



Pacific Coast Academy

Special Board Meeting

Date and Time

Thursday August 4, 2022 at 6:00 PM PDT

Meeting via Teleconference

Zoom Link

<https://pacificcoastacademy-org.zoom.us/j/87874419557>

Meeting ID:

878 7441 9557

Join by Phone

(669) 900-6833

Agenda

	Purpose	Presenter	Time
I. Opening Items			6:00 PM
A. Call the Meeting to Order		Benjamin Fung	1 m
B. Roll Call of Board Members		Benjamin Fung	1 m
C. Approval of Agenda	Vote	Benjamin Fung	1 m
D. Resolution for Continuing School Board Authority to Hold Virtual Meetings Pursuant to AB 361	Vote	Benjamin Fung	1 m
E. Public Comments		Benjamin Fung	5 m
F. Independent Study Policy	Vote	Krystin Demofonte	5 m
II. Closing Items			6:14 PM

	Purpose	Presenter	Time
A. Adjourn Meeting	Vote	Benjamin Fung	

Prepared By:
Jennifer Faber

Noted By:

Board Secretary

Public comment rules: Members of the public may address the Board on agenda or non-agenda items through the teleconference platform, zoom. Zoom does not require the members of the public to have an account or login. Please either utilize the chat option to communicate with the administrative team your desire to address the board or simply communicate orally your desire to address the board when the board asks for public comments. Speakers may be called in the order that requests are received. We ask that comments are limited to 2 minutes each, with no more than 15 minutes per single topic so that as many people as possible may be heard. If a member of the public utilizes a translator to address the board, those individuals are allotted 4 minutes each. If the board utilizes simultaneous translation equipment in a manner that allows the board to hear the translated public testimony simultaneously, those individuals are allotted 2 minutes each. By law, the Board is allowed to take action only on items on the agenda. The Board may, at its discretion, refer a matter to school staff or calendar the issue for future discussion.

Note: Pacific Coast Academy Governing Board encourages those with disabilities to participate fully in the public meeting process. If you need a disability-related modification or accommodation, including auxiliary aids or services, to participate in the public meeting, please contact the Pacific Coast Academy Office at [\(619\) 749-1928](tel:6197491928) at least 48 hours before the scheduled board meeting so that we may make every reasonable effort to accommodate you. (Government Code § 54954.2; Americans with Disabilities Act of 1990, § 202 (42 U.S.C. § 12132)).

Coversheet

Resolution for Continuing School Board Authority to Hold Virtual Meetings Pursuant to AB 361

Section: I. Opening Items

Item: D. Resolution for Continuing School Board Authority to Hold Virtual Meetings Pursuant to AB 361

Purpose: Vote

Submitted by:

Related Material:

PCA Resolution 2022-19 for Continuing School Board Authority to Hold Virtual Meetings Pursuant to AB 361_Redlined 8.01.2022.pdf



Pacific Coast Academy
13915 Danielson St. #200, Poway, CA 92064

**Resolution of Pacific Coast Academy Board of Directors
2022-19**

**RESOLUTION REGARDING CONTINUING SCHOOL BOARD AUTHORITY TO HOLD
VIRTUAL MEETINGS PURSUANT TO AB 361**

WHEREAS, on March 4, 2020, Governor Gavin Newsom declared a statewide emergency arising from the coronavirus (COVID-19); and

WHEREAS, on March 17, 2020, Governor Newsom issued Executive Order N-29-20 suspending certain provisions of the Brown Act pertaining to teleconferenced meetings; and

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-08-21 which indicated that Executive Order N-29-20's authorization for holding virtual meetings would expire on September 30, 2021; and

WHEREAS, on September 16, 2021, Governor Newsom signed AB 361 (Rivas) as urgency legislation effective immediately, which provides that legislative bodies may continue to meet remotely during a declared State of Emergency subject to certain conditions; and

WHEREAS, AB 361 amends the Brown Act (Government Code section 54953) to add the following provision:

(e)(1) A local agency may use teleconferencing without complying with the requirements of paragraph (3) of subdivision (b) if the legislative body complies with the requirements of paragraph (2) of this subdivision in any of the following circumstances:

(B) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; and

WHEREAS, AB 361 amends the Brown Act (Government Code section 54953) to add the following provision:

(3) If a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 30 days after teleconferencing for the first time pursuant to subparagraph (A), (B), or (C) of paragraph (1), and every 30 days thereafter, make the following findings by majority vote:

(A) The legislative body has reconsidered the circumstances of the state of

emergency. (B) Any of the following circumstances exist:

- (i) The state of emergency continues to directly impact the ability of the members to meet safely in person.
- (ii) State or local officials continue to impose or recommend measures to promote social distancing.

