



# Sacramento County Board of Education

## Regular Meeting

*Tuesday / August 11, 2020 / 6:30 P.M.*

**PLEASE NOTE:**

**Zoom Meeting**

<https://scoe.zoom.us/j/95095568462>

**Primary Number: 669.900.6833**

**Secondary Number: 346.248.7799**

**Meeting ID: 950 9556 8462**

*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, August 11, 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/95095568462>

To listen by phone: Primary Number: 669-900-6833 Secondary Number: 346-248-7799  
Enter the Meeting ID: 950 9556 8462

Members of the public may submit public comment through a Google form at: <https://bit.ly/scoe-board-8-11-20>. Public comment will be accepted until 6:00 p.m. on Tuesday, August 11, 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 – August 11, 2020 – Page 2

- III. Approval of the Minutes of the Regular Board Meeting of July 14, 2020
- 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

VIII. New Business

A. Adoption of Consent Agenda – David W. Gordon

- 1. Accept Report on Personnel Transactions – Coleen Johnson
- 2. Award Diplomas to Court and Community Schools Students – Dr. Matt Perry/Michael Kast
- 3. Declaration of Equipment Listed as Surplus Property and Authorization to Dispose of Equipment Pursuant to Education Code (Technology) – Jerry Jones
- 4. Accept Donations to Community School and Special Education School Sites – Jerry Jones

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. \$1,898,299 Sacramento School-Based Mental Health and Wellness grant from Medi-Cal for the 2020-2021 fiscal year – Brent Malicote
- 2. \$690,000 Seeds of Partnership grant from the California Department of Education for the 2020-2021 fiscal year – Michael Kast
- 3. \$358,743 Quality Counts California Workforce Pathways grant from the California Department of Education/Early Learning and Care for the 2020-2021 fiscal year – Brent Malicote
- 4. \$257,700 WorkAbility I grant from the California Department of Education for the 2020-2021 fiscal year – Michael Kast
- 5. \$750,000 Distance Learning Curriculum and Instructional Guidance grant from the California Department of Education for the 2020-2021 and 2021-2022 fiscal years – Dr. Nancy Herota

## **Regular Meeting Agenda – August 11, 2020 – Page 3**

- D. Public Hearing and Adoption of Resolution No. 20-08 – Determination of Textbooks and/or Instructional Materials Sufficiency Pursuant to Education Code Section 60119 (Juvenile Court Schools) – Dr. Matt Perry
- E. Second Reading and Adoption of Revisions to Board Policy 2400 – Charter School Petitions – Policy Committee
- F. Informational Item: Revisions to Administrative Rules and Regulations 2400 – Charter School Petitions – Policy Committee
- G. Second Reading and Adoption of Revisions to Board Policy 5141.52 – Suicide Prevention – Policy Committee
- H. Board Report – Schools as Centers of Wellness Mental Health Clinicians Initiative – Brent Malicote
- IX. Board Reports, Comments, and Ideas
  - A. Board Members
  - B. Board President
  - C. Committees
- X. Items for Distribution
  - A. August/September Events
  - B. August/September Site Visits
- XI. Schedule for Future Board Meetings
  - A. September 1, 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**

**Minutes of the Regular Meeting of July 14, 2020**

The Oath of Office was administered to Trustee Harold Fong by Dr. Richard Pan, Senator.

The Oath of Office was administered to Trustees Ahola, Brown, and Davis by Superintendent David W. Gordon

Superintendent Gordon congratulated Trustees Ahola, Brown, Davis, and Fong and invited the Trustees to offer remarks.

Agenda

- I. Call to Order and Roll Call
- II. Pledge of Allegiance
- III. Organization of the Board of Education for 2020-2021
  - A. Election of President
  - B. Election of Vice President
- IV. Approval of the Minutes of the Regular Board Meeting of June 23, 2020
- V. Adoption of Agenda
- VI. Official Correspondence
- VII. Visitor Presentations
  - A. General Public
  - B. Employee Organizations
- VIII. Superintendent's Report
- IX. New Business
  - A. Adoption of Consent Agenda
    1. Accept Report on Personnel Transactions
    2. Award Diplomas to Community School Students
  - B. Approval of Contracts
  - 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
    1. \$100,000 Adverse Childhood Experiences (ACEs) Aware grant from Aurrera Health Group, LLC, on behalf of the California Department of Health Care Services for the 2020-2021 fiscal year
    2. \$134,493 Summer Learning Initiative (SLI) grant from the City of Sacramento Federal CARES Act Funding for the 2020-2021 fiscal year
  - D. First Reading of Revisions to Board Policy 2400 – Charter School Petitions
  - E. First Reading of Revisions to Board Policy 5141.52 – Suicide Prevention
  - F. Informational Item: Professional Learning Report
- X. Board Reports, Comments, and Ideas
  - A. Board Members
  - B. Board President
  - C. Committees
- XI. Items for Distribution

- A. July/August Events
  - B. July/August Visits
  - XII. Schedule for Future Board Meetings
    - A. August 4, 2020 Board/Superintendent Study Session
    - B. August 11, 2020
    - C. August 22, 2020 Board Retreat
  - XIII. Adjournment
- 

I. President Lefkovitz called the meeting to order at 6:31 p.m. via teleconference call in Sacramento, California. Board members present were Joanne Ahola, Alfred Brown, Heather Davis, Harold Fong, Paul Keefer, Bina Lefkovitz, and Karina Talamantes. Also present were David W. Gordon, Superintendent and Secretary to the Board; Nancy Herota, Deputy Superintendent; Teresa Stinson, General Counsel; Matt Perry and Brent Malicote, Assistant Superintendents; Jerry Jones, Executive Director of Technology; other staff; and Wende Watson, Executive Assistant.

Also, other staff via teleconference were Tammy Sanchez, Associate Superintendent; Coleen Johnson, Chief Administrator of Human Resources; Michael Kast, Executive Director; Kristin Wright, Executive Director; Channa Cook-Harvey, Executive Director; and Tim Herrera, Director of Communications.

II. Ms. Ahola led the Pledge of Allegiance.

III.A. Election of President

President Lefkovitz announced that nominations are now in order for the office of Board President for the 2020-2021 term.

Ms. Davis nominated Joanne Ahola to serve as Board President for the 2020-2021 term. Mr. Brown seconded the nomination.

Ms. Ahola expressed appreciation for being nominated and the support from Dr. Brown. It was nice to work alongside you as Vice President. She had to step away from nominations last year for health issues. She is ready to serve in this capacity and leadership role and would follow Bina's lead who has been a tremendous example of Board leadership.

Mr. Fong nominated Paul Keefer to serve as Board President. President Lefkovitz called for a second. There was no second.

Mr. Keefer said he is not pursuing the presidency this year and Joanne has done incredible work this year. She shows a lot of leadership that he can learn from.

President Lefkovitz called for a roll call vote on the nomination of Joanne Ahola to serve as Board President for the 2020-2021 term.

Vote carried 6 ayes, 1 no (Fong), 0 absent, 0 abstentions based on the following Roll Call vote:

Ms. Talamantes – yes  
Ms. Lefkovitz – yes  
Mr. Keefer – yes  
Mr. Fong – no  
Ms. Davis – yes  
Mr. Brown – yes  
Ms. Ahola – yes

New President Ahola thanked her fellow Board members for electing her to serve in this capacity.

### III.B. Election of Vice President

New President Ahola announced that nominations are now in order for the office of Board Vice President for the 2020-2021 term.

Ms. Lefkovitz nominated Karina Talamantes to serve as Board Vice President for the 2020-2021 term. Mr. Keefer seconded the nomination.

Ms. Lefkovitz felt that Ms. Talamantes has shown a lot of leadership and will be a great balance. She also loves having two women in leadership roles.

Mr. Keefer thinks Ms. Talamantes shows so much grace in so many different topics and is looking forward to her being Vice President.

President Ahola called for a roll call vote on the nomination of Karina Talamantes to serve as Board Vice President for the 2020-2021 term.

Vote carried 7 ayes, 0 noes, 0 absent, 0 abstentions based on the following Roll Call vote:

Ms. Talamantes – yes  
Ms. Lefkovitz – yes  
Mr. Keefer – yes  
Mr. Fong – yes  
Ms. Davis – yes  
Mr. Brown – yes  
Ms. Ahola – yes

Vice President Talamantes thanked her fellow Board members for electing her to serve in this capacity.

IV. On a motion by Mr. Keefer and seconded by Mr. Brown the minutes of the regular meeting of June 23, 2020 were approved. Motion carried 7 ayes, 0 noes, 0 absent, 0 abstentions based on the following Roll Call vote:

Ms. Talamantes – yes  
Ms. Lefkovitz – yes  
Mr. Keefer – yes  
Mr. Fong – yes  
Ms. Davis – yes  
Mr. Brown – yes  
Ms. Ahola – yes

V. Mr. Fong moved to adopt the agenda. Ms. Talamantes seconded the motion, which carried 7 ayes, 0 noes, 0 absent, 0 abstentions based on the following Roll Call vote:

Ms. Talamantes – yes  
Ms. Lefkovitz – yes  
Mr. Keefer – yes  
Mr. Fong – yes  
Ms. Davis – yes  
Mr. Brown – yes  
Ms. Ahola – yes

VI. There was no official correspondence.

VII.A. There were no requests for visitor presentations from the general public.

VII.B. There were no requests for presentations from employee organizations.

VIII. Superintendent Gordon reported on the following:

- Congratulated Trustee Ahola for being selected to serve as our new Board President. Also congratulated Trustee Talamantes for being selected to serve as our Vice President for 2020-2021. Thank you to Trustee Bina Lefkovitz for serving as Board President and Trustee Paul Keefer as Vice President over the past year. It has been a difficult time as we have not been able to continue working together in person. Trustee Lefkovitz has handled everything with great grace and understanding and, on behalf of our staff, we thank her.
- Welcomed some new members to the SCOE executive team and announced new appointments. Kristin Wright is the new the Executive Director, Equity, Diversity, Early Intervention, and Support Services. She previously served as the California State Director of Special Education at the California Department of Education. Dr. Channa Cook-Harvey has been appointed as Executive Director of District and School Support. Channa comes to SCOE from the Folsom Cordova Unified School District, where she served as the Director of Social-Emotional Learning. Jacqueline White is our new Director of College and Career Readiness Initiatives. She comes to us from Twin Rivers Unified School District,



where she served as the Executive Director of Student Engagement. Debbie Morris is our new SELPA Administrator. She comes to us from the Nevada County Office of Education, where she served as the Principal of Special Education. And Dr. Chris Williams has been appointed SCOE's Director of School-Based Mental Health and Wellness. Chris previously served as a Coordinator in our Prevention and Early Intervention Department. Please join him in congratulating these new members of the SCOE family!

- On June 24, with the able assistance of then President Lefkovitz, we held a news conference to formally announce a groundbreaking partnership that over the next several years will place mental health clinicians in every school in the county and make schools “Centers of Wellness” in their communities. The initial cohort starting this fall will include 11 schools. Thanks to Dr. Peter Beilenson and Sacramento County Public Health for their leadership in helping forge this partnership. Also, a shout out to Brent Malicote and excellent staff who helped lay the groundwork for this effort.
- Reported that under SB 98, the State Board of Education has directed \$750,000 to SCOE to develop draft distance learning curriculum and instructional guidance for math, English language arts, and English language development. The bill requires the state board to adopt the distance learning curriculum and instructional guidance by May 31, 2021. The legislation requires us to look at the issue of learning loss, the delivery of distance learning to underserve populations, to accessing instructional assessments, formative assessments that the districts use, and also assess the quality and availability of social emotional support. This is a major charge that we have been given by the State Board of Education. We had an initial phone call with President Linda Darling-Hammond and Executive Director Karen Stapf Walters. We have another call this Friday to further frame the work and we are working with the State Department of Education staff who are monitoring the contract. It is a very short timeframe we have, and we will do our very best to make you proud by producing a high-quality product.
- Congratulated Chef Carissa Jones, a culinary arts instructor at the Sacramento County Youth Detention Facility, for being named SCOE Teacher of the Year for 2021. She is a former instructor at Le Cordon Bleu cooking institute. In her classroom, she combines real-life culinary experience with teaching. Chef Jones is now eligible to participate in the Sacramento County Teachers of the Year 2021 program for which we are interviewing later this week. Unfortunately, we will not be able to sponsor and stage the banquet, but we will be trying to compensate for that with a virtual event.

