



# Sacramento County Board of Education

## Regular Meeting

*Tuesday / September 15, 2020 / 6:30 P.M.*

**PLEASE NOTE:**

**Zoom Meeting**

<https://scoe.zoom.us/j/92933709627>

**Primary Number: 669.900.6833**

**Secondary Number:**

**346.248.7799**

**Meeting ID: 929 3370 9627**

10474 Mather Boulevard  
P.O. Box 269003  
Sacramento, CA 95826-9003  
916.228.2410

# **SACRAMENTO COUNTY BOARD OF EDUCATION MEETING AGENDA**

10474 Mather Boulevard  
P.O. Box 269003  
Sacramento, California 95826-9003

**TO:** Members, County Board of Education  
**FROM:** David W. Gordon, Secretary to the Board  
**SUBJECT:** **Agenda – Regular Meeting – Tuesday, September 15, 2020**  
Regular Session: 6:30 p.m.

## **Notice of the Means by Which Members of the Public May Observe the Meeting and Offer Public Comment, Pursuant to Executive Orders N-29-20 and N-33-20, and Government Code section 54953**

The Sacramento County Board of Education will conduct this meeting via Zoom video and/or teleconference, with one or more Board members participating from remote locations via video, telephone, or other electronic means. Voting at this meeting shall be by roll call.

This meeting will be accessible to members of the public via Zoom video and/or teleconference. To view the Board Meeting by computer, tablet, or smart phone, go to:

<https://scoe.zoom.us/j/92933709627>

To listen by phone: Primary Number: 669-900-6833 Secondary Number: 346-248-7799  
Enter the Meeting ID: 929 3370 9627

Members of the public may submit public comment through a Google form at: <https://bit.ly/scoe-board-9-15-20>. Public comment will be accepted until 6:00 p.m. on Tuesday, September 15, 2020, and will be read during the teleconferenced Board meeting at appropriate times.

## **Accommodating Individuals with Special Needs**

The Sacramento County Board of Education encourages those with disabilities to participate fully in the public meeting process. If you need a disability-related modification or accommodation, including auxiliary aids or services, to participate in the public meeting, contact the Superintendent's Office at (916) 228-2410 or [wwatson@scoe.net](mailto:wwatson@scoe.net) at least 48 hours before the scheduled Board meeting so that we may make every reasonable effort to accommodate you. [*Government Code* § 54953.2; Americans with Disabilities Act of 1990, § 202 (42 U.S.C. § 12132).]

## **AGENDA**

- I. Call to Order and Roll Call
- II. Pledge of Allegiance

## **Mission Statement**

The mission of the Sacramento County Office of Education (SCOE) is to:

- ensure that our students are prepared for success in college, career, and community;
- provide educational leadership to the diverse groups we serve;
- work creatively and collaboratively with partners; and
- give educators and support staff the training and tools they need for success.

## Regular Meeting Agenda – September 15, 2020 – Page 2

- III. No Approval of Minutes
- IV. Adoption of Agenda
- V. Official Correspondence
- VI. Visitor Presentations

A. General Public

B. Employee Organizations

*NOTE: Anyone may submit public comments to the Board on any item that is within the Board's subject matter jurisdiction. However, the Board may not take action on any item not on this agenda except as authorized by Government Code section 54954.2. Anyone may also submit public comments to the Board in support of or in opposition to any item being presented to the Board for consideration.*

- VII. Superintendent's Report

A. Recognition of the October 2020 Employees of the Month:

**Classified Employee:** Devon Nevarez, Para-educator, Special Education Department

**Certificated Employee:** Joe Linehan, Teacher, Special Education Department

- VIII. New Business

A. Adoption of Consent Agenda – David W. Gordon

- 1. Accept Donation to SCOE Employee Recognition Program – Tim Herrera
- 2. Approval of the 2020-2021 Consolidated Application Part 1 for Funding Categorical Aid Programs – Dr. Matt Perry/Michael Kast
- 3. Award Diplomas to Court and Community Schools Students – Dr. Matt Perry

B. Approval of Contracts – Tammy Sanchez

C. Authorization to Submit Grant Applications/Service Contracts and Accept Funding if Awarded; and Approval of Contracts, Positions, and Other Expenditures Associated with the Grants as Outlined in the Proposed Budgets – David W. Gordon

- 1. \$45,000 Essential Basic Needs for Infant Care in Response to COVID-19 Crisis from the Connecticut Children's Medical Center/JPB Foundation for the 2020-2021 fiscal year – Brent Malicote
- 2. \$562,000 Sacramento Healthy HeART and Mind Collaborative from the City of Sacramento Federal CARES Act Funding for the 2020-2021 fiscal year – Dr. Matt Perry

D. Adoption of the SCOE 2020-2021 Learning Continuity and Attendance Plan – Dr. Matt Perry/Michael Kast

E. Informational Item: Revisions to Administrative Rules and Regulations 2400 – Charter School Petitions – Policy Committee

## **Regular Meeting Agenda – September 15, 2020 – Page 3**

- F. Board Report – Early Learning – Brent Malicote
- IX. Board Reports, Comments, and Ideas
  - A. Board Members
  - B. Board President
  - C. Committees
- X. Items for Distribution
  - A. September/October Events
  - B. September/October Site Visits
- XI. Schedule for Future Board Meetings
  - A. October 6, 2020 – Board/Superintendent Study Session
  - B. October 20, 2020
- XII. Adjournment

### **Board Agenda Packet**

The full Board agenda packet, including supporting materials and items distributed less than 72 hours prior to the scheduled meeting, is available on the Sacramento County Office of Education website ([www.scoe.net/board](http://www.scoe.net/board)). For more information, please call (916) 228-2410.

## **SACRAMENTO COUNTY BOARD OF EDUCATION**

10474 Mather Boulevard, P.O. Box 269003  
Sacramento, CA 95826-9003

<b>Subject:</b> October 2020 Employees of the Month	<b>Agenda Item No.:</b> VII.A. <b>Enclosures:</b> 0
<b>Reason:</b> Action	<b>From:</b> David W. Gordon <b>Prepared By:</b> Tim Herrera <b>Board Meeting Date:</b> 09/15/20

### **BACKGROUND:**

#### CLASSIFIED

**Devon Nevarez**, Paraeducator, was nominated by Principal Randy Olson for her contributions to the Special Education Department of the Sacramento County Office of Education. Devon Nevarez is a Paraeducator, supporting students with moderate/severe disabilities in grades 9-12 at Rio Linda High School. Ms. Nevarez has embraced every opportunity to learn new skills in order to support the classroom teacher, her students, and their families through distance learning. She delivers supplies to students at home, and works in SCOE's Special Education Centers to prepare distance learning materials. Ms. Nevarez provides technical support to her peers and the classroom teacher. She makes every effort to provide SCOE families with whatever will help them make progress on their children's goals during this unprecedented time. Devon Nevarez has been a Sacramento County Office of Education employee since February 2001.

#### CERTIFICATED

**Joe Linehan**, Teacher, Severely Handicapped, was nominated by Principal Sharon Botkin for his contributions to the Special Education Department of the Sacramento County Office of Education. Mr. Linehan is a Preschool Inclusion Teacher in the Hillsdale Elementary School Head Start program. He supports students, ages three to five years, with disabilities and their peers within an inclusive setting. He plans engaging and well-thought-out lessons and activities for his students in collaboration with his SCOE and Head Start teaching teams. Mr. Linehan has a strong interest in and affinity for technology and implements lessons in creative ways during distance learning. Mr. Linehan is a life-long learner and is currently enrolled in additional course work for a certificate in Augmentative and Alternative Communication. Joe Linehan has been a Sacramento County Office of Education employee since August 2016.

### **SUPERINTENDENT'S RECOMMENDATION:**

It is recommended that the Board approve commendation of the individuals named as Sacramento County Office of Education Classified and Certificated Employees of the Month for October 2020 and that the Board present Certificates of Recognition to these employees.

**SACRAMENTO COUNTY BOARD OF EDUCATION**

10474 Mather Boulevard, P.O. Box 269003  
Sacramento, CA 95826-9003

<b>Subject:</b> Donation to SCOE Employee Recognition Program	<b>Agenda Item No.:</b> VIII.A.1. <b>Enclosures:</b> 0
<b>Reason:</b> Acceptance	<b>From:</b> David W. Gordon <b>Prepared By:</b> Tim Herrera <b>Board Meeting Date:</b> 09/15/20

**BACKGROUND:**

Each year, the Sacramento County Office of Education, as part of Employee Recognition Day, provides a small gift to employees at an in-person event as a gesture of thanks for their dedication and hard work. Due to COVID-19, the 2020 recognition was virtual. However, a gift was still provided to employees. Holly Brown, SchoolsFirst Federal Credit Union Membership Development Specialist, provided a \$4,588 donation on behalf of SchoolsFirst to support the Sacramento County Employee Recognition Program. The donation was used to provide each employee with a coffee mug bearing SCOE's new logo.

**SUPERINTENDENT'S RECOMMENDATION:**

The Superintendent recommends the Board approve the donation made by SchoolsFirst Federal Credit Union to the SCOE Employee Recognition Program.

## **SACRAMENTO COUNTY BOARD OF EDUCATION**

10474 Mather Boulevard, P.O. Box 269003  
Sacramento, CA 95826-9003

<b>Subject:</b> 2020-2021 Consolidated Application Part I	<b>Agenda Item No.:</b> VIII.A.2. <b>Enclosures:</b> 1
<b>Reason:</b> Approval	<b>From:</b> David W. Gordon <b>Prepared By:</b> Dr. Matt Perry <b>Board Meeting Date:</b> 09/15/20

### **BACKGROUND:**

The California Department of Education Consolidated Application Part I allows school districts and county offices of education to apply for available federal categorical program funding. This apportionment is made from federal funds provided to the state.

This year, the Sacramento County Office of Education (SCOE) will apply for four (4) federally funded programs listed on the Consolidated Application for 2020-2021.

### **Federal Programs**

- Title I, Part A: Improving Basic Programs Operated by Local Educational Agencies - \$1,562,140
- Title I, Part D, Subpart 2: Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At-risk - \$423,992
- Title II, Part A: Supporting Effective Instruction of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act (ESSA) (Public Law 114-95)
- Title IV, Part A: Student and School Support (ESSA Sec.4101)

### **Title I Programs**

Title I, Part A funds are used to support effective, evidence-based educational strategies that close the achievement gap and enable the students to meet the state's challenging academic standards.

Title I, Part D provides funds to improve educational services for youth in state institutions or for neglected youth so that such youth have the opportunity to meet the same challenging state academic standards that all youth in the state are expected to meet. Additionally, Title I, Part D funds may be used to provide such youth with the services needed to make a successful transition from institutionalization to further schooling or employment.

Title II, Part A Program funds are apportioned to local educational agencies (LEAs) to increase student academic achievement through strategies focused on preparing, training, and recruiting high-quality teachers, principals, or other school leaders.

Title IV, Part A: Student Support and Academic Enrichment: A Federal program to increase the capacity of LEAs to meet the goals of the ESSA by providing all students with access to a well-rounded education, improving school conditions for student learning, and improving use of technology in order to improve the academic achievement and digital literacy of all students.

#### **SUPERINTENDENT'S RECOMMENDATION:**

The Superintendent recommends that the Board of Education approve the submission of the Consolidated Application Part I and the acceptance of funds allocated for the 2020-2021 school year.



