

**CAPISTRANO UNIFIED SCHOOL DISTRICT**

**RESOLUTION NO. 1920-25**

**Resolution of the Board of Trustees to Approve the Charter Petition of OCASA College Prep, Subject to Entry into Memorandum of Understanding**

**WHEREAS**, on July 17, 2019, OCASA College Prep (“OCASA”) submitted a Charter Petition (“Petition”) and supporting documentation to the Capistrano Unified School District (“District”), seeking the establishment of a charter for a five-year term beginning July 1, 2020 and ending June 30, 2025;

**WHEREAS**, on August 14, 2019, in accordance with Education Code section 47605, subdivision (b), the District’s Board of Trustees (“Board”) held a public hearing to determine the level of support for the charter by teachers employed by the school district, other employees of the school district, and parents;

**WHEREAS**, pursuant to Education Code section 47605, subdivision (b), OCASA provided the District with an extension of time to September 30, 2019 to grant or deny the charter;

**WHEREAS**, the Petition is now before the Board for final action on September 18, 2019, in accordance with Education Code section 47605, subdivision (b);

**WHEREAS**, in reviewing the Petition, the Board is cognizant of the intent of the Legislature that charter schools are, and should become, an integral part of the California educational system, and that the establishment of charter schools should be encouraged; and

**WHEREAS**, the Superintendent and/or her designees have reviewed the Petition and supporting documentation submitted by OCASA;

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED** that the Board, having fully considered and evaluated the Petition, hereby grants the charter for a five-year term, commencing July 1, 2020, subject to OCASA’s agreement to enter into a Memorandum of Understanding (“MOU”) with the District addressing the issues set forth below. The MOU shall be finalized and ratified by the Board by November 1, 2019 and its terms will become part of the Petition.

**ISSUES TO BE ADDRESSED IN MOU**

1. Educational Program. [Ed. Code, § 47605, subd. (b)(5)(A).]
  - (a) Targeted School Populations and Students to be Served.
    - (i) OCASA states on pages 15 and 17 of its Petition that it intends to serve 875 students in 6th through 12th grades at full build-out in 2024-25. However, that figure is inconsistent with its statement on page 11 of its Petition that by the end of the term of its charter

it plans to serve 840 6th through 12th grade students. OCASA must clarify its intentions regarding the number of students it intends to serve at full capacity and ensure that the number it identifies is consistent throughout the Petition.

(ii) On page 16 of its Petition, OCASA states that it will meet “the special learning needs” within the District’s jurisdiction and surrounding communities and that “[t]he highly individualized aspects of our model ensure that all children have Individualized Learning Plans that align to their unique strengths, developmental needs and curricular capabilities. Additionally, OCASA College Prep will group students from multiple grade levels into classrooms to allow teachers to focus on students’ specific needs for remediation, grade-level work or enrichment. The benefits of mixed-age classrooms are...” On page 23 of the Petition, OCASA discusses its goals of grouping students into bands. However, OCASA does not explain how this will function instructionally. OCASA must provide additional detail and clarification such as whether it intends to have individual classes with students from multiple grades and how this will allow for the goal setting, reflection, physical activity, relaxation and wellness techniques cited on page 23.

(iii) OCASA also states on page 16 of its Petition that its educational program is designed to meet the needs of all students, including students with disabilities. The Petition does not clearly indicate how OCASA will identify and meet the needs of its students with disabilities, including, but not limited to the instructional supports it intends to provide. OCASA must clearly explain how it intends to identify and meet the needs of its students with disabilities.

(iv) OCASA states on page 14 of its Petition that it “will actively recruit minority students to provide them with an opportunity to receive an innovative education surpassing that at local private schools.” OCASA then states on page 16 that it will reflect the general population residing within the territorial jurisdiction of the District, including race and ethnicity makeup, linguistic diversity and socio-economic diversity. It is not clear from the Petition how OCASA will achieve a parity of diversity with the District. OCASA must provide clear direction as to how it intends to achieve this result.