- On June 27, our Leadership Institute held a virtual celebration to honor its 2020 graduating class. During the ceremony, 63 participants received a Preliminary Administrative Services Credential, qualifying them to serve as administrators, vice-principals, principals, and other positions. Thanks to Dr. Steve Winlock, School of Education Executive Director, and his team for the wonderful virtual ceremony.
- Announced that over 1,800 students countywide earned the State Seal of Biliteracy for the 2019–2020 school year. The seal is awarded to seniors who have demonstrated English competency, plus competency in another language by meeting very specific and demanding criteria. We collaborated with 14 school districts and independent charter schools in this year's Seal of Biliteracy program.
- In response to the pandemic, many art organizations have restructured their art offerings online. Our School of Education and many Sacramento art organizations collaborated to create a "catalog" to publicize information about virtual art experiences and education provided by local organizations. Programs are available at low or no cost to families and include opportunities in the areas of dance, media arts, music, theatre, and visual arts. You can find the catalog on the SCOE website.
- Special shout out to our kitchen staff team from Sly Park. Special thanks to Trustee Davis who joined him in traveling up to Sly Park to say thank you and recognize our kitchen team. We watched the distribution of meals at one of the elementary schools, Pinewood Elementary School, which several years ago had principal Brent Malicote. It was an older school that had been maintained and refurbished. We watched the parents take their grab-and-go meals which were handed out by volunteers from the Boys & Girls Club in Pollock Pines. And because of the dedication of our staff, up to 140 students and families will have access to meals through early August. The collaborative effort is supported by the federal Child Nutrition Program. We are extremely proud of our Sly Park kitchen staff for stepping in to serve the El Dorado County community. They did it with great vigor and enthusiasm.
- SCOE is developing Restart Plans for all programs and working with our union leaders (SCOETA & CSEA) on these. The health and safety of our students, staff, and families are imperative as we develop these plans to reopen. He summarized current plans and noted that all will need to be modified as conditions and circumstances change based on public health orders or guidelines.

IX.A. Mr. Brown moved and Mr. Keefer seconded adoption of the consent agenda. By such action, the Board:

1. Accepted report on Personnel Transactions

## 2. Awarded diplomas to Community School Students

Motion carried 7 ayes, 0 noes, 0 absent, 0 abstentions based on the following Roll Call vote:

Ms. Talamantes – yes  
Ms. Lefkovitz – yes  
Dr. Keefer – yes  
Mr. Fong – yes  
Ms. Davis – yes  
Dr. Brown – yes  
Ms. Ahola – yes

Dr. Matt Perry, Assistant Superintendent, announced that the following students will be awarded a diploma: Jerome Butler and Eric Ortiz from Cordova Lane Senior Extension; Celestia Yazmin Hernandez, John Michael McDaniel, and Donelle Lynn Pearson from Elinor Lincoln Hickey Senior Extension; and Jessica Annette Brooks, Daniel Cristian Castro, and Jamario Quincy McElmore from North Area Senior Extension.

IX.B. Ms. Davis moved and Ms. Lefkovitz seconded approval of the contracts as listed. Motion to approve the contracts carried 7 ayes, 0 noes, 0 absent, 0 abstentions based on the following Roll Call vote:

Ms. Talamantes – yes  
Ms. Lefkovitz – yes  
Mr. Keefer – yes  
Mr. Fong – yes  
Ms. Davis – yes  
Mr. Brown – yes  
Ms. Ahola – yes

IX.C. On a motion by Ms. Lefkovitz, seconded by Ms. Davis, the Board authorized staff to submit grant applications/service contracts and accept funding if awarded; and approved contracts, positions, and other expenditures associated with the grants as outlined in the proposed budgets as follows:

1. \$100,000 Adverse Childhood Experiences (ACEs) Aware grant from Aurrera Health Group, LLC, on behalf of the California Department of Health Care Services for the 2020-2021 fiscal year

Motion carried 7 ayes, 0 noes, 0 absent, 0 abstentions based on the following Roll Call vote:

Ms. Talamantes – yes  
Ms. Lefkovitz – yes  
Mr. Keefer – yes  
Mr. Fong – yes  
Ms. Davis – yes

Mr. Brown – yes  
Ms. Ahola – yes

On a motion by Mr. Fong, seconded by Ms. Lefkovitz, the Board authorized staff to submit grant applications/service contracts and accept funding if awarded; and approved contracts, positions, and other expenditures associated with the grants as outlined in the proposed budgets as follows:

2. \$134,493 Summer Learning Initiative (SLI) grant from the City of Sacramento Federal CARES Act Funding for the 2020-2021 fiscal year

Motion carried 6 ayes, 0 noes, 0 absent, 1 abstention (Talamantes) based on the following Roll Call vote:

Ms. Talamantes – abstain  
Ms. Lefkovitz – yes  
Mr. Keefer – yes  
Mr. Fong – yes  
Ms. Davis – yes  
Mr. Brown – yes  
Ms. Ahola – yes

IX.D. President Ahola announced this was the First Reading of Revisions to Board Policy 2400 – Charter School Petitions and no action is required.

Tim Herrera read the following public comment:

From: Brett Barley, California Montessori Project  
Margaret Fortune, Fortune School of Education  
Jillayne Antoon, Rocklin Academy Family of Schools  
Matt Taylor, River Charter Schools  
Cristin Fiorelli, Capitol Collegiate Academy  
David Richards, Growth Public Schools  
Murdock Smith, Highlands Community Charter School  
Joe Wood, Natomas Charter School  
John Eick & Steve Korvink, Westlake Charter School  
Anthony Solina, Aspire Public Schools  
Lee Yang, Yav Pem Suab Academy  
Eduardo de León, Language Academy of Sacramento  
Jason Sample, Gateway Community Charters  
Derek Newell, Options for Youth San Juan  
Jody Graf, Visions in Education  
Tom Rutten, Natomas Pacific Pathways Prep  
Kari Wehrly, St. HOPE Public Schools  
Norm Hernandez, Sol Aureus College Preparatory

“Dear SCOE Board Trustees,

The Sacramento County charter school community wants to thank you for your engagement with us on changes to the law under AB 1505. Much of the feedback we provided has been included in the updated policy including holding one meeting for the hearing and decision for charter school petitions. However, there is still one area of concern.

Section V C of the draft policy states, “Charter schools shall provide an annual report, and other reports as requested by the Board, Superintendent, or designee”. At the top of this section, it does state, “Through the MOU between the charter school, Board, and Superintendent,...”, however, it is unclear if any additional requests would be under the directive of the MOU. Our concern is this language leaves the door open for authorizer overreach. Any requests should be agreed to under an MOU negotiated between the charter school operator and the authorizer.

Thank you for engaging us and for your consideration in adjusting this section of the policy.”

The Board reviewed and discussed proposed revisions to the Board Policy.

Based upon the discussion, Ms. Stinson will make some adjustments to the Board Policy, and it will be brought back for approval at the next Board meeting. Proposed revisions to the Administrative Rules and Regulations will also be presented at the next Board meeting.

IX.E. President Ahola announced this was the First Reading of Revisions to Board Policy 5141.52 – Suicide Prevention.

Ms. Stinson noted this section is mostly technical adjustments to align with the law and to provide age appropriate information for elementary school students.

IX.F. An information item on the Professional Learning Report was provided in the Board packet.

Dr. Nancy Herota and Dr. Matt Perry provided an overview of the Professional Learning report.

Ms. Lefkovitz suggested adding data to demonstrate if we are increasing numbers of low-income students in computer science offerings and analysis of the impact of training at low income schools for next year.

Mr. Fong asked questions regarding bilingual education and made comments on the suspensions and expulsions, and the Youth Summit.

Dr. Herota responded that the intent and overall goal of BTPDP is to support existing bilingual and emerging programs.

X.A. Mr. Brown – no report.

Ms. Lefkovitz congratulated President Ahola. A big shout out for Superintendent and staff for the Mental Health initiative. It is a unique and huge project. We should thank him for this work.

Ms. Davis reported she attended the Personnel Commission Meeting prior to this meeting. Employee Recognition Day will be virtual this year and will look different. She used the online pickup system at the library and will be catching up on some reading over the remainder of her break. Thank you for working on the libraries to get books back in the hands of everyone.

Ms. Talamantes stated she wanted to coordinate an activity box with summer fun items, and information from the Board for some of our SCOE students. She inquired if the scholarship fund could be used for this and will follow up with Superintendent Gordon.

Mr. Fong congratulated President Ahola and Vice President Talamantes. He looks forward to working with them. Thank you to Ms. Lefkovitz and Mr. Keefer for their leadership this year. He thanked everyone for the birthday cookies delivered to his house.

Mr. Keefer thanked everyone and wished everyone a great rest of July.

X.B. President Ahola is honored to be leading the Board and collaborating with Vice President Talamantes in the upcoming year. Have a great week and thank you for your engagement tonight.

X.C. There were no committee reports.

XI.A. There was no distribution of the July/August Events item.

XI.B. There was no distribution of the July/August Site Visits item.

XII. Schedule for Future Board Meetings:

A. August 4, 2020 Board/Superintendent Study Session

B. August 11, 2020

C. August 22, 2020 Board Retreat

Superintendent Gordon reminded the Board that on Tuesday, August 4, there will be a Board study session on Equity.

XIII. Ms. Talamantes moved to adjourn the meeting. Mr. Keefer seconded the motion, which carried 7 ayes, 0 noes, 0 absent, 0 abstentions based on the following Roll Call vote:

Ms. Talamantes – yes

Ms. Lefkovitz – yes

Mr. Keefer – yes

Mr. Fong – yes

Ms. Davis – yes  
Mr. Brown – yes  
Ms. Ahola – yes

The meeting adjourned at 10:00 p.m.

Respectfully submitted,

David W. Gordon  
Secretary to the Board

Date approved:

## SACRAMENTO COUNTY OFFICE OF EDUCATION

*PERSONNEL TRANSACTIONS - FOR YOUR INFORMATION*

Board Meeting – August 11, 2020

**REGULAR APPOINTMENTS**

<b>Group (Mgmt/Cert/Class)</b>	<b>Dept./ Program</b>	<b>Name</b>	<b>Status</b>	<b>Classification</b>	<b>Location</b>	<b>Effective Date</b>	<b>Salary Placement</b>
Management	Support Services	Gilbert, Christopher	Pro- motion	Director III, Business Technology, Operations, and Facilities Development 8 h/d 5 d/2 244 d/y PC# 200072	Support Services	07/20/20	MT-44
Management	School of Education	Martinez, Martin	Mgmt.	Director II, School of Education 8 h/d 5 d/w 224 d/y PC# 200073	School of Education	07/15/20	MT-43
	Through a competitive process, this individual was selected for a new position which increased his salary by more than \$10,000.						
Management	Administration	Watson, Wende	Pro- motion	Executive Assistant to Superintendent 8 h/d 5 d/w 244 d/y PC# 210012	Administration	07/01/20	MT-29
	Through a competitive process, this individual was selected for a new position which increased her salary by more than \$10,000.						
Management	Administration	Williams, Christopher	Mgmt.	Director, School Based Mental Health and Wellness 8 h/d 5 d/w 224 d/y PC# 200066	Administration	07/09/20	MT-40
	Through a competitive process, this individual was selected for a new position which increased his salary by more than \$10,000.						
Certificated	Special Education	Gonzalez, Maria	Prob. 0	Vision Specialist 8 h/d 5 d/w 185 d/y PC# 180026	Special Education Programs	08/04/20	T-I-1
Certificated	Itinerant/ Special Education Programs	Williams, Abigail	Pro- motion	Program Specialist 8 h/d 5 d/w 200 d/y PC# 070007	Itinerant/ Special Education Programs	07/23/20	T-VI-12
	Through a competitive process, this individual was selected for a new position which increased her salary by more than \$10,000.						
Classified	Business Services	Adair, Ryan	Prob.	Accounting Technician 8 h/d 5 d/w 244 d/y PC# 000158	Business Services	07/21/20	CL-26-A
Classified	Student Programs	Haslam, Michele	Prob.	Court & Community Schools Transition Specialist 8 h/d 5 d/w 185 d/y PC# 200035	Student Programs	08/13/20	CL-26-A



**TRANSFERS**

<b>Group (Mgmt/Cert/Class)</b>	<b>Dept./ Program</b>	<b>Name</b>	<b>Classification</b>	<b>From/To</b>	<b>Effective Date/ Duration</b>
Classified	Special Education	Shook Twing, Leslie	Para Educator – SH	Smedburg Middle School to Prairie Elementary	08/10/20
Classified	Special Education	Urban, Debra	Para Educator – SH	Rutter Middle School to George Washington Carver High School	08/10/20