THEREFORE, BE IT RESOLVED that the Board of Directors of Pacific Coast Academy finds that the Governor's March 4, 2020, declaration of a state of emergency due to the COVID-19 pandemic remains active.

BE IT FURTHER RESOLVED, the Board of Directors of Pacific Coast Academy finds that due to the state of emergency meeting in person would present imminent risks to the health or safety of some attendees and/or the state of emergency continues to directly impact the ability of some members to meet safely in person due to the prevalence of the various variants of the COVID-19 virus, the indoor setting of meeting facilities, the potential presence of contagious individuals attending meetings, the potential for noncompliance with mask wearing requirements, and desire to protect the health of board members, staff, and the public. Some members of the Board of Directors may decide to attend in-person and some may decide to attend remotely given the risks to their health and/or safety due to COVID-19. The Board of Directors intends to continue to provide the public and members of the Board of Directors to participate remotely or in-person in their own discretion due to these risks.

SECRETARY'S CERTIFICATE

I, Jessica Ackerman, Secretary of the Board of Directors of Pacific Coast Academy a California nonprofit public benefit corporation, County of San Diego, California, hereby certify as follows:

The attached is a full, true, and correct copy of the resolutions duly adopted at a meeting of the Board of Directors of Pacific Coast Academy, which was duly and regularly held on August 4, 2022 at which meeting all of the members of the Board of Directors had due notice and at which a quorum thereof was present; and at such meeting such resolutions were adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

I have carefully compared the same with the original minutes of such meeting on file and of record in my office; the attached resolution is a full, true, and correct copy of the original resolution adopted at such meeting and entered in such minutes; and such resolution has not been amended, modified, or rescinded since the date of its adoption, and the same is now in full force and effect.

Secretary of the Board of Directors of
Pacific Coast Academy

Coversheet

Independent Study Policy

Section:	I. Opening Items
Item:	F. Independent Study Policy
Purpose:	Vote
Submitted by:	
Related Material:	PCA Independent Study Policy_v2_5.24.2022_Redlined 8.02.2022.pdf



Pacific Coast Academy

Independent Study Policy

INDEPENDENT STUDY POLICY

Pacific Coast Academy (hereinafter "Charter School") ~~may~~ offers independent study to meet the educational needs of pupils enrolled in the charter school. Independent study is an alternative education designed to teach knowledge and skills of the core curriculum. The Charter School shall provide appropriate existing services and resources to enable pupils to complete their independent study successfully in accordance with applicable law.

The purpose of the Pacific Coast Academy Governing Board approving this Independent Study Policy is to accomplish the following:

- Establish the time in which an assignment must be completed
- Establish the procedure for placement determination
- Outline what must be included in a current written agreement
- Outline how Average Daily Attendance will be calculated
- Establish compliance with the Education Code
- Establish the implementation of the Independent Study Policy

~~The Executive Director or designee retains discretion to approve independent study written agreements for students.~~ The Charter School will provide appropriate services, supports, technology, and resources to enable students to complete their independent study program successfully. ~~These~~ The following independent study policies have been established by Charter School in alignment with Education Code ("EC") § 51745 51744 et seq., ~~updated to meet the requirements of Assembly Bill 130 (2021) and Assembly Bill 167 (2021),~~ and adopted pursuant to ~~Education Code ("EC")~~ § 51747 and 5 C.C.R. § 11701.