(v) OCASA does not provide a plan for recruiting middle school students for its first year of operation. OCASA must provide such a plan.

(b) Learning Philosophy.

(i) On page 17 of the Petition, OCASA states that its “Base Curriculum supports individualized learning, identifying each child’s unique goals and the differentiated strategies the student, their family, and educators will pursue to achieve them.” On page 30 of the Petition, OCASA states that its teachers will serve as facilitators of self-directed learning. It is unclear as to whether the “Base Curriculum” will be taught online or both online and at school. Additionally, at the top of page 30, OCASA states that “[t]he flexibility of the base curriculum will allow students to progress through focus area playlists at the[ir] own pace and under

conditions under which they learn best,” but OCASA does not explain what it means by “focus area play lists.” It is unclear how teachers will be able to deliver appropriate content in a specific subject classroom if students are permitted to progress at their own pace. OCASA must clearly explain its intentions.

(ii) OCASA states on page 18 of its Petition that students “will practice experiential learning” and have “real world experiences.” OCASA further states that the school will utilize a “rigorous, inquiry-based instructional model to support this approach.” There is no detail offered as to how OCASA will provide these experiences and what they will be. OCASA must provide this information.

(iii) On page 18, OCASA states that technology will be a part of daily instruction and contribute to the application-based approach to learning but does not explain how that will occur. OCASA must provide this information.

(c) How Learning Best Occurs.

(i) On page 21 of its Petition, OCASA mentions practices of self-reflection, honest feedback, peer mediation and restorative practices, yet it does not explain how these will be implemented or what training will be provided to staff and students. OCASA must provide further detail.

(ii) On page 21, OCASA states that students will have opportunities to explore their individual interests, learn at their own pace and set personalized goals, but does not explain how this will occur. OCASA must provide this information.

(iii) OCASA states on page 22 of its Petition that it seeks to create hands-on, thematic learning experiences for students. It will also allow for off-campus exhibition and publication of their work and allow students to see the real-world significance in their learning. OCASA does not provide any detail or any examples of how this will occur. OCASA must provide this information.

(d) Curriculum and Instructional Design.

(i) On page 13 of its Petition, OCASA states that “[i]n order to maximize the impact of STEAM real-world applications, OCASA College Prep will make the arts a core element of the curriculum.” However, OCASA’s first year budget reflects a mere \$6,318 for art and music supplies for the first year. Additionally, there is no description of any music instruction in the Petition, and it is unclear how art classes will be implemented. OCASA mentions “creative arts” on page 46, but it is not referenced in the schedule. As OCASA claims to be a STEAM school, it must explain how it will focus on the arts in its educational program.

(ii) At the bottom of page 14, OCASA states that it provides students from all backgrounds with access to “a resource-rich, inquiry-based learning model,” but does not provide any explanation as to how it is “resource-rich” and “inquiry-based.” “Resource-rich learning” is again discussed on page 24, and OCASA states that it will “leverage the immense resources of our community to enrich student learning,” but again there is no specificity. OCASA must provide clarification as to what specifically it means by “resource-rich” and “inquiry-based” learning and how it will make this available to students.

(iii) On page 22 of its Petition, OCASA explains that its “[p]hysical spaces will cultivate a sense of curiosity and creativity in students,” yet it does not explain what the physical space will look like or how it will cultivate a sense of curiosity and creativity. OCASA must provide this information.

(iv) In the middle of page 23, under “2. Prepare Students,” OCASA identifies one of the goals of grouping students into bands as preparing students emotionally and physically through relaxation and wellness techniques. However, OCASA does not describe any training that will be provided to staff and/or students. OCASA must supply this information.

(v) OCASA states on page 24 that it will provide homework, but it does not provide any examples of homework assignments. OCASA must provide additional information.

(vi) OCASA explains on page 24 of the Petition that it intends to implement a dress code, and that if the dress code requirement causes an undue financial burden on a family, the school will provide dress-code compliant items for the student. It is unclear from the materials provided whether OCASA has included this potential cost in its budget. OCASA must explain where this information is included in its budget, or if it is not already included, OCASA must revise the budget to include this information.

