

Agenda Item:	II B: Consent Item
Date:	October 12, 2023
To:	Magnolia Educational & Research Foundation dba Magnolia Public Schools (“MPS”) Board of Directors (the “Board”)
From:	Alfredo Rubalcava, CEO & Superintendent
Staff Lead(s):	David Yilmaz, Chief Accountability Officer
RE:	Approval of 2023-24 Compliance Monitoring and Certification of Board Compliance Review for MSA-Santa Ana

1. Action Proposed:

I move that the Board approve the 2023-24 Compliance Monitoring and Certification of Board Compliance Review for MSA-Santa Ana.

2. Purpose:

This is an annual item that the Board needs to approve for our State Board of Education (SBE) authorized MPS school: MSA-Santa Ana. This document certifies that the charter school meets all compliance requirements indicated on the document. This form provides California Department of Education (CDE), Charter Schools Division (CSD) staff with important information to assist with the oversight of charter schools authorized by the SBE.

3. Background:

The SBE has started a process where it requires each charter school to get this certification approved by their board and submit it along with approved board agenda and minutes. By signing the Board Chair will certify that the Governing Board has reviewed the school’s compliance-related policies, systems, and procedures. The CDE reviews documentation of compliance during their oversight visit to the school. The CDE reserves the right to request, at any time, supporting documentation for the requirements listed in the document.

4. Analysis:

The CDE has listed 19 areas of compliance requirements for review on the document ranging from teacher credentials to obtaining WASC accreditation. They have also provided examples of supporting documentation for each compliance item. (See attachment.) MSA-Santa Ana has all of the supporting documentation for each of the 19 areas where some of the documents are posted on the school website (Board member roster and information, Parent/Student Handbook, Bylaws, Conflict of Interest Policy, Complaint Form, UCP, PRA, Safety Plan, etc.) and others are on file (teacher credential template, DOJ/TB, Brown Act training, etc.) We work with our assigned CDE specialist in the submission of any requested

documents. MSA-SA principal has already signed the attached document certifying that the school has reviewed the school's compliance related policies, systems, and procedures. In support of the school, the Home Office also oversees and ensures that MSA-SA meets all of the compliance items.

5. **Impact:**

It is part of the Board's fiduciary governance responsibility to ensure that MSA-Santa Ana complies with all applicable laws and other requirements as indicated on the attached form. The CDE requires that the Governing Board Chair sign the certification upon Board review and approval. The signed certification page will be submitted to the CDE.

6. **Budget Implications:**

N/A

7. **Committee Recommendations:**

N/A

8. **Exhibits:**

1. MSA-SA Annual Compliance Requirements Document 2023-24 (admin signed)

Compliance Monitoring and Certification of Governing Board Compliance Review for 2023–24 School Year

This form provides California Department of Education (CDE), Charter Schools Division (CSD) staff with important information to assist with the oversight of charter schools authorized by the California State Board of Education (SBE).

Instructions:

1. Read and understand the following compliance requirements, and sign the attached certifications.
2. Return the following documents via email to SBEoversight@cde.ca.gov by **October 1, 2023**; do not return this form to individual CSD staff:
 - a. Signed certification of the school administrator's compliance review
 - b. Signed certification of the governing board's compliance review
 - c. Relevant agenda(s) and approved minutes for the meeting(s) at which the governing board reviewed the school's compliance with the requirements listed below.

Note: The CDE reserves the right to request, at any time, supporting documentation for the requirements listed below.

Compliance Requirements

1. The charter school follows the credentialing requirements outlined in California *Education Code (EC)* Section 47605 (l)(1)(2) and ensures that each teacher has satisfied the requirements for the Certificate of Clearance, as outlined in *EC* sections 44339, 44330, and 44341.
2. The charter school maintains timely and current verification of tuberculosis clearances for all employees (including substitutes, part-time staff, and temporary employees) and contracting entities (including service providers, vendors, and independent contractors), pursuant to *EC* sections 47605(b)(5)(F), 45122.1, 45125.1, and 49406.
3. The charter school provides the CSD with and ensures that parents have access to its Governing Board (Board) meetings calendar for the 2023–24 school year as well as the most current contact information for each Board member.