**LIMITED TERM/TEMPORARY APPOINTMENTS**

<b>Group (Mgmt/Cert/Class)</b>	<b>Dept./ Program</b>	<b>Name</b>	<b>Status</b>	<b>Classification</b>	<b>Location</b>	<b>Effective Date/ Duration</b>
Management	Administration	Haile, Carole	Limited Term	Executive Assistant	Administration	07/01/20-9/30/20
Classified	Early Learning	Johannesen, Jessica	Temporary Assignment	Program Analyst	Early Learning	2020-2021 School Year 32 hours per week

**SEPARATIONS**

<b>Group (Mgmt/Cert/Class)</b>	<b>Type</b>	<b>Name</b>	<b>Classification</b>	<b>Location</b>	<b>Effective Date</b>	<b>Reason for Leaving</b>
Management	Retirement	Sanchez, Tamara	Associate Superintendent	Cy Young Building	12/24/20	Retirement
Classified	Resignation	Ratliff, Bryan	Maintenance Custodian	Sly Park	06/30/20	Resignation
Classified	Retirement	Thompson, Ronald	Payroll Analyst	Mather Special Services – Bunker	10/31/20	Retirement

**R E C A P**

	<b>Management</b>	<b>Certificated</b>	<b>Classified</b>	<b>Total</b>
Regular Appointments	4	2	2	8
Transfers	0	0	2	2
Limited Term/Temporary Assignments	1	0	1	2
Separations	1	0	2	3
<b>TOTAL</b>	<b>6</b>	<b>2</b>	<b>7</b>	<b>15</b>

**SACRAMENTO COUNTY BOARD OF EDUCATION**

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

<b>Subject:</b> Award of Diplomas	<b>Agenda Item No.:</b> VIII.A.2. <b>Enclosures:</b> 0
<b>Reason:</b> Approval	<b>From:</b> David W. Gordon <b>Prepared By:</b> Dr. Matt Perry Michael Kast <b>Board Meeting Date:</b> 08/11/20

**BACKGROUND:**

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

Cordova Lane Senior Extension

Julia Cecilia Castro  
Amont Raqon Salter

E.L. Hickey Jr./Sr. High School

Christopher James Luckett

E.L. Hickey Senior Extension

Kevin Gabriel Campos  
John Michael Daniel  
Milia Kayla Mays  
Jasmine Pope

El Centro Jr./Sr. High School

1 Candidate

North Area Senior Extension

Nicolas Dimitrius Douglas  
Belinda Marie Nykole James  
Angelique Xania Lumentut  
Kevin Isidro Trejo Ortiz  
Cody Vue

**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**

10474 Mather Boulevard, P.O. Box 269003

Sacramento, CA 95826-9003

<b>Subject:</b> Surplus Property	<b>Agenda Item No.:</b> VIII.A.3. <b>Enclosures:</b> 1
<b>Reason:</b> Declaration of Equipment Listed as Surplus Property and Authorization to Dispose of Equipment Pursuant to Education Code (Technology)	<b>From:</b> David W. Gordon <b>Prepared By:</b> Jerry Jones <b>Board Meeting Date:</b> 08/11/20

**BACKGROUND:**

Education Code sections 17545 and 17546 allow for the disposal of property no longer needed or that is determined unsuitable for school use.

The Computer, Network, and Telecommunication Support Department (CNTS) reviews all technology surplus equipment to ensure that any repairable, non-obsolete equipment is re-used by SCOE programs. In the event the equipment cannot be repaired, is no longer able to support the latest security patches and updates (posing a network security risk), or is so obsolete it can no longer be used for its intended purpose, the equipment is deemed unsuitable for use and is recommended for disposal.

The technology equipment listed below has been determined to be unsuitable for use and of insufficient value to defray the costs of arranging a sale. It is in the Sacramento County of Education's best interest to deem these items obsolete and dispose of them. All storage devices (hard drives, solid state drives, USB drives, etc.) are completely wiped of data and, whenever possible, physically shredded to ensure the destruction of all electronic data before disposal.

<b>TECHNOLOGY EQUIPMENT</b>			
<b>SCOE Tag Number</b>	<b>Item Description</b>	<b>SCOE Tag Number</b>	<b>Item Description</b>
0195016	HP LaserJet 4250tn Printer	0050179	Sharp XG-NV2U Notevision Projector
0199067	Apple iMac Desktop	0230581	Dell Optiplex 9020 Desktop
0209361	Apple iMac Desktop	0204735	Apple MacPro Desktop
0189167	Dell Precision T3400 Desktop	0211581	Apple MacBook Laptop
0201822	Optiplex 980 Desktop	0211532	Apple MacBook Laptop
0198507	HP Compaq dc7800 Desktop	0223149	Dell Latitude E6510 Laptop
0219857	Epson EMP-1715 LCD Projector	0221424	HP Color LaserJet CM2320n Printer
0199406	Epson EMP-1705 LCD Projector	0218529	Dell 3C767dn Color Printer
0186023	Dell Optiplex GX620 Desktop		

**SUPERINTENDENT'S RECOMMENDATION:**

The Superintendent recommends that the Board declare this equipment unsuitable for school use and of insufficient value to defray the costs of arranging a sale and authorizes the Procurement Department to dispose of this equipment as authorized under Education Code sections 17545 and 17546.

**SACRAMENTO COUNTY BOARD OF EDUCATION**

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

<b>Subject:</b> Donations	<b>Agenda Item No.:</b> VIII.A.4. <b>Enclosures:</b> 0
<b>Reason:</b> Acceptance	<b>From:</b> David W. Gordon <b>Prepared By:</b> Jerry Jones <b>Board Meeting Date:</b> 08/11/20

**BACKGROUND:**

The Sacramento County Office of Education (SCOE) has received the following donations:

Hewlett Packard Enterprise Foundation

As part of their statewide “Disaster Relief: Aruba CPR grant,” the Hewlett Packard Enterprise Foundation has donated new Aruba Wireless Access Points (WAPs) and Aruba network equipment for use at SCOE’s Community School and Special Education school sites. The total amount of the donation is valued at \$22,379.

California Department of Aging

The California Department of Aging is donating 41 refurbished Dell Windows desktop computers to the Special Education Department, to be used by teachers and students in the classroom. The equipment is approximately three years old. The CNTS Department will examine, clean, and repair each computer as needed before they are deployed to our Moderate/Severe classrooms located throughout the Sacramento County.

**SUPERINTENDENT’S RECOMMENDATION:**

The Superintendent recommends acceptance of the above-mentioned donations on behalf of the Sacramento County Board of Education.

**SACRAMENTO COUNTY BOARD OF EDUCATION**  
**CONTRACTS FOR COUNTY BOARD OF EDUCATION APPROVAL**  
**August 11, 2020**

**BUSINESS SERVICES**

**Expenditure**

**Atkinson, Andelson, Loya, Ruud, and Romo**

Contractor will provide bargaining, labor negotiations, representation, and related legal service for the Sacramento County Office of Education and the Sacramento County Superintendent of Schools. Original contract amount - \$60,000; Amendment No. 1 to extend the dates of services and add \$45,156 to cover 2020-2021 services, making the total contract \$105,156.

Amendment

Dates of Service: 07/01/19 – 06/30/21

Source of Funds: General Support

\$45,156.00

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**PERSONNEL**

**Girard, Edwards, Stevens & Tucker, LLP**

Contractor will provide legal services in human resources/employment law including grievance, arbitration, and unfair labor practice matters for the Sacramento County Office Education. Professional services will be provided upon request. Original contract amount - \$25,900; Amendment No. 1 to extend the dates of service through June 30, 2021, and add \$21,100 to cover 2020-2021 services, making the total contract \$47,000.

Amendment

Dates of Service: 07/10/19 – 06/30/21

Source of Funds: Personnel

\$21,100.00

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**CENTER FOR STUDENT ASSESSMENT AND PROGRAM  
ACCOUNTABILITY (C-SAPA)**

**Whitney Olson**

Contractor will provide expertise and serve as co-coordinator for the statewide National History Day program by supporting county coordinators with implementing all aspects of the regional National History Day competitions. Services will include development of curriculum, statewide professional development for teachers and students, assistance with preparation and logistics for National History Day-California competition, coordination of student registrations, training for judges, and oversight of competition scoring.

Renewal

Dates of Service: 08/12/20 – 06/30/21

Source of Funds: National History Day-California

\$67,000.00

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## RECAP

	<u>Expenditure</u>
<b>Business Services</b>	45,156.00
<b>Personnel</b>	21,100.00
<b>Center for Student Assessment and Program Accountability (C-SAPA)</b>	67,000.00
<b>TOTAL</b>	<b>\$133,256.00</b>

**SACRAMENTO COUNTY BOARD OF EDUCATION**

10474 Mather Boulevard, P.O. Box 269003

Sacramento, CA 95826-9003

**Grant/Contract Proposal Abstract**

Agenda Item No.: VII.C.1.

Enclosures: 2

Board Meeting Date: 08/11/20

**Title of Grant/Contract:** Sacramento School-Based Mental Health and Wellness

**Department/Director:** Prevention and Early Intervention/Brent Malicote

**Funding Source:** Medi-Cal

**Amount Requested:** \$1,898,299

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

**Program Description:**

A new partnership between the Sacramento County Office of Education (SCOE) and the Sacramento County Department of Health Services (DHS) is breaking ground on an innovative way to augment the outstanding work our school districts do to address children and youth mental health. Schools will be transformed into *Centers of Wellness* for all young people by placing a mental health clinician in every school in the county to work within a continuum of care at the school site. The clinicians will provide direct mental health services, while also working with school staff to integrate Social Emotional and relationship building strategies into the entire school community.

Vision: Bring the education and health systems together as partners to create a continuum of care for mental health and wellness throughout Sacramento County's education system. Intervening as early as possible will eliminate the school-to-prison pipeline, reduce the number of 'system-involved' adults and adolescents, and mitigate the onset and impact of mental health disorders in Sacramento County.

Mission: Identify and address the mental health and wellness needs of all students in Sacramento County, by placing a mental health professional in every school, and creating a system in which all adults understand their role and contribute to supporting the school-community-continuum-of-care.

In Fiscal Year 2020-2021, we will roll out the first cohort of 11 schools.

**New Positions:**

Director of School-Based Mental Health and Wellness

11 School-Based Mental Health and Wellness Clinicians

**Subcontracts:**

None



**Evaluation Component:**

The direct impact that the School-Based Mental Health and Wellness Partnership can have includes:

- Improved academic achievement
- Reduced suspensions
- Reduced chronic absenteeism
- Decreased referrals to special education
- Improve early intervention and prevention approaches such that we see a decline in the need for intense clinical interventions over time
- An increase in early identification of mental health disorders/indicators, and therefore an opportunity to address those concerns as early as possible

We are currently in discussions with UC Berkeley about a formal evaluation and research-practice partnership. More details about how that partnership is developing will be provided as it materializes.

**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:** Sacramento School-Based Mental Health and Wellness

**Contact Person/Dept. /Phone #:** Brent Malicote/Education Services/2653

**Fiscal Year:** 2020-2021

Category	Grant Authorized Budget	Cash Match/ In-Kind Amount	Total Grant Budget
Salaries - Certificated (FTE): 2.00	269,154		269,154
Salaries - Classified (FTE): 11.29	1,013,906		1,013,906
Temporary Employees			0
Employee Benefits	437,889		437,889
Books and Supplies	8,981		8,981
Travel and Conference	1,000		1,000
Subcontracts Not Subject to Indirect			0
Subcontracts Subject to Indirect			0
Other Services / Operating Expenses			0
Communications (postage/phones)	12,228		12,228
Printing Services			0
Indirect % 8.90	155,141		155,141
Other:			0
<b>Totals</b>	<b>\$1,898,299</b>	<b>\$0</b>	<b>\$1,898,299</b>

Positions included: Title	FTE	Range/Step	Grant Authorized Amount	Cash Match/ In-Kind Amount
Mental Health Clinician	11.00	CL24	989,641	
Mental Health Coordinator	1.00	CT36	120,996	
Mental Health Director 1	1.00	CMT36	148,158	
Program Analyst	0.29	G-36F	24,265	
<b>Totals</b>	<b>13.29</b>		<b>\$1,283,060</b>	<b>\$0</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.2.

Enclosures: 2

Board Meeting Date: 08/11/20

**Title of Grant/Contract:** Seeds of Partnership

**Department/Director:** Special Education/Michael Kast

**Funding Source:** California Department of Education

**Amount Requested:** \$690,000

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

**Program Description:**

The Seeds of Partnership contract is intended to assist the California Department of Education (CDE), Special Education Division (SED) in supporting the State Performance Plan (SPP), Annual Performance Report (APR), required under the Individuals with Disabilities Education Act (IDEA) and provide statewide coordinated technical assistance to the Family Empowerment and Disability Council (FEDC).

