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# DECODING ALTERNATIVE EDUCATION:

Student Demographics, Coursework  
and Budgeting in the Five Largest  
California County Offices of Education  
& Tools for Transparency

# Table of Contents

Introduction	01
Methodology	03
Student Demographics	06
School Discipline	08
School Instability Rates	09
Curriculum & Staffing Quality	11
A-G Curriculum	11
Teacher Credentialing	15
Teacher Absenteeism	17
Student Support Services	19
School Budgets	20
Local Control and Accountability Plan (LCAP) Expenditures	20
Inquiry: School Resource Officers and Surveillance	23

# Table of Contents

School Budgets (continued)	
Inquiry: COE Connections to JJCPA and YOBG Grant Funding	25
Per-Pupil Expenditures	27
Conclusion	29
Recommendations	30
Appendix A: Schools in Each County Office of Education	34
Appendix B: Table of Teacher Chronic Absenteeism	35
Appendix C: Further Information on COE Per-Pupil Expenditures	36
Appendix D: Sample Public Records Act Request to County Office of Education	37
Appendix E: Questions for Advocates to Ask COEs	40
Appendix F: How to File a UCP Complaint	42
Endnotes	43

# Introduction

California’s “**alternative schools**” are publicly funded schools designed to provide a different educational setting from traditional public schools.<sup>1</sup> Students placed in alternative schools include students who have faced discipline such as expulsion or suspensions of ten or more days in a school year; students impacted by incarceration and probation contact; students with histories of missing school; and students in need of credit recovery.<sup>2</sup> Alternative schools may also enroll high concentrations of students with disabilities, students with experiences in the foster system, and students who have experienced homelessness.

Every year, tens of thousands of California students are removed from traditional school settings and placed in a particular subset of alternative schools — those run by County Offices of Education (COEs). COE-run alternative schools enroll **all** youth experiencing incarceration. As this white paper shows, COE-run alternative schools also enroll a disproportionate number of students in foster care and students experiencing homelessness.<sup>3</sup> These student populations — justice-involved youth, youth in the foster care system, and youth who have experienced homelessness — require and deserve rich academic experiences and strong social-emotional support. Students in these groups are more likely than others to have experienced traumatic life events.<sup>4</sup> Previous negative experiences in school, including punitive discipline and police contact, can erode students’ trust in school and limit their academic trajectories.<sup>5</sup>

In this paper, we focus our attention on COE-run alternative schools because it is imperative that these schools provide supportive, high-quality educational programs that nurture students’ academic, social, and emotional wellbeing. In addition, because they primarily serve as short-term educational placements, COE-run alternative schools also must provide services that ensure smooth transitions across school settings.<sup>6</sup> Unfortunately, it is difficult for families and community organizations to evaluate the quality of alternative schools and to advocate for students in these schools. This seems especially true of COE-run alternative schools, few of which provide clear public-facing information about curriculum or student support systems.

COEs were created in the 1850s by the state legislature to provide oversight to school districts, and they were authorized to administer alternative schools in 1939.<sup>7</sup> Today, COEs still carry out the dual function of district oversight while also acting as a district for certain charters, opportunity schools, county community schools, and juvenile court schools.<sup>8</sup> This removes a layer of external oversight from COE-run schools. It also means that COEs hold separate board meetings from the district school board meetings more commonly attended by many parents, students, and community advocates.

This white paper addresses the quality of COE-run alternative schools by raising areas of concern. The paper stems from the roadblocks the authors faced as we worked to investigate the quality of alternative education programs in COEs. The information we present in this paper comes from multiple sources, including the California Department of Education, the federal Civil Rights Data Collection, and Public Records Act requests sent directly to COEs. Despite drawing from multiple data sources, our investigation of COE-run alternative schools is still incomplete. Our goals are to share what we have discovered and to identify what we still do not know.

This white paper presents information about course availability, teacher assignment, and budgeted expenditures in alternative schools in the five largest COEs in California. The paper's authors identify major areas of missing information with regard to alternative school staffing, curriculum, and discipline. We present our findings alongside questions intended to spur dialogue among advocates, educators, and policymakers to proactively improve educational opportunities for current and future COE-run alternative school students.

The paper is intended for students, parents, community members, and organizational advocates who want greater transparency from their local COE-run alternative schools and who want to hold those COEs accountable for their alternative education programs. We hope that this white paper supports advocacy related to alternative schools not just in the five largest COEs but in various COEs and school districts throughout the state.<sup>9</sup>

# Methodology

Our interest in writing this white paper arose from conversations with students and advocates who voiced concerns about the quality of education in their local COE-run alternative schools. We began our search by looking at the websites of the schools attended by these students and of the COEs that ran these schools. Because that search revealed little usable information, we later branched out to review the websites of other schools in the COEs. We found that the limitations of these websites were widespread, and we sought other sources of information about COE-run alternative schools.

This white paper pulls together information from multiple sources at the state and federal levels:

- California Department of Education’s downloadable data files:
  - Census Day Enrollment by School (<https://www.cde.ca.gov/ds/ad/filesenr.asp>)
  - Cumulative Enrollment (<https://www.cde.ca.gov/ds/ad/filesenrcum.asp>)
  - Discipline (<https://www.cde.ca.gov/ds/ad/discipline.asp>)
  - Stability Rate (<https://www.cde.ca.gov/ds/ad/filesr.asp>)
  - Staff Assignment and Course Data (<https://www.cde.ca.gov/ds/ad/filesassign.asp>)
- The U.S. Department of Education Office for Civil Rights’s Civil Rights Data Collection (CRDC) (<https://ocrdata.ed.gov/resources/downloaddatafile>)
- The Georgetown Edunomics Lab National Education Resource Database on Schools (NERD\$) (<https://edunomicslab.org/nerds/>)
- Records provided in response to requests to each of the five COEs under the Public Records Act (Sample PRA request provided in Appendix D).

Most of the information presented in this white paper comes from the 2019-20 school year. We chose 2019-20 because it is the most recent school year with comprehensive data when students were able to attend school in person for the majority of the year, before the COVID-19 pandemic necessitated a move to remote instruction. All data from the CRDC are for 2017-18 – the most recent year of that data collection.



Our research focuses on alternative schools run by the five COEs with the largest student populations:

- Kern County Office of Education (Kern COE)
- Los Angeles County Office of Education (LACOE)
- Orange County Department of Education (Orange CDE)
- Riverside County Office of Education (Riverside COE), and
- Santa Clara County Office of Education (Santa Clara COE).

In 2019-20, there were 127 COE-run alternative schools in California.<sup>10</sup> Together, alternative schools in the five largest COEs had a census day enrollment of 5,128 students and a cumulative enrollment of 15,641 students in 2019-20. These five COEs accounted for roughly 40% of COE alternative school enrollment across the state that year.<sup>11</sup> We chose to focus on the five largest COEs because the universe of California's alternative schools is vast, so a narrower scope allowed us to probe deeper into the varied data sources.


## CENSUS DAY ENROLLMENT

refers to the count of students currently enrolled in a school on the first Wednesday in October.

## CUMULATIVE ENROLLMENT

refers to the total number of unduplicated enrolled students in a school year. An unduplicated count means that an individual student is only counted once, even if they leave and return to a school multiple times.

## THE LARGE DIFFERENCE BETWEEN CENSUS DAY AND CUMULATIVE ENROLLMENTS



for COE-run alternative schools reflects the temporary nature of enrollment in these schools. [See the “School Instability Rates” section of this paper for more information.]

The five COEs administered three types of alternative schools included in this report:

- **COUNTY COMMUNITY SCHOOLS:** Operated by COEs to serve K-12 students who are: expelled for certain offenses; referred by a School Attendance Review Board; referred by probation consistent with a court order; or under probation supervision and referred with parent/guardian consent.<sup>12</sup>
- **JUVENILE COURT SCHOOLS:** Operated by COEs and often located in juvenile detention facilities, such as juvenile halls and camps, to serve students incarcerated in such facilities.<sup>13</sup> Some juvenile court schools operate outside juvenile detention facilities, such as in day reporting centers and group homes.
- **OPPORTUNITY SCHOOLS:** Operated either by COEs or traditional school districts, intended as a short-term intervention for students who are “irregular in attendance, need to unlearn or replace other negative behaviors, or are unsuccessful academically.”<sup>14</sup> Students can be referred by their school principal or a School Attendance Review Board.<sup>15</sup>

See Appendix A for a list of the schools in each COE that the research team included in this analysis.<sup>16</sup>





# Student Demographics

Students in foster care, unhoused students, and Black and Native American students are vastly overrepresented in California's alternative schools, and these trends hold true for students in the five largest COEs as well.<sup>17</sup> To create a rough comparison between COE-run alternative schools and the traditional sending schools that students attend before being placed in an alternative school, we compared the demographics of COE-run alternative schools to the demographics of the largest comprehensive school district in the county of each COE.<sup>18</sup> The districts we compared were:

- Kern COE and Kern High School District
- LACOE and Los Angeles Unified School District
- Orange CDE and Capistrano Unified School District
- Riverside COE and Corona-Norco Unified School District
- Santa Clara COE and San Jose Unified School District

We found that:

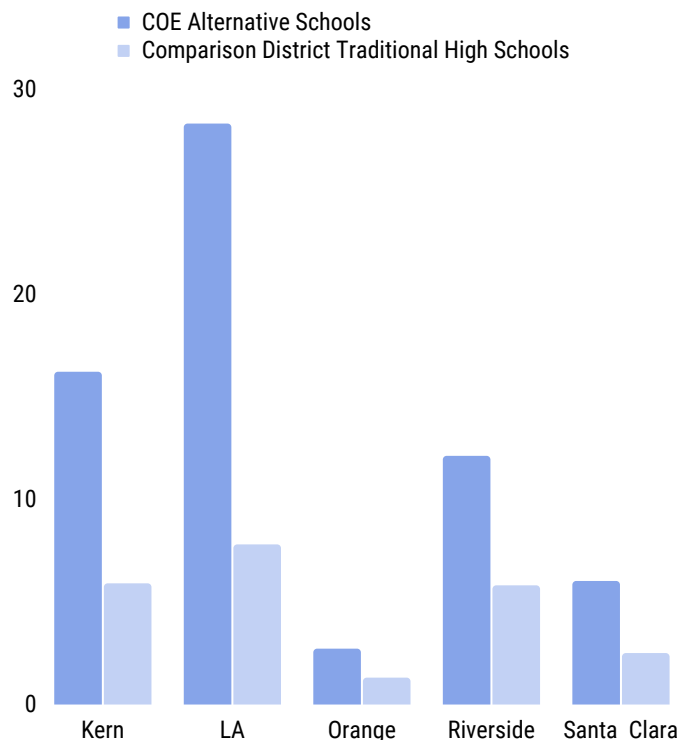
- Black students were overrepresented in all five COEs at **more than double** their proportion of enrollment in the comparison school district.
- Native American students were overrepresented in Orange CDE, Riverside COE, and Santa Clara COE at **two to five times** their proportion of enrollment in the comparison school district.
- Students in foster care were overrepresented in all five COEs at **six to twenty-seven times** their proportion of enrollment in the comparison school district.
- Students experiencing homelessness were overrepresented in all five COEs at **two to ten times** their proportion of enrollment in the comparison school district.
- English Learners were overrepresented in Kern COE and Orange CDE at **double** their proportion of enrollment in the comparison school districts.
- Students with disabilities were overrepresented in LACOE at **more than double** their proportion of enrollment in LA Unified.

In 2019-20,

**OVER 18,000  
CALIFORNIA  
STUDENTS**

were pursuing their education in juvenile court schools while also experiencing incarceration.

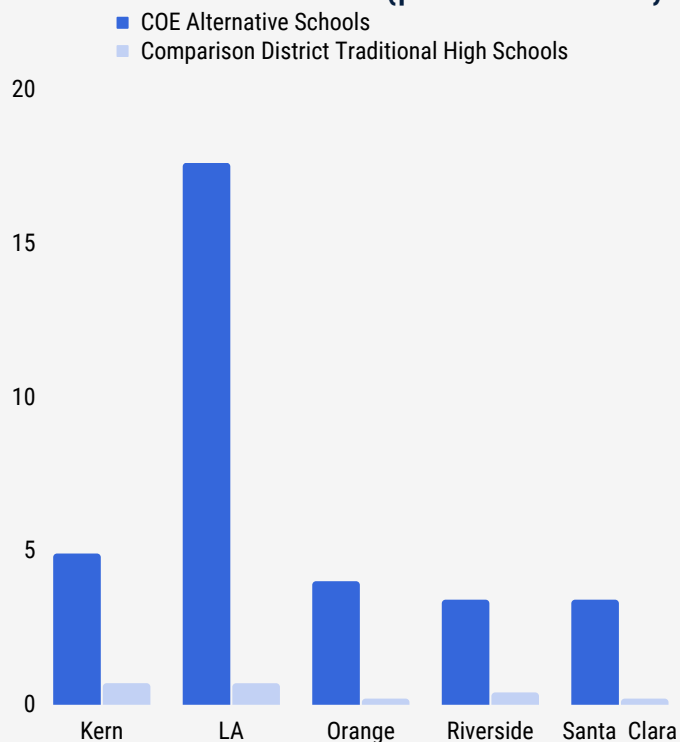
**Figure A: Black students, proportion of enrollment in COE alternative schools vs. traditional high schools in comparison districts (per 100 students)**



Given questions about the quality of education in COE-run alternative schools discussed below, the overrepresentation of certain student groups raises concerns about potential discrimination and marginalization. For example, because Black and Native American youth are overrepresented in COE-run alternative schools, limited access to quality curriculum in these schools may raise civil rights concerns. Students who lack stable

housing, students experiencing incarceration, and students who have experienced foster care are also overrepresented in COE-run alternative schools. The California legislature has paid particular attention to the latter three populations of students over the past two decades, developing laws that ensure access to educational resources and supports, in recognition that these three populations of students need increased services and attention to thrive in school.

**Figure B: Students in foster care, proportion of enrollment in COE alternative schools vs. traditional high schools in comparison districts (per 100 students).**



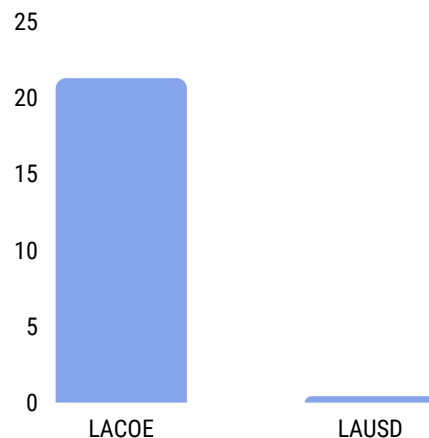
"While our Santa Clara County COE has worked hard to improve the community schools in recent years, we still question their ability to adequately serve our students with disabilities and with immense trauma histories. Our community schools and court schools should be the most therapeutic schools in the county, but they are often far from it."

*Julia Souza, Supervising Attorney, Law Foundation of Silicon Valley. Attorney Souza has represented students enrolled in Santa Clara COE schools for 8 years.*

## School Discipline

Suspension rates are calculated using cumulative enrollment, which artificially deflates the rates in alternative schools.<sup>19</sup> Because the rates are calculated in this way, most of the COEs we examined had suspension rates that were similar to the rate of the comparison district. But even with these artificially deflated figures, **LACOE had fifty times the reported suspension rate of LA Unified School District.**

Figure C: Suspension rates per 100 students in LACOE alternative schools vs. traditional schools in LA Unified School District (LAUSD)



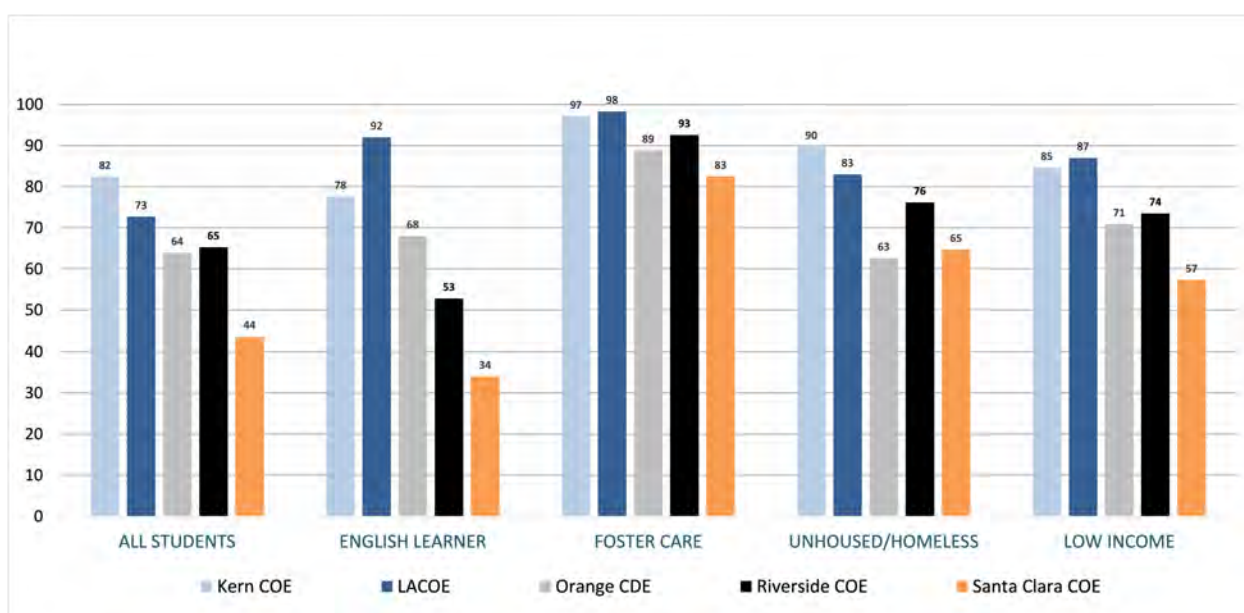
# School Instability Rates


In 2021, the California Department of Education introduced the stability rate as one of three California school climate data indicators alongside absenteeism and suspension/expulsion data. The stability rate is defined as the percentage of all public school students enrolled during the academic year (July 1 to June 30) who completed a “full year” of learning in one school.<sup>20</sup>

Alternative schools have extremely low stability rates. Indeed, because so few students in COEs complete a full year, it makes more sense to describe alternative schools in terms of their *instability* rates – the total percentage of students who did not complete a “full year” in the alternative schools setting. The average instability rate for all schools in the state in 2019-20 was 8 percent but students in alternative schools had an instability rate of 62 percent, or eight times the state average.