(vii) On page 25 of its Petition, OCASA explains that its learning environment will not be limited to the four walls of a classroom, but rather learning will occur throughout Orange County. OCASA must clarify whether the expenses associated with these field trips are included in its budget.

(viii) On page 26, OCASA states that it will utilize curriculum and professional development offered by Project Lead the Way. OCASA must clarify what expenses are associated with this program and whether they are included in its budget. OCASA must also explain whether Summit Learning and Project Lead the Way work together and if so, how they will be integrated.

(ix) OCASA discusses multi-disciplinary projects on pages 27 through 29 of its Petition. However, it is not clear how these projects will be implemented in middle and high school settings. OCASA must provide this additional detail.

(x) On page 34 of its Petition, OCASA describes “occasional (at least once per year) participation in Expeditionary Learning” to enable students to explore their interests and pursue their passions. The Expeditions are expected to cover topics such as video and film production, engineering, computer programming, graphic design, visual arts, music, health and other courses. Not only is this a significant amount of material to cover in “occasional” exposure, but the Petition does not provide sufficient detail as to how this “Expeditionary Learning” will be integrated into OCASA’s program. OCASA must provide additional detail in this regard.

(xi) OCASA includes a “day in the life of a student at OCASA” narrative beginning on page 38. In Block One, “Esmerelda” settles into a classroom for math instruction. OCASA has not explained how the teacher will address multiple grade levels and content areas in math. OCASA must provide this explanation.

(xii) OCASA does not explain in the Petition how and when teachers will be having daily Professional Learning Community time. OCASA must provide an explanation.

(xiii) On pages 39 and 40, OCASA provides a “High School Course Sequence.” OCASA has not provided any course descriptions for its middle school program. OCASA must provide this information.

(xiv) At the bottom of page 43 and the top of page 44 of the Petition, OCASA states that at the beginning of the year and at the end of each semester, teachers will assess students’ reading levels. However, OCASA does not explain what assessment or program they will be utilizing. Additionally, OCASA does not identify any instructional strategies or curricular resources for teaching reading and writing. OCASA must provide this information.

(xv) In discussing its curriculum, OCASA emphasizes flexibility and teaching of skills, but offers very little specificity. The District requires that OCASA provide further detail about its curriculum.

(xvi) OCASA states on page 46 that technology skills and digital literacy are integral to any student’s education in the 21st century. It is unclear how OCASA intends to develop digital literacy because there is no mention of a program, despite OCASA’s identification as a STEAM-based school. OCASA must provide clarification.

(xvii) On page 46 of the Petition, OCASA states that students will be issued individual Chromebooks to use on campus, yet there is no indication that the cost of those Chromebooks is included in OCASA’s budget. OCASA must either explain where this is in the budget or revise its budget to include a line item for the purchase of the Chromebooks.

(xviii) OCASA states on page 47 that upon approval of its Petition by the District, its students will be granted full participation rights in California Interscholastic Foundation (“CIF”) athletics programs. The information provided in this section is not accurate. It must be revised



to explain that if the Petition is approved, and if OCASA wishes to participate in CIF, OCASA must find a CIF member/partner school and the District will need to approve a multi-school agreement. The league of the partner school would then have to approve the partnership, and CIF itself would also have to approve it.

(xix) On 49, OCASA references peer coaches, Grade Level Leads and Department Chairs. It is unclear from the Petition whether those are paid positions and whether they are included in the budget. OCASA must provide clarification.

(xx) Appendix 8 is OCASA's Professional Development Plan. There is no indication as to how the plan will be built into the schedule. There is also no discussion as to whether professional development will take place before or after school, or if it takes place during school, where the students will be at that time. OCASA must provide this information.

(xxi) On pages 54-59 of the Petition, OCASA identifies its plan for English learners. However, the plan does not clearly articulate how OCASA will meet the needs of those students and ensure that they progress appropriately in all academic subjects. OCASA must provide information regarding the support that will be offered to English learners and the curriculum that will be implemented.