The project will accomplish this through the following:

1. Gathering meaningful and specific feedback through surveys and interviews directly from families of children with disabilities and collaborating with agencies who serve them to inform the CDE, Local Educational Agencies (LEA), and Special Education Local Plan Areas (SELPA) on family perceptions and experiences related to the education of their children in individual LEAs.
2. Researching, identifying, and gathering information related to family engagement and Preschool Least Restrictive Environment (LRE) directly from LEAs about their current practices and areas of need, and collaborating with agencies who serve them, in support of the SPP and the CDE System of Support.
3. Providing CDE with guidance and expertise to increase the quality and quantity of information collected from families of children with disabilities to incorporate pertinent and specific information to assist CDE in monitoring, and statewide activities related to family engagement.
4. Creating, establishing, maintaining, and updating website ([www.seedsofpartnership.org](http://www.seedsofpartnership.org)), and enhancing technical assistance materials to provide guidance to CDE, LEAs, and SELPAs to support family engagement between the LEAs and families, and promote evidence-based and recommended practices for Preschool LRE that relate to the CDE System of Support.
5. Facilitating the coordination of youth leadership activities and opportunities.
6. Providing statewide support and coordinated technical assistance to the FEDC.

The target audiences for this project are CDE SED consultants, LEAs, SELPAs, administrators, staff, and families involved in programs for children with disabilities.

**New Positions:**

None

**Subcontracts:**

- California Foundation for Independent Living Centers (YO! Disabled and Proud) in the amount of \$40,000 to provide opportunities, resources, information for volunteer opportunities with local independent living centers, work on advocacy issues and campaigns that are important to teens and young adults, and find mentors within the disability community.
- Content Experts in the amount of \$22,000 to provide expert knowledge, perspective, experience, assistance in research, identification/creation of materials, and facilitating and presenting workshops, meetings, and/or trainings.
- Language Translation in the amount of \$20,000 to translate parent surveys and materials related to Special Education as well as make materials accessible.
- Language Interpreter in the amount of \$4,000 to interpret, monitor, and review parent phone interviews or interpret professional learning.

**Evaluation Component:**

SCOE will submit monthly written progress reports. A final year-end report will include a summary of grant activities and measurable outcomes related to each task. Reported upon contract tasks include:

- Project Coordination
- Family Input for Program Improvement
- Support for Family Engagement
- Support for Preschool Least Restrictive Environment
- Support for Youth Leadership
- Support for Family Empowerment and Disability Council
- Evaluation and Data Analysis for Family Empowerment Center and Disability Council
- Collaboration and Research

**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:** Seeds of Partnership

**Contact Person/Dept. /Phone #:** Michael Kast/Special Education/916-228-2381

**Fiscal Year:** 2020-2021

Category	Grant Authorized Budget	Cash Match/ In-Kind Amount	Total Grant Budget
Salaries - Certificated (FTE): 1.05	131,391		131,391
Salaries - Classified (FTE): 1.35	161,861		161,861
Temporary Employees	54,000		54,000
Employee Benefits	111,014		111,014
Books and Supplies	9,069		9,069
Travel and Conference	5,000		5,000
Subcontracts Not Subject to Indirect			0
Subcontracts Subject to Indirect			0
Other Services / Operating Expenses	92,000		92,000
Communications (postage/phones)	8,500		8,500
Printing Services	2,000		2,000
Indirect % 8.90	55,165		55,165
Other: Web Based Data Collection	60,000		60,000
<b>Totals</b>	<b>\$690,000</b>	<b>\$0</b>	<b>\$690,000</b>

Positions included: Title	FTE	Range/Step	Grant Authorized Amount	Cash Match/ In-Kind Amount
Executive Director	0.05	49/1	9,252	
Program Specialist	1.00	6/13	122,139	
Coordinator	1.00	36/1	141,020	
Secretary	0.25	23/F	15,092	
Secretary	0.10	23/F	5,749	
<b>Totals</b>	<b>2.40</b>		<b>\$293,252</b>	<b>\$0</b>

Revised 07/15

Initials of Grants Financial Staff: AMS/10

Date: 7/9/20

**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.3.

Enclosures: 1

Board Meeting Date: 08/11/20

**Title of Grant/Contract:** Quality Counts California Workforce Pathways

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

**Funding Source:** California Department of Education/Early Learning and Care Division

**Amount Requested:** \$358,743

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

**Program Description:**

The Sacramento County Office of Education (SCOE) will receive a Quality Counts California (QCC) Workforce Pathways grant from the California Department of Education/Early Learning and Care Division (CDE/ELCD). The purpose of the QCC Workforce Pathways grant is to support increased learning and healthy development of California's young children by increasing the number of qualified Early Learning and Care (ELC) professionals, and increasing the educational credentials, knowledge, and competencies of existing ELC professionals across the state.

**New Positions:**

Program Analyst

**Subcontracts:**

- Child Action, Inc. in the amount of \$345,624 to provide the tools and support services needed to increase the number of qualified ELC professionals, and increase the educational credentials, knowledge, and competencies of existing ELC professionals.

**Evaluation Component:**

In addition to the annual expenditure reports to be submitted to CDE/ELCD, SCOE will submit measurable outcomes identified in the implementation plan provided by the Sacramento Local Child Care and Development Council that include:

- Increasing the number of qualified ELC professionals
- Increasing the number of individuals who successfully complete additional early childhood education class units at the local community college or university
- Increasing the number of individuals who successfully acquire and retain child development permits

**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:** Quality Counts California Workforce Pathways Grant

**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): 0.11	7,151		7,151
Temporary Employees			0
Employee Benefits	2,853		2,853
Books and Supplies			0
Travel and Conference			0
Subcontracts Not Subject to Indirect	320,624		320,624
Subcontracts Subject to Indirect	25,000		25,000
Other Services / Operating Expenses			0
Communications (postage/phones)			0
Printing Services			0
Indirect % 8.90	3,115		3,115
Other:			0
<b>Totals</b>	<b>\$358,743</b>	<b>\$0</b>	<b>\$358,743</b>

Positions included: Title	FTE	Range/Step	Grant Authorized Amount	Cash Match/ In-Kind Amount
Program Analyst	0.11	36C	7,151	
<b>Totals</b>	<b>0.11</b>		<b>\$7,151</b>	<b>\$0</b>

Revised 07/15

Initials of Grants Financial Staff: HY

Date: 7/24/20

**SACRAMENTO COUNTY BOARD OF EDUCATION**

10474 Mather Boulevard, P.O. Box 269003

Sacramento, CA 95826-9003

**Agenda Item No.:** VIII.C.4.

**Enclosures:** 1

**Board Meeting Date:** 08/11/20

**Grant/Contract Proposal Abstract**

**Title of Grant/Contract:** WorkAbility I

**Department/Director:** Special Education/Michael Kast

**Funding Source:** California Department of Education (CDE)

**Amount Requested:** \$257,700

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

**Program Description:**

The WorkAbility I Program provides comprehensive pre-employment training, job training placement, and follow-up for high school students in Special Education who are making the transition from school to work, independent living, and post-secondary education or training. Additionally, WorkAbility I has expanded services to middle school Special Education students, focusing on preparing them for successful transition to high school with an awareness of career information and preparation. The grant is designed to serve 660 students, while placing 140 students in paid work opportunities. The WorkAbility I Program will continue to work with those students from our neighboring school districts who are serviced by the Sacramento County Office of Education (SCOE) programs. The WorkAbility I grant will also be used to serve students in the Galt Joint Union Elementary and the River Delta Unified School Districts.

**New Positions:**

None

**Subcontracts:**

None

**Evaluation Component:**

CDE conducts a yearly review regarding program performance. In addition, SCOE will conduct an evaluation by interviewing all stakeholders, including students, parents, school staff, business, and community partners to review progress and establish goals for next year. SCOE will submit quarterly progress reports to CDE.

**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: WorkAbility 1

Contact Person/Dept. /Phone #: Michael Kast/Special Education/916-228-2381

Fiscal Year: 2020-2021

Category	Grant Authorized Budget	Cash Match/ In-Kind Amount	Total Grant Budget
Salaries - Certificated (FTE):			0
Salaries - Classified (FTE): 1.75	90,604		90,604
Temporary Employees			0
Employee Benefits	42,043		42,043
Books and Supplies	33,850		33,850
Travel and Conference	13,650		13,650
Subcontracts Not Subject to Indirect			0
Subcontracts Subject to Indirect			0
Other Services / Operating Expenses			0
Communications (postage/phones)	600		600
Printing Services			0
Indirect % 8.90	21,061		21,061
Other: Student Wages	55,892		55,892
<b>Totals</b>	<b>\$257,700</b>	<b>\$0</b>	<b>\$257,700</b>

Positions included: Title	FTE	Range/Step	Grant Authorized Amount	Cash Match/ In-Kind Amount
Special Education Technician	0.75	23/F	37,058	
Job Developer	0.50	26/A	28,729	
Special Education Technician	0.20	23/F	9,804	
Secretary	0.05	23/D	2,660	
Special Education Technician	0.25	23/F	12,353	
<b>Totals</b>	<b>1.75</b>		<b>\$90,604</b>	<b>\$0</b>

Revised 07/15

Initials of Grants Financial Staff: YMS

Date: 7/17/20

**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.5.

**Enclosures:** 2

**Board Meeting Date:** 08/11/20

**Title of Grant/Contract:** Distance Learning Curriculum and Instructional Guidance

**Department/Director:** Deputy Superintendent/Dr. Nancy Herota

**Funding Source:** California Department of Education (CDE)

**Amount Requested:** \$750,000

**Fiscal Year(s):** 2020-2021, 2021-2022

**Program Description:**

Under the direction of the State Board of Education, the Sacramento County Superintendent of Schools/Sacramento County Office of Education (SCOE) will develop a draft Distance Learning curriculum and instructional guidance for mathematics, English language arts, and English language development, to be adopted by the State Board of Education (SBE) by May 31, 2021.

The content of the Distance Learning Curriculum and Instructional Guidance will include, but not limited to:

- A framework for addressing critical standards
- Guidance and resources for formative and diagnostic assessment
- Guidance on recommended aggregate time for instruction and independent work by grade span
- Guidance on embedding social emotional support for pupils into distance learning curricula

SCOE will incorporate any edits requested by SBE at its May 2021 meeting to develop the final document.

**New Positions:**

None

**Subcontracts:**

- Organizations and LEA's
- Distance Learning experts – amount to be determined
- Graphic designer to develop the final document – amount to be determined

**No Evaluation Component**

**Detailed Budgets 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: Distance Learning Curriculum and Instructional Guidance

Contact Person/Dept. /Phone #: Dr. Nancy Herota / Administration / (916) 228-2226

Fiscal Year: 2020-2021

Category	Grant Authorized Budget	Cash Match/ In-Kind Amount	Total Grant Budget
Salaries - Certificated (FTE): 0.21	31,181		31,181
Salaries - Classified (FTE):			0
Temporary Employees	137,500		137,500
Employee Benefits	38,363		38,363
Books and Supplies	1,565		1,565
Travel and Conference	2,500		2,500
Subcontracts Not Subject to Indirect	155,000		155,000
Subcontracts Subject to Indirect	274,000		274,000
Other Services / Operating Expenses			0
Communications (postage/phones)	1,500		1,500
Printing Services	500		500
Indirect % 8.90	43,353		43,353
Other:			0
<b>Totals</b>	<b>\$ 685,462</b>	<b>\$ 0</b>	<b>\$ 685,462</b>

Positions included: Title	FTE	Range/Step	Grant Authorized Amount	Cash Match/ In-Kind Amount
Director I	0.21	40M	31,181	
<b>Totals</b>	<b>0.21</b>		<b>\$31,181</b>	<b>\$0</b>

*MS*

# 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: Distance Learning Curriculum and Instructional Guidance

Contact Person/Dept. /Phone #: Dr. Nancy Herota / Administration / (916) 228-2226

Fiscal Year: 2021-2022

Category	Grant Authorized Budget	Cash Match/ In-Kind Amount	Total Grant Budget
Salaries - Certificated (FTE): 0.06	9,772		9,772
Salaries - Classified (FTE):			0
Temporary Employees	27,500		27,500
Employee Benefits	9,492		9,492
Books and Supplies			0
Travel and Conference			0
Subcontracts Not Subject to Indirect			0
Subcontracts Subject to Indirect			0
Other Services / Operating Expenses	10,000		10,000
Communications (postage/phones)	500		500
Printing Services	2,000		2,000
Indirect % 8.90	5,274		5,274
Other:			0
<b>Totals</b>	<b>\$ 64,538</b>	<b>\$ 0</b>	<b>\$ 64,538</b>

Positions included: Title	FTE	Range/Step	Grant Authorized Amount	Cash Match/ In-Kind Amount
Director I	0.06	40M	9,772	
<b>Totals</b>	<b>0.06</b>		<b>\$9,772</b>	<b>\$0</b>

**SACRAMENTO COUNTY BOARD OF EDUCATION**

10474 Mather Boulevard, P.O. Box 269003

Sacramento, CA 95826-9003

<b>Subject:</b> Public Hearing and Adoption of Resolution No. 20-09 – Determination of Textbooks and/or Instructional Materials Sufficiency Pursuant to Education Code Section 60119	<b>Agenda Item No.:</b> VIII.D. <b>Enclosures:</b> 5
<b>Reason:</b> Public Hearing and Adoption of Instructional Materials Sufficiency Resolution for Juvenile Court Schools	<b>From:</b> David W. Gordon <b>Prepared By:</b> Dr. Matt Perry <b>Board Meeting Date:</b> 08/11/20

**BACKGROUND:**

The Sacramento County Board of Education is required to hold a public hearing and to determine whether each pupil in the juvenile court schools has sufficient textbooks or instructional materials, or both, in English/language arts, including the English language development component of an adopted program, mathematics, history/social science, and science that are aligned to the state content standards adopted by the State Board of Education (SBE). As part of this determination, the County Board also must determine if each pupil who is actually enrolled in a foreign language or health course has sufficient instructional materials that are consistent with the content and cycles of curriculum frameworks adopted by the SBE. In addition, the County Board must determine if pupils enrolled in a laboratory science course have adequate equipment. Detail substantiating that sufficient instructional materials are available to each student will be available for inspection by the County Board and public at the hearing.