4. The charter school complies with the pre- and post-lottery and enrollment form guidelines.
5. The charter school ensures that staff receive annual training on the charter school's health, safety, and emergency procedures. The charter school maintains a calendar and conducts, for students and staff, emergency response drills, which include, but are not limited to the following:
 - Health, Safety, and Emergency Preparedness Plan (i.e., School Safety Plan), pursuant to *EC* sections 32280 through 32289
 - Child Abuse Mandated Reporter Training, pursuant *EC* Section 44691 and *Penal Code* Section 11165.7
 - Bloodborne Pathogens training, pursuant to *California Code of Regulations*, Title 8 Section 5193
 - Pupil Suicide Prevention Policy, pursuant to AB 2246 (2016)
6. The charter school ensures that its school climate, and student discipline systems and procedures align with best practices.
7. The charter school maintains all data involving placement, tracking, and monitoring of student suspensions, expulsions, and reinstatements, and makes such outcome data readily available upon request.
8. The charter school ensures that any and all school communications, including, but not limited to, the Parent Student Handbook, are consistent with the provisions of the school's approved charter as well as applicable law (e.g., reports list by language group the number of students speaking a language other than English that constitutes 15 percent or more of a school's enrollment and for which translations of parental notifications are needed, pursuant to *EC* Section 48985).
9. The charter school ensures that its occupancy and use of facilities follow applicable building codes, standards, and regulations adopted by the city and/or county agencies responsible for building and safety standards as well as the Americans with Disability Act, pursuant to *EC* Section 47610.
10. The charter school complies with all federal and state laws related to public entities, including, but not limited to the following: Ralph M. Brown Act, Political Reform Act, Public Records Act, and *Government Code* Section 1090.
11. The charter school ensures that its Articles of Incorporation are current and appropriate for the operation of the charter school.
12. The charter school ensures that its bylaws are current and consistent with the approved charter; approved by its Board; and re-signed by the Board secretary.

13. The charter school implements its own Uniform Complaint Procedure policies and procedures with appropriate corresponding forms and documents that are compliant with federal and state regulations. The charter school makes the aforementioned documentation readily available to stakeholders both at the school site and on the school's website.

Detailed information regarding Uniform Complaint Procedures is available on the CDE Uniform Complaint Procedures web page at <http://www.cde.ca.gov/re/cp/uc/>.

14. The charter school's Board oversees the development of and approves/adopts the Local Control Accountability Plan for the 2023–24 school year, pursuant to EC Section 47606.5.
15. The charter school ensures that it follows all applicable state law regarding homeless and foster youth, including but not limited to the provisions of AB 379 (2015) and EC Section 48850.
16. The charter school posts a form for complaints on its school website, pursuant to EC Section 47605(d)(4), which is to be filed with their charter authorizer.
- The CDE provides a Charter School Complaint Notice and Form template for use by charter schools. This template must be modified before distributing to parents and posting on the charter school's website. The template is available on the CDE Charter School Complaint Notice and Form web page at <https://www.cde.ca.gov/sp/ch/cscomplaint.asp>.
17. The charter school complies with all applicable requirements of AB 2246: Pupil Suicide Prevention Policies.
18. *For schools only serving grade nine:* The charter school complies with all applicable requirements of the California Mathematics Placement Act of 2015.
19. *For high schools only:* The charter school obtains or is in the process of obtaining Western Association of Schools and Colleges Accreditation and University of California Office of the President Doorways Course Approval.