**SACRAMENTO COUNTY BOARD OF EDUCATION**

10474 Mather Boulevard, P.O. Box 269003  
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<b>Subject:</b> Award of Diplomas	<b>Agenda Item No.:</b> VIII.A.3. <b>Enclosures:</b> 0
<b>Reason:</b> Approval	<b>From:</b> David W. Gordon <b>Prepared By:</b> Dr. Matt Perry <b>Board Meeting Date:</b> 09/15/20

**BACKGROUND:**

The following students are scheduled to graduate from each of their respective schools and they have completed all requirements for high school graduation:

El Centro Jr./Sr. High School

2 Candidates

Gerber Senior Extension

Zellymack Notori James  
Valerie Elle Smalls

Cordova Lane Senior Extension

Natalie Wood

**SUPERINTENDENT'S RECOMMENDATION:**

The Superintendent recommends the Board approve the issuance of a high school diploma to the students listed above who have completed all requirements for graduation.

**SACRAMENTO COUNTY BOARD OF EDUCATION**  
**CONTRACTS FOR COUNTY BOARD OF EDUCATION APPROVAL**  
**September 15, 2020**

**TECHNOLOGY SERVICES**

**Expenditure**

**Jennifer Currie Santamaria**

Contractor will assist in the creation and development of new online courses for the Sacramento County Office of Education's (SCOE) USA Learns website, with a focus on writing English as a Second Language (ESL) curriculum for adult learners. Tasks include establishing learning objectives for each course, writing activities to teach ESL listening, reading, writing, and speaking skills, and structuring content to fit within SCOE's customized learning management system.

New

Dates of Service: 09/16/20-06/30/21

Source of Funds: Internet and Media Services/Technology Services Division

\$22,500.00

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**Kelly Ann Green**

Contractor will assist in the creation and development of new online courses for the Sacramento County Office of Education's USA Learns website by architecting ways to visually communicate course materials to adult English as a Second Language (ESL) learners. Contractor will analyze draft course content and identify strategies to visually communicate complex concepts, review all lessons and images suggested by curriculum writers, and utilize best practices in information architecture to ensure vocabulary, grammar points, and ESL-related topics are clearly communicated and easily understood.

New

Dates of Service: 09/16/20-06/30/21

Source of Funds: Internet and Media Services/Technology Services Division

\$17,600.00

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**RECAP**

	<b><u>Expenditure</u></b>
<b>Technology Services</b>	40,100.00
<b>TOTAL</b>	<b>\$40,100.00</b>

**SACRAMENTO COUNTY BOARD OF EDUCATION**

10474 Mather Boulevard, P.O. Box 269003

Sacramento, CA 95826-9003

**Grant/Contract Proposal Abstract**

**Agenda Item No.:** VIII.C.1.

**Enclosures:** 1

**Board Meeting Date:** 09/15/20

**Title of Grant/Contract:** Essential Basic Needs for Infant Care in Response to COVID-19 Crisis

**Department/Director:** Educational Services/Brent Malicote

**Funding Source:** Connecticut Children's Medical Center/JPB Foundation

**Amount Requested:** \$45,000

**Fiscal Year(s):** 2020-2021

**Program Description:**

The Essential Basic Needs for Infant Care in Response to COVID-19 Crisis funding has been awarded to the Sacramento County Office of Education (SCOE) through Help Me Grow National/Connecticut Children's Medical Center. The purpose of the funding is to provide direct support for essential basic needs of diapers, wipes, and formula to families who have limited access to resources and/or have been impacted significantly by COVID-19. Families will request supplies via a brief survey that will be available electronically, over the phone, and in print format. Outreach will occur through website messaging, as well as communication through our community partners. The supplies will be procured by SCOE and will be distributed to families directly through Help Me Grow Family Advocates, as well as through our community partners. Activities will take place through December 31, 2020 or until funding is exhausted.

**New Positions:**

None

**Subcontracts:**

None

**Evaluation Component:**

Narrative and expenditure reports in October 2020 and January 2021 will be submitted to report on supplies distributed, demographics, and zip codes of families served.

**Detailed Budget Attached**

# SACRAMENTO COUNTY OFFICE OF EDUCATION

## Budget for Grant/Contract for Services

Cash Match Total (if applicable)	
Source of Funds for Cash Match	

Funds (check boxes that apply)

☒ District/Foundation    ☐ Local    ☐ State    ☐ Federal    ☒ New Grant    ☐ Continuing Grant

**Grant Title:** Essential Basic Needs for Infant Care in Response to the COVID-19 Crisis

**Contact Person/Dept. /Phone #:** Brent Malicote / Educational Services / (916) 228-2653

**Fiscal Year:** 2020-2021

Category	Grant Authorized Budget	Cash Match/ In-Kind Amount	Total Grant Budget
Salaries - Certificated (FTE):			0
Salaries - Classified (FTE):			0
Temporary Employees			0
Employee Benefits			0
Books and Supplies	45,000		45,000
Travel and Conference			0
Subcontracts Not Subject to Indirect			0
Subcontracts Subject to Indirect			0
Other Services / Operating Expenses			0
Communications (postage/phones)			0
Printing Services			0
Indirect % 0.00			0
Other: Indirect is not allowed			
<b>Totals</b>	<b>\$45,000</b>	<b>\$0</b>	<b>\$45,000</b>

  

Positions included: Title	FTE	Range/Step	Grant Authorized Amount	Cash Match/ In-Kind Amount
<b>Totals</b>	<b>0.00</b>		<b>\$0</b>	<b>\$0</b>

Revised 07/15

Initials of Grants Financial Staff: HY MS 

Date: 8/25/20

# SACRAMENTO COUNTY BOARD OF EDUCATION

10474 Mather Boulevard, P.O. Box 269003

Sacramento, CA 95826-9003

## Grant/Contract Proposal Abstract

Agenda Item No.: VIII.C.2.

Enclosures: 1

Board Meeting Date: 09/15/20

**Title of Grant/Contract:** Sacramento Healthy HeART and Mind Collaborative

**Department/Director:** Court/Community Schools & CTE/Dr. Matt Perry

**Funding Source:** City of Sacramento Federal CARES Act Funding

**Amount Requested:** \$562,000

**Fiscal Year(s):** 2020-2021

### **Program Description:**

The Sacramento Healthy HeART and Mind Collaborative (Collaborative) will create a support system for students in the City of Sacramento. The Collaborative will address the social emotional and mental health needs of students enrolled in selected schools within or near the City of Sacramento. Programming provided by the Collaborative integrates the arts, mentoring, and mental health supports.

Beginning in September of 2020, a team will be assigned to each school site that includes a mental health clinician, a mentor from a partnering community-based organization, and an artist in residence. This team will participate in virtual training and deliver a suite of virtual services to students with identified social emotional challenges. The identified students may be foster youth experiencing homelessness, recently experienced trauma, or have a history of chronic absenteeism, or multiple school-based behavior infractions. The pilot proposes working with schools from three districts: Sacramento City Unified, Twin Rivers Unified, and the Sacramento County Office of Education.

*All programming will occur virtually until school sites are cleared for in-person instruction by the Sacramento County Public Health Officer and the respective school district.*

### **New Positions:**

None

### **Subcontracts:**

Community Mentors in the amount of \$312,000 (26 schools x 20 hours per week at \$40/hour x 15 weeks for a 60-student case load).

### **Evaluation Component:**

Grantees will document services provided, including arts engagement, and overall student well-being.

### **Detailed Budget Attached**

# SACRAMENTO COUNTY OFFICE OF EDUCATION

## Budget for Grant/Contract for Services

Cash Match Total (if applicable)	
Source of Funds for Cash Match	

Funds (check boxes that apply)

☐ District/Foundation
 ☒ Local
 ☐ State
 ☐ Federal
 ☒ New Grant
 ☐ Continuing Grant

**Grant Title:** Saramento Healthy HeART and Mind Collaborative

**Contact Person/Dept. /Phone #:** Dr. Matt Perry / Court/Community Schools & CTE / 916-228-2348

**Fiscal Year:** 2020-2021

Category	Grant Authorized Budget	Cash Match/ In-Kind Amount	Total Grant Budget
Salaries - Certificated (FTE): 0.15	23,013		23,013
Salaries - Classified (FTE): 0.10	6,202		6,202
Temporary Employees			0
Employee Benefits	8,864		8,864
Books and Supplies	161,173		161,173
Travel and Conference	748		748
Subcontracts Not Subject to Indirect			0
Subcontracts Subject to Indirect	312,000		312,000
Other Services / Operating Expenses	50,000		50,000
Communications (postage/phones)			0
Printing Services			0
Indirect % 0.00			0
Other:			0
<b>Totals</b>	<b>\$562,000</b>	<b>\$0</b>	<b>\$562,000</b>

  

Positions included: Title	FTE	Range/Step	Grant Authorized Amount	Cash Match/ In-Kind Amount
Director II	0.15	M43	23,013	
Program Analyst	0.10	36/C	6,202	
<b>Totals</b>	<b>0.25</b>		<b>\$29,215</b>	<b>\$0</b>

Revised 07/15

Initials of Grants Financial Staff: 

Date: 8/28/20 

**SACRAMENTO COUNTY BOARD OF EDUCATION**

10474 Mather Boulevard, P.O. Box 269003  
Sacramento, CA 95826-9003

<b>Subject:</b> SCOE 2020-2021 Learning Continuity and Attendance Plan	<b>Agenda Item No.:</b> VIII.D. <b>Enclosures:</b> 15
<b>Reason:</b> Adoption	<b>From:</b> David W. Gordon <b>Prepared By:</b> Dr. Matt Perry Michael Kast <b>Board Meeting Date:</b> 09/15/20

**BACKGROUND:**

During the September 1, 2020 SCOE Board meeting, Trustees discussed, reviewed, and conducted a public hearing regarding the draft SCOE 2020-2021 Learning Continuity and Attendance Plan (LCP).

The Learning Continuity Plan is a part of the overall budget package for K-12 that seeks to address funding stability for schools while providing information at the local educational agency (LEA) level for how student learning continuity will be addressed during the COVID-19 crisis in the 2020–2021 school year. The provisions for the plan were approved by the Governor and Legislature in June in SB 98 and can be found in EC Section 43509.

The Learning Continuity Plan adoption timeline of September 30, 2020 is intended to ensure that it is completed in the beginning of the 2020–2021 school year. Additionally, the timeline is intended to allow for communication of decisions that will guide how instruction will occur during the 2020–2021 school year. This includes in-person instruction, according to health guidance, and distance learning, while providing critical opportunities for stakeholder engagement.

Based upon stakeholder input, staff have revised the plan. The final 2020-2021 SCOE Learning Continuity Plan is provided for final review.

**SUPERINTENDENT’S RECOMMENDATION:**

The Superintendent recommends that the Sacramento County Board of Education review and adopt the proposed 2020-2021 Learning Continuity and Attendance Plan as presented.

# Learning Continuity and Attendance Plan Template (2020–2021)

The instructions for completing the Learning Continuity and Attendance Plan is available at <https://www.cde.ca.gov/re/lc/documents/lrngcntntyatndncpln-instructions.docx>.

Local Educational Agency (LEA) Name	Contact Name and Title	Email and Phone
Sacramento County Office of Education (SCOE)	Matt Perry, Assistant Superintendent	mperry@scoe.net, (916) 228-2507

## General Information

[A description of the impact the COVID-19 pandemic has had on the LEA and its community.]

Many SCOE students and families live with enduring challenges during stable (non-pandemic) times, so the current situation has increased the struggle faced by many in the SCOE community of learners.