~~The following policies are effective as of the start of Charter School's 2021-22 school year:~~

1. For each student in independent study, Charter School will assign a certificated employee to coordinate, evaluate, and provide general supervision of the student's independent study instruction. (EC § 51747.5(a).)
2. For students in independent study in any grade level, the maximum length of time that may lapse between the time an independent study assignment is made and the date by which the student must complete the assigned work is twenty (20) schooldays. (EC § 51747(a).)
 - a. The assigned work shall be delivered to the supervising teacher ("Homeschool Teacher") at an in-person meeting on at least two (2) occasions each semester for a minimum of (4) meetings per school year. No more than 60 days shall lapse between the in-person meetings. The in-person meetings are an integral component of the School's educational services. The Executive Director, in the Executive Director's sole discretion, may waive only one in-person meeting per year for a pupil given extraordinary circumstances. If a pupil misses any of the four (4) in-person meetings, absent an Executive Director's waiver, the administrative withdrawal process may be initiated for failure to comply with this policy.
3. When any student fails to complete three (3) assignments during any period of twenty (20) schooldays, fails to show the body of work for a learning period (student's failure to demonstrate

knowledge of required concepts for the learning period) as determined by the Homeschool Teacher, or fails to make satisfactory educational progress (defined below in Section 4), the Charter School will conduct an evaluation to determine whether it is in the best interests of the student to remain in independent study, or whether the student should return to or otherwise be placed in a regular in-person school program. A written record of the findings of any evaluation will be maintained in the student's permanent record. This record will be maintained for a period of three years from the date of the evaluation and if the student transfers to another California public school, the record will be forwarded to that school. (EC § 51747(b).)

4. For purposes of conducting the evaluation in Section 3, a student is deemed to be making satisfactory educational progress if the student is on track to enter the next grade level at the completion of the current school year and/or progressing toward their goals pursuant to their individualized education program ("IEP"). The Executive Director or designee is responsible for making this determination based on all of the following indicators:
 - a. The student's achievement and engagement in the independent study program, as indicated by the student's performance on student-level measures of student achievement and student engagement set forth below:
 - i. Pupil achievement and engagement, as measured by all of the following, as applicable:
 - a) Statewide assessments that are part of the California Assessment of Student Performance and Progress (a.k.a., "CAASPP", or any other subsequent assessment as certified by the state board of education),
 - b) ~~The percentage of pupils that have successfully completed~~ Successful completion of courses that satisfy the requirements for entrance to the University of California and California State University,
 - c) ~~The percentage of pupils that have successfully completed~~ Successful completion of courses that satisfy the requirements for career technical education sequences or programs that align with state board-approved career technical education standards and frameworks,
 - d) ~~The percentage of pupils that have successfully completed~~ Successful completion of both the university entrance and career technical courses specified above,
 - e) ~~The percentage of~~ English learner pupils who make progress toward English proficiency as measured by the English Language Proficiency Assessments for California ("ELPAC" or subsequent assessments of English proficiency certified by the state board),
 - f) ~~The~~ English learner reclassification ~~rate~~,
 - g) ~~The percentage of pupils who have passed~~ Passing an advanced placement exam with a score of "3" or higher, and
 - h) ~~The percentage of pupils who demonstrate~~ Demonstrating college preparedness pursuant to the Early Assessment Program (or any subsequent assessment of college preparedness).
 - ii. Pupil engagement, as measured by all of the following, as applicable:

- a) School attendance ~~rates~~,
 - b) Chronic absenteeism ~~rates~~,
 - c) Middle school dropout ~~rates~~,
 - d) High school dropout ~~rates~~, and
 - e) High school graduation ~~rates~~.
- b. The completion of assignments, assessments, or other indicators that show the student is working on assignments.
- c. Learning required concepts, as determined by the Homeschool Teacher.
- d. Progressing toward successful completion of the course of study or individual course, as determined by the Homeschool Teacher. (EC § 51747(b)(2).)
- 5. Charter School will provide content to students aligned to grade level standards that is ~~provided at a level of quality and intellectual challenge~~ substantially equivalent to in-person instruction. For high schools, this shall include access to all courses offered by the local educational agency for graduation and approved by the University of California or the California State University as creditable under the A–G admissions criteria. (EC § 51747(c).)
- 6. If a student does not generate attendance for more than ~~three (3) schooldays or 60 percent of the instructional days in a school week, or~~ 10 percent of required minimum instructional time over four continuous weeks of the school's approved instructional calendar, students found not participatory in ~~synchronous instruction~~ pursuant to EC § 51747.5 for more than ~~the greater of three (3) schooldays or 60~~ 50 percent of the scheduled ~~days times~~ of synchronous instruction in a school month as applicable by grade span, or for students who are in violation of their independent study written agreement, Charter School shall:
 - a. Verify the student's current contact information;
 - b. Notify the student's parent or guardian of the student's lack of participation within one schoolday of the recording of a non-attendance day or lack of participation (e.g., via email, message, text, telephone, letter, etc.);
 - c. Reach out to the student directly and/or parent(s) or guardian(s), as well as health and social services as necessary, to determine the student's needs for reengagement; ~~and~~
 - d. If the student has failed to complete three (3) assignments during any period of twenty (20) schooldays, fails to show the body of work for a learning period, or is failing to make satisfactory educational progress as defined in Section 4 herein, the Charter School will schedule a pupil-parent-educator conference (a meeting involving all individuals who signed the student's written agreement) to review the student's written agreement and reconsider the independent study program's impact on the student's achievement and well-being; ~~(EC § 51747(d).)~~ and
 - e. ~~Implement any Charter School programs intended to address chronic absenteeism, as applicable. (EC § 51747(d).)~~
- 7. Based on each student's grade level, Charter School will schedule and offer opportunities for synchronous instruction and daily live interaction at least as frequently as set forth in subsections a-c below. (EC § 51747(e).)

“Live interaction” means interaction between the student and Charter School staff, and may include peers, to maintain school connectedness. Examples of live interaction include check-ins, progress monitoring, provision of services, and instruction, and live interaction can be in-person or in the form of internet or telephonic communication.

“Synchronous instruction” means classroom-style instruction, designated small-group instruction, or one-on-one instruction delivered in person or in the form of internet or telephonic communication by ~~the student’s assigned teacher of record (e.g., Homeschool Teacher, other certificated Charter School employee per CDE guidance and law)~~ a teacher or teachers of record for that student, and involving live two-way communication. (EC § 51745.5.)

- a. For students in grades TK-3, inclusive, the Charter School will offer opportunities for daily synchronous instruction.
- b. For students in grades 4-8, inclusive, the Charter School will offer opportunities for weekly synchronous instruction, and daily live interaction.
- c. For students in grades 9-12, inclusive, the Charter School will offer opportunities for weekly synchronous instruction.

Charter School will document each student’s participation in live interaction and synchronous instruction pursuant to EC § 51747 on each school-day, as applicable, in whole or in part, for which live interaction or synchronous instruction is provided as part of the independent study program. A student who does not participate in scheduled live interaction or synchronous instruction on a schoolday shall be documented as non-participatory for that schoolday for purposes of pupil participation reporting and tiered reengagement pursuant to EC § 51747. (EC § 51747.5(c).)

8. A student’s parent or guardian may request their student return to in-person instruction from independent study by making a written request to the Executive Director or their assigned teacher of record. If there is such a request, Charter School will offer to help the student enroll in the in-person program offered by their district of residence within five (5) schooldays. (EC § 51747(f).)
9. A current written independent study agreement for each independent study student will be maintained on file. Each written agreement will contain the following:
 - a. The manner, time, frequency, and place for submitting a student’s assignments, for reporting the student’s academic progress, and for communicating with a student’s parent or guardian regarding a student’s academic progress.
 - b. The objectives and methods of study for the student’s work, and the methods used to evaluate that work.
 - c. The specific resources, including materials and personnel, which will be made available to the student. These resources will include confirming or providing access to all students to the connectivity and devices adequate to participate in the educational program and complete assigned work.
 - d. A statement of the policies adopted herein regarding the maximum length of time allowed between the assignment, the level of satisfactory educational progress, and the number of missed assignments allowed prior to an evaluation of whether or not the student should be

allowed to continue in independent study.