The chart below shows the instability rates for alternative schools in the five largest COEs. Kern COE’s and LACOE’s alternative schools had particularly high instability rates.<sup>21</sup> Further, high-need students including low-income students, students in foster care, and unhoused students experienced particularly high instability rates in alternative schools run by the five largest COEs.

**Figure D: Instability rates in alternative schools in the 5 largest COEs for all students and for high-need student groups, 2019-20.**





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“When I started going in and out of halls, placements and camp, I would see myself taking the same classes over and over or doing the same [schoolwork] packets. At Challenger, I was learning about World War II, and one year later at Kilpatrick, I was still learning about World War II. It was just book work. Whether I was in 9th grade or 12th grade — it was the same class.”

*Mainor Xuncax, Youth Policy Advocate at Arts for Healing and Justice Network in Los Angeles. Mainor attended Los Angeles County juvenile court schools.*

We present instability rates not to advocate that students remain longer in alternative settings but rather to illustrate the high potential for educational disruption that alternative school enrollment represents. When students shift from one school setting to another, they experience discontinuity in curriculum and in receiving peer and adult social and emotional support.

Alternative school instability rates suggest a need for tailored, higher quality programming in the alternative school settings and a need for transition planning and carefully supervised transfers between alternative and traditional schools.<sup>22</sup> In addition, many alternative school students may be better served by remaining in their traditional school environment with added support instead of by transferring to alternative schools. For example, students with disabilities require continuity in the provision of their special education services, and a mid-year transition to an alternative school threatens that continuity.

Unfortunately, advocates report that in some counties, such as Kern County, there has been an increase in “voluntary” transfers to alternative schools. These voluntary transfers, agreed to by students and their parents, take place even though the sending schools do not provide information on how the alternative setting may disrupt or deviate from the student’s current curriculum. Paperwork for voluntary transfer is also sometimes provided without translation to the guardians’s native language. These troubling practices suggest the need for further improvement of standard alternative school transfer policies.

# Curriculum & Staffing Quality

## A-G Curriculum

To meet admissions requirements for the two public university systems in California (the University of California and California State University systems), students must complete a set of minimum course requirements, known as A-G requirements.<sup>23</sup> These course requirements cover the major subject areas (English, Math, History/Social Science, Language other than English, and Visual & Performing Arts) using curricula approved by the university systems. Most comprehensive high schools in California offer courses that satisfy all A-G requirements, and some school districts require A-G completion for graduation.

To identify COE-run alternative schools' course offerings, we looked to two information sources. First, we examined the A-G approved course list maintained by the University of California system, which shows all courses a school has been approved to offer in each subject area.<sup>24</sup> The A-G course list therefore shows all A-G courses a school can offer. To discover how many A-G courses the COE-run alternative schools actually taught in 2019-20, we also carefully reviewed printouts of COEs' entries on course staffing in the California Longitudinal Pupil Achievement Data System (CALPADS) provided in response to our request for public records.

Only schools with approved courses on the A-G list are listed in the table below. No Santa Clara COE schools appeared on the University of California (UC) A-G course list, and no juvenile court school from Kern COE or Riverside COE appeared on the UC A-G course list.

"The importance of completing A-G classes was a priority to me because I wanted a variety of options and opportunities post-graduation regarding higher education. When an individual feels like they only have one option, direction and sovereignty over their life are stripped from them, causing a feeling of unfulfilled passions. Providing these classes to students attending alternative schools is very important because it can also give them the inspiration to pursue higher education because it's being offered to them."

*Harout, first-generation college student at California State University, Northridge. Harout graduated from a district-run alternative high school that provided the A-G coursework he needed for admission to CSU. Harout's district alternative high school also offered pre-college advisement through College Access Plan, a local nonprofit organization.*



**Figure E: Number of courses with UC/CSU approval in each A-G subject area**

COE	Alternative School	History	English	Math	Science	Language other than English	Visual & Performing Arts	College Preparatory Elective
Kern COE	Kern County Community	3	4	3	2	3	0	1
LACOE	Afflerbaugh-Paige Camp	2	4	3	0	0	0	2
	Central Juvenile Hall	2	4	3	0	0	0	2
	Barry J. Nidorf	3	4	3	0	0	0	3
	Renaissance County	2	4	2	0	0	0	1
	Campus Kilpatrick	2	4	3	0	0	0	1
	Glenn Rockey Camp	2	4	3	0	0	0	2
Orange CDE	ACCESS Juvenile Hall	2	4	7	0	1	0	15
Riverside COE	Come Back Kids Riverside County	6	9	8	3	7	2	110
	Riverside County Community	6	9	6	0	2	2	104

\*\* The course areas that appear in blue include at least one course designed for in-person instruction

In the table above, course areas that include one or more in-person courses are highlighted in blue. The vast majority of the A-G approved courses listed above were online courses. The only alternative settings approved to offer classroom-based A-G courses were Come Back Kids and Riverside County Community.<sup>25</sup> All A-G courses approved for alternative schools in Kern COE, LACOE, and Orange CDE were approved for instruction through an online course platform such as Odysseyware or Apex Learning.<sup>26</sup> This indicates that the large majority of students attending alternative schools in the five largest COEs are not receiving college preparatory instruction in a classroom setting directly from an in-person instructor.

Additional review of the CALPADS printouts reinforces this conclusion. The number of A-G classes actually taught in 2019-20 in each COE-run alternative school appears in the table below.

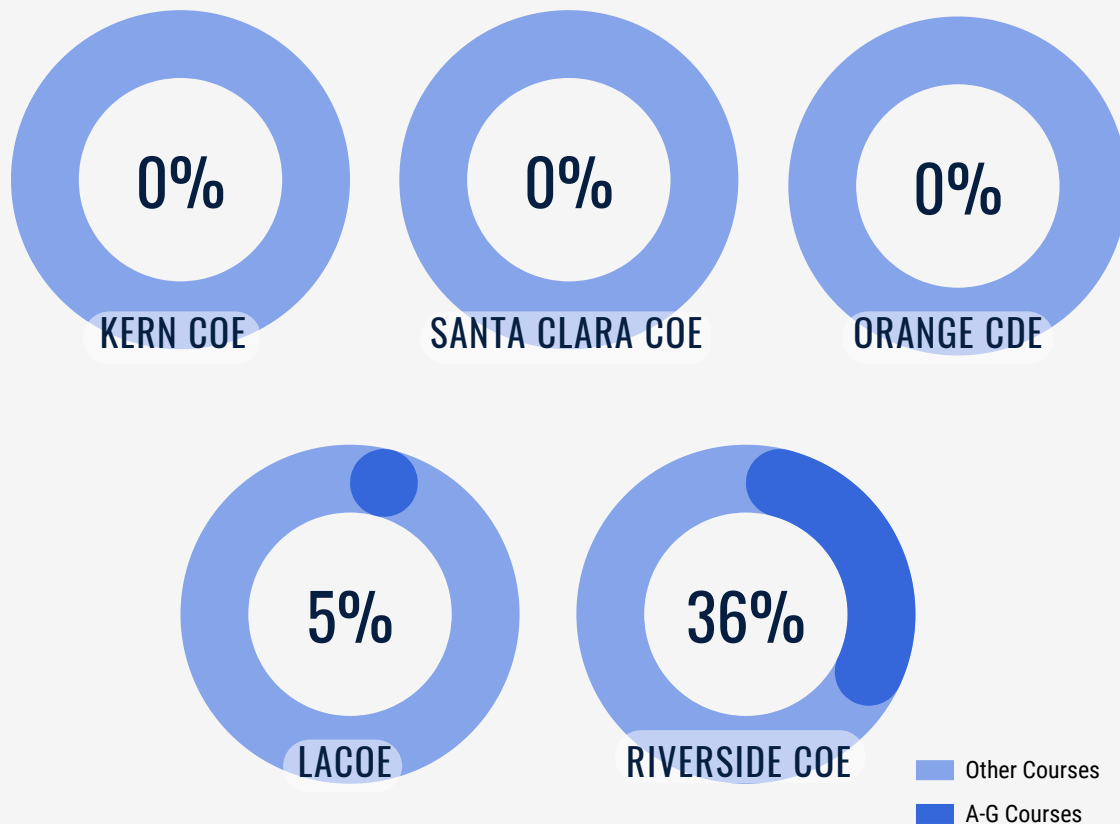
Figure F: UC/CSU-approved A-G classes actually taught compared to other classes in 2019-20

<i>District</i>	<i>School</i>	<b>UC/CSU Approved</b>	<b>UC/CSU not Approved</b>
Kern COE	Kern County Community	0	114
	Kern County Juvenile Court	0	122
LACOE	Afterbaugh-Paige Camp	0	323
	Central Juvenile Hall	0	779
	Dorothy Kirby Camp	0	183
	Barry Nidorf	5	801
	Renaissance County Community	0	526
	Campus Kilpatrick	0	222
	Glenn Rockey Camp	0	178
	Camp Joseph Scott	0	123
Orange CDE	ACCESS County Community	0	92
	ACCESS Juvenile Hall	0	37
Riverside COE	Come Back Kids	0	30
	Riverside County Community	155	247
Santa Clara COE	Santa Clara Community	0	75
	Santa Clara County Court	0	159


Across all five COEs, **only one juvenile court school offered any UC-approved courses:** Barry J. Nidorf School in LACOE offered 5 A-G courses out of a total of 806 courses. This means that even in Barry J. Nidorf School, less than one percent of courses were A-G courses.