The SCOE Court and Community Schools (CCS) provide programs for incarcerated youth, expelled youth, and an educational option for students seeking a small and highly supportive school environment with extensive Social Emotional Learner (SEL) supports. SCOE CCS also offers a diploma program for young adults who did not graduate from high school within the traditional four-year timeline. SCOE coordinates services for foster and homeless youth in Sacramento County through the Foster Youth Services Coordinating Program (FYSCP) and homeless students through Project TEACH.

The SCOE Special Education programs provide services to students ages 3-22 years old who have disabilities that require significant and highly specialized support. SCOE serves students who need extensive supports in the realm of behavioral and mental health supports. SCOE has programs from first – twelfth grade for these students. All students in these programs are referred to SCOE by their district of residence and the referring district remains the district of special education accountability for the duration of their schooling.

The COVID-19 pandemic has greatly affected SCOE students and families. SCOE schools have high rates of students living in foster care, experiencing homelessness, with special education needs, and living in households with very low familial income.

Before the pandemic, some SCOE students struggled with a shortage of computing devices, insufficient internet connectivity, or a lack of a quiet and predictable place to study – all conditions that are exacerbated by the COVID-19 pandemic.

In the past, in-person instruction and personalized supports provided a welcoming school environment for SCOE students. SCOE staff has extensive expertise in developing personal, positive, and appropriate relationships with students and families. Last spring, the shift to Distance Learning provided an opportunity for SCOE educators to build new skills and methods to meet, engage, and build relationships with students remotely. The current situation also provides an opportunity for SCOE students to invest in their habits of responsibility, individual perseverance, and digital proficiency.



# Stakeholder Engagement

[A description of the efforts made to solicit stakeholder feedback.]

Beginning in March of 2020, with the shutdown of schools, SCOE initiated a variety of engagement strategies to gather input from students, parents and guardians, faculty and staff, and community partners. Since March, SCOE programs have sent out a variety of surveys to help inform our planning and have received over 165 family responses and 536 staff responses.

Students at each site responded to online surveys and provided feedback on their device and connectivity needs. Parents and guardians were engaged via site councils and phone calls while those who speak Spanish were engaged via the SCOE English Learner (EL) Parent Liaison. Parents speaking other languages were supported through Transcend Translations. All parents were invited to engage in verbal surveys and online survey processes.

SCOE had direct dialogue with SCOE employee associations and conducted staff surveys regarding plans to complete the 2019-2020 school year, CCS summer school, Extended School Year for Special Education programs, and the year-round school for incarcerated youth. SCOE continues to engage the employee associations regarding the 2020-2021 school year.

SCOE solicited and responded to all input provided by certificated and classified membership. Due to the unique nature of El Centro Jr./Sr. High School within the Sacramento Youth Detention Facility (YDF), SCOE collaborated with Sacramento County Probation (Probation) to secure input from students, faculty, and probation staff via online surveys. SCOE staff also met with El Centro parents within the visitor center and via paper surveys handed out by Probation during visitation hours.

Families, students, and staff in SCOE Special Education programs received hardcopy and digital surveys, phone calls, and emails starting in early March 2020 and this outreach continued throughout the summer break. Hard copies of surveys were translated for families and when engaged in family outreach, interpreters were utilized as necessary. At the early stages in the spring, SCOE worked with stakeholder groups to determine device and connectivity sufficiency. SCOE also surveyed students and families about their skill level regarding technology available within specific programs. When Distance Learning started, SCOE worked with all stakeholders to design schedules, communication protocols, and record keeping protocols. As SCOE started winding down the 2019-2020 school year, staff began working with stakeholders to gather feedback on the quality of Distance Learning and how to improve SCOE's process in the future.

[A description of the options provided for remote participation in public meetings and public hearings.]

During the current COVID-19 restrictions, the Sacramento County Board of Education is conducting Board meetings via Zoom video and/or teleconference, with Board members participating from remote locations via video, telephone, or other electronic means. These meetings are accessible to members of the public via Zoom video and/or teleconference. The public may view the Board meetings by computer, tablet, or smart phone by following instructions and links posted on the SCOE website. Members of the public may submit public comments through Google forms via links posted on the SCOE website, or by following instructions for written or phone-in comments posted at the David P. Meaney building and SCOE school sites. Public comments are accepted up to 30 minutes prior to the start of the scheduled Board meeting and are read during the teleconferenced Board meeting at appropriate times.

[A summary of the feedback provided by specific stakeholder groups.]

Prior to the shutdown of in-person learning in March 2020, SCOE sent home three weeks of hardcopy work to each student, as a precaution in the event the schools would close. This gave SCOE time to repurpose on-campus Chromebooks and secure an initial round of hotspots for students. SCOE also used the three weeks to contact students and parents to determine internet access and device availability in each household.

Feedback gathered during the initial month of Distance Learning from students enrolled in the SCOE community schools varied by program:

Senior Extension students, who study within an independent study model, felt the least affected and continued to earn credit towards graduation. Many of these young adults stated that they had engaged in online learning programs in the past, and would rather utilize a personalized Google Classroom delivery model. Many of the young adults in this program also wanted to utilize textbooks and hardcopy units of study created by SCOE faculty. They stated they missed working with their teachers in-person but were comfortable adapting to the new “full distance learning model”.

The middle school CARE program administrator (hosted on district sites) received feedback from students and parents that students were engaged in the distance learning curricula provided by the host district. Overall, parents wanted more student access to SEL support and more engaging assignments. In general, these student and parents had very strong bonds with their teachers and found ways to successfully stay engaged. Many of the families reported that they underreported their need for hotspots and devices. They didn’t anticipate the reality that all children, and often parents, now had to engage in distance learning or remote work. Families’ single internet connection and one or two computers were insufficient for the increased demand for bandwidth and devices.

SCOE faculty received feedback from approximately 50% of parents and families in the initial survey. The team continued to reach out and eventually made contact with 90% of SCOE students and families. Based upon the feedback, SCOE teams set up a socially distanced system for providing work and devices at school sites, or for dropping off materials on the household porch. The parents appreciated this effort and outreach immensely.

SCOE staff continued to work in the Youth Detention Facility for one week after the other SCOE schools closed. During that time the faculty and leadership from El Centro Jr./Sr. High School collaborated with Probation to develop a plan designed to meet the needs of students and the Probation staff. SCOE staff provided hardcopies of instructional materials/assignments and Probation staff served as on-site facilitators of distance learning. A plan to utilize hardcopy packets was developed and continuous feedback was evaluated to fine tune the system around a weekly schedule of work-in and work-out. Eventually the continuous feedback from the Probation staff led to iPads for teacher/student virtual meetings, non-contact meetings with students in the visitor center, and implementing Edgenuity as the online learning platform.

Within the Special Education schools, stakeholder feedback varied. Several themes did emerge when reviewing the data. Sufficient and appropriate technology was an identified concern. When first planning for distance learning many families reported they had adequate devices. As distance learning started across all programs it became apparent that the number of devices, the quality of internet connection, and the ability to use technology were areas of concern. Staff and families had a desire for more connectivity and better devices to improve each student's ability to access information and succeed within the distance learning model.

[A description of the aspects of the Learning Continuity and Attendance Plan that were influenced by specific stakeholder input.]

SCOE is:

Continuing to expand its inventory of computing and connectivity devices to ensure availability for each student, anticipating enrollment growth, device loss and damage.

Expanding the Social Emotional Learning (SEL) and mental health clinician support provided to each student delivered by faculty and staff, school counselors, mental health clinicians, and partnering non-profit organizations.

Developing expertise in Distance Learning via summer professional development and daily collaboration among faculty and staff. This includes expanded training in Edgenuity and Google Classroom and virtual project-based learning.

Continuing to support student career and college readiness with remote support for employment readiness and college enrollment processes.

Increasing the number of high-quality computing devices for staff delivering Distance Learning. This includes computers with touch screen monitors that can deliver the Zoom Whiteboard platform.

Providing on-going professional development sessions specifically targeting components of delivering high-quality distance learning.

# Continuity of Learning

## In-Person Instructional Offerings

[A description of the actions the LEA will take to offer classroom-based instruction whenever possible, particularly for students who have experienced significant learning loss due to school closures in the 2019–2020 school year or are at a greater risk of experiencing learning loss due to future school closures.]

When the Sacramento County Public Health Officer clears secondary schools to reopen for in-person, reduced cohort size instruction: SCOE teams will ensure social distancing for students and staff on SCOE campuses or in its programs and will offer four days per week of instruction and one day of full distance learning support and parent engagement. The four days of in-person instruction will service two distinct cohorts of students who will engage in-person learning two days per week. SCOE programs housed at school district sites will follow the schedule and cohort models established by the district.

Due to the nature of SCOE programs, including special education, community school programs and court schools, we will individualize instruction to meet each student's needs. We will continue to develop lesson plans specifically designed for each student's academic level while setting realistic yet ambitious goals for their learning.

### Actions Related to In-Person Instructional Offerings [additional rows and actions may be added as necessary]

Description	Total Funds	Contributing
SCOE has purchased COVID-19 related safety equipment and cleaning supplies for all school sites.	\$79,256	Y
SCOE has provided extensive professional learning for CCS and Special Education certificated and classified staff in the areas of COVID-19 safety protocols, lesson planning, and instructional planning for appropriate in-person, socially distant instruction, and campus operation protocols.	\$76,940	Y
SCOE has retained all certificated faculty and classified staff to support in-person instruction (when approved by the county health officer) and high-quality distance learning instruction.	\$892,259	Y

## **Distance Learning Program**

### **Continuity of Instruction**

[A description of how the LEA will provide continuity of instruction during the school year to ensure pupils have access to a full curriculum of substantially similar quality regardless of the method of delivery, including the LEA's plan for curriculum and instructional resources that will ensure instructional continuity for pupils if a transition between in-person instruction and distance learning is necessary.]

Each student who enrolls in a SCOE program, general education or special education, receives the support necessary to develop a Student Success Plan (general education) or Individualized Educational Program (special education). This commitment to differentiating instruction and curricula for each student helps SCOE faculty focus on assigning work that is appropriate and challenging. This also allows us to ensure that each student has continuity of instruction and learning, whether the student is engaged in a hybrid model of in-person instruction and Distance Learning or full Distance Learning.

During April of 2020, SCOE secured a contract with Edgenuity for an online learning platform. Faculty have received professional development from Edgenuity trainers and the SCOE technology team has linked Edgenuity to the SCOE student information system, PowerSchool. The system now refreshes student enrollment on a daily basis, ensuring that each enrolled student appears within the Edgenuity database of students.

While the online curriculum is ideal for many of SCOE programs, the students who do not have the cognitive and/or physical ability to learn through a virtual platform will be provided hardcopies of their lessons. The primary audience for this method will be SCOE students with moderate to severe disabilities. These students will have a physical copy of the lesson plan and the families will be provided with virtual lessons to support their child at home learning.

### **Access to Devices and Connectivity**

[A description of how the LEA will ensure access to devices and connectivity for all pupils to support distance learning.]

SCOE purchased sufficient devices and hotspots for connectivity during the spring of 2020 and is purchasing additional devices and hotspots to cover potential growth in enrollment and loss of devices due to damage. SCOE has also received over 325 donated computers that have benefitted all student programs. SCOE site leaders and the technology department monitor the need for devices and connectivity daily and order additional components as necessary.

## **Pupil Participation and Progress**

[A description of how the LEA will assess pupil progress through live contacts and synchronous instructional minutes, and a description of how the LEA will measure participation and time value of pupil work.]

Synchronous learning opportunities will be provided daily through whole class with individualized live contact to meet personalized student needs as appropriate. Staff will collect student progress data regarding: established goals, curriculum-based assessments, informal assessments, and through synchronous learning sessions.

