



February 28, 2023

**STAFF ANALYSIS AND PROPOSED FINDINGS OF FACT REGARDING REVIEW OF
VENTURE ACADEMY FAMILY OF SCHOOLS CHARTER PETITION MATERIAL
REVISION**

INTRODUCTION

Venture Academy Family of Schools (“Venture Academy” or “Charter School”) serves students throughout San Joaquin County with the following mission, “to awaken the imagination, passion, dreams, and curiosity of TK-12 students by providing rich, standards-based educational opportunities for those who seek innovative, non-traditional approaches to learning. Our students will become literate, lifelong learners empowered to embrace challenge, think critically, play passionately, live responsibly, and imagine possibilities.” Venture Academy has 13 academies and serves approximately 1,700 students across grades TK-12 which mirrors the demographic profile of San Joaquin County.

RECOMMENDATION

On the basis detailed herein and in accordance with the requirements of the Charter Schools Act of 1992, the San Joaquin County Office of Education (“SJCOE”) staff recommends that the Venture Academy Charter petition material revision be approved by the San Joaquin County Board of Education (“SJCBOE”).

PROCEDURAL STATUS

The SJCOE received a charter petition (“Petition” or “Charter”) material revision, from Venture Academy on or about January 26, 2023, seeking approval of the Charter material revision for its current term of July 1, 2021, through June 30, 2026. The SJCBOE consideration and action on the Charter material revision is governed by the standards, criteria, and procedures set forth in Education Code Sections 47605 and 47607.

On February 15, 2023, the SJCBOE held a public hearing on the Venture Academy Charter petition material revision, consistent with the requirement to do so within 60 days of receipt of the submission of the Charter petition material revision. Per Education Code Section 47605, the SJCBOE has 90 days from receipt of the Charter petition appeal to act, which may be extended by an additional 30 days by mutual agreement. The SJCBOE will act on material revision at the next scheduled board meeting on March 15, 2023.

The complete Charter material revision that the SJCBOE is acting on is available for review at: <https://bit.ly/3Y97GB2>.

The SJCOE staff appreciates Venture Academy’s thorough assessment of their current petition, their ability to listen and act on the feedback from families and the community and recognize that changes needed to be made to their enrollment process so that families didn’t need to find a new school home that all of their children could attend, and that students on the waitlist for specific academies had equitable means of enrolling at those said academies.

CRITERIA OF A CHARTER PETITION MATERIAL REVISION

In considering charter petitions per Education Code Section 47607, material revisions to the charter are governed by Education Code Section 47605. Material revisions often occur at the time of renewal when a charter school proposes to change locations or grade levels served, but these changes (or any others) may be made only with the approval of the chartering authority. Additional examples of a material revision to the charter include, but are not limited to, changing the governance structure of the school; significantly increasing or decreasing the enrollment; changing the education program (for example moving from classroom-based to hybrid to nonclassroom-based); or changing the retirement system for school employees.

While not all the components of a Charter petition need to be updated when a material revision is submitted, any of the other components could be updated as well as part of a material revision. Venture Academy made current all areas of their petition.

This Staff Analysis consists of the required reviews:

- Admissions policies and procedures
 - Comprehensive review of admissions policies
 - Exact process of how lottery is conducted
- Education Code updates

REVIEW OF THE CHARTER PETITION

The SJCOE staff reviewed the Charter material revision using the criteria established in Education Code Section 47607, as described above. The SJCOE's staff recommendations and recommended findings are set forth below.

The Petition contains reasonably comprehensive descriptions of all the required elements in the areas of admission policies and procedures, along with the required education code updates.

This section of the Staff Analysis includes highlights regarding the admissions policies and procedures and the legal updates since it's last renewal in May 19, 2021. In order for the description of each of these elements to be considered "reasonably comprehensive," it is not enough that the petition includes a description, but, rather, the description should set forth plans or proposals that are acceptable to the SJCOE and be consistent with and not contrary to the SJCOE's standards and expectations for charter schools under its oversight.