Likewise, **only one of the county community schools we examined offered UC/CSU-approved courses;** approximately 60% of courses offered by Riverside County Community School were UC/CSU approved.

Figure G: Proportion of courses with UC/CSU A-G approval actually taught in COE-run alternative schools, 2019-20



There is a marked discrepancy between the UC A-G course list and the classroom courses offered by COE-run alternative schools. This raises two concerns: 1) few students in COE-run alternative schools have access to the coursework required to apply to four year colleges, and 2) students taking A-G courses online may not be receiving support from an appropriately credentialed teacher or engaging in coursework that truly prepares them to succeed in college.



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“In my experience, even when A-G courses are offered in COE schools, the default for course scheduling is to enroll a COE alternative school student in less challenging courses so the student can earn credits quickly rather than enrolling them in a course that the student would need to be A-G eligible. I regularly see this in math courses. For example, students are enrolled in Math Basics rather than Geometry or Algebra II. COE students need supportive academic counselors who can help them advocate for the classes they need to reach their goals after graduation.”

*Megan Stanton-Trehan, Adjunct Professor and Director, Youth Justice Education Clinic, Loyola Law School. Prof. Stanton-Trehan has represented students in Los Angeles County Office of Education schools for 8 years.*

## Teacher Credentialing

It is particularly difficult to assess whether teachers are appropriately credentialed for the subjects they are teaching within COE-run alternative schools. Each school in California must publish a School Accountability Report Card (SARC), which provides information about how many teachers are “appropriately assigned and fully credentialed in the subject area and for the pupils they are teaching.” Many COE-run alternative schools report 100% appropriately assigned and fully credentialed teachers.

However, SARC data can be misleading, especially in the alternative school setting. This is because teachers may be teaching alternative high school students with a Multiple Subject credential. A teacher with a Multiple Subject credential is authorized to teach all subjects to a class, or a core set of subjects in a

team-teaching situation.<sup>27</sup> In traditional schools, Multiple Subject credentials are typically reserved for elementary or K-8 settings, and the vast majority of high school classes are taught by teachers with Single Subject credentials in the specific subject area they are teaching.

It is possible that some alternative school teachers are classified as “appropriately assigned and fully credentialed” despite having a Multiple Subject credential because they are teaching in a self-contained setting.<sup>28</sup> The Commission on Teacher Credentialing indicates that Multiple Subject credentialed teachers may teach at the secondary level in rare circumstances, “such as in...an opportunity classroom.”<sup>29</sup> Some alternative schools may rely on teachers with Multiple Subject credentials to teach high school level curriculum. This should be of concern to guardians and advocates for alternative school students seeking to ensure that their teachers have the appropriate pedagogical background to provide high-quality secondary instruction.

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“For over two decades, LACOE solicited teachers with Multiple Subject credentials to accommodate students in self-contained classrooms. This means that many teachers lack teaching credentials in secondary content areas. However, standardized student assessments target competency in high school content. LACOE has failed to establish a systematic approach in building teachers’ content proficiency. Even Positive Behavioral Intervention and Supports, a behavior intervention/academic intervention program, requires that teachers maintain content expertise for efficacy. I became a coach to support my colleagues in developing this competency.”

*Florence Avognon, Instructional Coach at Dorothy Kirby juvenile court school in Los Angeles County and 2012 California Teacher of the Year.*

# Teacher Absenteeism

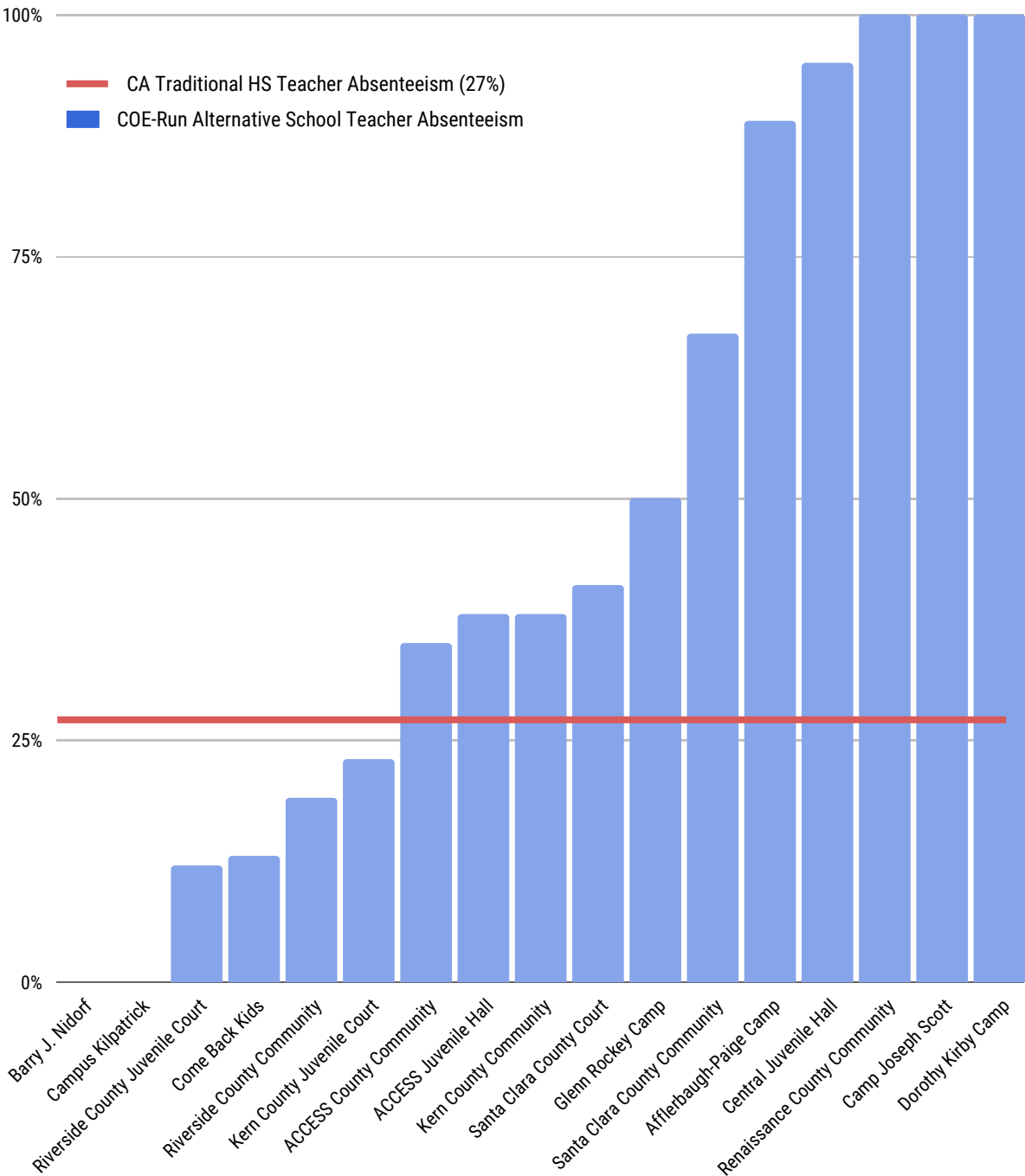
The federal Civil Rights Data Collection (2017-18) records the rate of **teacher absenteeism** as the percentage of teachers who were absent ten or more days in the school year. Teacher absenteeism is egregiously high in nearly all of the COE-run alternative schools we examined. Out of seventeen COE-run alternative schools, only two had no teacher absenteeism. Seven of the seventeen COE-run alternative schools had a teacher absenteeism rate of 50% or more. Three schools had a 100% teacher absenteeism rate. That means **every single teacher** in each of those three schools was absent **10 or more days** in the 2017-18 school year.

We compared these absenteeism rates to California's 927 traditional high schools (see the chart below). Traditional high schools had an average teacher absenteeism rate of 27%. Only one-tenth of traditional high schools had a teacher absenteeism rate of 50% or more, and no traditional high school reported a teacher absenteeism rate of 100%.





**Figure H: Teacher Absenteeism: The percentage of teachers who were absent ten or more days in a school year**



The high teacher absenteeism rates at many COE-run alternative schools should raise alarm bells about the quality and consistency of education in those schools.

See Appendix B for a table with teacher absenteeism for each school.

# Student Support Services

The federal Civil Rights Data Collection (2017-18) also records the number of full-time equivalent counselors, school psychologists and social workers in each school. Most COE-run alternative schools showed pupil-to-counselor ratios well below the 250:1 ratio recommended by the American School Counselor Association. However, many schools fared worse. For example, Access County Community in Orange CDE reported a ratio of 461 students to every counselor and Come Back Kids in Riverside COE reported a ratio of 633 students to every counselor. In addition, Access Juvenile Hall in Orange CDE, Riverside County Community School, and Riverside County Court School all reported having zero counselors.

Likewise, nearly all of the COE-run alternative schools showed pupil-to-school psychologist ratios well below the 500:1 ratio recommended by the National Association of School Psychologists. The exceptions were Kern County Community School (1118:1); Kern County Juvenile Court School (1480:1); Come Back Kids in Riverside COE (633:1); and Opportunity Youth Academy in Santa Clara COE (no school psychologist reported).