Synchronous minutes will be tracked by the teacher facilitating the learning. The time value of student work will be determined by certificated staff by gathering feedback from students and families on how long they worked daily on at home learning assignments. That time will be averaged for students who have similar assignments to ensure that we are giving enough work to all students.

Independent study student progress will be tracked by our established process of establishing a master agreement with students that defines assignments with associated engagement time and credit value. Faculty will engage students on a daily basis.

## **Distance Learning Professional Development**

[A description of the professional development and resources that will be provided to staff to support the distance learning program, including technological support.]

Professional development sessions will be on-going. The initial focus will center on topics that are necessary for Distance Learning. SCOE has provided sessions on Google Classroom, Zoom, Edgenuity, Distance Learning protocols, Distance Learning best-practices, confidentiality, professional boundaries, mental health during the pandemic, how to conduct virtual meetings and IEPs, and health and safety protocols. We have surveyed and continue to gather feedback from SCOE staff about what trainings would be beneficial for teaching and ensuring student engagement. We have time built into program schedules to allow for a minimum of one hour of weekly professional development for all school staff.

## **Staff Roles and Responsibilities**

[A description of the new roles and responsibilities of affected staff as a result of COVID-19.]

All administrators, certificated faculty, and classified staff have new roles for supporting or implementing Distance Learning. This includes the use of Google Classroom, Zoom, Edgenuity, and other remote options for supporting student learning.

SCOE has hired a new Director of Computer Science and Distance Learning to support Distance Learning for SCOE staff and faculty.



## Supports for Pupils with Unique Needs

[A description of the additional supports the LEA will provide during distance learning to assist pupils with unique needs, including English learners, pupils with exceptional needs served across the full continuum of placements, pupils in foster care, and pupils who are experiencing homelessness.]

SCOE Administrators and faculty are imbedding best strategies for English Learners in scheduled weekly professional learning and collaboration. During the summer of 2020, faculty engaged in paid professional development that contained modules focused on practices that support English Learners. Additionally, SCOE administrators, faculty, and staff will participate in EL RISE! professional learning focused on supporting EL learners in full or hybrid distance learning formats. English learners at all English proficiency levels and at all ages in SCOE programs will receive both Integrated ELD and specialized attention to their particular language learning needs, or Designated ELD.

In addition to the SCOE English Learner family liaison (part-time), SCOE added additional contracted professional translation services for students and parents/guardians.

Students in SCOE special education programs receive individualized supports per their IEP. Distance Learning is challenging for many students, and it is even more challenging for students with severe disabilities. SCOE is approaching programming with the mindset of, ***whatever it takes***, to make Distance Learning meaningful and engaging for all students. All of SCOE service providers are making regular contact with families and developing virtual lessons for meaningful student participation. When students do not have the ability to operate a computer, their families support them with specialized technology and families are provided with a hardcopy of all lesson plans via U.S. mail.

All students in SCOE special education programs receive an individual Distance Learning plan every month. This ensures regular communication with families as well as regular updates on their progress during Distance Learning. The goals in the plan are based on the student's IEP.

### Foster Youth:

- Foster Youth Services Coordinating Program (FYSCP) staff conduct a bi-weekly check-in with teachers to ensure youth are completing schoolwork and that teachers are able to contact youth and foster parents regularly.
- FYSCP staff contact students, foster parents, probation officers, or social workers as needed to encourage youth to complete their schoolwork and assist them in problem-solving solutions to obstacles.
- FYSCP staff collaborate with Probation to conduct education intake interviews via phone; obtain all missing transcripts/credits; and conduct AB 167 reduced-credit exemption reviews.
- FYSCP staff assist youth in transitioning to new school sites and follow-up to ensure the youth has enrolled in their newschool.

**Homeless Youth:**

- Housing questionnaires and student and parent community resource folders are provided in an electronic form as an accessible resource during Distance Learning. Housing questionnaires are used as a tool for determination of student status. The student and parent community resource folders provide resources and referrals to community service providers.
- Teachers submit an electronic or hardcopy of the housing questionnaire to notify Project TEACH staff of a student who needs to be evaluated to establish if they are homeless. Project TEACH staff will review the questionnaires and interview students when appropriate.
- If a teacher is unable to reach a student who has a gap in attendance or has disengaged in schoolwork, Project TEACH staff will attempt to contact the student and/or parent and connect them to the teacher.
- Project TEACH assists teachers by connecting students to resources and addressing barriers due to homelessness. As supplies allow, Project TEACH provides backpacks, school supplies, and hygiene essentials to SCOE students who identify these needs as a barrier to learning.
- Reduced credit graduation (AB 1806) forms for eligible students are generated electronically and sent to counseling staff at SCOE programs.

**Actions Related to the Distance Learning Program [additional rows and actions may be added as necessary]**

Description	Total Funds	Contributing
SCOE purchased touch screen laptop computers for CCS faculty, to enhance each teacher's ability to provide Distance Learning lessons utilizing Zoom Whiteboard. SCOE purchased Edgenuity for all students in the CCS and Palmiter schools and has provided and will continue to provide professional learning for the learning management platform.	\$174,677	Y
SCOE purchased Chromebooks and connectivity devices for all students that lacked appropriate computing devices or connectivity. Limited staff are utilizing personal phones to support Distance Learning and receive a \$50/month stipend.	\$148,388	Y
SCOE has provided and will continue to provide extensive professional development to support Distance Learning. SCOE has allocated 0.5 FTE to a new Director of Distance Learning.	\$41,600	Y



## **Pupil Learning Loss**

[A description of how the LEA will address pupil learning loss that results from COVID-19 during the 2019–2020 and 2020–2021 school years, including how the LEA will assess pupils to measure learning status, particularly in the areas of English language arts, English language development, and mathematics.]

All students enrolled in SCOE court and community school programs are secondary students that transferred from other educational agencies. Establishing English and math proficiency level upon enrollment is standard practice for each SCOE program. Staff will continue to do so remotely. SCOE's new online learning platform, Edgenuity has embedded placement tests for English and mathematics. Each student will take placement exams remotely and faculty will monitor growth over time. Approximately 95% of SCOE work with students in the past focused on reducing loss of learning and we will continue to refine this work via Distance Learning.

### **Pupil Learning Loss Strategies**

[A description of the actions and strategies the LEA will use to address learning loss and accelerate learning progress for pupils, as needed, including how these strategies differ for pupils who are English learners; low-income; foster youth; pupils with exceptional needs; and pupils experiencing homelessness.]

All SCOE court and community school students have a team of administrators, faculty, transition specialists, school counselors, and mental health clinicians that support individualized student success plans. Students will receive support remotely from each of the above professionals during Distance Learning and in-person while we are engaged in a hybrid model of instruction.

All students will receive and/or engage in the following:

- A Chromebook, laptop, or desktop if needed
- An internet connection device if needed
- An Edgenuity account
- A Google account and Google Classroom support
- Standards based instructional materials assigned via their Student Success Plan
- Online assignments and personalized support from faculty and transition specialists in Edgenuity
- Online assignment and individualized support in Google Classroom
- Project Based Learning assignments designed in partnership with Big Picture Learning
- Distance Learning Assignments and support from Career Technical Education teachers
- Support from seven trusted non-profit agencies all focused on SEL support and specific topics such as green careers, entrepreneurship, STEM, computer science and coding workshops, journalism, creative writing, performing arts, and college and career readiness

SCOE's students enrolled in special education programs all have a team of professionals that are assigned to support their academic program based on the needs in the student's IEP. These professionals include a teacher, a school psychologist, a school nurse, and also may include a speech and language pathologist, occupational therapist, and a teacher of the visually impaired. These professionals work collaboratively to support the student's distance learning progress.

All students in SCOE special education programs receive and/or engage in the following:

- A Chromebook, laptop, or desktop if needed
- An internet connection device if needed
- A Google account and Google Classroom support
- Support setting up an at-home learning station that meets the student's needs
- Support for the family setting up a new routine around distance learning
- Individual and whole class lessons
- Lessons designed specifically to meet their individual educational needs
- At-home asynchronous learning activities to provide additional support for their distance learning lessons

### **Effectiveness of Implemented Pupil Learning Loss Strategies**

[A description of how the effectiveness of the services or supports provided to address learning loss will be measured.]

Faculty will communicate with each student daily and will monitor student engagement daily. SCOE will measure the effectiveness of its strategies based on: student completion and proficiency demonstrated in online Edgenuity classes, Google Classroom assignment completion, and completion of Project-Based Learning assignments and standards-based hardcopy assignments. Faculty and staff will monitor growth in academics, career technical skills, career readiness, and student wellness.

Faculty will adhere to timelines of communicating progress to students on a weekly basis, parents on a two-week basis, and assigning formal grades on a quarterly basis.

## Actions to Address Pupil Learning Loss [additional rows and actions may be added as necessary]

Description	Total Funds	Contributing
SCOE engages in home visits to reengage students who are not engaged in Distance Learning through partnerships and contracts with non-profit agencies and the San Juan Safe Schools office. Collaborative teams engage families with social distance protocols “across the porch or yard” to develop solutions that support student engagement.	\$95,797	Y
SCOE is adding limited term assignment teachers to mitigate learning loss in the Special Education, Senior Extension, and Community School and Court School programs. SCOE provided summer school sessions to mitigate learning loss during June and July of 2020. SCOE will provide summer school during June of 2021.	\$460,064	Y
SCOE teachers have engaged in extensive professional learning to design custom lessons within Edgenuity and Google Classroom to support students that are below grade level.	\$76,940	Y

## Mental Health and Social and Emotional Well-Being

[A description of how the LEA will monitor and support mental health and social and emotional well-being of pupils and staff during the school year, including the professional development and resources that will be provided to pupils and staff to address trauma and other impacts of COVID-19 on the school community.]

SCOE has supported student mental health and SEL well-being in the past through the efforts of school counselors, non-profit partnerships and through contracts with part-time mental health clinicians. SCOE will hire additional part-time, limited-assignment mental health clinicians to support student wellness during Distance Learning and during hybrid instructional models that blend on-campus and Distance Learning. SCOE faculty will use SEL signature practices to build community and ensure opportunities for students to develop their social and emotional competencies in the distance learning classroom.

The mental health clinicians provide wellness professional development to faculty and staff, teaching wellness protocols that initially benefit faculty, but then are taught to students by clinicians and supported and promoted by faculty to increase student wellness. Mental health clinicians will provide remote support to students via one-to-one sessions, group sessions and in-person during hybrid on-campus instruction.

Non-profit partners support student wellness during the school day, after school, and on weekends. More than ten non-profit partners support SCOE students throughout the school year and seven supported students during the summer of 2020 via a City of Sacramento Summer Learning Initiative.

## Pupil and Family Engagement and Outreach

[A description of pupil engagement and outreach, including the procedures for tiered reengagement strategies for pupils who are absent from distance learning and how the LEA will provide outreach to pupils and their parents or guardians, including in languages other than English, when pupils are not meeting compulsory education requirements, or if the LEA determines the pupil is not engaging in instruction and is at risk of learning loss.]

**Tier I:** Faculty and staff will contact each student every school day as part of daily instruction and intensive intervention. In the event students or parents/guardians don't engage when scheduled, the teacher will reach out to understand why the student did not attend.

**Tier II:** When students or families do not engage after a normally scheduled class or Zoom meeting, they will receive additional outreach attempts from the site administrator, mental health clinician, transition specialist, or school counselor.

**Tier III:** When contact is not established in Tier I or II, the family will receive an across the porch home visit (with appropriate social distancing protocols) from school management, contracted non-profit support providers, mental health clinicians, and at times, safe school personnel from the San Juan Safe Schools Office. Students in the SCOE court school will receive support in a collaborative effort from SCOE staff, probation staff, and phone conversations with parents.