In accordance with the sufficiency requirements of Education Code Section 60119(c), every pupil in juvenile court schools will have sufficient textbooks or instructional materials, or both, in English/language arts, including the English language development component of an adopted program, mathematics, science, and history/social science that are aligned to the state content standards adopted by the SBE. Pupils enrolled in a health course will have sufficient materials. SCOE does not offer foreign language instruction in any grades, nor does SCOE offer science laboratory courses in any of grades 9 through 12. Therefore, SCOE need not maintain science laboratory equipment. Completion of a science laboratory course is not a requirement for high school graduation, though completion of a course in either foreign language or visual or performing arts is a requirement (EC 51225.3). As necessary for completion of this graduation requirement, SCOE students are provided a course in fine arts.

**SUPERINTENDENT'S RECOMMENDATION:**

The Superintendent submits Board Resolution No. 20-08 for consideration and adoption, and with that adoption, the Superintendent shall submit the required certification to the California Department of Education.

**SACRAMENTO COUNTY BOARD OF EDUCATION**

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

**\*\*PLEASE POST\*\***

**NOTICE OF PUBLIC HEARING**

A public hearing will be held by the Sacramento County Board of Education as required by Education Code Section 60119.

The public hearing is scheduled for **Tuesday, August 11, 2020 at 6:30 p.m.**

**PURPOSE**

The Sacramento County Board of Education (Board) will determine whether a pupil in juvenile court schools operated by the Sacramento County Office of Education (SCOE) has sufficient textbooks and/or instructional materials in mathematics, science, history/social science, and English/language arts, including the English language development component of an adopted program. The Board will also determine if each pupil enrolled in a health course has sufficient textbooks, instructional materials, or equipment. Parents, guardians, teachers, interested community members, employee association members, and administrative staff are invited to provide input.

In compliance with current California Executive Orders and Orders by the Sacramento County Health Officer directing all individuals to stay at home (with limited exceptions not applicable here), and prohibiting all public and private gatherings of any number of people, and Executive Order N-29-20 allowing local legislative bodies to satisfy transparency requirements by holding meetings via teleconference, the Board will conduct this hearing via Zoom video and/or teleconference. Members of the public may access the meeting and provide public comment as follows:

Zoom Video Conference: To view the meeting from a computer, tablet, or smart phone, go to: <https://scoe.zoom.us/j/95095568462>

To listen by telephone: Primary Number: (669) 900-6833  
Secondary Number: (346) 248-7799 Enter the Meeting ID: 950 9556 8462

Public Comment: Members of the public may submit public comment through a Google form at <https://bit.ly/scoe-board-8-11-20>. Written comments received before the public comment portion of the August 11, 2020 meeting will be read during the teleconferenced meeting at appropriate times.

Persons who require reasonable accommodation or modification to observe and/or offer public comment are asked to contact the Superintendent's Office at (916) 228-2410 or [wwatson@scoe.net](mailto:wwatson@scoe.net) at least 48 hours before the meeting.

Materials subject to the public hearing are available at the Sacramento County Office of Education website at <https://www.scoe.net/board/schedule/>. For more information, please call (916) 228-2410.

# **SACRAMENTO COUNTY BOARD OF EDUCATION**

## **Resolution No. 20-08**

### **Determination of Textbooks and/or Instructional Materials Sufficiency Pursuant to Education Code Section 60119 for Juvenile Court Schools**

**August 11, 2020**

**WHEREAS**, the Sacramento County Board of Education (County Board), governing board of the Sacramento County Office of Education (SCOE), in order to comply with the requirements of Education Code Section 60119, held a public hearing on August 11, 2020, after 6:30 p.m., which, therefore, did not take place during or immediately following school hours; and

**WHEREAS**, the County Board provided a 10-day notice of the public hearing posted in at least three public places within the county that stated the time, place, and purpose of the hearing; and

**WHEREAS**, the County Board encouraged participation by parents, guardians, teachers, members of the community, and bargaining unit leaders in the public hearing; and

**WHEREAS**, information provided at the public hearing and to the County Board at the public meeting detailed the extent to which textbooks or instructional materials aligned to the State academic content standards were provided to all pupils, including English learners, in SCOE juvenile court schools; and

**WHEREAS**, in accordance with Education Code Section 60119(c), sufficient textbooks or instructional materials were provided to each pupil before the end of the eighth week from the first day pupils attended school; and

**WHEREAS**, the textbooks and instructional materials currently adopted and in use in SCOE juvenile court schools are listed in Attachment "A"; and

**WHEREAS**, in accordance with Education Code Section 60119(c), sufficient textbooks or instructional materials aligned to the State academic content standards were provided to each pupil including English learners, in mathematics, history/social science, science, and English/language arts, including the English language development component of the adopted programs, and where appropriate, consistent with the content and cycles of the curriculum frameworks; and

**WHEREAS**, sufficient textbooks or instructional materials were provided to each pupil enrolled in a health course, and these materials were provided to pupils before the end of the eighth week from the first day pupils attended school; and

**WHEREAS**, laboratory science equipment was not provided because SCOE juvenile court schools do not provide laboratory science in any of grades 9 through 12; and

**WHEREAS**, SCOE juvenile court schools do not offer foreign language instruction, and the high school graduation requirement specified in Education Code Section 51225.3(a)(1)(E) is satisfied by providing pupils as necessary, a course in fine arts.

**NOW, THEREFORE, BE IT RESOLVED** that for the 2020-2021 school year, each pupil in Sacramento County Office of Education juvenile court school has been provided with sufficient textbooks and/or instructional materials aligned to the State academic content standards and as appropriate, consistent with the content and cycles of the curriculum frameworks before the end of the eighth week from the first day pupils attended school as specified in Education Code Section 60119.

**PASSED AND ADOPTED** at the regular Board meeting of the Sacramento County Board of Education on August 11, 2020 by the following vote:

Ayes:	_____	_____
Noes:	_____	_____
Absent:	_____	_____
Abstain:	_____	_____

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Joanne Ahola, Board President

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David W. Gordon, Board Secretary



**SACRAMENTO COUNTY OFFICE OF EDUCATION**  
**Current Adopted Curricula**

**Attachment A**

The following materials have been adopted (06/14/16) for use in Sacramento County Office of Education Programs K-12, in the category of English/Language Arts (ELA). It is important to note that SCOE utilizes the district-adopted materials for K-6 students.

<b>Grade</b>	<b>Publisher</b>	<b>Title</b>
7-12	CollegeBoard	<i>SpringBoard</i>
7-12 Intervention	National Geographic Learning/Cengage Learning	<i>Inside/Edge</i>
Intensive Intervention	Houghton Mifflin Harcourt Interventions	<i>Read 180</i>

The following materials have been adopted (06/12/18) for use in Sacramento County Office of Education Programs K-12, in the category of History/Social Science. It is important to note that SCOE utilizes the district adopted materials for K-5 students.

<b>Grade/Subject</b>	<b>Publisher</b>	<b>Title</b>
6/US History	McGraw Hill – Networks	<i>Discovering Our Past: A History of the United States, Early Years</i>
7/World History	McGraw Hill – Networks	<i>Discovering Our Past: A History of the World, Early Ages</i>
8/US History	McGraw Hill – Networks	<i>Discovering Our Past: A History of the United States</i>
9-10/US History	McGraw Hill – Networks	<i>United States History and Geography</i>
11/US History	McGraw Hill – Networks	<i>United States History and Geography, Modern Times</i>
12/Government	McGraw Hill – Networks	<i>United States Government: Our Democracy</i>
12/Economics	McGraw Hill – Networks	<i>Understanding Economics</i>

The following materials have been adopted (06/09/15) for use in Sacramento County Office of Education Programs 6-12, in the category of Mathematics. It is important to note that SCOE utilizes the district-adopted materials for K-5 students.

<b>Grade</b>	<b>Publisher</b>	<b>Title</b>
6-8	McGraw Hill	<i>California Math</i>
9-12	Pearson	<i>Integrated High School Math 1,2,3</i>

SACRAMENTO COUNTY OFFICE OF EDUCATION  
Current Adopted Curricula

**Attachment A**

The following materials have been adopted (08/12/08) for use in Sacramento County Office of Education Programs 7-12, in the category of Science. It is important to note that SCOE utilizes the district-adopted materials for K-6 students.

<b>Grade</b>	<b>Publisher</b>	<b>Title</b>
7	Glencoe	<i>Physical Science</i>
7-12	AGS	<i>Earth Science</i>
8	Glencoe	<i>Life Science</i>
8	AGS	<i>Life Science</i>
9-12	Pearson Publishing/AGS	<i>Biology: Cycles of Life</i> <i>Physical Science</i> <i>Pacemaker Biology</i> <i>Concepts and Challenges in Life, Earth, and Physical Sciences</i>

**SACRAMENTO COUNTY BOARD OF EDUCATION**

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

<b>Subject:</b> Revisions to Board Policy 2400 – Charter School Petitions	<b>Agenda Item No.:</b> VIII.E.  <b>Enclosures:</b> 12
<b>Reason:</b> Second Reading and Adoption of Board Policy Revisions	<b>From:</b> Policy Committee  <b>Prepared By:</b> Teresa Stinson  <b>Board Meeting Date:</b> 08/11/20

**BACKGROUND:**

Attached are proposed revisions to Board Policy 2400 – Charter School Petitions. All proposed revisions are indicated by strikeouts and bold underlined additions.

The revisions are proposed to align with recent changes in the California Charter Schools Act and to incorporate recommended standards and practices for considering charter school petitions. The revised Board Policy is intended to provide guidance to charter petitioners and school districts related to submission, review, and consideration of new charter petitions, oversight of approved charters, and consideration of charter renewals and revocations.

The Policy Committee reviewed and revised Board Policy 2400 – Charter School Petitions on June 16, 2020 and recommended that the revised policy be presented to the Board for First Reading. The First Reading of the revised policy occurred at the July 14, 2020 Board meeting. Revisions made after the July 14, 2020 Board Meeting are in blue and underlined.

**SUPERINTENDENT’S RECOMMENDATION:**

The Superintendent recommends that the Board of Education hear the Second Reading and adopt the proposed revisions to Board Policy 2400 – Charter School Petitions.

# DRAFT

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### CHARTER SCHOOL PETITIONS

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#### I. Scope and Purpose

- (a) **A.** This policy recognizes legislative intent, as to the purposes of charter schools, to provide a method to: per Education Code (EC) section 47601.

1. Improve pupil learning.
2. Increase learning opportunities for all pupils, with special emphasis on expanded learning experiences for pupils who are identified as academically low achieving.
3. Encourage the use of different and innovative teaching methods.
4. Create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the schoolsite.
5. Provide parents and pupils with expanded choices in the types of educational opportunities that are available within the public school system.
6. Hold the schools established under this part accountable for meeting measurable pupil outcomes, and provide the schools with a method to change from rule-based to performance-based accountability systems.
7. Provide vigorous competition within the public school system to stimulate continual improvements in all public schools. (Education Code (Ed. Code), section 47601)

- (b) **B.** This policy governs the submission of petitions to the Sacramento County Board of Education (Board) for operation of charter schools under the auspices oversight of the Sacramento County Office of Education (SCOE). This policy also governs:

- (1) 1. Consideration and granting or denial of charter petitions by the Board.
- (2) 2. Opening and operation of schools under approved charters.
- (3) 3. Material revisions of an approved charter.
- (4) 4. Renewal, non-renewal, or revocation of approved charters.