The most alarming support service employee statistics pertained to school social workers. Only two COE-run alternative schools – Access County Community and Access Juvenile Hall in Orange CDE – reported any social workers. All other COE-run alternative schools reported none.



# School Budgets

## Local Control and Accountability Plan (LCAP) Expenditures

For a fuller picture of the resources available to alternative schools, we looked to the COEs' Local Control and Accountability Plans (LCAPs). LCAPs include information on the expenditures associated with a school district's particular goals and actions. LCAPs should be written in plain terms to allow parents and other stakeholders to engage in the education planning process.<sup>30</sup>

The review team analyzed the 2019-20 Annual Update to the LCAPs for the COEs discussed in this paper in an effort to understand how the COEs allocated financial resources to support students in COE-run alternative education programs.<sup>31</sup> The review team particularly sought information related to spending on:

- Professional development or staffing related to strategies to reduce school discipline
- Textbooks and instructional materials
- Arts education
- Career technical education
- Post-secondary partnerships
- Supports for English learners
- Supports for students in foster care
- Technology and devices
- School resource officers and surveillance
- Other notable staffing, curriculum and services

For each spending category listed above, we identified relevant goals and actions, and then calculated the sum of expenditures attached to those goals and actions.<sup>32</sup>

**Figure I: COE Budget Summary**

	SROs & Surveillance	Strategies to Reduce School Discipline	Textbooks & Instructional Materials	Arts Education	Career Technical Education	Post-Secondary Partnerships	Supports for English Learners	Supports for Students in Foster Care	Technology & Devices
Kern COE	\$0	\$2,148,326	\$0	\$0	\$172,792	\$0	\$91,629	\$668,339	\$116,085
LACOE*	\$0	\$4,793,818	\$5,611,456	\$2,651,500	\$2,651,500	\$0	\$26,766,263	\$5,651,912	\$308,456
Orange COE	\$19,125	\$0	\$30,600	\$0	\$45,260	\$2,300	\$13,900	\$289,774	\$692,646
Riverside COE	\$1,628,569	\$453,312	\$190,696	\$0	\$569,996	\$0	\$285,813	\$1,609,765	\$497,999
Santa Clara COE	\$0	\$166,662	\$557,122	\$0	\$903,481	\$0	\$20,877	\$0	\$557,122

\*Note: In LACOE, the listed amount is half of what was attributed to all the coursework available at LACOE, including but not limited to arts education and CTE. Since we do not know exactly how much was actually spent on arts opportunities and CTE, we split the total amount in half to acknowledge that both types of education were mentioned in the context of that \$5m+ figure. This is likely a vast overestimate of how much is spent on arts education or CTE coursework and curriculum individually.

Though LCAPs are intended to provide clear insights into school districts budgets and expenditures, we found it challenging to compare spending across the five COEs or even to understand each COE's spending priorities. It was difficult to assign a dollar amount to COEs' specific spending on alternative schools in each of the identified spending categories, and it was also difficult to discover how COEs planned to support high-need students. Obstacles, issues, and potential violations include:

- Large budgeted items that were explained with broad goals and no meaningful detail explaining the allocation of those funds.
  - Example: Riverside COE articulated a goal to "implement the educational program and interventions in the Court School." The actual expenditure for this goal was \$1.77 million, without any further explanation of how those millions of dollars were allocated.
- Large budgeted items tied to multiple actions (for example, instructional support for students with disabilities and English Learners) without detailing how much money was spent on each action.
- A lack of clear distinctions between expenditures on COE-run alternative schools and expenditures that benefitted all schools in the county, including district-run traditional schools.
  - Example: COEs described services for youth in foster care and expelled students that seemingly supported all districts in the county. Thus, it was impossible to calculate how much money was specifically supporting students in alternative education.

Despite these problems, our analysis revealed some general themes:

- Few COEs allocated funds in the categories of post-secondary partnerships, arts education, and career technical education.

- COEs allocated large sums to professional development for staff, support for English learners, and services for youth in foster care and expelled students. These funds may have been spent on schools throughout the county. This seems especially likely in the case of services for youth in foster care. Most of the COEs used language such as “coordination” and “facilitation” of foster youth services, which suggests that they were allocating these funds for county-wide needs of youth in foster care, rather than COE-specific use.

Almost every COE reported spending on educational instruction software — particularly, a program called Odysseyware owned by the education technology company Edgenuity — to support the learning of alternative school students. While LACOE and Riverside COE did not specifically reference Odysseyware in the 2019-20 expenditures tables, we identified a reference to that program and significant associated spending in LACOE’s 2021-22 LCAP goals. Based on student and teacher experiences reported to this paper’s authors, Odysseyware does not seem to be a new program to LACOE but rather one that augments and sometimes directs the student learning experience.

Odysseyware has been criticized in recent years for low academic rigor failing to meet the needs of students.<sup>33</sup> In addition, students and parents in districts that adopted Edgenuity during the COVID-19 pandemic transition to remote learning found that tutors were unresponsive, that the programs didn’t provide enough teaching staff to serve student demand, and that the programs were used to boost graduation rates without offering meaningful instruction.<sup>34</sup> A study from Vanderbilt University found that students who spent more time in Edgenuity credit recovery programs had lower math and reading test scores compared to their peers in traditional school settings.<sup>35</sup>

While the use of education technology is not necessarily problematic, it is unclear to what degree COEs are using online instruction as a primary form of instruction. It is also unclear how COEs are training and staffing teachers to guide each student through the online coursework such that they receive an individually tailored and meaningful curriculum.

“I have not learned anything at this school, but we get credits super fast. Teachers don’t really care. You just have to get on their good side and they give you credit. I’ve earned about 20 credits through Edgenuity [educational instruction software]. It’s supposed to be credit recovery. It’s by myself, in my free time; there’s no real teaching. You can just look up the answers on Google.”

*Robert, current student at a county community school in Santa Clara County.<sup>36</sup>*

## INQUIRY: School Resource Officers and Surveillance

Our analysis indicates that few COEs allocated funds to school resource officers and surveillance. This may be because certain COE-run alternative schools, such as juvenile court schools, have probation officers on site who play a law enforcement role at no expense to the COE. See the section on JJCPA and YOBG funding for related information about the highly concerning interplay between probation surveillance and COE-run alternative schools.

While overall spending on school resource officers and surveillance was seemingly low for the five COEs, it was concerning to note the funding for such activities in Riverside COE and Orange CDE. Describing their aim as maintaining “clean and safe schools,” Riverside COE reported over \$1.6 million in expenditures, including but not limited to canine detection, Raptor driver’s license scanning software, campus security, a school resource officer, an outside security agency if needed, and security cameras. Orange CDE reported spending approximately \$19,000 on school surveillance and school safety personnel. Given this relatively small expenditure, Orange CDE could be supplementing the reported expenditure with additional funds. In both Orange and Riverside Counties, advocates can request information about these 2019-20 expenditures to determine whether such funding is ongoing or has expanded.

Kern COE also spent money on an activity that may implicate school policing. The COE spent over \$300,000 on a probation contract for one of its schools, Blanton Academy, so the agency could “provide intensive supervision and intervention for court ordered and probation referred youth.” It is unclear to what degree these probation officers are present in the learning environment, so we did not include this spending activity in our school resource officers and surveillance category. However, advocates can request the COE’s contract with probation to understand more about this activity.



Relatedly, there is an alarming dearth of reporting on student referrals to police and arrests in COE-run alternative schools to the mandatory federal Civil Rights Data Collection (CRDC). The most recent year of data released from the CRDC (2017-2018) showed that the following schools in the COEs we reviewed failed to report referral and arrest data:

- Kern County Juvenile Court, Kern County
- Afflerbaugh-Paige Camp, Los Angeles County
- Central Juvenile Hall, Los Angeles County
- Dorothy Kirby Camp, Los Angeles County
- Barry J. Nidorf, Los Angeles County
- Glenn Rockey Camp, Los Angeles County
- ACCESS Juvenile Hall, Orange County
- Riverside County Juvenile Court, Riverside County
- Santa Clara County Court, Santa Clara County

It is concerning that there is no accountability for these juvenile court schools regarding student contacts with law enforcement, given the high likelihood that probation officers and other law enforcement staffed at the juvenile detention facilities are interacting with students at these schools. Schools should be careful to protect students' civil rights on campus, even when their campus is located within a detention facility, and must provide transparency regarding interactions between any type of law enforcement and their students to help communities understand the extent to which their youth are being policed rather than being given opportunities to learn.

## INQUIRY: COE Connections to JJCPA and YOBG Grant Funding

Probation agencies in California can apply for funding from the state Juvenile Justice Crime Prevention Act (JJCPA) and Youth Offender Block Grant (YOBG) programs to fund their work in the juvenile delinquency system. Because youth in the juvenile justice system are likely to be enrolled in COE schools, particularly court schools, the authors analyzed 2019 reports from Kern, Los Angeles, Orange, Riverside and Santa Clara County probation agencies for possible connections between this grant funding and COE activities.

We found that every COE had a likely connection to probation programs funded by JJCPA and YOBG grants. Our further review of the specific programs raised red flags. COEs' reliance on probation funding to supplement or replace their services for students in court and community schools may improperly entangle education services with law enforcement activities. Unless there are clear MOUs or other guidelines in place to delineate whether the COE or probation agency has ultimate authority over education services, students' educational experiences could be shaped more by law enforcement goals rather than their individual educational needs. The following table lists programs in each county that may warrant further research by community advocates, if these programs are still being operated.

**Figure J: Probation programs receiving JJCPA and/or YOBG funding to operate in COE-run alternative-schools**

	Program	YOBG	JJCPA
Kern	<b>Bridges Career Development Academy:</b> serves older youth on probation who have been released from probation and DJJ, as well as other "high risk" youth. Probation officers have an oversight role in the program, including implementing the PBIS model.	\$1,132,493	\$140,619
Los Angeles	<b>School-Based Supervision Program:</b> targets probation supervision for youth on probation attending high schools across the county. Probation officers provide direct supervision and services, including but not limited to education-related issues such as educational advocacy, mediation between the school, family and student, attendance and academic monitoring.	\$0	\$4,587,491
Orange	<b>School Mobile Assessment and Response Team (SMART) Program:</b> Probation agency responds to calls from school and community personnel related to violence or threats of violence on or near school campuses. Probation implements a threat assessment tool if needed and can refer students to law enforcement or diversion among other options. The allocation amount listed here is a combination of the funding provided for the "North" and "South" programs.	\$0	\$1,324,828
Orange	<b>Youth Reporting Centers:</b> Day reporting centers that are run by the Department of Education, Health Care Agency and Probation. Youth attend school at the program in addition to participating in mental health support services and random drug testing. Probation presents this program as an alternative to formal court involvement.	\$0	\$3,696,925
Orange	<b>Orange County School Threat Assessment Team:</b> Probation uses a threat assessment tool to assess how to intervene in and prevent school based violence. Probation partners with the Sheriff's department, police department, District Attorney, Health Care Agency, and school districts.	\$0	\$49,996

# Per-Pupil Expenditures

LCAPs are intended to provide a picture of districts' overall spending and individual budget items. They are not designed to allow families and advocates to evaluate funding equity across schools; that is, LCAPs don't tell us whether one school receives a disproportionately large share of public funds compared to another. To enable funding comparisons across schools, the federal Every Students Succeeds Act of 2016 mandated that every public school report its per-pupil expenditures. Per-pupil expenditures are calculated as the total expenditures a school makes in a year divided by the number of students in the school.

The table below shows the average per pupil expenditures made at school sites from federal, state, and local funds for all alternative schools in each COE in 2018-19. The columns provide comparisons for COE alternative schools, alternative schools run by districts in the same county, and traditional public schools run by districts.<sup>37</sup>

**Figure K: Average school site expenditures per pupil for COE alternative schools, district alternative schools in the same county, and comprehensive public schools in the same county, 2019-20.**

<i>County Office of Education</i>	<b>COE Average</b>	<b>District Alternative Schools in County Average</b>	<b>District Traditional Public Schools in County Average</b>
Kern COE	\$22,751	\$28,254	\$8,818
LACOE	\$44,159	\$11,806	\$9,736
Orange CDE	\$26,458	\$13,920	\$7,402
Riverside COE	\$16,778	\$12,906	\$7,883
Santa Clara COE	\$36,391	\$12,475	\$8,757

As the table shows, per-pupil expenditures on COE-run alternative schools in LA, Orange, Riverside, and Santa Clara counties appear much higher than per-pupil expenditures on district-run alternative schools in those counties. In addition, in all counties, per-pupil expenditures on COE-run alternative schools appear at least twice as high as district per-pupil expenditures on regular public schools. This disparity is especially pronounced in Los Angeles County, where average school-level per-pupil expenditures are \$44,159 on each pupil — over 4.5 times districts' average per-pupil expenditures in regular public schools.

These disparities should be interpreted with some caution. California uses census enrollment to calculate per-pupil expenditures. Census enrollment is a way of measuring the size of a school, which determines many major expenses, including the number of teachers and support staff needed in the school. However, as shown in the instability rates section above, many students move in and out of alternative schools over the course of the year, which can be expected to create some additional funding needs.

Taken in combination with the earlier discussions of curriculum, staffing, and LCAPs, the per-pupil expenditure disparities presented here raise two important questions for advocacy. First, are COE-run alternative schools meeting their obligation to provide transparent budget and expenditure information to families and advocates in ways that allow them to meaningfully participate in decision-making? And second, are COE-run alternative school funds being spent on the staff and materials that will best support students to thrive?

# Conclusion

COE schools serve a disproportionate number of Black and Native American youth as well as youth in foster care, unhoused youth, youth experiencing incarceration, and English Learners. Our examination of alternative schools run by the five largest COEs revealed little publicly available information as to whether COEs are adequately serving the educational needs of young people. The information we do have from students and from public data and documents indicates that COE alternative education is largely failing its students. The findings make clear that COE-run alternative schools are not providing the academic or social-emotional support their students need, when their students generally are the ones who need the most support to succeed and graduate.

More work must be done to better meet the needs of California's most vulnerable students. Advocates can utilize the sample advocacy questions and Public Records Act letter in the attached appendices to further their inquiry into the five COEs studied here or to begin an investigation of COEs not included in this report. It is the right and responsibility of our community to demand answers as to how our public schools are serving our most vulnerable students.

Policymakers and COE administrators should consider the recommendations below to shed further light on COE practices and address findings in this report that already raise concerns.



# Recommendations

We recommend that COEs, state policymakers and the Legislature take the following actions to improve transparency, accountability, and services for students in COE-run alternative schools.

## Curriculum and Credentialing

1. Ensure all teachers, counselors, and related service providers are appropriately credentialed, and that appropriately credentialed teachers supervise student participation in online course platforms. Teachers staffing high school level courses should have a single-subject credential whenever possible.
2. Implement individualized learning plans for all COE students that acknowledge their intersectional identity and learning stage, and provide robust academic and career counseling to support student enrollment and post-secondary goal achievement.
3. Offer and make accessible a full range of A-G courses that allow students to pursue admission to four-year public colleges and universities.
4. Memorialize partnerships with probation and school districts to ensure smooth transition planning for students both at entry and exit from COE schools. Transition planning should include but not be limited to analysis of student transcripts immediately upon enrollment to ensure students receive appropriate coursework, support with re-enrollment in comprehensive schools, and support with transferring records and partial/full credits.
5. Partner with community college networks to offer dual-enrollment and opportunities for students to enroll in additional educational opportunities.

6. Invest in arts education.
7. Invest in extracurricular activities, including but not limited to athletics and leadership programs.
8. Integrate counseling and behavioral support into school programming.

## **Budget and Planning**

9. Given the disproportionate rate of youth in foster care who are enrolled in alternative schools, plan for and invest in specific supports to assist youth in foster care and youth formerly in foster care who are in COE schools, rather than only stating a county-wide plan.
10. Increase opportunities for meaningful stakeholder engagement. For example, create forums for COE LCAP advocacy that are accessible to all stakeholders in the county. Parents of students in alternative schools may not have students enrolled during LCAP planning season since the student population is highly unstable. However, families throughout the county have students at risk of being sent to these schools, and so there should be opportunities for them to engage in ensuring these schools are using funds and planning appropriately and transparently.
11. Provide clear information in COE LCAPs as to which of their services benefit youth in low-income households, youth in foster care, and English learners in COE-run alternative schools versus in all county schools before approving LCAPs.
12. Improve California Department of Education oversight of COE LCAPs to ensure funds for the above high-needs students are being invested into evidence-based supports and services.

## State Policy

13. The CA Department of Juvenile Justice (DJJ) will close all state youth prisons by June 30, 2023. This shift in policy means that it is even more critical for COE court schools to provide high quality education services since their student population may now be enrolled for longer periods of time and have different needs, such as postsecondary and career technical education. The Governor should request specific, annual information from COEs through July 2026 regarding the development and implementation of improved resources to serve the K-12 and postsecondary education needs of youth committed to secure youth treatment facilities, as well as how to integrate educational services into step-down programming.

14. The California State Legislature (“Legislature”) should immediately apply the *Williams* standards and accountability mechanisms (“*Williams* standards”) to COE alternative education settings in California, so families and advocates can file complaints when COE students have unequal access to instructional materials, safe facilities or qualified teachers. Under current California state law, the *Williams* standards do not apply to any alternative education schools.<sup>38</sup> COE schools should be held to the same standards as schools in comprehensive school districts.<sup>39</sup>

a. The standards arose out of the 2004 settlement of a class action lawsuit, *Williams v. California*. None of the plaintiffs in that case were enrolled in alternative or charter schools, which may have led to limitations in the settlement agreement. Additionally, the original legislative language included by the parties in their settlement agreement proposed applicability of the *Williams* standards to schools based on their ranking in the Academic Performance Index (API) — a ranking system that alternative schools were not part of at the time. The law thus implicitly excluded alternative schools from *Williams* standards oversight and accountability.<sup>40</sup> Finally, since at least 2007, there has been an explicit carve-out in the law exempting COE and/or alternative schools from applicability of the *Williams* standards.<sup>41</sup>

15. Policymakers should consider how to create meaningful financial indicators for alternative schools in general and for COE-run alternative schools in particular that allow families and advocates to evaluate whether funds are allocated responsibly and equitably.

16. The Legislature should alter the funding structure for alternative schools to improve education program oversight and accountability. The Legislative Analyst's Office (LAO) produced a report on COEs in 2017 that included several recommendations on this topic.<sup>42</sup> We endorse these two recommendations from the LAO, in particular:

- a. Fund comprehensive school districts directly for all alternative students, including incarcerated students, rather than the current practice of splitting funding between districts and COEs.
- b. Hold districts accountable for their alternative education students by assigning test score and other outcome data to the alternative education student's district of residence.



# Appendix A: Schools in Each County Office of Education

We included the following schools in our analysis.

The census enrollment number is reported as the total number of students in October. The cumulative enrollment includes the total number of students that enrolled by the end of the school year.

County Office of Education	Schools	Total Census Enrollment, 2019-20	Total Cumulative Enrollment, 2019-20
Kern	Kern County Community Kern County Juvenile Court	921	3,375
Los Angeles	Afterbaugh- Paige Camp Central Juvenile Hall Dorothy Kirby Camp Barry J. Nidorf Renaissance County Community Campus Kilpatrick Glenn Rockey Camp Camp Joseph Scott	1,008	4,566
Orange	ACCESS County Community ACCESS Juvenile Hall	1,904	4,465
Riverside	Come Back Kids Riverside County Community Riverside County Juvenile Court	1,062	2,415
Santa Clara	Santa Clara Community Santa Clara County Court	233	820



# Appendix B: Teacher Chronic Absenteeism

<i>District</i>	<i>School</i>	<b>Total Teachers (FTE)</b>	<b>Number of Teachers Absent 10+ Days</b>	<b>% Chronic Absentee Teachers</b>
Kern COE	Kern County Community	55.9	21.5	38%
	Kern County Juvenile Court	32.5	7.5	23%
LACOE	Afflerbaugh-Paige Camp	9	8	89%
	Central Juvenile Hall	20	19	95%
	Dorothy Kirby Camp	6	6	100%
	Barry J. Nidorf	17	0	0%
	Renaissance County Community	10.9	10.9	100%
	Campus Kilpatrick	3	0	0%
	Glenn Rockey Camp	4	2	50%
	Camp Joseph Scott	3	3	100%
Orange CDE	ACCESS County Community	113	39	35%
	ACCESS Juvenile Hall	56	21	38%
Riverside COE	Come Back Kids	30.13	4	13%
	Riverside County Community	21.29	4	19%
	Riverside County Juvenile Court	8.29	1	12%
Santa Clara COE	Santa Clara County Community	12	8	67%
	Santa Clara County Court	17	7	41%



# Appendix C: Further Information on COE Per-Pupil Expenditures

While the COVID-19 pandemic began in the tail end of the 2019-20 school year and undoubtedly created new expenses for school districts, the high costs for COE-run alternative schools do not appear to be caused by COVID-19-related needs. The table below shows the per-pupil expenditure at each COE school in 2018-19 and 2019-20. Though some schools failed to report their 2019-20 expenditures, the data show consistent expenditures across most schools. In addition, the 2018-19 expenditures from the schools with missing data are generally consistent with the district average for the subsequent year.

<i>County Office of Education</i>	<i>School</i>	<b>Per-Pupil Expenditures 2018-19</b>	<b>Per-Pupil Expenditures 2019-20</b>
Kern COE	Kern County Community	\$24,583	\$22,677
	Kern County Juvenile Court	\$23,789	\$22,920
LACOE	Afflerbaugh-Paige Camp	\$65,835	\$43,499
	Central Juvenile Hall	\$48,801	\$45,697
	Dorothy Kirby Camp	\$51,379	\$64,031
	Barry J. Nidorf	\$54,339	\$41,680
	Renaissance County Community	\$37,086	\$41,025
	Campus Kilpatrick	\$70,031	\$43,336
	Glenn Rockey Camp	\$62,079	\$40,208
Orange CDE	ACCESS County Community	\$25,982	\$24,940
	ACCESS Juvenile Hall	\$34,682	\$34,459
Riverside COE	Come Back Kids	\$9,332	\$9,566
	Riverside County Community	\$21,193	\$25,614
	Riverside County Juvenile Court	\$23,436	\$28,789
Santa Clara COE	Santa Clara Community	\$63,916	\$33,700
	Santa Clara County Court	\$35,968	\$37,288

# Appendix D: Sample Public Records Act Request to County Office of Education

[INSERT DATE]

**Re: California Public Records Act Request, Cal. Gov't Code §§ 6250 et seq.**

Dear [COE NAME]:

Pursuant to the California Public Records Act, [ORGANIZATION NAME] requests the following public records and/or data held by [COE NAME].

## **Definitions Used in this Request:**

For purposes of this request, the terms “records” or “writings” include, but are not limited to, all reports, data, evaluations, memoranda, correspondence, electronic information, charts, graphs, flyers, brochures, handbooks, notices, meeting agendas and minutes, diagrams, forms, DVD/CDs, audio or video recordings, notes or other similar materials.

For purposes of this request, the term “Local Educational Agency” (LEA) includes a public board of education or other public authority within a state that maintains administrative control of public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a state. School districts, charter schools, and county offices of education are LEAs.

## **Records Requested:**

Unless otherwise specified, please provide the following for the academic years [YEARS OF INTEREST].

1. Any records reflecting staff demographics, teaching assignments, and type of certifications (e.g. English Learner authorization) and credentials (e.g. Multiple Subject, Education Specialist, Single Subject Math, etc.) for all certificated staff at each school run by [COE NAME], including but not limited to a staff directory and the following CALPADS reports as submitted for the Fall 2 reporting period for each respective school year requested:

- a. Report 4.1: Staff – Count and FTE by Job Classification
- b. Report 4.2: Staff – Count and FTE by Job Classification – Disaggregated c. Report 4.3: Staff Teaching Assignments – Detail
- c. Report 4.4: Staff Profile – List

2. Any records reflecting reasons for student transfers to [COE NAME] schools from LEAs, including but not limited to a list of the top three sending LEAs to [COE NAME] schools. These records should be disaggregated by sending LEA and should include:
  - a. CALPADS Report 1.13: Exits - Count Disaggregated. At minimum, this report should reflect students who exit under the following documented exit codes: T160 TransCASchlRegular; T165 TransSpecDiscRsnsOrJudg; T167 TransAltSchlPrgm; T370 TransInstHSDipl; T380 TransInstNoHSDip
3. Records reflecting the number of student enrollment exits by school site, including but not limited to sharing CALPADS Report 1.13: Exits - Count, disaggregated by Exit Reason, race, gender, disability status, IEP eligibility category, and the Expected Receiver School of Attendance
4. Any records reflecting trainings, programs, policies, staffing, or curriculum to support English Learner students in [COE NAME] schools
5. Any records reflecting trainings, programs, policies, staffing, or curriculum related to providing mental health services to [COE NAME] students
6. Any records reflecting trainings, programs, policies, staffing or curriculum to support Positive Behaviors Interventions and Supports and other alternatives to punitive school discipline, especially for disproportionately impacted student populations (e.g. students with disabilities and students of color)
7. Any records documenting technology utilized in the classroom and/or provided to students, disaggregated by [COE NAME] school site, including but not limited to student wifi access, iPads, laptops, Smart Boards, etc.
8. Any records reflecting the course offerings at each [COE NAME] school, including but not limited to:
  - a. Documented A-G approved courses
  - b. Credit recovery programs
  - c. Arts education courses
  - d. Career Technical Education (CTE) courses
  - e. Access to community college level courses through current enrollment or special programs
  - f. Education Technology programs used for student courses
  - g. Workability programs
9. Any budget or accounting statements describing how federal funding streams provided to [COE NAME] through CARES Act, CRRSA Act and American Rescue Plan were utilized during the 2019-20 and 2020-21 school years
10. Any records relating to parent or student complaints made against [COE NAME] including but not limited to UCP complaints and excessive force complaints

11. Any records specific to COVID-19, including but not limited to:
  - a. Documented student and staff infection rates
  - b. Personal protective equipment (PPE) protections for students and staff
  - c. Procurement of technology for students and teachers to enable online learning
  - d. Any building modifications, including wiring for wifi access, in order to facilitate online learning
12. Any records reflecting any Memorandum of Understanding (MOU), contract, or agreement between [COE NAME] and any law enforcement agency, including but not limited to juvenile probation

Please note that pursuant to the California Public Records Act (Cal. Govt. Code § 6253(b)), the requested records identified above must be provided promptly. Gov. Code § 6253(c) requires you to send a response within ten days to my attention at [ADDRESS AND EMAIL].

Pursuant to Gov. Code § 6250 et seq., we request a waiver of any fees associated with this request since we are requesting the data on behalf of a non-profit, [ORGANIZATION NAME], and its use will benefit the general welfare. To the extent that the requested documents are available in a computer storage system, we ask that they be provided in an electronic storage medium such as a USB or via email. If a document requested is available on the [COE NAME] website, it is sufficient to provide a link to the document in response. If fees cannot be waived, please provide a reasonable estimate of fulfilling this request.

If [COE NAME] claims that any requested document is exempt from inspection, please state the name and description of the document, and an explanation for the basis for the exemption, including the statutory citation to any exemption.

Thank you in advance for your prompt attention to this request. If there are items in this request that you cannot be responsive to as written, we would welcome the opportunity to speak on the phone about what data and information is available. If you have any other questions or concerns regarding this request, please do not hesitate to contact [NAME AND BEST CONTACT INFO].