Spanish-speaking students are supported by Spanish speaking faculty and staff, a Spanish speaking family liaison and a contract with Transcend Translations. Students from families speaking languages other than Spanish are supported by SCOE's contract with Transcend Translations.

Students in Foster Care and students experiencing homelessness will receive additional support at each of the tiers listed above from caseworkers employed within SCOE's Foster and Homeless support departments.

## School Nutrition

[A description of how the LEA will provide nutritionally adequate meals for all pupils, including those students who are eligible for free or reduced-price meals, when pupils are participating in both in-person instruction and distance learning, as applicable.]

Each student/family receives updated food distribution hub maps and lists, and if necessary, receives phone assistance to ensure access to school district and food bank distribution sites.

During in-person learning all students will receive breakfast, lunch, and snack food as needed via SCOE food service contracts with local school districts.

SCOE also purchases food as appropriate to supplement district provided food service. At times, students arrive late for breakfast or know they won't have enough food for dinner and SCOE supplements individually.

# Increased or Improved Services for Foster Youth, English Learners, and Low-Income Students

Percentage to Increase or Improve Services	Increased Apportionment Based on the Enrollment of Foster Youth, English Learners, and Low-Income students
4.86%	\$1,294,157

## Required Descriptions

[For the actions being provided to an entire school, or across the entire school district or county office of education (COE), an explanation of (1) how the needs of foster youth, English learners, and low-income students were considered first, and (2) how these actions are effective in meeting the needs of these students.]

SCOE provides a part time bilingual family liaison to support needs of non-English speakers, and added additional contracted professional translation services for students and parents/guardians to ensure all languages were addressed.

Students in SCOE Special Education programs receive specific supports per their IEP. Distance Learning is challenging for all students, and it is even more challenging for students with moderate to severe disabilities. We are approaching SCOE programs with the mindset of “whatever it takes” to make Distance Learning meaningful for SCOE students. All of SCOE service providers are making regular contact with families and developing virtual lessons for the students. For students where they do not have the ability to manipulate a computer, their families support them with technology and they are also provided with a hardcopy of all lesson plans via US mail. All students in SCOE Special Education programs receive an individual Distance Learning plan every month. This will ensure regular communication with families as well as regular updates on their progress during Distance Learning. The goals in the plan are based on the student's IEPs.

### **Foster Youth Services Coordinating Program (FYSCP) Staff:**

- Conducts a bi-weekly check-in with teachers to ensure youth are completing their schoolwork and that teachers are able to contact youth and foster parents regularly.
- Contacts students, foster parents, probation officers, or social workers as needed to encourage youth to complete their schoolwork and assist them in problem-solving any obstacles preventing them from doing so.
- Collaborates with Probation to conduct education intake interviews via phone; obtain all missing transcripts/credits; and conduct AB 167 (reduced-credit graduation exemption) reviews.
- Assists youth in transitioning to new school sites and provides follow-up to ensure the youth has enrolled in their new school.

**Homeless Youth:**

- Housing questionnaires and student and parent community resource folders have been created in an electronic form to be an accessible resource during Distance Learning. Housing questionnaires are used as a tool for identification of students. The student and parent community resource folders provide resources and referrals to community service providers.
- Teachers can submit an electronic or hardcopy of the housing questionnaire to notify Project TEACH staff of a student who needs to be evaluated to establish if they are homeless. Project TEACH staff will review the questionnaires and interview students when appropriate.
- If a teacher is unable to reach a student who has a gap in attendance or has disengaged in school work, Project TEACH staff will attempt to contact the student and/or parent and connect them to the teacher.
- Project TEACH assists teachers by connecting students to resources and addressing barriers due to homelessness. As supplies allow, Project TEACH provides backpacks, school supplies, and hygiene essentials to SCOE students who identify these needs as a barrier to Distance Learning.
- Reduced credit graduation (AB 1806) forms for eligible students are generated electronically and sent to counseling staff at SCOE programs.

**SACRAMENTO COUNTY BOARD OF EDUCATION**

10474 Mather Boulevard, P.O. Box 269003  
Sacramento, CA 95826-9003

<b>Subject:</b> Revisions to Administrative Rules and Regulations 2400 – Charter School Petitions	<b>Agenda Item No.:</b> VIII.E. <b>Enclosures:</b> 24
<b>Reason:</b> Informational	<b>From:</b> David W. Gordon <b>Prepared By:</b> Teresa Stinson <b>Board Meeting Date:</b> 09/15/20

**BACKGROUND:**

On August 11, 2020, the Sacramento County Board of Education adopted revisions to Board Policy 2400 (Charter School Petitions), and reviewed and provided input regarding Administrative Rules and Regulations (ARR) 2400 (Charter School Petitions) developed by the Sacramento County Office of Education (SCOE) and Sacramento County Superintendent of Schools.

The attached ARR 2400 has been revised based upon input from the Board and from SCOE's equity team. Revisions made after the August 11, 2020 Board Meeting are in blue and underlined. This item is provided for information and comment, and no action is required by the Board.

### **CHARTER SCHOOL PETITIONS**

**ARR 2400**

(Page 1 of 9)

#### **I. General Provisions**

These Administrative Rules and Regulations (ARR) pertain to the following types of charter petitions submitted to the Sacramento County Board of Education (Board):

- A. Appeal. Petitions that have been denied by the local governing board of a school district in Sacramento County, and subsequently submitted to the Board for review, per Education Code (Ed. Code, § 47605(k);
- B. Sacramento County Office of Education (SCOE) Pupil Population. Petitions that propose to serve pupils for whom the SCOE would otherwise be responsible for providing direct education and related services, per Education Code section 47605.5; or
- C. Countywide Charter. Petitions to establish a countywide charter school that will operate at one or more sites within Sacramento County, provide instructional services not generally provided by SCOE, and benefit pupils who cannot be served as well by charter schools operating in only one school district, per Education Code section 47605.6.

These ARR have been developed to carry out Board Policy (BP) 2400. These ARR provide guidance of the factors SCOE staff will consider in determining whether charter school petitions meet applicable standards; the process SCOE staff will use to provide recommendations to the Board regarding the granting or denial of charter petitions; the monitoring and oversight of charter schools under approved charters; and the procedures for renewal, non-renewal, or revocation of approved charters.

#### **II. Charter School Petition Submission and Review Procedures**

SCOE's legal department will serve as the first point of contact and liaison for petitioners.

Charter school petitions submitted to the Board will be considered under the legal standards set forth in Education Code section 47600, et seq., and California Code of Regulations, Title 5, sections 11967 and 11967.5.1 (to the extent outlined in BP 2400). Additionally, SCOE staff will follow the guidelines outlined in the Charter School Petition Review Criteria and Tips (attached as Appendices A and B) in making recommendations to the Board.



#### **A. Appeals (Pursuant To Ed. Code, § 47605 (k).)**

A charter school petition that has been previously denied by the governing board of a school district may be appealed to the Board. The charter school appeal must be received at SCOE's administrative offices (10474 Mather Boulevard, Mather, CA 95655) within the legally required deadline. (Ed. Code, § 47605(k).)<sup>1</sup> When filing the charter school petition appeal with the Board, petitioners shall provide the following before the Board will consider the appeal:

1. A complete copy of the charter petition as denied by the district governing board, including the signatures required by Education Code section 47605.
2. A copy of the governing board's action of denial of the petition and the governing board's written factual findings specific to the particular petition, as required by Education Code section 47605(c).
3. A signed certification of compliance with applicable law.
4. A description of any changes to the petition necessary to reflect the Board as the authorizing entity.
5. Evidence that copies of all charter appeal documents have also been submitted to the school district. (Ed. Code, § 47605(k).)
6. If the Board determines that the petition submitted on appeal contains new or different material terms as defined in Education Code section 47605(k)(1)(A)(iii), the petition will be remanded to the school district for reconsideration. If the district denies the charter petition again, the petition may be re-submitted to the Board on appeal, and must include items 1-5.

The timeline for consideration of the appeal will not commence until items 1-5 are submitted.

In considering charter petitions that have been previously denied by a school district, the Board is not limited to a review based on the reasons for denial stated by the school district, but will review the charter petition under Education Code section 47605(c).

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<sup>1</sup> Under applicable law, effective July 1, 2020, petitioners must submit a charter appeal petition within 30 days of the school district governing board's denial. To the extent the law is subsequently amended, the charter appeal will be governed by the law in effect at the time of the charter appeal.

***B. SCOE Pupil Population or Countywide Charter Petitions (Pursuant To Ed. Code, §§ 47605.5 and 47605.6.)***

A petition for the establishment of a charter school that will serve pupils for whom SCOE would otherwise be responsible for providing direct education and related services must be submitted in the same manner as set forth in Education Code section 47605, other applicable law, and Board policy. Petitions to establish a countywide charter school must be submitted as set forth in Education Code section 47605.6, other applicable law, and Board policy.

In addition to the above requirements, petitions to establish countywide charter schools under Education Code section 47605.6 must demonstrate the following to be approved:

1. The educational services offered are services to a pupil population that will benefit from those services.
2. The pupils proposed to be served cannot be served as well by a charter school that operates in only one school district in the county.
3. 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.

***C. All Charter School Petitions Must Include The Following:***

1. The name, address, and telephone number of the lead charter school petitioner(s) and a signed statement or letter formally applying to the Board for the approval of a charter petition. For a charter appeal, if the proposed charter school includes one or more grade levels not served by the district to which the charter was initially submitted, it must also propose to serve all of the grade levels which are served by the district. (Ed. Code, § 47605(a)(6).)
2. A copy of the charter school petition must be attached to the form and signatures provided by either:

- a. A number of parents or guardians of pupils that is equivalent to at least one-half of the number of pupils that the charter school estimates will enroll in the school for its first year of operation. Parents/guardians signing the petition must have one or more children who are age appropriate for the proposed charter school and must state the number of such children on the petition. The petition must include a prominent statement that a signature on the petition means that the parent or guardian is meaningfully interested in having his/her child, or ward, attend the charter school; or Education Code sections 47605(a)(1)(A), 47605(a)(3), 47605.6(a)(1)(A), and 47605.6(a)(4).
- b. A number of validly credentialed teachers that is equivalent to at least one-half of the number of teachers that the charter school estimates will be employed at the school during its first year of operation. The petition must include a prominent statement that a signature on the petition means that the teacher is meaningfully interested in teaching at the charter school. (Ed. Code, §§ 47605(a)(1)(B) and 47605.6(a)(1)(B).) SCOE will review Commission on Teacher Credentialing records to confirm that teachers signing the petition are validly credentialed.

In the case of a petition for the establishment of a charter school through the conversion of an existing public school, the petition must be signed by not less than 50 percent of the permanent status teachers currently employed at the public school to be converted. (Ed. Code, § 47605(a)(2).)

3. A description of how the proposed charter will serve the interests of the community in which the charter school proposes to locate, and how it will serve the academic needs of its proposed pupils. (Ed. Code, § 47605(c)(7).)
4. A detailed, complete operational budget as described in Appendix A.
5. A thorough description of the education, work experience, credential, degrees and certifications of the individuals comprising, or proposed to comprise, the administration of the proposed charter school, including the directors, Board members, administrators, and managers.
6. The bylaws, articles of incorporation and other management documents, as applicable, governing, or proposed to govern the charter school. The information in this section should specify that the charter school will be subject to the Brown Act, Public Records Act, Political Reform Act, Government Code section 1090, and any other governance or public meeting requirements applicable to charter schools as specified in Education Code section 47604.1.

