



ORANGE COUNTY DEPARTMENT OF EDUCATION

Staff Report for Oxford Preparatory Academy Middle School September 20, 2022

I. INTRODUCTION

In accordance with the Charter Schools Act, as set forth in Education Code section 47600, et seq., Orange County Department of Education (OCDE) staff conducted a comprehensive review of the Oxford Preparatory Academy Middle School petition presented on appeal following denial by the governing board of the Saddleback Valley Unified School District. This report summarizes findings from that review and provides recommendations for consideration by the Orange County Board of Education (the Board).

II. BACKGROUND

On June 29, 2022, Oxford Preparatory Academy, a California nonprofit public benefit corporation, submitted a petition requesting to operate Oxford Preparatory Academy Middle School within the boundaries of the Saddleback Valley Unified School District. The school proposes to serve grades 6-8, beginning in the 2023-24 academic year.

On August 17, 2022, the Board held a public hearing on the provisions of the charter to consider the level of support for the petition by parents/guardians, teachers and other district employees where the charter school proposes to locate. On August 23, 2022, a clarification meeting was held with charter school representatives and the OCDE petition review team.

The Board must take action to either grant or deny the charter within ninety (90) days of petition receipt unless this date is extended by an additional 30 days by agreement. Board action is scheduled for the Board's regular meeting on October 5, 2022.

III. LEGAL STANDARD

Education Code section 47605(k) indicates, "If the governing board of a school district denies a petition, the petitioner may elect to submit the petition for the establishment of a charter school to the county board of education." The county board of education shall review the petition pursuant to Education Code sections 47605(b) & (c).

The Board shall deny a petition for the establishment of a charter school if it finds one or more of the following:

- 1) Charter school presents an unsound educational program for the pupils to be enrolled in the charter school.
- 2) The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
- 3) The petition does not contain the number of signatures required by subdivision (e).
- 4) The petition does not contain an affirmation of each of the conditions described in subdivision (e).

- 5) The petition does not contain reasonably comprehensive descriptions of the required elements under Education Code section 47605.
- 6) The petition does not contain a declaration of whether or not the school shall be deemed the exclusive employer of the employees of the charter school for purposes of the Educational Employment Relations Act Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code.
- 7) The charter school is demonstrably unlikely to serve the interests of the entire community in which the school is proposing to locate.
- 8) The school district is not positioned to absorb the fiscal impact of the proposed charter school.

Should the Board approve the petition, the Board would become the charter authorizer for the Charter School. Should the Board deny the petition, the petitioner may appeal that denial to the state board within 30 days of the denial. The petitioner shall include the findings and documentary record from the governing board of the school district and the county board of education and a written submission detailing, with specific citations to the documentary record, how the governing board of the district or the county board of education, or both, abused their discretion.

IV. SUMMARY OF FINDINGS

The Oxford Preparatory Academy Middle School charter petition meets the standards outlined in Education Code section 47605.

V. STAFF RECOMMENDATION

OCDE staff recommend that the Board approve the Oxford Preparatory Academy petition to establish Oxford Preparatory Academy Middle School for a term of five years from July 1, 2023 to June 30, 2028, and require the execution of an Agreement that delineates the operational relationship between the School, the Board and OCDE.

VI. CONCLUSION

The Board has three options for action regarding a charter petition on appeal:

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

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