NOCTI), which are the three most widely used, are suggestions for career assessments to include in the petition.
- The petitioner states on page 13 that "teachers plan and deliver integrated instruction..." It is recommended that an integrated math and science curriculum be adopted. An integrated curriculum gives the most flexibility when approaching education from an interdisciplinary perspective.
- Under *Curriculum and Instructional Design*, on page 13, the Career Technical Education Model Curriculum Standards need to be included. These curriculum standards for Career Technical Education integrate California's rigorous academic content standards with industry-specific knowledge and skills to prepare students for direct entry into industry sectors and postsecondary education.
- Also on page 13, the CCPA concepts of the curricular approach are listed. For alignment purposes, this list needs to include the following elements already referenced throughout the document:
 - Career pathways
 - Contextualized instruction

- Coaching and mentoring through workforce innovation
- On page 15, the described opportunities for *Career Technical Education Training* need to include virtual Work-Based Learning (WBL) opportunities across the virtual Work-Based Learning continuum. Note: The virtual WBL platform has been established and these experiences are already being successfully offered within OCDE schools.
- Under *Partnerships*, on page 15, the CCPA partnerships need to include an Advisory Council of business and industry partners to review and advise on career preparation and workforce training.
- On page 27, the measurable student outcomes need to include the following Work-Based Learning goals:
 - Student participation in work-based learning experiences across the Work-Based Learning continuum
 - Student completion of three sequenced technical courses under a Career Technical Education pathway.
- In addition to the *Letters of Intent* included in the petition, the CCPA administration team shall enter into a Memorandum of Understanding (MOU) with approved partner(s) in accordance with Education Code section 47612.1. This MOU shall detail the relationship between the two entities and describe the alignment of workforce investment and economic development with the educational program offered by CCPA.

Comments: Should the Board approve this petition with conditions, petitioner shall fully address the conditions noted above in an implementation plan submitted by October 1, 2015.

School Governance:

- The petitioners must provide additional detail regarding the composition of the governance at the school level, as noted on page 31. The School Governance Council structure, referenced at the public hearing, must include, but not be limited to, the process to be followed by the school to ensure parental involvement in supporting the school's effort on behalf of the school's pupils, as required by Education Code section 47605(b)(5)(D). At a minimum, the School Governance Council structure must include evidence that the organizational and technical designs of the governance structure reflect a seriousness of purpose necessary to ensure that:
 - The charter school will become and remain a viable enterprise:
 - There will be active and effective representation of interested parties, including, but not limited to parents (guardians); and
 - The educational program will be successful. (5 CCR section 11967.5.1 (f)(4)(B)(2))

Comments: Should the Board approve this petition with conditions, petitioner shall fully address the conditions noted above in an implementation plan submitted by August 1, 2015.

Admissions and Racial Balance/Non-Discrimination:

- To support the description on page 36, the petitioners should provide additional detail regarding the outreach plan for informing and attracting students.

Comments: Should the Board approve this petition with conditions, petitioner shall fully address the conditions noted above in an implementation plan submitted by August 1, 2015.

CONCLUSION

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

1. **OPTION ONE:** Approve the charter petition. This action would result in the charter petition being approved as written;
2. **OPTION TWO:** Approve the charter petition with conditions. This action would result in the charter petition being approved and petitioners subsequently addressing the areas noted in the findings of fact; or
3. **OPTION THREE:** Deny the charter petition.

The OCDE charter petition review team recommends that the Orange County Board of Education approve the CCPA charter school petition and require that the above-noted conditions be met no later than the timelines indicated above. If approved with conditions, the Board Resolution for Approval with Conditions (Option 2) will establish the appropriate timelines for the petitioners to meet the conditions as specified.

**RESOLUTION TO APPROVE CHARTER PETITION WITH CONDITIONS
(OPTION 2)**

**RESOLUTION AND WRITTEN FINDINGS
OF THE ORANGE COUNTY BOARD OF EDUCATION
TO APPROVE WITH CONDITIONS THE PETITION FOR A
PROPOSED CHARTER SCHOOL
BY COLLEGE AND CAREER PREPARATORY ACADEMY**

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

WHEREAS, the county board of education is required to review the pursuant to Education Code sections 47605 and 47605.5;

WHEREAS, Section 47605(b) states that the county board is required to grant the charter if it is satisfied that granting the charter is consistent with sound educational practice;

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

WHEREAS, on April 15, 2015, the Orange County Board of Education ("Board") received a direct petition from the College and Career Preparatory Academy ("Petition"), pursuant to Education Code sections 47605.5 and 47612.1;

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

WHEREAS, charter schools are subject to the requirements of federal law, including, but not limited to, the No Child Left Behind Act, 20 U.S.C. §6301 et seq. and the Individuals with Disabilities Education Act, 20 U.S.C. §1400 et seq.;

WHEREAS, the law requires that the County Board of Education obtain information regarding the operation and potential impacts of the proposed charter school;

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

WHEREAS, the Board held a public hearing on the Petition on May 5, 2015, and received public comment thereon; and

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

**RESOLUTION TO DENY CHARTER PETITION (OPTION 3)
RESOLUTION AND WRITTEN FINDINGS
OF THE ORANGE COUNTY BOARD OF EDUCATION
DENYING THE PETITION FOR A PROPOSED CHARTER SCHOOL
BY COLLEGE AND CAREER PREPARATORY ACADEMY**

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

WHEREAS, the county board of education is required to review the pursuant to Education Code sections 47605 and 47605.5;

WHEREAS, Section 47605(b) states that the county board is required to grant the charter if it is satisfied that granting the charter is consistent with sound educational practice;

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

WHEREAS, on April 15, 2015, the Orange County Board of Education ("Board") received a direct petition from the College and Career Preparatory Academy ("Petition"), pursuant to Education Code sections 47605.5 and 47612.1;

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

WHEREAS, charter schools are subject to the requirements of federal law, including, but not limited to, the No Child Left Behind Act, 20 U.S.C. §6301 et seq., the Family Educational Rights and Privacy Act, 20 U.S.C. §1232g, and the Individuals with Disabilities Education Act, 20 U.S.C. §1400 et seq.;

WHEREAS, the law requires that the County Board of Education obtain information regarding the operation and potential impacts of the proposed charter school;

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

WHEREAS, the Board held a public hearing on the Petition on May 5, 2015;

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

WHEREAS, the Board, at its regular meeting of June 17, 2015, reviewed and considered the petition and all appropriate information received with respect to the petition, including a Staff Report prepared by members of the OCDE staff.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby adopts the findings and conclusions set forth in the attached Staff Report and Proposed Findings of Fact dated June 17, 2015, which is attached hereto and incorporated herein by this reference, and the Board further finds as follows:

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

BE IT FURTHER RESOLVED that the Board denies the Petition on the basis of the findings herein adopted. The terms of this Resolution are severable. Should it be determined that one or more of the findings is invalid, the remaining findings and the denial of the Petition shall remain in full force and effect. Each finding is, in and of itself, a sufficient basis for the denial.

STATE OF CALIFORNIA)
)
COUNTY OF ORANGE)
_____)

I, Penny Dunseth, Clerk of the Orange County Board of Education, do hereby certify that the foregoing Resolution was duly passed, approved, and adopted by the Orange County Board of Education at a regular meeting thereof held on the 17th day of June, 2015, and that it was so adopted by the following vote:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

BY:

Clerk of the
Orange County Board of Education