7. An affirmation that meets the requirements of Education Code sections 47605(d) or 47605.6(e).
8. If available, the address and a description of the charter school facility or facilities, together with such documentation sufficient to provide reasonable evidence that the charter school facility is safe, habitable, well-suited for educational purposes, and that the applicant has secured or has reasonable assurance of securing the facility for use by the charter school. If a specific facility has not yet been secured, at a minimum, petitioners must provide a description of the type of facility the school needs, the number of rooms and amount of space (by square foot) needed, the estimated cost of rent and tenant improvements, and a list of potential facilities under consideration.
9. Opening a charter school does not require the use of vendors or contractors. However, if the Petitioners intend to use vendors or contractors to perform essential functions of the charter school (e.g., finances, human resources, educational programming, special education, etc.), the petition should include a list of vendors and contractors whom the charter school has engaged for the purpose of developing, operating and/or evaluating the charter school, together with a description of their qualifications.
10. The petitioners must provide information regarding the proposed operation and potential effects of the charter school, including, but not limited to, the facilities to be used by the charter school, the manner in which administrative services of the charter school are to be provided, and potential civil liability effects, if any, upon the charter school, any school district where the charter school may operate, SCOE, and the Board. The description of the facilities to be used by the charter school shall specify where the charter school intends to locate. (Ed. Code, §§ 47605(h) and 47605.6(h).)
11. The petition must also demonstrate that the charter school shall meet all applicable state and federal accountability requirements.
12. As described more fully in Appendix A, reasonably comprehensive descriptions of the items listed in Education Code sections 47605(c)(5)(A)-(O) and 47605.6(b)(5)(A)-(P) or any subsequently implemented provisions of the Charter Schools Act of 1992.

#### **D. General Submission and Review Guidelines Applicable to All Charter Petitions**

Petitioners seeking approval to commence the operation of a district-authorized charter school under Education Code section 47605 at the start of a school year are encouraged to submit the charter petition to the district Board by the beginning of the prior school year, so as to allow time to pursue if necessary the appeal process of the county and the state. Petitioners seeking approval to commence the operation of a county-authorized charter school at the start of a school year under Education Code sections 47605.5 or 47605.6 are encouraged to submit the charter petition to the Board by the beginning of the prior school year.

SCOE staff will review the petition, using the criteria described in Appendices A and B.

SCOE staff may, but are not required to, inform charter school petitioners of general deficiencies within the charter petition. However, SCOE staff will not provide any specific language to be included in a charter petition. Staff will prepare proposed findings of fact for recommendation to the Board. Prior to the Board meeting at which the petition is to be considered, a copy of the proposed findings of fact will be provided to the charter school petitioners and to representatives of the district that denied the charter, or, in the case of a SCOE pupil population or countywide charter petition, to representatives of every district in the county.

### **III. Right of Charter Petitioner to Appeal to the State Board of Education**

If the Board denies a charter appeal or a petition that proposes to serve pupils for whom SCOE would otherwise be responsible for providing direct education and related services, the petitioners may submit the petition to the State Board of Education for consideration. (Ed. Code, §§ 47605(k) and 47605.5.)

If the Board denies a countywide charter petition, the petitioner may not submit the petition to the State Board of Education for consideration. (Ed. Code, § 47605.6(k).)

### **IV. Monitoring and Oversight of Approved Charters**

Approved charter schools are subject to monitoring and oversight pursuant to applicable law, including but not limited to Education Code sections 47604.32, 47604.33, 47604.4 and 47613.

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In order to hold the charter school accountable for fulfilling the terms of its charter, an approved Memorandum of Understanding (MOU) between the Board, the Sacramento County Superintendent of Schools (Superintendent), and charter petitioner will be required before the charter school is permitted to open and operate. The MOU will establish expectations for charter school operations, accountability, and oversight.

The Board has supervisory oversight responsibilities over its authorized charter schools. In order to carry out such responsibilities the Board through the Superintendent, or designee, may inspect or observe any part of a charter school at any time.

On behalf of the Board, SCOE's supervisory oversight responsibilities shall include, but are not limited to, the following:

- A. Identifying at least one staff member as a contact person for charter schools.
- B. Visiting each charter school at least annually.
- C. Ensuring that each charter school under its authority complies with all reports required of charter schools by law.
- D. Monitoring the fiscal condition of each charter school under its authority.
- E. Providing timely notification to the California Department of Education (CDE) if any of the following circumstances occur or will occur with regard to a charter school for which it is the chartering authority:
  - 1. A renewal of the charter is granted or denied.
  - 2. The charter is revoked.
  - 3. The charter school will cease operation for any reason.

The Board may appoint a representative to serve on the board of directors of charter schools operated by nonprofit benefit corporations, and the corporation shall confer upon the Board's appointee all rights and responsibilities exercised by any other director of the corporation. (Ed. Code, § 47604; Corporations Code 5047.)

A charter school must promptly respond to all reasonable inquiries, including but not limited to, inquiries regarding its financial records, staff qualifications, pupil progress toward charter school goals and objectives, pupil progress on state mandated assessments, and compliance with state and federal requirements.

Charter school officials must be available to consult with the Superintendent or designee, SCOE, and the Board if necessary regarding any inquiries.

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The Superintendent, or designee, shall inspect, not less often than annually, documents on file at the charter school which shall verify that all teachers at the school are appropriately credentialed within the requirements of Education Code sections 47605(l) or 47605.6(l).

SCOE shall charge, and the charter school shall pay for the actual costs of monitoring and supervision pursuant to applicable law. (Ed. Code, § 47613)

A charter school shall annually prepare and submit to the Superintendent the reports specified in Education Code section 47604.33. A charter school shall transmit a copy of its annual independent financial audit report for the preceding fiscal year to the Superintendent by December 15 of each year.

The Superintendent, or designee, shall examine, not less than annually, the audit report of the charter school, and shall, not less than annually, examine the general operation of the charter school. The Superintendent will promptly report to the Board any instance in which the charter school has committed any of the violations for which a charter school may be revoked, as described in Section VI of these rules and regulations.

#### **V. Material Revisions of an Approved Charter**

If the Board determines that a charter petition appeals contains new or different material terms as defined in Education Code section 47605(k), the charter petition shall be remanded to the school district governing board for reconsideration.

Material revisions to a charter petition that has already been approved by the Board may be made only with the written approval of the Board, and shall be governed by the same standards and criteria that apply to new charter school petitions as set forth in Education Code sections 47605 and 47605.6.

#### **VI. Potential Revocation of Approved Charter Petitions**

A charter may be revoked by the Board under the provisions of Education Code section 47607, if, based on evidence presented by the Superintendent, SCOE, or other sources, the Board finds that the charter school did any of the following:

- A. Committed a material violation of any of the conditions, standards, or procedures set forth in the charter petition.
- B. Failed to meet or pursue any of the pupil outcomes identified in the charter petition.
- C. Failed to meet generally accepted accounting principles or engaged in fiscal mismanagement.
- D. Violated any law.



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If the charter school committed any of the violations described above, the Superintendent or designee, on the Board's behalf, shall notify the charter school in writing of its intent to revoke the charter and shall provide the school reasonable opportunity to cure the violation. However, if the Board determines that the violation constitutes a severe and imminent threat to the health or safety of pupils, such notification and opportunity to cure need not be provided.

After a reasonable period, if satisfactory evidence is not presented to the Board that the violation has been cured, the Board may revoke the charter effective at such date as the Board determines appropriate.

Upon evidence satisfactory to the Board that the violation has been cured, the Board shall rescind the notice of intent to revoke.

### **VII. Charter Renewals**

Charter petition renewals shall be governed by Education Code sections 47607, et seq., 47605 and 47605.6 and, as applicable, the evaluation criteria set forth in this ARR. A summary of statutory renewal standards is outlined in Appendix C. To the extent that charter renewal standards are later updated, renewal will be governed by currently applicable law.

Written notice from a charter school that it wants to renew its charter should ideally be submitted at the beginning of the school year during which the charter will expire and, unless other arrangements are made in writing with SCOE, must be received no later than 180 days prior to the expiration of the charter. The Board will review the renewal petition under applicable legal standards, and will conduct a public hearing to receive input on whether or not to renew the charter and to either grant or deny renewal.

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04/20/04	Approved by the Board of Education and Administrative Cabinet
10/19/10	Reviewed by Policy Committee
11/22/10	Approved by Administrative Cabinet
01/18/11	Reviewed by Board as an Information Item
06/16/20	Reviewed by Policy Committee
07/28/20	Approved by Superintendent's Cabinet
08/11/20	Reviewed by the Board of Education
<b><u>09/01/20</u></b>	<b><u>Approved by Superintendent's Cabinet</u></b>
<b><u>09/15/20</u></b>	<b><u>Reviewed by the Board of Education</u></b>



## **Charter School Petitions – Administrative Rules and Regulations 2400**

### **Appendix A**

Criteria for the Review of Charter School Petitions and Charter School Renewal Petitions by the Sacramento County Board of Education (Board).

- A. For purposes of Education Code section 47605(c), a charter petition shall be “consistent with sound educational practice” if, in the BOARD's judgment, it is likely to be of educational benefit to pupils who attend. A charter school need not be designed or intended to meet the educational needs of every pupil who might possibly seek to enroll in order for the charter to be granted by the BOARD.
- B. For purposes of Education Code section 47605(c)(1), a charter petition shall be “an unsound educational program” if it is any of the following:
  - 1. A program that involves activities that the BOARD determines would present the likelihood of physical, educational, or psychological harm to the affected pupils.
  - 2. A program that the BOARD determines not to be likely to be of educational benefit to the pupils who attend.
  - 3. If the petition is for renewal of a charter school, and either the charter school has not met the standards for renewal pursuant to Education Code section 47607, et seq., as applicable, or the charter school has not met the measurable pupil outcomes as described in its charter.
- C. For purposes of Education Code section 47605(c)(2), the BOARD shall take the following factors into consideration in determining whether charter petitioners are “demonstrably unlikely to successfully implement the program.”
  - 1. If the petitioners have a past history of involvement in charter schools or other education agencies (public or private), the history is one that the BOARD regards as unsuccessful, e.g., the petitioners have been associated with a charter school or private school that has ceased operations for reasons within the petitioner's control, has been revoked, has violated its charter or other legal requirements, or has engaged in fiscal mis-management or malfeasance.
  - 2. The petitioners are unfamiliar in the BOARD's judgment with the content of the petition or the requirements of law that would apply to the proposed charter school.
  - 3. The petitioners have presented an unrealistic financial and operational plan for the proposed charter school. An unrealistic financial and operational plan is one to which any or all of the following applies:
    - a. In the area of administrative services, the charter or supporting documents do not adequately:

- (1) Describe the structure for providing administrative services, including, at a minimum, personnel transactions, accounting and payroll that reflects an understanding of school business practices and expertise to carry out the necessary administrative services, or a reasonable plan and time line to develop and assemble such practices and expertise.
  - (2) For any contract services, describe criteria for the selection of a contractor or contractors that demonstrate necessary expertise and the procedure for selection of the contractor or contractors.
- b. In the area of financial administration, the charter or supporting documents do not adequately:
- (1) Include, at a minimum, the first-year operational budget, start-up costs, and cash flow, and financial projections for the first three years.
  - (2) Include in the operational budget reasonable estimates of all anticipated revenues and expenditures necessary to operate the school, including, but not limited to, special education, based, when possible, on historical data from schools or school districts of similar type, size, and location.
  - (3) Include budget notes that clearly describe assumptions on revenue estimates, including, but not limited to, the basis for average daily attendance estimates and staffing levels.
  - (4) Present a budget that in its totality appears viable, and over a period of no less than two years of operations, provides for the amassing of a reserve equivalent to that required by law for a school district of similar size to the proposed charter school.
  - (5) Demonstrate an understanding of the timing of the receipt of various revenues and their relative relationship to timing of expenditures that are within reasonable parameters, based, when possible, on historical data from schools or school districts of similar type, size, and location.
- c. In the area of insurance, the charter and supporting documents do not adequately provide for the acquisition of and budgeting for general liability, workers compensations, and other necessary insurance of the type and in the amounts required for an enterprise of similar purpose and circumstance.
- d. In the area of facilities, the charter and supporting documents do not adequately:
- (1) Describe the types and potential location of facilities needed to operate the size and scope of educational program proposed in the charter.