- e. The duration of the independent study agreement, including beginning and ending dates for the student's participation in independent study under the agreement. No independent study agreement will be valid for any period longer than one school year.
- f. A statement of the number of course credits or, for the elementary grades, other measures of academic accomplishment appropriate to the agreement, to be earned by the student upon completion.
- g. A statement detailing the academic and other supports that will be provided to address the needs of students who are not performing at grade level, or need support in other areas, such as English learners, individuals with exceptional needs in order to be consistent with the student's IEP or plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794), students in foster care or experiencing homelessness, and students requiring mental health supports.
- h. The inclusion of a statement in each independent study agreement that independent study is an optional educational alternative in which no student may be required to participate. In the case of a student who is referred or assigned to any school, class or program pursuant to EC § 48915 or 48917, the agreement also will include the statement that instruction may be provided to the student through independent study only if the student is offered the alternative of classroom instruction. (EC § 51747(g).
- i. Charter School will comply with the signature requirements for independent study written agreements set forth in EC § 51747(g)(9), ~~including:~~
- j. ~~Beginning in 2022-23 School Year and Thereafter (Must Obtain Signatures Before Independent Study Instruction):~~ Each independent study agreement will be signed, prior to the commencement of independent study, by the student, the student's parent, legal guardian, or caregiver, if the student is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of independent study, and ~~the certificated employee designated as having responsibility for the special education programming of the student, as applicable—all persons who have direct responsibility for providing assistance to the student.~~ For purposes of this paragraph, "care giver" means a person who has met the requirements of Part 1.5 (commencing with Section 6550) of the Family Code.
- k. ~~Upon the request of the parent or guardian of a student, b~~Before signing a written agreement pursuant to EC § 51747, ~~the parent or guardian of a student may request that~~ the Charter School ~~will~~ conduct a telephone, videoconference, or in-person pupil-parent-educator conference or other school meeting during which the student, parent or guardian, and, if requested by the student or parent, an education advocate, may ask questions about the educational options, including which curriculum offerings and nonacademic supports will be available to the student in independent study, before making the decision about enrollment or disenrollment in the various options for learning. (EC § 51747(h)(2).)

10. Additional Independent Study Requirements:

- a. Charter School will not provide any funds or other thing of value to the student or his or her parent or guardian that a school district could not legally provide to a similarly situated student of the school district, or to his or her parent or guardian. (EC § 51747.3(a).)

- b. Charter School may only receive funding for the provision of independent study to students who are residents of San Diego County or who are residents of a county immediately adjacent to San Diego County. (EC § 51747.3(c).)
 - c. ~~No~~—A student with exceptional needs, as defined in EC § 56026, may participate in independent study ~~unless if~~ the student's IEP specifically provides for that participation. (EC § 51745(c).)
 - d. Charter School may claim apportionment credit for independent study only to the extent of the time value of student work products, as personally judged in each instance by a certificated teacher, ~~or the combined time value of student work product and student participation in synchronous instruction~~ as set forth in EC § 51747.5(b)(1).
 - e. Charter School will maintain written or computer-based evidence of student engagement that includes, but is not limited to, a grade book or summary document that, for each class, lists all assignments, assessments, and associated grades. (EC § 51747.5(d).)
 - f. Records of the independent study program will be maintained for audit purposes and shall include the following:
 - i. A copy of the independent study board policies.
 - ii. A separate listing of the students, by grade level who have participated in independent study identifying units of the curriculum attempted (also known as the "course of study") and units of the curriculum completed by students, as specified in their written agreements.
 - iii. A file of all written agreements, with representative samples of each student's work products and a signed acknowledgement by the supervising teacher indicating that he/she has personally evaluated the work or that he/she has personally reviewed the evaluations made by another certificated teacher.
 - iv. A daily attendance register, as appropriate to the program in which the students are enrolled, separate from classroom attendance records, and maintained on a current basis as time values of student work products are personally judged by a certificated teacher, and reviewed by the supervising teacher if they are two different individuals.
 - v. Any other documents charter schools are required to maintain as required by law. (5 C.C.R. § 11703.)
 - g. Charter School will comply with all applicable law regarding independent study, including ADA-to-certificated teacher ratio requirements. (EC § ~~51745~~ 51744 et seq.; 5 C.C.R. § 11700 et seq.)
11. Average Daily Attendance: It is the policy of this Board that each student is, at a minimum, expected to accomplish the following in order for the student to be counted as present/attending for Average Daily Attendance (ADA) purposes:
- a. Students will initial "Monthly Independent Study Log" on the school days where they have completed school work Monday through Fridays that are not school holidays. Parents/guardians will sign the monthly log under the following statement: "By signing this log, I verify that my student completed school work on these days."