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(c) **C.** This policy applies to three types of charter petitions:

- (1) **1.** Appeals. Petitions that have been denied by the governing board of a school district in Sacramento County and are subsequently submitted to the Board for consideration, per EC Education Code section 47605(jk)(1).
- (2) **2.** SCOE ~~Student~~ **Pupil** Populations. Petitions that propose to serve ~~students~~ **pupils** for whom SCOE would otherwise be responsible for providing direct education and related services, per EC Education Code section 47605.5.
- (3) **3.** Countywide Charters. Petitions to establish a countywide charter school that will operate at one or more sites within Sacramento County to 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 EC Education Code section 47605.6.

#### II. Petition Submission

- (a) **A.** Through Administrative Rules and Regulations (ARR), the Sacramento County Superintendent of Schools (Superintendent) shall establish procedures for the submission of charter petitions consistent with the requirements of law that address, among other things, the following areas:
- (1) **1.** The requirements for a charter petition.
  - (2) **2.** The ~~petition~~ documents required **to complete the petition and to begin** before the time period for Board consideration of a **the** charter petition ~~commences~~.
  - (3) **3.** ~~The deadline for the submission of a charter school appeal.~~ **Petition submission procedures.**
  - (4) **4.** ~~The changes a petitioner may make to a charter on appeal, including but not limited to, changes needed to reflect the requirements of this policy.~~ **Petition review procedures and standards.**

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### CHARTER SCHOOL PETITIONS

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- (b) **B.** In keeping with EC **Education Code sections** 47601(b), 47605(h), and 47605.6(i), the Board encourages all charter petitioners to incorporate comprehensive learning experiences for academically low achieving pupils, **and the Board shall give preference to petitions that demonstrate the capacity to do so.**

### III. Petition Review and Consideration

- (a) **A.** Charter petitions shall be reviewed in accordance with the requirements of law, including the Charter Schools Act, **as set forth in Education Code sections 47600, et seq.** This review shall be guided by the criteria set forth in California Code of Regulations (CCR), title 5, section 11967.5.1 **(as operative on November 23, 2011)** to the extent that the regulations would be pertinent to county offices of education. **as follows The Board will consider the following factors:**

- (1) **1.** Whether a petition is consistent with sound educational practice. ~~(5 CCR 11967.5.1 (a))~~
- (2) **2.** Whether a petition is an unsound educational program. ~~(5 CCR 11967.5.1 (b))~~
- (3) **3.** ~~The factors for consideration of w~~Whether charter petitioners are "demonstrably unlikely to successfully implement the program" as referenced in EC **Education Code section** 47605(b)(2). ~~(5 CCR 11967.5.1 (c))~~
- (4) **4.** ~~The interpretation of~~ **Whether the petition includes** the affirmation requirements under EC **Education Code section** 47605(b)(4). ~~(5 CCR 11967.5.1 (e))~~
- (5) **5.** ~~The factors described for consideration of w~~Whether a petition **does or does not** contains a "reasonably comprehensive description" of the elements specified in **ED Education Code section** 47605(b)(5). ~~(5 CCR 11967.5.1 (f)-(g))~~

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- (6) 6. ~~Instead of the criteria in 5 CCR11967.5.1 (f)(15), the~~ **Whether the petition includes a** declaration of whether or not the charter school shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act [Chapter 10.7 (commencing with **Government Code** ~~Section 3540, et seq.~~) of Division 4 of Title 1 of the Government Code] **The declaration** shall recognize that SCOE is an exclusive public school employer and that, 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.
7. **For purposes of Education Code sections 47605(c) and 47605(c)(7), in determining whether granting the charter is consistent with the interests of the community or is demonstrably unlikely to serve the interests of the entire community in which the school is proposing to locate, the Board shall consider the individualized facts and circumstances presented in the charter petition and by the school district. For example, such individualized facts and circumstances may include, but are not limited to:**
- a. **The community that the charter is proposing to serve or where the charter is proposing to locate.**
  - b. **Evidence that the community is interested in the charter (e.g., data regarding stakeholder engagement and/or outreach; parent signatures; community letters, surveys, or other evidence of support).**
  - c. **Evidence that the charter's proposed academic and other programs are designed or tailored to meet the needs of the community, taking into account school district and/or community demographics, academic needs and/or performance indicators, and/or other characteristics.**
  - d. **Evidence that the proposed charter location will be accessible to pupils and parents.**

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e. Evidence demonstrating that the impact of the proposed charter program will or will not substantially undermine existing district services, academic or programmatic offerings.

- This analysis shall include consideration of the fiscal impact of the proposed charter school.

f. Evidence demonstrating that the charter will or will not duplicate an existing district program, and the program has sufficient capacity for the pupils proposed to be served within reasonable proximity to where the charter school intends to locate.

(i) In determining whether a proposed charter will or will not “duplicate” an existing district program, the Board may consider evidence of:

- whether the district program is comparable in quality to the proposed charter;
- whether and how the proposed charter program differs from the district program;
- unique or innovative instructional approaches that are not currently available in the district or community;
- whether the district program is accessible to all pupils who wish to attend.

8. In determining whether the school district is not positioned to absorb the fiscal impact of the proposed charter school, the Board shall consider the fiscal condition of the school district as specified in section 47605(c)(8). If the charter school is subject to rebuttable presumption of denial, the Board will consider the individualized facts and circumstances presented by the petitioner and the school district to determine whether the presumed denial is sustained or rebutted (Ed. Code, § 47605(c)(8).)



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(7) ~~For purposes of applying the criteria in 5 CCR 11967.5.1, references to “State Board of Education” shall be deemed references to the Board, and references to “school district” and “local education agency” shall be deemed references to SCOE.~~

(8) **9.** For purposes of evaluating countywide charter petitions, references to provisions of ~~EC~~ **Education Code section** 47605 shall instead be deemed to be references to corresponding provisions of ~~EC~~ **Education Code section** 47605.6, **to the extent applicable.**

~~(b) The Board shall give preference to petitions that demonstrate the capacity to provide comprehensive learning experiences to pupils identified by the petitioner(s) as academically low-achieving. (EC 47605(h) and 47605.6(i))~~

**B. SCOE ARR provisions related to review and consideration of petitions shall include guidance to petitioners as to the factors SCOE staff will consider in determining whether petitions meet applicable standards.**

(c) **C.** In addition to the above requirements, petitions to establish countywide charter schools under ~~EC~~ **Education Code section** 47605.6 must demonstrate the following to be approved:

(1) **1.** The educational services offered are services to a pupil population that will benefit from those services.

(2) **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) **3.** The charter school has a reasonable justification for why it could not be established by a petition to a school district pursuant to ~~EC~~ **Education Code section** 47605.

~~(d) SCOE ARR provisions related to review and consideration of petitions shall include guidance to petitioners as to the factors SCOE staff will consider in determining whether petitions meet applicable standards.~~

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#### IV Petition Hearing Procedures

- (e) A. In the case of an appeal, after the SCOE staff reviews and recommendations are complete, the document(s) shall be made available to the petitioners and to representatives of the district that denied the charter at the same time or soon after the recommendations are provided to the Board and as required by Education Code section 47605(b).
- (f) B. In the case of a SCOE student pupil population petition or a countywide charter petition, after SCOE staff review and recommendations are complete, the document(s) shall be made available to the petitioners and to representatives of every district in the County at the same time or soon after the recommendations are provided to the Board and as required by Education Code sections 47605.5 or 47605.6.
- (g) C. ~~As set forth in 5 CCR 11967, for a charter appeal or a SCOE student population petition, not later than 60 days after receiving a complete petition package, and following review of the petition at a duly noticed public meeting, the Board shall grant or deny the charter petition. This time period may be extended by an additional 30 days if the Board and the petitioner agree to the extension.~~ The Board will hold a public hearing, consider, and grant or deny a charter petition within the time periods required by law. (Ed. Code, §§ 47605, 47605.5, 47605.6) The Board will strive to hold the public hearing and decide a charter appeal in one meeting within 60 days of receiving a completed charter appeal. However, the Board may take up to 90 days to issue its decision, depending upon factors such as when the charter appeal is submitted, exigent circumstances, or other factors. The decision date may be extended by mutual agreement of the parties.
- D. At the hearing in which the Board will grant or deny the charter (decision hearing), petitioners shall have equivalent time and procedures to present in response to the SCOE staff's presentation of its recommendations and findings.
- E. For charter appeals, the school district that denied the original charter petition will have a reasonable opportunity to present at the charter decision hearing.
- F. Before the decision hearing, the Board will consult with and notify the parties of a reasonable total time allotment for presentations by petitioner and its employees, and, the school district(s), and their respective its employees. Neither of these presentations shall exceed 30 minutes, except in unique circumstances.

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~~(h) Countywide charter petitions shall be reviewed and considered within the time periods set forth in EC 47605.6(b).~~

#### V. Opening, Operating, Accountability, and Oversight

(i) A. Before receiving an advance apportionment or opening and operating a charter school, a charter petitioner that has been approved by the Board shall demonstrate the following:

(1) 1. ~~t~~That it has secured an appropriate facility for the operation of the program described in the charter petition;~~;~~

(2) 2. ~~t~~That it has been accepted as a member of a SELPA for the purposes of providing special education services as required by law. In order to avoid or minimize potential delays, charter petitioners are encouraged to apply for SELPA membership before or at the same time they submit their charter petition to the Board;~~;~~

(3) 3. ~~t~~That it has agreed in writing to provide and be responsible for all special education services required by law and to hold harmless, defend, and indemnify the Board, Superintendent, and SCOE from any liability arising from its responsibility to provide such special education services;~~;~~

(4) 4. **Approval of an acceptable Memorandum of Understanding (MOU) between the charter, Board, and Superintendent that establishes expectations for charter operations, performance, accountability, and oversight.**

(5) 5. ~~t~~That it has satisfied any other conditions that have been approved by the Board, upon recommendation by the Superintendent;~~;~~

6. ~~u~~Unless specifically extended by the Board, the petitioner shall satisfy these requirements by July 1 of the school year specified in the Board's approval action, and must be in operation on or before September 30 of the year specified in the Board's approval action.

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- (j) **B.** If the petitioner fails to meet the requirements set forth in subdivision (i) **A**, after notice to the Board, the Superintendent on behalf of the Board shall notify the California Department of Education that the school has ceased operations, as required by **EC Education Code section** 47604.32(e)(3).

#### ~~IV. Accountability and Oversight~~

- C.** ~~The~~ **Through the MOU between the charter school, Board, and Superintendent, the** Board shall ensure that the proposed charter contains adequate processes and measures for holding the school accountable for fulfilling the terms of its charter. These shall include fiscal accountability systems as well as clear performance standards and multiple measures by which the charter school will be held accountable for meeting its educational and other goals for ~~students~~ **pupils**. Charter schools shall provide an annual report, and other reports as requested by the Board, Superintendent, or designee. (**EC Ed. Code, §§** 47604.32, 47604.33, 47604.4 and 47613.)

#### ~~VI. Material Revisions of an Approved Charter~~

**Charter petition appeals containing new or different material terms as defined in Education Code section 47605(k), shall be remanded to the school district governing board for reconsideration.**

Material revisions to the provisions of a charter **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 **EC Education Code sections** 47605 and 47605.6.

#### ~~VII. Renewal, Non-Renewal, or Revocation~~

- (a) **A.** Through ARR, the Superintendent shall specify procedures and timelines for charter schools operated under the auspices **oversight** of SCOE:
- (1) **1.** To apply for renewal; or, if applicable,
  - (2) **2.** To be proposed by SCOE staff for revocation.
- (b) **B.** Renewal shall be governed by **EC Education Code section** 47607, **et seq.** and, as applicable, the evaluation criteria set forth in Section III(a) **A.1-6** of this policy, and applicable ARR.

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- (c) **C.** If non-renewal is recommended by the Superintendent, the recommendation shall include each reason for non-renewal with the factual findings supporting that reason enumerated.
- (d) **D.** Revocation shall be governed by EC Education Code section 47607, et seq.
1. A charter may be revoked if the Board finds, through a showing of substantial evidence, that the charter school:
- a. Committed a material violation of any of the conditions, standards, or procedures set forth in the charter.
- b. Failed to meet or pursue any of the pupil outcomes identified in the charter.
- c. Failed to meet generally accepted accounting principles, or engaged in fiscal mismanagement.
- d. Violated any law.
- (e) 2. "Substantial evidence," within the meaning of EC Education Code section 47607, shall be evidence that:
- (1) a. Demonstrates that the violation was material.
- (2) b. Supports revocation when viewed as a whole, ~~including any information that may not support revocation, and does not focus on certain pieces of information to the exclusion of all others~~ in light of all relevant information.
- (3) c. Demonstrates that the violation actually occurred.
- (4) d. Was not cured by the charter school during its reasonable opportunity to remedy the violation.
- (f) **E.** If revocation is recommended by the Superintendent, the recommendation shall include each reason for revocation with the substantial evidence supporting that reason enumerated.

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#### Legal References:

##### EDUCATION CODE

41365 Charter school revolving loan fund  
44237 Fingerprints and criminal record information  
44830.1 Certificated employees, conviction of a violent or serious felony  
45122.1 Classified employees, conviction of a violent or serious felony  
46201 Instructional minutes  
47600, et seq. Charter Schools Act of 1992  
48000 Minimum age of admission (kindergarten)  
48005.11, et seq. Charter school funding eligibility  
51745, et seq. Independent Study  
56026 Individuals with exceptional needs  
56145-56146 Special Education services in charter schools  
60600-60649 Assessment of academic achievement

##### GOVERNMENT CODE

##### **1090, et seq. Conflicts of Interest in Contracts**

3540, et seq. Educational Employment Relations Act  
54950-54963 Ralph M. Brown Act  
6250, et seq. California Public Records Act  
**81000, et seq. Political Reform Act of 1974**

##### PENAL CODE

667.5 Definition of violent felony  
1192.7 Definition of serious felony

##### **TITLE 2, CALIFORNIA CODE OF REGULATIONS**

##### **18700, et seq. Conflicts of Interest**

##### **TITLE 5, CALIFORNIA CODE OF REGULATIONS, TITLE 5**

11700.1-11705 Independent Study  
11960-11969.11 Charter Schools

##### COURT DECISIONS

Wilson v. State Board of Education (App. 1 Distr. 1999) 89 Cal.Rptr.2d 745,  
75 Cal.App.4<sup>th</sup> 1125

##### ATTORNEY GENERAL OPINIONS

80 Ops.Cal.Atty.Gen. 52 (1997)  
78 Ops.Cal.Atty.Gen. 297 (1995)  
78 Ops.Cal.Atty.Gen. 253 (1995)

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### CHARTER SCHOOL PETITIONS

BP 2400

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06/02/03 — Draft of Board Policy  
02/10/04 — Review by Legal Counsel  
02/17/04 — Review by Policy Committee  
02/17/04 — Revisions by Policy Committee  
04/06/04 — First Reading  
04/20/04 — Second Reading  
04/20/04 — Adoption  
04/27/04 — Distribution  
06/16/09 — Review by Policy Committee  
07/21/09 — Review by Policy Committee  
08/18/09 — Draft  
08/18/09 — Review by Policy Committee  
09/15/09 — Review by Policy Committee  
10/20/09 — Review by Policy Committee  
11/17/09 — Review by Policy Committee  
12/15/09 — Review by Policy Committee  
01/19/10 — First Reading  
02/16/10 — Review by Policy Committee  
03/16/10 — Review by Policy Committee  
04/02/10 — First Reading  
04/20/10 — Second Reading and Adoption  
05/10/10 — Distribution  
10/19/10 — Review by Policy Committee  
11/16/10 — First Reading  
01/18/11 — Second Reading and Adoption  
01/20/11 — Distribution  
**06/16/20 — Reviewed by Policy Committee**  
**07/14/20 — First Reading**  
**08/11/20 — Second Reading and Adoption**

**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.F. <b>Enclosures:</b> 27
<b>Reason:</b> Informational	<b>From:</b> David W. Gordon <b>Prepared By:</b> Teresa Stinson <b>Board Meeting Date:</b> 08/11/20

**BACKGROUND:**

The Sacramento County Office of Education (SCOE) and the Sacramento County Superintendent of Schools have revised the attached Administrative Rules and Regulations 2400 – Charter School Petitions. The revisions are proposed to align with recent changes in the California Charter Schools Act and to incorporate recommended standards and practices for considering charter school petitions. This item is provided for information and comment, and no action is required by the Board.



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#### 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 (~~EC~~) section (Ed. Code, § 47605(j)(1)(k));
- B. Sacramento County Office of Education (SCOE). ~~Student~~ Pupil Population. Petitions that propose to serve ~~students~~ pupils for whom the ~~Sacramento County Office of Education (SCOE)~~ would otherwise be responsible for providing direct education and related services, per ~~EC~~ Ed. Code, § 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 ~~EC~~ Ed. Code, § 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 ~~EC~~ Ed. Code, § 47600, et seq., and ~~Title 5~~ California Code of Regulations, Title 5, (CCR) sections 11967 and 11967.5.1 (to the extent outlined in ~~Board Policy (BP)~~ 2400). Additionally, SCOE staff will follow the guidelines outlined in the Charter School Petition Review Criteria and Tips (attached as Appendixces A and B) in making recommendations to the Board.

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#### A. Appeals (Pursuant To EC Ed. Code, §47605(j)(1)(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 by the Board no later than 180 days after the denial 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 EC Ed. Code, § 47605. ~~(5 CCR 11967(b)(1))~~
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 EC Ed. Code, § 47605(b)(c). ~~(5 CCR 11967(b)(2))~~
3. A signed certification of compliance with applicable law. ~~(5 CCR (Cal. Code Regs., tit. 5, § 11967(b)(3).))~~
4. A description of any changes to the petition necessary to reflect the Board as the ~~chartering~~ authorizing entity. ~~(5 CCR 11967(b)(4))~~

~~This description may also incorporate any changes needed to:~~

- ~~a. Reflect the evaluation criteria established by Board policy and these ARR;~~
- ~~b. Address deficiencies noted in the district governing board's written factual findings; and/or~~
- ~~c. Account for changes in projected revenues or expenditures.~~

5. Evidence that copies of all charter appeal documents have also been submitted to the school district. (Ed. Code, §47605(k).)

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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.

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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 the above items 1-5 are submitted. ~~(5 CCR 11967)~~

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).

***B. ~~SCOE Student Pupil Population or Countywide Charter Petitions~~ (Pursuant To ~~ED 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 ~~EC~~ Ed. Code, § 47605, other applicable law, and Board policy. Petitions to establish a countywide charter school must be submitted as set forth in ~~EC~~ Ed. Code, § 47605.6, other applicable law, and Board policy.

In addition to the above requirements, petitions to establish countywide charter schools under ~~EC~~ Ed. Code, § 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 ~~EC~~ Ed. Code, § 47605.

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#### ***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 ~~signed by each of them,~~ 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. (~~EC~~ **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 ~~EC~~ **Ed. Code, §§** 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. (~~EC~~ **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. (~~EC~~ **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).)**

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4. **A detailed, complete operational budget as described in Appendix A.**
5. 3. 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.
- ~~4.~~ ~~Opening a charter school does not require the use of consultants. However, if the Petitioners intend to use consultants, the petition should include a list of consultants whom the charter school has engaged, or proposes to engage, for the purpose of developing, operating and evaluating the charter school, together with a thorough description of the qualifications of such consultants.~~
- ~~5.~~ 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, the 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.** and, if applicable, the charter school's Conflict of Interest provisions.
- ~~6.~~ 7. An affirmation that meets the requirements of ~~EC~~ **Ed. Code, §§** 47605(d) or 47605.6(e).
- ~~7.~~ 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.
- ~~8.~~ A detailed, complete, and fully annotated operational budget with estimates of charter school revenues and expenditures including startup costs, cash-flows, and reserve positions, for the first three years of operation.

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~~9. Petitions must, at a minimum, specify that prior to enrollment the parent/guardian of each pupil applying to enroll in the charter school shall be informed that the pupil receives no right to admission into a particular school of any local education agency or program of any local education agency by enrolling in the charter school. (5 CCR 11967.51(f)(12))~~

**9. Opening a charter school does not require the use of venders or contractors. However, if the Petitioners intend to use venders 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 venders 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.** (**EC Ed. Code, §§ 47605(gh) and 47605.6(h).**)

11. The petition must also demonstrate that the charter school shall meet all applicable **state and federal accountability** requirements of the federal Elementary and Secondary Education Act or its successors.

12. **As described more fully in Appendix A, Reasonably comprehensive descriptions of the items listed in EC Education Code sections 47605(b)(c)(5)(A)-(PO) and 47605.6(b)(5)(A)-(QP) or any subsequently implemented provisions of the Charter Schools Act of 1992.**

~~A “reasonably comprehensive” description, within the meaning of EC 47605(b)(5) and 47605.6(b)(5) shall include, but not be limited to, information that:~~

~~a. Is substantive and is not, for example, a listing of topics with little elaboration.~~

~~b. For elements that have multiple aspects, addresses essentially all aspects of the elements, not just selected aspects.~~

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- ~~c. Is specific to the charter petition being proposed, not to charter schools or charter petitions generally.~~
- ~~d. Describes, as applicable among the different elements, how the charter school will:~~
  - ~~i. Improve pupil learning.~~
  - ~~ii. Increase learning opportunities for its pupils, particularly pupils who have been identified as academically low achieving.~~
  - ~~iii. Provide parents, guardians, and pupils with expanded educational opportunities.~~
  - ~~iv. Hold itself accountable for measurable, performance-based pupil outcomes.~~
  - ~~v. Provide vigorous competition with other public school options available to parents, guardians, and students.~~

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

~~SCOE will not accept any substantive amendments to a charter school petition within the 20 day period prior to the date by which the Board must grant or deny the petition.~~

Petitioners seeking approval to commence the operation of a district-authorized charter school ~~per EC~~ **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 ~~per EC~~ **under Education Code sections** 47605.5 or 47605.6 are encouraged to submit the charter petition to the Board ~~no later than October 15 of the~~ **by the beginning of the** prior school year.

SCOE staff will review the petition, ~~paying particular attention to those aspects of the petition that relate to the staff member's own department or division~~ **using the criteria described in Appendices A and B.**



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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 ~~student~~ 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 ~~petition~~ 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, ~~within 180 days of the denial.~~ (EC Ed. Code, §§ 47605(jk) and 47605.5; ~~(5 CCR 11967)~~)

If the Board denies a countywide charter petition, the petitioner may not submit the petition to the State Board of Education for consideration. (EC 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 EC Ed. Code, §§ 47604.32, 47604.33, 47604.4 and 47613.

~~The Board shall ensure that the proposed charter contains adequate processes and measures for holding the school accountable for fulfilling the terms of its charter. These shall include fiscal accountability systems, as well as clear performance standards and multiple measures by which the charter school will be held accountable for meeting its educational and other goals for students. Charter schools shall provide an annual report, and other reports as requested by the Board, the Sacramento County Superintendent of Schools (Superintendent), or designee.~~ 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 ~~that have been approved by the Board.~~ 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.



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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.

~~Should an approved charter school elect to operate as, or be operated by, a nonprofit public benefit corporation, the~~ Board may appoint a representative to serve on the board of directors of charter schools operated by nonprofit benefit the corporations, and the corporation shall confer upon the Board's appointee all rights and responsibilities exercised by any other director of the corporation. (~~EC~~ 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, ~~student~~ pupil progress toward charter school goals and objectives, ~~student~~ pupil progress on state mandated assessments, and compliance with ~~No Child Left Behind~~ (or successor) 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.

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 ~~EC~~ Education Code sections 47605(l) or 47605.6(l).

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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 ~~EC~~ **Ed. Code, § 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 Ed. Code, § 47605(k), the charter petition shall be remanded to the school district governing board for reconsideration.**

Material revisions to ~~the provisions of~~ 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 ~~EC~~ **Ed. Code, §§ 47605 and 47605.6**.

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

A charter may be revoked by the Board under the provisions of ~~EC~~ **Ed. Code, § 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 ~~provisions of the 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., ~~the same standards and criteria that apply to new charter school petitions as set forth in EC 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.