- (2) In the event a specific facility has not been secured, provide evidence of the type and projected cost of the facilities that may be available in the location of the proposed charter school.
  - (3) Reflect reasonable costs for the acquisition or leasing of facilities to house the charter school, taking into account the facilities the charter school may be allocated under the provisions of Education Code section 47614.
- 4. The petitioners personally lack the necessary background in the following areas critical to the charter school's success, and the petitioners do not have a plan to secure the services of individuals who have the necessary background in these areas:
  - a. Curriculum, instruction, and assessment.
  - b. Finance and business management.
- D. For purposes of Education Code section 47605(c)(3), a charter petition that “does not contain the number of signatures required by subdivision (a)” of Education Code section 47605 shall be a petition that did not contain the requisite number of signatures at the time of the submission of the original charter to a school district governing board pursuant to Education Code section 47605(a). The BOARD shall not disregard signatures that may be purported to have been withdrawn or to have been determined to be invalid after the petition was denied by the school district. The signature requirement set forth in Education Code section 47605(a) is not applicable to a petition for renewal.
- E. For purposes of Education Code section 47605(c)(4), a charter petition that “does not contain an affirmation of each of the conditions described in subdivision (e)” of Education Code section 47605 shall be a petition that fails to include a clear, unequivocal affirmation of each such condition, not a general statement of intention to comply. Neither the charter nor any of the supporting documents shall include any evidence that the charter will fail to comply with the conditions described in Education Code section 47605(e).
- F. For purposes of Education Code section 47605(c)(5), the BOARD shall take the following factors into consideration in determining whether a charter petition does not contain a “reasonably comprehensive” description of each of the specified elements.
  - 1. The description of the educational program of the school, as required by Education Code section 47605(c)(5)(A), at a minimum:
    - a. Indicates the proposed charter school's target pupil population, including, at a minimum, grade levels, approximate numbers of pupils, and specific educational interests, backgrounds, or challenges.

- b. Specifies a clear, concise school mission statement with which all elements and programs of the school are in alignment and which conveys the petitioners' definition of an "educated person" in the 21st century, belief of how learning best occurs, and goals consistent with enabling pupils to become or remain self-motivated, competent, and lifelong learners.
- c. Includes a framework for instructional design that is aligned and accessible to a full range of learners and specifically addresses ~~with~~ the needs of the pupils that the charter school has identified as its target pupil population.
- d. Indicates the basic learning environment or environments (e.g., site-based matriculation, independent study, community-based education, or technology-based education).
- e. Indicates the instructional approach or approaches the charter school will utilize, including, but not limited to, the curriculum and teaching methods (or a process for developing the curriculum and teaching methods) that will enable the school's pupils to master the content standards for the core curriculum areas adopted by the BOARD pursuant to Education Code section 60605 and to achieve the objectives specified in the charter.
- f. Indicates how the charter school will identify and respond to the needs of pupils who are not achieving at or above expected levels.
- g. Indicates how the charter school will meet the needs of pupils with disabilities, English learners, pupils achieving substantially above or below grade level expectations, and other special pupil populations.
- h. Specifies the charter school's special education plan, including, but not limited to, the means by which the charter school will comply with the provisions of Education Code section 47641, the process to be used to identify pupils who qualify for special education programs and services, how the school will provide or access special education programs and services, the school's understanding of its responsibilities under law for ~~special education~~ pupils with disabilities, and how the school intends to meet those responsibilities.
- i. Indicates the annual goals for the charter school for all pupils and for each subgroup of pupils identified under Education Code section 52052(a), to be achieved in the state priorities described in Education Code section 52060(d), that apply for the grade levels served and the specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals.

2. Measurable pupil outcomes, as required by Education Code section 47605(c)(5)(B), at a minimum:
  - a. Specify skills, knowledge, and attitudes that reflect the school's educational objectives and can be assessed, at a minimum, by objective means that are frequent and sufficiently detailed enough to determine whether pupils are making satisfactory progress. It is intended that the frequency of objective means of measuring pupil outcomes vary according to such factors as grade level, subject matter, the outcome of previous objective measurements, and information that may be collected from anecdotal sources.
  - b. To be sufficiently detailed, objective means of measuring pupil outcomes must be capable of being used readily to evaluate the effectiveness of and to modify instruction for individual pupils and for groups of pupils.
  - c. Align with the state priorities, as described in Education Code section 52060(d), that apply for the grade levels served by the charter school.
  - d. Shall include outcomes that address increases in pupil academic achievement both schoolwide and for all pupil subgroups served by the charter school as defined in Education Code section 52052(a).
3. The method by which pupil progress is to be measured, as required by Education Code section 47605(c)(5)(C), at a minimum:
  - a. Utilizes a variety of assessment tools that are appropriate to the skills, knowledge, or attitudes being assessed, including, at a minimum, tools that employ objective means of assessment consistent with paragraph F.2. of these criteria.
  - b. Includes the annual assessment results from any state mandated testing program, currently the California Assessment of Student Performance and Progress (CASPP).
  - c. Outlines a plan for collecting, analyzing, and reporting data on pupil achievement to school staff and to pupils' parents and guardians, and for utilizing the data continuously to monitor and improve the charter school's educational program.
  - d. To the extent practicable, the method for measuring pupil outcomes for state priorities must be consistent with the way information is reported on a school accountability report card.

4. The governance structure of the school, including, but not 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(c)(5)(D), at a minimum:
  - a. Includes evidence that the charter school will comply with the Brown Act, Public Records Act, Political Reform Act, Government Code section 1090, and any other governance or public meeting requirements applicable to charter schools, as currently specified in Education Code section 47604.1.
  - b. Includes evidence of the charter school's incorporation as a non-profit public benefit corporation, if applicable.
  - c. Includes evidence that the organizational and technical designs of the governance structure reflect a seriousness of purpose necessary to ensure that:
    - (1) The charter school will become and remain a viable enterprise.
    - (2) There will be active and effective representation of interested parties, including, but not limited to parents (guardians).
    - (3) The educational program will be successful.
5. The qualifications to be met by individuals to be employed by the school, as required by Education Code section 47605(c)(5)(E), at a minimum:
  - a. Identify general qualifications for the various categories of employees the school anticipates (e.g., administrative, instructional, instructional support, non-instructional support). The qualifications shall be sufficient to ensure the health, and safety of the school's faculty, staff, and pupils.
  - b. Identify those positions that the charter school regards as key in each category and specify the additional qualifications expected of individuals assigned to those positions.
  - c. Specify that the requirements for employment set forth in applicable provisions of law will be met, including, but not limited to credentials as necessary.
6. The procedures that the school will follow to ensure the health and safety of pupils and staff, as required by Education Code section 47605(c)(5)(F), at a minimum:
  - a. Require that each employee of the school furnish the school with a criminal record summary as described in Education Code section 44237.
  - b. Include the examination of faculty and staff for tuberculosis as described in Education Code section 49406.

- c. Require immunization of pupils as a condition of school attendance to the same extent as would apply if the pupils attended a non-charter public school. (See Health & Safety Code § 120325, et seq.)
  - d. Provide for the screening of pupils' vision and hearing and the screening of pupils for scoliosis to the same extent as would be required if the pupils attended a non-charter public school.
  - e. Provide for school safety procedures required by law for charter schools.
7. For purposes of Education Code section 47605(c)(5)(G), the charter petition shall describe a means or plan for recruiting pupils that reflects an intention to achieve a balance of racial and ethnic pupils, pupils with disabilities, and English Learner pupils, including redesignated fluent English proficient pupils, that reflects the general population within the school district or county, as applicable. Recognizing the limitations on admissions to charter schools imposed by Education Code section 47605(e), the means by which the school will achieve a such ~~balance of racial and ethnic pupils, special education pupils, and English Learner pupils, including redesignated fluent English proficient pupils, that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted, as required by Education Code section 47605(c)(5)(G),~~ shall be presumed to have been met, absent specific information to the contrary.
8. To the extent admission requirements are included in keeping with Education Code section 47605(c)(5)(H), the requirements shall be in compliance with the requirements of Education Code section 47605(e) and any other applicable provision of law.
- a. The charter petition shall include a copy of the charter school's enrollment and lottery application(s).
9. The manner in which annual, independent, financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the chartering authority, as required by Education Code section 47605(c)(5)(I), at a minimum:
- a. Specify who is responsible for contracting and overseeing the independent audit.
  - b. Specify that the auditor will have experience in education finance.
  - c. Outline the process of providing audit reports to the BOARD, California Department of Education, or other agency as the BOARD may direct, and specifying the time line in which audit exceptions will typically be addressed.
  - d. Indicate the process that the charter school will follow to address any audit findings and/or resolve any audit exceptions.

10. The procedures by which pupils can be suspended, expelled, or otherwise involuntarily removed from the charter school for any reason, shall comply with Education Code section 47605(c)(5)(J), and, at a minimum:
  - a. Identify a preliminary list, subject to later revision pursuant to subparagraph (e), of the offenses for which pupils in the charter school must (where non-discretionary) and may (where discretionary) be suspended and, separately, the offenses for which pupils in the charter school must (where non-discretionary) or may (where discretionary) be expelled, providing evidence that the petitioners' reviewed the offenses for which pupils must or may be suspended or expelled in non-charter public schools.
  - b. Identify the procedures by which pupils can be suspended, expelled, or involuntarily removed. At a minimum, these procedures shall include an explanation of how the charter school will comply with federal and state constitutional procedural and substantive due process requirements that is consistent with Education Code section 47605(c)(5)(J).
  - c. Identify the procedures by which parents, guardians, and pupils will be informed about reasons for suspension, expulsion, or involuntary removal and of their due process rights.
  - d. Provide evidence that in preparing the lists of offenses specified in subparagraph (a) and the procedures specified in subparagraphs (b) and (c), the petitioners reviewed the lists of offenses and procedures that apply to pupils attending non-charter public schools, and provide evidence that the charter petitioners believe their proposed lists of offenses and procedures provide adequate safety for pupils, staff, and visitors to the school and serve the best interests the school's pupils and their parents (guardians).
  - e. If not otherwise covered under subparagraphs (a), (b), (c), and (d):
    - (1) Provide for due process for all pupils and demonstrate an understanding of the rights of pupils with disabilities in regard to suspension and expulsion.
    - (2) Outline how detailed policies and procedures regarding suspension, expulsion, and involuntary removal will be developed and periodically reviewed, including, but not limited to, periodic review and (as necessary) modification of the lists of offenses for which pupils are subject to suspension, expulsion, or involuntary removal.
11. The manner by which staff members of the charter schools will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security, as required by Education Code section 47605(c)(5)(K), at a minimum, specifies the positions to be covered under each system and the staff who will be responsible for ensuring that appropriate arrangements for that coverage have been made.