(xxii) On pages 59-69, the Petition acknowledges OCASA's responsibility to provide special education, instruction and related services to enrolled students, but it does not include sufficient specificity as to the staff OCASA intends to hire to support its program. OCASA must provide additional information regarding the staff it will be hiring to support its special education program.

(xxiii) The Petition does not describe the process for notifying the District and the district of residence, if different, when a special education student enrolls, becomes eligible or ineligible and/or leaves OCASA. OCASA must provide this information.

(xxiv) The Petition does not include a draft of Special Education Local Plan Area ("SELPA") policies and procedures or any assurances that such policies and procedures will be created. OCASA must either provide the District with a draft of such policies and procedures or assurances that the policies and procedures will be created, as well as the date by which they will be created. Additionally, OCASA must describe how its special education services will be provided consistent with those policies and procedures, including a fiscal allocation plan in alignment with the El Dorado Charter SELPA, which OCASA has indicated it will join.

2. Measurable Student Outcomes. [Ed. Code, § 47605, subd. (b)(5)(B).]

(a) On page 72 of the Petition, OCASA identifies growth in Social Emotional Intelligence competencies as one of its goals. OCASA states that 75% of students will meet or

exceed the goal, which is determined by each student, his or her teachers and his or her families. It is unclear how this will be measured. OCASA must provide this information.

(b) On page 73 of the Petition, OCASA lists another of its goals as having students develop a growth mindset. OCASA does not explain how this will be measured and must provide this information.

3. Measurement of Student Progress. [Ed. Code, § 47605, subd. (b)(5)(C).]

(a) Parental Involvement. On page 83 of the Petition, OCASA states that parental involvement and commitment to the Charter School is necessary if children are to succeed. OCASA does not identify a plan for when parents are not involved and committed. Because OCASA seeks to educate “underserved” students, “including those who participate in the Free and Reduced Price Meals, English Learners or Foster Youth,” OCASA should expect that some parents will not be available or involved. Given OCASA’s target population, OCASA must make accommodations for this possibility, and must provide the District with its plan in that regard.

(b) Portfolio Assessments. OCASA states on page 84 that it will use “Portfolio Assessments” to assess student learning in content knowledge as well as deeper learning skills and non-cognitive skills, yet it does not explain how the students will be assessed. OCASA must provide specific information as to how these “Portfolio Assessments” will translate into grades or credits for high school students.

(c) Multiple Measures.

(i) OCASA references social-emotional learning assessments on page 85 of its Petition, but it does not explain what type of professional learning is provided to enable teachers to assess social-emotional learning. Additionally, because teacher assessment skills may vary, OCASA must identify a mechanism by which to ensure that assessments are calibrated.

(ii) On page 87, OCASA discusses reporting to students’ parents. OCASA does not discuss how parents will be notified of students’ progress towards graduation and how their credits are tracked. The Petition must be revised to include this information.

4. Governance Structure. [Ed. Code, § 47605, subd. (b)(5)(D).]

(a) Compliance with SB 126/Education Code section 47604.1. OCASA states on page 90 of its Petition that it will comply with SB 126 on or before January 1, 2020. OCASA also states that it will comply with Government Code section 1090 et seq. as set forth in Education Code section 47604.1. On page 91, OCASA states that it will comply with the Brown Act and Government Code section 1090 et seq. as set forth in Education Code section 47604.1. Education Code section 47604.1 is not effective until January 1, 2020. OCASA must revise this

language to make it clear that it will comply with SB 126 and Government Code section 1090 upon approval of its Petition.

(b) Board Meetings. On page 91, OCASA states that its Board of Directors will meet regularly within the geographical boundaries of Orange County at least once a month, except during the summer. The District requires that OCASA hold at least 50% of its meetings within the geographical boundaries of the District. OCASA must make the necessary revisions to accommodate this requirement.