~~In addition, after a charter has been in operation for four years, a charter school shall meet at least one of the following criteria prior to receiving a charter renewal:~~

- ~~A. Qualified for an alternative accountability system pursuant to subdivision (b) of EC 52052.~~
- ~~B. Attained its Academic Performance Index (API) growth target in the prior year or in two of the last three years, or in the aggregate for the prior three years.~~
- ~~C. Ranked in deciles 4 to 10, inclusive, on the API in the prior year or in two of the last three years.~~
- ~~D. Ranked in deciles 4 to 10, inclusive, on the API for a demographically comparable school in the prior year or in two of the last three years.~~

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~~E. Board determination that the academic performance of the charter school is at least equal to the academic performance of the public schools that the charter school pupils would otherwise have been required to attend, as well as the academic performance of the schools in the school district in which the charter school is located, taking into account the composition of the pupil population that is served at the charter school.~~

~~\_\_\_\_\_ The Board shall base this determination on:~~

- ~~1. Documented and clear and convincing data.~~
- ~~2. Pupil achievement data from assessments, including but not limited to, the Standardized Testing and Reporting Program established by Article 4 (commencing with EC 60640) for demographically similar pupil populations in the comparison schools.~~
- ~~3. Information submitted by the charter school.~~

~~In accordance with EC 47607(b)(4)(C), the Board shall submit to the Superintendent of Public Instruction copies of supporting documentation and a written summary of the basis for any determination it makes regarding renewal.~~

~~A charter renewal may not be granted to a charter school prior to 30 days after that charter school submits materials to the Board.~~

~~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, but~~  
**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. Upon receipt of written notice from a charter school that it wants to renew its charter and at least 120 days prior to the expiration date of the charter, t~~  
**The Board will review the renewal petition under applicable legal standards, and will** ~~shall conduct a public hearing to receive input on whether or not to extend **renew** the charter. At least 60 days prior to the expiration date of the charter, the Board shall **and to** either grant or deny the request for renewal.~~

~~Each renewal shall be for a period of five years.~~

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06/03/03 \_\_\_\_\_ ARR 2400 Drafted  
02/10/04 \_\_\_\_\_ Reviewed by Legal Counsel  
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08/11/20      Reviewed by the Board of Education

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 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, and how the school intends to meet those responsibilities.
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.
- 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.
  - 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. Recognizing the limitations on admissions to charter schools imposed by Education Code section 47605(e), the means by which the school will achieve a 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.
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 AB

#### **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 ~~the revenues~~ limit.
- ✓ 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 ~~students~~ pupils that attend daily to earn ADA (average daily attendance), the petitioner needs to consider what is reasonable for the expected ~~student~~ pupil population. For example, in a high risk population, ~~students~~ 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 ~~students~~ 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 ~~students~~ 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.

- ~~✓ An example of an enrollment pattern and ADA computation with gradual growth for a 100-student pupil charter school follows:~~

<u>Month</u>	<u>Enrollment</u>	<u>Month</u>	<u>Enrollment</u>
September	50	February	80
October	50	March	90
November	60	April	100
December	65	May	100
January	70	June	100
<u>Average Enrolled: 64</u>		<u>Daily Attendance Rate: 92%</u>	
		<u>Average Daily Attendance: 59</u>	



(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 SELPA **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.*

- ✓ 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.
- ✓ Petitioners 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 them 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 **students 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 students pupils**
    - System for identifying, testing and placement of **students pupils**
    - Schedule of time for intervention: how long, how often
    - Types of materials used: state-board approved or other
    - Plans for exiting **students 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 **student pupil** needs prior to instruction

- Formative tests – needed to determine how teachers modify instruction
- Summative test – needed to determine how well ~~students~~ **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 ~~student~~ **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*

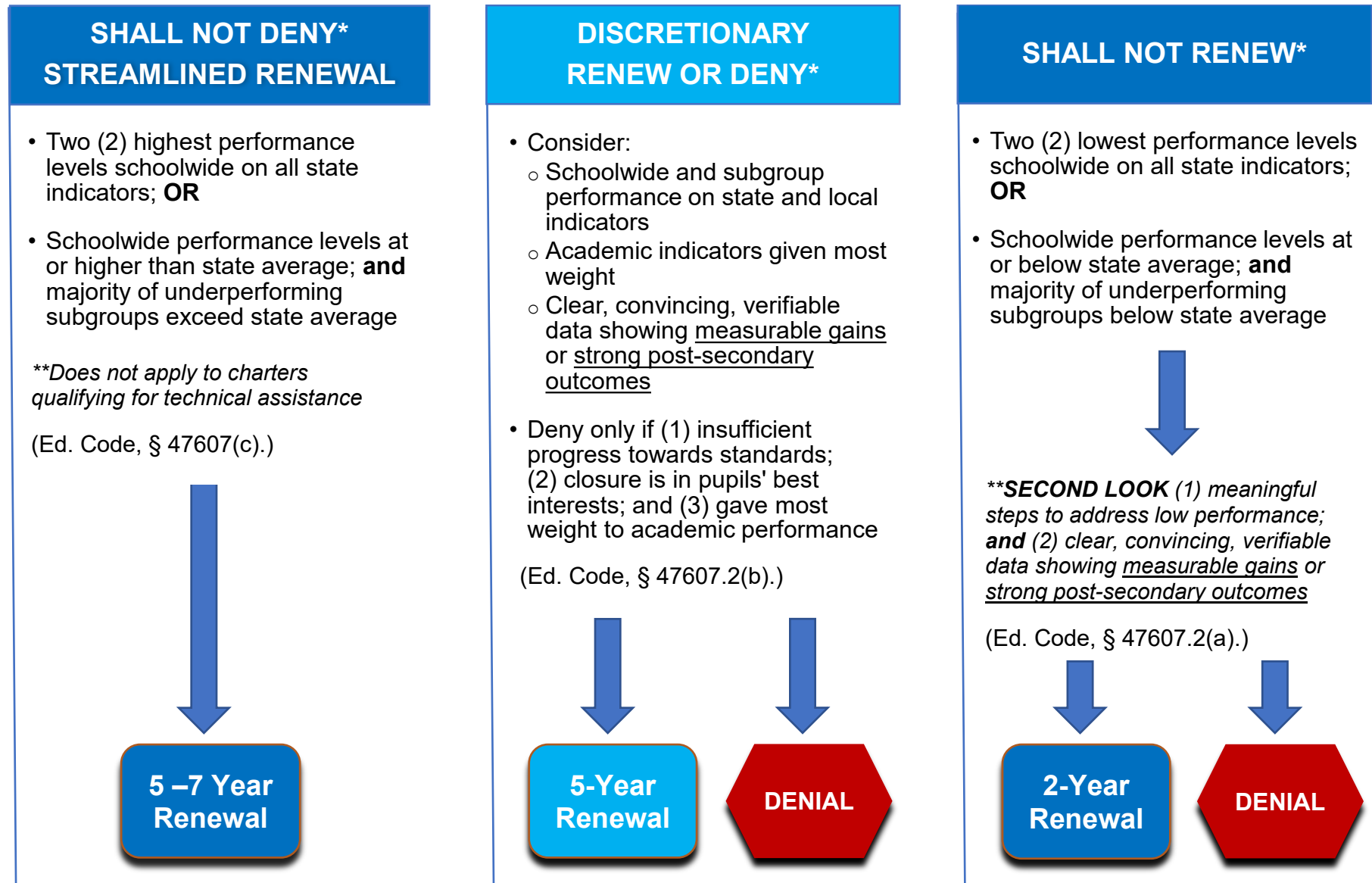
- ✓ Petitioners are encouraged to include a cover sheet identifying the ~~four~~ **five** items necessary before the Board will consider a charter petition appeal:
  - A complete copy of the charter petition as denied by the district governing board, including the signatures required by ~~Education Code section~~ **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 ~~Education Code section~~ **Ed. Code, § 47605(bc)**;
  - 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 ~~chartering~~ **authorizing** entity. (~~5 CCR 11967(b).~~)
  - **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.

## APPENDIX C CHARTER RENEWAL SUMMARY



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

**SACRAMENTO COUNTY BOARD OF EDUCATION**

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

<b>Subject:</b> Revisions to Board Policy 5141.52 – Suicide Prevention	<b>Agenda Item No.:</b> VIII.G. <b>Enclosures:</b> 3
<b>Reason:</b> Second Reading and Adoption of Board Policy Revisions	<b>From:</b> Policy Committee <b>Prepared By:</b> Teresa Stinson <b>Board Meeting Date:</b> 08/11/20

**BACKGROUND:**

Attached are proposed revisions to Board Policy 5141.52 – Suicide Prevention. All proposed revisions are indicated by strikeouts and bold underlined additions.

A brief summary of the rationale and basis for the proposed revisions follows:

- Policy changes are proposed to clarify the policy and to reflect current legal standards.

The Policy Committee reviewed Board Policy 5141.52 – Suicide Prevention on June 16, 2020 and recommended that the revised policy be presented to the Board for First Reading. The First Reading of the revised policy occurred at the July 14, 2020 meeting.

**SUPERINTENDENT’S RECOMMENDATION:**

The Superintendent recommends that the Board of Education hear the Second Reading and adopt the proposed revisions to Board Policy 5141.52 – Suicide Prevention.

# **DRAFT**

## **5000 – STUDENTS**

### **SUICIDE PREVENTION**

**BP 5141.52**

(Page 1 of 3)

The Superintendent or designee (Superintendent) shall develop measures and strategies for suicide prevention, intervention, and postvention for pupils in Sacramento County Office of Education (SCOE) schools.

Such measures and strategies may include, but are not limited to:

1. Providing staff development on suicide awareness and prevention for teachers, school counselors, and other employees who interact with pupils in **elementary** ~~and the~~ secondary grades and in other SCOE schools, as appropriate.
2. Training staff to encourage pupils to notify appropriate school personnel or other adults when they are experiencing thoughts of suicide or when they suspect or have knowledge of another pupil's suicidal intentions.
3. Instructing pupils on warning signs of mental health challenges and emotional distress, coping strategies for dealing with stress and trauma, and strategies for seeking help for oneself and others. Age-appropriate pupil instruction may be incorporated into health education or other appropriate curricula.
4. Promoting a positive school climate that enhances pupils' feelings of connectedness with the school.
5. Providing information to parents/guardians regarding risk factors and warning signs of suicide, basic steps for talking to youth about suicide, and/or school and community resources that can help youth in crisis.
6. Creating crisis intervention procedures for addressing suicide threats or attempts.
7. Counseling and other postvention strategies for helping pupils, staff, and others cope in the aftermath of a pupil's suicide.
8. Providing a list of resources and materials for school employees, parents/guardians, and pupils that will identify mental health services and information about when and how to refer children, youth, and families to those services.

As appropriate, these measures and strategies shall specifically address the needs of pupils who are at high risk of suicide, including, but not limited to:

# DRAFT

## 5000 – STUDENTS

### SUICIDE PREVENTION

**BP 5141.52**

(Page 2 of 3)

- pupils who are bereaved by suicide;
- pupils with a history of suicide ideation or attempts;
- pupils with disabilities, mental illness, or substance use disorders;
- pupils who are experiencing homelessness or who are in out-of-home settings such as foster care; and
- pupils who are lesbian, gay, bisexual, transgender, or questioning youth.

The Superintendent ~~shall~~ **may** consult with school health professionals, school counselors, school psychologists, school social workers, administrators, other staff, parents/guardians, pupils, local health agencies, mental health professionals, **suicide prevention experts**, and/or community organizations in developing and implementing these measures and strategies. **The measures shall be appropriate for the needs of SCOE pupils, and particularly regarding pupils in grades K through 6, delivered in a manner sensitive to the needs of young pupils.**

~~SCOE employees must act only within the authorization and scope of the employees' credentials or licenses.~~ Nothing in this policy or in the trainings provided pursuant to this policy shall be construed as authorizing or encouraging a SCOE employee to diagnose or treat mental illness unless the employee is specifically licensed and employed to do so. **SCOE employees must act only within the authorization and scope of the employees' credentials or licenses.**

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#### Legal References:

#### EDUCATION CODE

215 Pupil suicide prevention policies  
32280-32289 Comprehensive safety plan  
49602 Confidentiality of pupil information  
49604 Suicide prevention training for school counselors

01/27/98	Proposed Draft
02/03/98	Revised by Policy Committee
02/17/98	First Reading
03/03/98	Second Reading

**DRAFT**  
**5000 – STUDENTS**

**SUICIDE PREVENTION**

**BP 5141.52**  
**(Page 3 of 3)**

03/03/98	Approved
06/13/17	Reviewed by Policy Committee
07/11/17	First Reading
08/15/17	Second Reading and Adoption (Formerly BP 5600)
09/08/17	Distribution
<b><u>06/16/20</u></b>	<b><u>Reviewed by Policy Committee</u></b>
<b><u>07/14/20</u></b>	<b><u>First Reading</u></b>
<b><u>08/11/20</u></b>	<b><u>Second Reading and Adoption</u></b>