Examples of Supporting Documentation for Compliance Monitoring

Compliance Requirement	Examples of Supporting Documentation
<p>1. The charter school follows the credentialing requirements in California <i>Education Code (EC)</i> Section 47605 (l)(1)(2) and that each teacher has satisfied the requirements for the Certificate of Clearance as outlined in <i>EC</i> sections 44339, 44330, and 44341</p>	<ul style="list-style-type: none"> • Completion of annual credential template • Certificate of Clearance for each teacher posted on the California Commission for Teacher Credentialing website at www.ctc.org
<p>2. The charter school maintains timely and current verification of tuberculosis clearances for all employees (including substitutes, part-time staff, and temporary employees) and contracting entities (service providers, vendors, and independent contractors). <i>EC</i> sections 47605(b)(5)(F), 45122.1, 45125.1, and 49406.</p>	<ul style="list-style-type: none"> • Certification of timely Department of Justice and tuberculosis clearances by all contracting entities; • Documentation of compliance with applicable volunteer clearance requirements, including tuberculosis risk assessment/clearance requirements under Assembly Bill 166
<p>3. The charter school provides the Charter Schools Division with and ensures that parents have access to its Governing Board (Board) meetings calendar for the 2023–24 school year as well as the most current contact information for each Board member.</p>	<ul style="list-style-type: none"> • Accurate and updated school contact information • Accurate and updated list/roster of Board members and contact information • Calendar of Board meeting dates and location(s)
<p>4. The charter school complies with the pre- and post-lottery and enrollment form guidelines.</p>	<ul style="list-style-type: none"> • Lottery form and enrollment packet

Compliance Requirement	Examples of Supporting Documentation
<p>5. The charter school ensures that staff receive annual training on the charter school's health, safety, and emergency procedures. The charter school maintains a calendar and conducts, for students and staff, emergency response drills, which include, but are not limited to the following:</p> <ul style="list-style-type: none"> • Health, Safety, and Emergency Preparedness Plan (i.e., School Safety Plan), pursuant to <i>EC</i> sections 32280 through 32289 • Child Abuse Mandated Reporter Training, pursuant to Assembly Bill 1432 (2014); <i>EC</i> Section 44691; and <i>Penal Code</i> Section 11165.7 <ul style="list-style-type: none"> i. Bloodborne Pathogens training, pursuant to <i>California Code of Regulations</i>, Title 8 Section 5193 ii. Pupil Suicide Prevention Policy, pursuant to AB 2246 (2016) 	<ul style="list-style-type: none"> • Certification of Comprehensive Health, Safety, and Emergency Plan • Documentation of emergency drills and preparedness training • Documentation of timely and compliant Child Abuse Mandated Reporter training • Documentation of Pupil Suicide Prevention Policy training
<p>6. The charter school ensures that its school climate, and student discipline systems and procedures align with best practices.</p>	<ul style="list-style-type: none"> • Description of the school-wide student behavior and discipline system • Evidence of the tiered behavior intervention, alternatives to suspension, and school positive behavior support that the school provides
<p>7. The charter school maintains all data involving placement, tracking, and monitoring of student suspensions, expulsions, and reinstatements, and makes such outcome data readily available upon request.</p>	<ul style="list-style-type: none"> • Monthly suspension and expulsion reports

Compliance Requirement	Examples of Supporting Documentation
<p>8. The charter school ensures that any and all school communications, including, but not limited to, the Parent Student Handbook, are consistent with the provisions of the school's approved charter as well as applicable law (e.g., reports list by language group the number of students speaking a language other than English that constitute 15 percent or more of a school's enrollment and for which translations of parental notifications are needed, pursuant to <i>EC</i> Section 48985).</p>	<ul style="list-style-type: none"> Parent Student Handbook
<p>9. The charter school ensures that its occupancy and use of facilities follow applicable building codes, standards, and regulations adopted by the city and/or county agencies responsible for building and safety standards as well as the Americans with Disability Act, pursuant to <i>EC</i> Section 47610.</p>	<ul style="list-style-type: none"> Current and appropriate Certificate of Occupancy or equivalent Documentation of compliance with fire-life-safety requirements
<p>10. The charter school complies with all federal and state laws related to public entities, including, but not limited to the following: Ralph M. Brown Act, Political Reform Act, Public Records Act, and <i>Government Code</i> Section 1090.</p>	<ul style="list-style-type: none"> Board meeting agendas and minutes Verification of compliant public posting of Board agendas, including on the school's website Evidence of Brown Act training; Form 700 compliance and filing; school policy for responding to Public Records Act requests; and adopted Conflict of Interest policy Adopted bylaws referencing Conflict of Interest policy aligned to Senate Bill 126 requirements
<p>11. The charter school ensures that its Articles of Incorporation are current and appropriate for the operation of the charter school.</p>	<ul style="list-style-type: none"> Corporate papers, including Articles of Incorporation
<p>12. The charter school ensures that its bylaws are current and consistent with the approved charter; approved by its Board; and re-signed by the Board secretary.</p>	<ul style="list-style-type: none"> Current and signed Board-approved bylaws