(c) Parental Involvement. Education Code section 47605, subdivision (b)(5)(D) mandates that a charter petition include the process to be followed by the charter school to ensure parental involvement. OCASA states that parents can participate in the School Council but does not indicate the size of that School Council or how many parents may serve on it. There is also no indication as to how often the School Council will meet. OCASA must provide additional detail for clarification.

(d) Organizational Chart. OCASA provides an organizational chart purporting to reflect the entire OCASA, Inc. organization. While the chart reflects a single Board of Directors, it does not appear to include both schools. OCASA states that administrative staff will be shared, but from the organizational chart it appears that all groups will be shared. OCASA must provide a revised chart that reflects its entire organization so that it is clear what will be shared and what will remain separate for each school.

5. Health and Safety. [Ed. Code, § 47605, subd. (b)(5)(F).]

(a) School Safety Plan. OCASA states that it will adopt a School Safety Plan, to be reviewed and updated by March 1 of every year. OCASA must provide the District with a copy of its School Safety Plan once it is adopted and provide current copies to the District each time it is updated.

(b) Bullying Prevention. OCASA explains that it will adopt procedures for preventing acts of bullying, including cyberbullying. OCASA must provide the District with a copy of its procedures once they are adopted and provide current copies to the District each time they are updated.

6. Racial and Ethnic Balance. [Ed. Code, § 47605, subd. (b)(5)(G).]

(a) Education Code section 47605 subdivision (b)(5)(G) requires that a charter school describe the means by which it will achieve a racial and ethnic balance among its students that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted. OCASA expresses an intent to teach foreign languages, to have its students embrace their racial backgrounds and to recruit students from all parts of the County. OCASA also states on page 112 of its Petition that it expects to serve



children with a broad range of ethnic backgrounds, reflective of the general population residing within the territorial jurisdiction of the District. However, OCASA does not sufficiently explain how it will conduct outreach to ethnically diverse families. Additionally, although OCASA will serve students in grades 6 through 12, it proposes to conduct outreach by visiting childcare centers and preschools. Those visits would be more appropriate for recruiting students for a new elementary school. OCASA must provide additional detailed information about its outreach plan.

(b) OCASA does not address issues of geographic location and the ability of families to transport their children to school. OCASA must provide this information.

7. Admissions Policies and Procedures. [Ed. Code, § 47605, subs. (b)(5)(H), (d).]

(a) Student Handbook. On page 110, OCASA states that parents will be notified that parental involvement is not a requirement for acceptance into, or continued enrollment in, the school via the Student Handbook. OCASA must provide the District with a copy of its Student Handbook once it has been prepared.

(b) Admissions Preferences. On page 110 of its Petition, OCASA identifies various admissions preferences. OCASA must revise those preferences to make it clear that children of staff will be limited to no more than 10% of enrollment. OCASA must also make it clear that in-District siblings of students admitted or attending OCASA will have preference over siblings residing outside of the District.

8. Dispute Resolution. [Ed. Code, § 47605, subd. (b)(5)(N).] OCASA states that it will have an internal dispute resolution process and that parents, students, Board members, volunteers and staff will receive copies. OCASA must explain its internal dispute resolution process and provide the District with a copy.

9. Financial and Operational Plan. [Ed. Code, § 47605, subd. (g); Cal. Code Regs., tit. 5, § 11967.5.1, subd. (c)(3)(C).]

(a) OCASA's Monthly Cash Flow Forecast on page 374 of its Petition was revised and presented to District staff on September 5, 2019. OCASA must replace the documents in the Petition with the updated Monthly Cash Flow Forecast.

(b) The Special Education Local Contribution Costs OCASA identifies in its Petition appear low. OCASA must clearly explain how high needs students will be served.

(c) The District requires a 3% or \$25,000 reserve, whichever is higher. The Petition must make it clear that OCASA will maintain such a reserve.



ATTEST:

By:  \_\_\_\_\_

Secretary to the Board of Trustees

Kirsten M. Vital