A. Element Eight: Admission Policy and Procedures

In the event there are more applicants than spaces at a particular grade level, the Charter specifies that Venture Academy will determine admission using a public random drawing. Pursuant to law, current students at the Charter School are entitled to remain enrolled and are exempt from the drawing process. In the event a public random drawing is required, Venture Academy specifies its intent to implement the following preferences in the following order:

The following groups will be given a 6 to 1 weighting preference in the lottery pool:

- Children of employees of Venture Academy and/or San Joaquin County Office of Education

- Siblings of currently enrolled Venture Academy students

Residents of San Joaquin County shall be given a 2 to 1 weighting preference in the lottery pool.

These admission preferences have been approved by the San Joaquin County Board of Education in accordance with Education Code Section 47506(e)(2)(B), and those preferences may not be amended or deviated from without prior approval by the County Board in accordance with the requirements of the Charter Schools Act.

Venture Academy admissions preferences will not result in limiting enrollment access for pupils with disabilities, academically low-achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, or pupils who are economically disadvantaged, foster youths, or pupils based on nationality, race, ethnicity, or sexual orientation.

Venture Academy will not require mandatory parental volunteer hours as a criterion for admission or continued enrollment.

Venture Academy will not discourage a pupil from enrolling or seeking to enroll for any reason, including academic performance or because the pupil exhibits any characteristics described in Education Code Section 47605(e)(2)(B)(iii).

Any lottery will be executed and overseen by the Venture Academy Director or the Venture Academy ASC to ensure fair and accurate implementation in accordance with the terms of this charter. Venture Academy shall make all necessary efforts to ensure lottery procedures are fairly executed.

Notification is sent to the Students' District of Residence school upon disenrollment, including students with IEPs.

With the acquisition of a new student information system, Venture Academy will implement an automated lottery using PowerSchool's Enrollment solution. Lottery policies, preferences, and submission calendars will remain the same.

This element of the Charter is reasonably comprehensive.

B. Education Code Updates

Renewals and material revisions of charters are governed by the standards and criteria described in Education Code Section 47605, and shall include, but not be limited to, a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed.

There were three areas updated to the 2021 Charter Petition Renewal of Venture Academy Family of Schools due to changes in the law:

- Independent Study Programs AR 6158 – amended August 17, 2022
- Suspension and Expulsion/Due Process Board Policy 5144.1 – amended December 13, 2022
- Element (J) Suspension and Expulsion Procedures

- *(iii) Contain a clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the pupil or the pupil’s parent or guardian, or, if the pupil is a homeless child or youth, or a foster child or youth, in the native language of the homeless or foster child’s educational rights holder. In the case of a foster child or youth, the written notice shall also be provided to the foster child’s attorney and county social worker. If the pupil is a Indian child, as defined in Section 224.1 of the Welfare and Institutions Code, the written notice shall also be provided to the Indian child’s tribal social worker and, if applicable, county social worker. The written notice shall inform the pupil, the pupil’s parent or guardian, the homeless child’s educational rights holder, the foster child’s educational rights holder, attorney, and county social worker, or the Indian child’s tribal social worker and, if applicable, county social worker of the right to initiate the procedures specified in clause (ii) before the effective date of the action. If the pupil’s parent or guardian, the homeless child’s educational rights holder, the foster child’s educational rights holder, attorney, or county social worker, or the Indian child’s tribal social worker or, if applicable, county social worker initiates the procedures specified in clause (ii), the pupil shall remain enrolled and shall not be removed until the charter school issues a final decision. For purposes of this clause, “involuntarily removed” includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions specified in clauses (i) and (ii).*
- *(iv) A foster child’s educational rights holder, attorney, and county social worker and an Indian child’s tribal social worker and, if applicable, county social worker shall have the same rights a parent or guardian of a child has to receive a suspension notice, expulsion notice, manifestation determination notice, involuntary transfer notice, and other documents and related information.*

Education Code Section 47605(c)(5)(J)

This area of the Charter is reasonably comprehensive.

CONCLUSION

The SJCOE staff reiterates its appreciation for the effort Venture Academy has made to ensure its students and families are served fairly through the admissions process. The material revision is an effort to keep siblings together as they move through their educational journey and works to secure students are enrolled in the academies of their choice. The SJCOE staff reviewed the Venture Academy Family of Schools Charter petition material revision utilizing the criteria for consideration and action on a renewal/material revision of a charter set forth in Education Code Section 47605. For the reasons detailed in this Staff Analysis, the SJCOE staff recommends that the Venture Academy Family of Schools Charter petition material revision be approved.