12. The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools, as required by Education Code section 47605(c)(5)(L), at a minimum, specify that the parent or guardian of each pupil enrolled in the charter school shall be informed that the pupils has no right to admission in a particular school of any local educational agency (LEA) (or program of any LEA) as a consequence of enrollment in the charter school, except to the extent that such a right is extended by the LEA.
13. The description of the rights of any employees of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school, as required by Education Code section 47605(c)(5)(M), at a minimum, specifies that an employee of the charter school shall have the following rights:
  - a. Any rights upon leaving the employment of an LEA to work in the charter school that the LEA may specify.
  - b. Any rights of return to employment in an LEA after employment in the charter school as the LEA may specify.
  - c. Any other rights upon leaving employment to work in the charter school and any rights to return to a previous employer after working in the charter school that the BOARD determines to be reasonable and not in conflict with any provisions of law that apply to the charter school or to the employer from which the employee comes to the charter school or to which the employee returns from the charter school.
14. The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter, as required by Education Code section 47605(c)(5)(N), at a minimum:
  - a. Include any specific provisions relating to dispute resolution that the BOARD determines necessary and appropriate.
  - b. Describe how the costs of the dispute resolution process, if needed, would be funded.
  - c. Recognize that the BOARD may choose to resolve a dispute directly instead of pursuing the dispute resolution process specified in the charter.
  - d. Recognize that if the substance of a dispute is a matter that could result in the taking of appropriate action, including, but not limited to, revocation of the charter in accordance with Education Code section 47607, et seq. the matter will be addressed at the BOARD's discretion in accordance with that provision of law and any regulations pertaining thereto.

- G. For purposes of Education Code section 47605(c)(6), the declaration of whether or not the charter school shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act, (Government Code section 3540), shall recognize that SCOE is an exclusive public school employer. Therefore, the charter school must be a separate exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act, unless this requirement is specifically waived by the Board.
- H. For purpose of Education Code section 48905(c)(5)(O), the description of the closure procedures shall ensure a final audit of the school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing on any net assets and for the maintenance and transfer of pupil records.
- I. A “reasonably comprehensive” description, within the meaning subdivision F of these criteria and Education Code section 47605(c)(5) shall include, but not be limited to, information that:
1. Is substantive and is not, for example, a listing of topics with little elaboration.
  2. For elements that have multiple aspects, addresses essentially all aspects the elements, not just selected aspects.
  3. Is specific to the charter petition being proposed, not to charter schools or charter petitions generally.
  4. Describes, as applicable among the different elements, how the charter school will:
    - a. Improve pupil learning.
    - b. Increase learning opportunities for its pupils, particularly pupils who have been identified as academically low achieving.
    - c. Provide parents, guardians, and pupils with expanded educational opportunities.
    - d. Hold itself accountable for measurable, performance-based pupil outcomes.
    - e. Provide vigorous competition with other public school options available to parents, guardians, and pupils.
    - f. Serve the interests of the community which the charter is proposing to serve, taking into account the school district and/or community demographics, academic needs and/or performance indicators, and/or other characteristics.

## **Administrative Rules and Regulations 2400**

### **Appendix B**

#### **Charter School Petition Review Tips**

This Tip Sheet is designed to offer guidance to charter school petitioners filing an appeal or original petition with the Sacramento County Board of Education. Over the course of preparing recommended findings of fact for the County Board, Sacramento County Office of Education (SCOE) staff has found that many petitions lack some critical elements. The County Superintendent and designees suggest that petitioners consider the following tips and ensure that the petition addresses these common oversights before submitting a petition:

##### *Tip No. 1: Realistic Budget Figures.*

- ✓ The budget must align with the programs offered in the petition. Frequently petitions promise programs and classes which lack a corresponding expenditure. For example, if the petition states that the charter school will offer a computer lab, the budget should reflect the costs of the furniture and computer equipment and peripherals along with ongoing costs for staff, utilities, licensing, etc. Additionally, the facility should have space allocated for the lab.

##### *Tip No. 2: Consistency throughout the Petition.*

- ✓ The petition's narrative concerning the programs offered and the timelines in the petition should match with the budget and the program parameters. For example, the number of days referenced for the school year should be consistent with the number of days used to calculate revenues.
- ✓ As another example, if the instructional plan lists textbooks to be used in the classroom, the charter budget should include a plan to purchase those textbooks.

##### *Tip No. 3: Use of Realistic Enrollment Patterns.*

- ✓ Frequently, petitions will utilize enrollment figures which assume maximum enrollment on the first day of school with 100% attendance without data support. When estimating the percent of enrolled pupils that attend daily to earn ADA (average daily attendance), the petitioner needs to consider what is reasonable for the expected pupil population. For example, in a high risk population, pupils may attend 65% - 75% of the time, while an average high school population would be 90% - 95% of the time. Additionally, a more realistic estimate of enrollment for purposes of calculating average daily attendance would start with fewer pupils and then grow as the school becomes established. One way to reflect a realistic enrollment pattern would be to include gradual growth that eventually meets the goal enrollment. Petitioners may also demonstrate realistic enrollment figures by documenting recent contact with pupils (i.e. phone calls to parents to re-confirm meaningful interest in attending), or

detailed recruitment plans demonstrating the likelihood of achieving enrollment targets.

(Note: Expenditure patterns (especially in hiring teachers) would follow the same pattern)

*Tip No. 4: Awareness of Special Education Funding.*

- ✓ The petition should reflect an understanding of special education funding which impacts the petition's use of realistic budget figures and the petition's consistency (see Tips 1 and 2 above).
- ✓ In preparing Recommended Findings of Fact, SCOE staff will consider whether the petitioners are members of a Special Education Local Plan Area (SELPA), or have provided evidence that the charter school has applied for SELPA membership. Because each SELPA has its own unique funding model, the SELPA should be identified at the time of the petition to properly budget and allow staff sufficient information to evaluate special education funding and expenditures.
- ✓ Charter petition budgets should assume that special education expenditures are the same for a charter school as for other public schools.

*Tip No. 5: Awareness of SELPA procedures, and timelines, and responsibility for providing the full continuum of special education services.*

- ✓ Frequently petitioners have indicated a proposed charter school's intent to provide services through the Sacramento County SELPA, but the petition reflects a lack of clarity related to the SELPA process.
- ✓ Before opening and operating a charter school approved by the Board, petitioners must demonstrate that the charter school has been accepted as a member of a SELPA for purposes of providing special education services, and that it is capable of providing the full continuum of special education services.
- ✓ Petitioners should ~~are encouraged to~~ apply for membership in a SELPA before or at the same time they submit their charter petition to the Board (e.g., the Sacramento or El Dorado County Charter SELPA). Petitioners should consult with the SELPA that petitioners will apply to concerning its timelines and acceptance processes.

*Tip No. 6: Petition Should Include Sufficient Detail.*

- ✓ Petitions should include specific detail regarding the instructional programs and their implementation in order to predict success and for the Board to have confidence that the charter school has planned for programs that amount to sound educational practice. Use of global ideas, buzz words and concepts without evidence the programs are aligned with state academic content standards or without specific, concrete plans on how to carry out the programs may result in SCOE staff recommending a finding that a sound educational program does not exist. It is important to

describe how the plan will meet the needs of all pupils including English Learners and pupils with disabilities. The following is a sample list of program areas that frequently require more information:

- Intervention Program for underperforming pupils
  - System for identifying, testing and placement of pupils
  - Schedule of time for intervention: how long, how often
  - Types of materials used: state-board approved or other
  - Plans for exiting pupils to the core program
  - A specific plan for on-going support
- Assessment Program
  - Information on whether assessments are curriculum-embedded (taken from state-approved texts) or teacher made. If teacher made, what is the source of the items and how do they correlate to state standards.
  - Specific details in relation to the three types of assessment:
    - Entry-level tests – needed to determine pupil needs prior to instruction
    - Formative tests – needed to determine how teachers modify instruction
    - Summative test – needed to determine how well pupils have mastered standards
  - Schedule of when major assessments take place
- Instructional Courses
  - Clear description of each course including texts (standards-based) and other materials.
  - Sample of lesson plans and/or pacing guides that match stated goals and objectives.
  - Sample of lesson plans and/or pacing guides that show use of identified curricular programs and assessment.
- Instructional Approaches
  - Clear understanding of the research behind an instructional approach and how it is to be used in supporting pupil achievement of standards.
  - If more than one approach is listed, include a detailed plan on how the approaches will be integrated and implemented.

*Tip No. 7: Address Potential Civil Liability Effects*

- ✓ Petitioners must address the potential civil liability effects, if any, upon the school, school district, SCOE and the Board. Petitioners should agree to:
  - Hold harmless, defend, and indemnify SCOE, its employees, and the Sacramento County Board of Education from liability arising from the operation of the charter;
  - Secure insurance, such as liability, including educators' legal liability and employment practices liability; workers' compensation;

property; bond; and, any additional insurance as may be required by law.

*Tip No.8: Organize a charter Petition appeal to Demonstrate the Packet is Complete*

- ✓ Petitioners are encouraged to include a cover sheet identifying the five items necessary before the Board will consider a charter petition appeal:
  - A complete copy of the charter petition as denied by the district governing board, including the signatures required by Ed. Code, § 47605;
  - A copy of the governing board's action of denial of the petition and the governing board's written factual findings specific to the particular petition, as required by Ed. Code, § 47605(c);
  - A signed certification of compliance with applicable law; and
  - A description of any changes to the petition necessary to reflect the County Board of Education as the authorizing entity.
  - Evidence that copies of all charter appeal documents have also been submitted to the school district. (Ed. Code, § 47605(k))

*Tip No.9: Use Realistic Timelines for Petition Submission and Charter Renewal*

- ✓ The timeline for opening a new school should take into account SELPA membership application timelines (see Tip No. 5) and other applicable timelines relative to planning and obtaining government funding.
- ✓ Written notice from a charter school that it is seeking a renewal of its charter must be received no later than 180 days prior to the expiration of the charter (see ARR 2400). Ideally, however, charter schools should submit written requests for renewal at the beginning of the school year during which the charter will expire.

Any questions should be directed to the Sacramento County Office of Education's Legal Office at (916) 228-2500.

## Charter Renewal Summary APPENDIX C

### SHALL NOT DENY\* STREAMLINED RENEWAL

- Two (2) highest performance levels schoolwide on all state indicators; **OR**
- Schoolwide performance levels at or higher than state average; **and** majority of underperforming subgroups exceed state average

*\*\*Does not apply to charters qualifying for technical assistance*

(Ed. Code, § 47607(c).)



**5 –7 Year  
Renewal**

### DISCRETIONARY RENEW OR DENY\*

- Consider:
  - Schoolwide and subgroup performance on state and local indicators
  - Academic indicators given most weight
  - Clear, convincing, verifiable data showing measurable gains or strong post-secondary outcomes
- Deny only if (1) insufficient progress towards standards; (2) closure is in pupils' best interests; and (3) gave most weight to academic performance

(Ed. Code, § 47607.2(b).)



**5-Year  
Renewal**



**DENIAL**

### SHALL NOT RENEW\*

- Two (2) lowest performance levels schoolwide on all state indicators; **OR**
- Schoolwide performance levels at or below state average; **and** majority of underperforming subgroups below state average



***\*\*SECOND LOOK** (1) meaningful steps to address low performance; **and** (2) clear, convincing, verifiable data showing measurable gains or strong post-secondary outcomes*

(Ed. Code, § 47607.2(a).)



**2-Year  
Renewal**



**DENIAL**

\* Renewal also may be denied due to substantial fiscal or governance factors, or if charter is not serving all pupils who wish to attend.