Compliance Requirement	Examples of Supporting Documentation
13. The charter school implements its own Uniform Complaint Procedure (UCP) policies and procedures with appropriate corresponding forms and documents that are compliant with federal and state regulations. The charter school makes the aforementioned documentation readily available at the school site and on the school's website.	<ul style="list-style-type: none"> Assurance that the Board has reviewed the school's UCP policies, UCP procedures, and/or UCP form
14. The charter school's Board oversees the development of and approves/adopts the Local Control Accountability Plan for the 2023–24 school year, pursuant to EC Section 47606.5.	<ul style="list-style-type: none"> Documentation of board meeting agendas, board Minutes, and approved Learning and Continuity Plan
15. The charter school ensures that it follows all applicable state law regarding homeless and foster youth, including but not limited to the provisions of AB 379 (2015) and EC Section 48850.	<ul style="list-style-type: none"> Documentation of compliance with the requirements, which may include but is not limited to, the name of the charter school's designee and the partial credit policy
16. The charter school posts a form for complaints on its school website, pursuant to EC Section 47605(d)(4), which is to be filed with their charter authorizer.	<ul style="list-style-type: none"> Evidence of Complaint Form posting on the school's website
17. The charter school complies with all applicable requirements of AB 2246: Pupil Suicide Prevention Policies.	<ul style="list-style-type: none"> Documentation of the adoption of the charter school's established policy in compliance with CIPA of 2015, including the Board meeting agendas and Board minutes
18. <i>For schools only serving grade nine:</i> The charter school complies with all applicable requirements of the California Mathematics Placement Act of 2015.	<ul style="list-style-type: none"> Documentation of the adoption of the charter school's policy established in compliance with the AB 2246, including the Board meeting agendas and Board minutes
19. <i>For high schools only:</i> The charter school obtains or is in the process of obtaining Western Association of Schools and Colleges (WASC) Accreditation and University of California Office of the President (UCOP) Doorways Course Approval.	<ul style="list-style-type: none"> Evidence of charter school approvals being listed on the WASC website and UCOP Doorways website

Certifications

Certifications to be completed and signed by the School Administrator and Governing Board Chair are provided on the following page.

Signed certifications are due to the CDE via email to SBE Oversight@cde.ca.gov by **October 1, 2023.**

Detailed instructions for submitting the following certifications are indicated on the first page of this document.

2023–24 CERTIFICATION OF SCHOOL ADMINISTRATOR’S COMPLIANCE REVIEW

The undersigned hereby certifies that the School Administrator of

*reviewed the school’s compliance-related policies, systems, and
procedures.*

School Administrator Name: Steven Keskindurk

School Administrator Signature:



Date Signed by School Administrator: 10/4/23

2023–24 CERTIFICATION OF GOVERNING BOARD’S COMPLIANCE REVIEW

The undersigned hereby certifies that the Governing Board of

*reviewed the school’s compliance-related policies, systems, and
procedures.*

Governing Board Chair Name:

Governing Board Chair Signature:

Date Signed by Governing Board Chair: