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August 18, 2008

Orange County Grand Jury
700 Civic Center Drive West
Santa Ana, CA 92701

Re: Orange County Grand Jury Reports
"Are Charter Schools Getting Passing Grades?"
Re: "What Is Orange County Doing About Teenage Pregnancies?"

Enclosed please find the Orange County Superintendent of Schools' responses in an electronic pdf format as requested for two reports: "Are Charter Schools Getting Passing Grades?" and "What is Orange County Doing About Teenage Pregnancies?"

If we can be of further service, please let us know.

Sincerely,

Bill Habermehl

William M. Habermehl
County Superintendent of Schools

WHM:ps

Enclosure

ORANGE COUNTY BOARD OF EDUCATION

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ORANGE COUNTY GRAND JURY REPORT
Are Charter Schools Getting Passing Grades?

Response Summary from the Orange County Superintendent of Schools

In accordance with California Penal Code Section 933.05(a) and (b), a response is required from the Orange County Superintendent of Schools to Findings F-1, F-2, and F-3, and Recommendations R-1, R-2, and R-3 of the Orange County Grand Jury report titled "Are Charter Schools Getting Passing Grades?".

Finding F-1
Orange County charter schools meet the intent of the Education Code 47600-47664 by providing parents and pupils a choice in educational opportunities, emphasizing specific learning experiences, and aiding at-risk or academically low-achieving students.

The Orange County Department of Education agrees with Finding F-1 that Orange County charter schools meet the intent of Education Code 47600-47664. By providing parents and pupils with many excellent choices of educational options, traditional schools, charter schools, and the alternative education programs within Orange County meet the varied needs of our demographically diverse student population. We consider our youth very fortunate to have so many options from which to choose to pursue their academic goals.

Finding F-2
The number of charter schools in Orange County is not growing commensurate with the overall growth of charter schools in California.

The Orange County Department of Education believes that our community's overall satisfaction with the educational options presently provided within our districts and county programs have resulted in a lower number of charter schools being proposed. Contributing to this satisfaction is our students' high test scores. For the 2006-2007 school year, fifty-one percent of Orange County schools ranked in the highest deciles as measured by the California Academic Performance Index. As a means of comparison, the overall statewide score is thirty percent, with San Diego achieving thirty-seven percent and San Bernardino scoring eighteen percent. (See Figure 1) Our county's parents, community members, and pupils understand the benefits of high quality education, and they recognize that Orange County's current public education system, whether traditional, charter, or alternative, delivers programming which addresses the dynamic academic environment that exists today.

The Grand Jury's report indicated that during "the last three years, nine applications for new charter schools have been denied." However, of these nine, five denials were in opposition to the same charter school model repeatedly submitted by the same group of charter school

petitioners. It is important to note that this same organization submitted an appeal of their charter school model to the California Department of Education (CDE) which was subsequently withdrawn by the petitioners pending a CDE staff recommendation of denial. Of the remaining four charter school denials, one of the schools, which accounts for two of the denials, is currently in operation under the authorization of Santa Ana Unified School District, and the other two were denied by another school district.

Finding F-3

The Orange County school districts' oversight costs, in some districts, exceed the authorized 1% reimbursement.

Orange County school districts are committed to providing their students with exemplary and effective educational programming and options. Consequently, this commitment can sometimes result in increased oversight costs for districts responsible for actively monitoring charter schools. However, these additional costs have never been a basis for charter school petition denial.

Recommendation R-1

Orange County school districts and Orange County Superintendent of Schools continue to offer expanded choices for educational opportunities, as required in the State Education Code, by utilizing charter schools as an option to provide additional choices, especially for at-risk and academically low-achieving students.

The Orange County Department of Education will continue to support the utilization of high quality charter schools as a viable educational option for Orange County students, in particular those who are at-risk and academically low-achieving.

Recommendation R-2

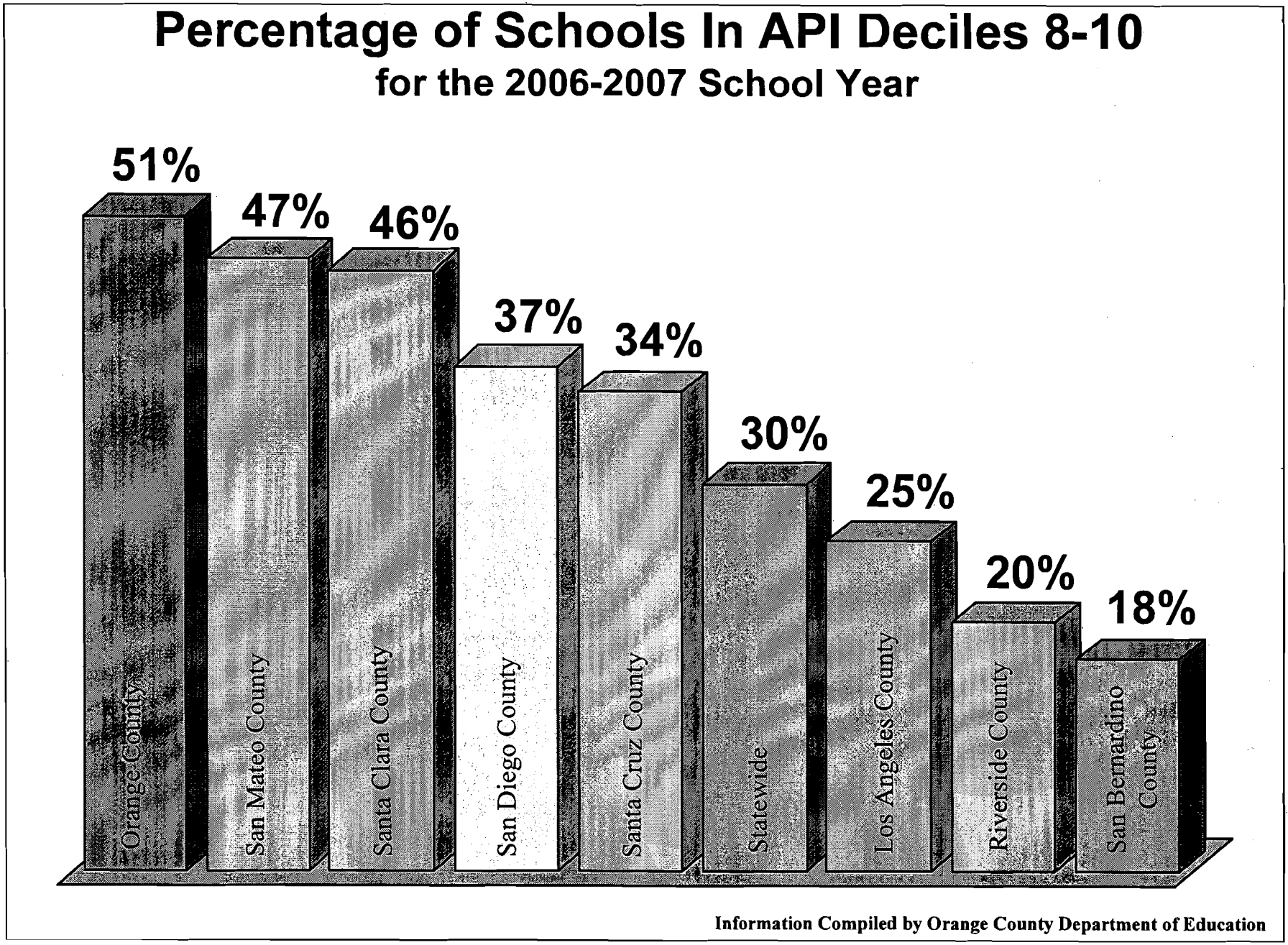
The chartering authorities should follow the intent of the legislature by encouraging the establishment of charter schools by granting more charter school petitions provided they meet the State requirements.

As evidenced by the Orange County Board of Education's adopted policy on charter school petition review, "It is the objective of the Board that all charter school petitions shall be reviewed in accordance with the letter and spirit of the law." We will continue to abide by the intent of the legislature and respectfully accept and thoroughly review all charter school petitions submitted to us either directly or on appeal.

Recommendation R-3

Local school districts provide adequate oversight of charter schools even though State law does not allow for full reimbursement for such oversight.

The Orange County Department of Education will continue to provide assistance, as legally appropriate, to support local school districts' required oversight of operational charter schools.



SOURCE: California Department of Education, Policy and Evaluation Division

Figure 1