Sincerely,  
[NAME]

# Appendix E: Questions for Advocates to Ask COEs

## Students In County Schools

1. Ask for an analysis of the student demographics in your COE. For student groups with disproportionate representation, what particular resources are administrators providing to them?
2. Inquire about suspension rates at your COE. What educational options are available to students while they are suspended? What is the typical number of days that a student is suspended? What role does probation play in school discipline processes?
3. How are COE school staff trained to support the social-emotional needs of students as they adjust to a new educational setting, especially if they are also incarcerated?
4. Do schools utilize effective strategies to ensure students receive proper coursework and credit allocation for the amount of time they are enrolled? Do they document partial credits on student transcripts as needed, for students who enter and/or exit mid-semester?

## School Discipline

1. What behavioral intervention services do COE-run alternative schools have in place?
  - a. Do these services include measures to avoid suspensions and other forms of punitive discipline?
2. Inquire about suspension rates at your COE:
  - a. What are the demographics of suspended students?
  - b. How have suspension rates changed over time?
  - c. What is the typical number of days that a student is suspended?
  - d. What educational options are available to students while they are suspended?
3. How do the COE-run alternative schools communicate with students' guardians about disciplinary events such as teacher suspensions, in-school and out-of-school suspensions, and discipline imposed or supported by probation or other law enforcement staff?
4. Generally, how does law enforcement on campus interact with the school discipline process?

### **School Stability Rates**

1. How are COE school staff trained to support the social-emotional needs of students as they adjust to a new educational setting?
  - a. What additional training do juvenile court school staff receive to support the social-emotional needs of students who are also incarcerated?
2. How do COE administrators and staff support students and families to return to traditional school settings when they exit the COE-run alternative school?
3. Do schools utilize effective strategies to ensure students receive proper coursework and credit allocation for the time they are enrolled?
  - a. For students who enter and/or exit mid-semester, do alternative schools document partial credits?

### **Curriculum and Teacher Credentialing**

1. Are students receiving college prep courses that are taught by appropriately credentialed teachers?
2. If schools are using online software for instruction, do they have an appropriately credentialed teacher supporting this learning?
3. Are schools analyzing student transcripts to ensure each student is receiving the courses they need to graduate?

### **COE Budgets and Planning**

1. What accounts for the much higher per-pupil expenditures at COEs, and how does this translate to support for student well-being and academic success?
2. How can we ensure that COE LCAPs:
  - a. Have tightly focused goals that clearly breakdown how money is allocated,
  - b. Avoid attaching money to multiple actions, and
  - c. Clearly delineate when funds are used county-wide and when they are for specific COE programs?
3. What Memoranda of Understanding or other official agreements are in place to prevent improper entanglement of COE education services and probation/law enforcement activities? Who monitors law enforcement to ensure these guidelines are followed?



# Appendix F: How to File a UCP Complaint

If you have concerns about the resources or outcomes for students in any of your COE schools, you can file a complaint with the COE about any of its schools through the Uniform Complaint Procedures (UCP). You do not need an attorney to file a complaint through the UCP. The California Department of Education (CDE) provides detailed information about the complaint process here: <https://www.cde.ca.gov/re/cp/uc/>.

Your County Office of Education may have more specific instructions on how to file a complaint. You can either use the CDE standard complaint form or look for the County Office of Education complaint form. You should search the COE website with the search term “complaint” to find out more, or look at the school board policies, also on the website. If you are unable to find the information you need, you can email any staff associated with the Student Support office for the COE and ask for help. You can include the superintendent on your email.

The ACLU of Southern California has more advice about filing a complaint here: <https://www.aclusocal.org/en/uniform-complaint-form>

# Endnotes

- <sup>1</sup> For a clear summary of alternative schools in California, see Paul Warren. “Accountability for California’s Alternative Schools,” Public Policy Institute of California (2016), <https://www.ppic.org/publication/accountability-for-californias-alternative-schools/>.
- <sup>2</sup> For a complete list of school types included among “alternative schools” and student populations classified as “high risk,” see California Department of Education, DASS Eligibility Criteria: <https://www.cde.ca.gov/ta/ac/eligibilitycriteria.asp>.
- <sup>3</sup> The “Student Demographics” section of this white paper also shows that many COE-run alternative schools enroll a disproportionate number of Black students, Native American students, and English Learners.
- <sup>4</sup> See Precious Skinner-Osei, Laura Mangan, Mara Liggett, Michelle Kerrigan, and Jill S. Levenson. “Justice-Involved Youth and Trauma-Informed Interventions.” *Justice Policy Journal* (2019): [http://www.cjcj.org/uploads/cjcj/documents/justice-involved\\_youth\\_and\\_trauma-informed\\_interventions.pdf](http://www.cjcj.org/uploads/cjcj/documents/justice-involved_youth_and_trauma-informed_interventions.pdf); American Academy of Pediatrics, Mental and Behavioral Health Needs of Children in Foster Care (2021): <https://www.aap.org/en/patient-care/foster-care/mental-and-behavioral-health-needs-of-children-in-foster-care/>; National Healthcare for the Homeless Council, Fact Sheet: Homelessness & Adverse Childhood Experiences (2019): <https://nhchc.org/wp-content/uploads/2019/08/aces-fact-sheet.pdf>.
- <sup>5</sup> See Russell Rumberger and Daniel Losen. “The High Cost of Harsh Discipline and Its Disparate Impact.” The Center for Civil Rights Remedies at The Civil Rights Project (2016), <https://files.eric.ed.gov/fulltext/ED566130.pdf>; David Kirk and Robert Sampson. “Juvenile Arrest and Collateral Educational Damage in the Transition to Adulthood,” *Sociology of Education* (2012); Hon. Jay Blitzman (Ret.), “Shutting Down the School-to-Prison Pipeline,” American Bar Association (2021): [https://www.americanbar.org/groups/crsj/publications/human\\_rights\\_magazine\\_home/empowering-youth-at-risk/shutting-down-the-school-to-prison-pipeline/](https://www.americanbar.org/groups/crsj/publications/human_rights_magazine_home/empowering-youth-at-risk/shutting-down-the-school-to-prison-pipeline/).
- <sup>6</sup> See Warren (2016), *supra* n. 1. See also the “School Instability Rates” section of this white paper.
- <sup>7</sup> Sacramento County Office of Education, “Historical Background: Sacramento County Superintendents of Schools,” [https://www.scoe.net/media/pc3g24ow/historical\\_timeline.pdf](https://www.scoe.net/media/pc3g24ow/historical_timeline.pdf).
- <sup>8</sup> See Cal. Educ. Code §§ 1240, 1980, 48645.2.
- <sup>9</sup> Statewide data on all 720 alternative schools (both COE and district-run) show a cumulative enrollment of over 130,000 students.
- <sup>10</sup> “Alternative schools” are schools with a Dashboard Alternative School Status (DASS) designation. This data analysis excludes DASS schools that fall into the following school categories: alternative schools of choice, district special education consortia, home and hospital, special education schools, and “traditional” schools, which appear to be public charter schools. Alternative schools of choice and traditional schools appear to enroll students who join the school setting voluntarily. District special education consortia, home and hospital, and special education schools are special placements for students who must qualify based on their special education and/or other health needs. If you are interested in obtaining data summaries about excluded school categories, please contact East Bay Community Law Center.

# Endnotes

<sup>11</sup> In total, all COE-run alternative schools show a census enrollment of 15,378 students and a cumulative enrollment of 38,437 students for 2019-20.

<sup>12</sup> See Cal. Educ. Code § 1981.

<sup>13</sup> See Cal. Educ. Code § 48645.1.

<sup>14</sup> California Dep't of Education, "Opportunity School, Class and Program Guidelines," <https://www.cde.ca.gov/sp/eo/oe/guide.asp>.

<sup>15</sup> *Id.*

<sup>16</sup> This paper excludes three schools that do not fall under these three school types: Los Angeles County High School of the Arts and International Polytechnic School in LACOE and OCCS:CHEP/PCHS in Orange CDE. The LACOE schools are nominally classified as COE-run "alternative schools," but they are intended as schools of choice for high-achieving students. OCCS:CHEP/PCHS serves parents who have chosen to home school their children.

<sup>17</sup> Examining demographic data for all alternative education students in the state, we found that students in foster care were overrepresented in alternative schools at five times their statewide percentage of enrollment, and unhoused students were overrepresented in alternative schools at twice their statewide percentage of enrollment. Indigenous and Black students were overrepresented in alternative schools at twice their statewide percentage of enrollment.

<sup>18</sup> We used census day enrollment for all comparisons except with regard to students with disabilities, where only cumulative enrollment data were available.

<sup>19</sup> Here, the suspension rate is defined as the percentage of students receiving one or more suspensions in a school year. We calculated suspension rates using cumulative enrollment.

<sup>20</sup> The CDE set 245 calendar days as the length of a stable enrollment within a school in California. There are 180 instructional days for the academic year and the selected number is 90 percent of the 270 calendar days associated with a "full year" of learning.

<sup>21</sup> The instability rates for LACOE and Orange CDE are likely underestimates because they include LACHSA, IPoly, and OCCS:CHEP/PCHS, schools of choice that we excluded from our other analyses.

<sup>22</sup> California state law requires COEs and probation agencies to engage in education transition planning for at least some alternative school students: students in juvenile court schools. However, the school districts who receive those incoming students are only "strongly encouraged" to participate in such transition planning. Therefore, students transferring from juvenile court schools to traditional school districts may not experience as seamless and supportive of a transition as is intended by the California State Legislature. See Cal. Educ. Code § 48647.

<sup>23</sup> <https://www.cde.ca.gov/ci/gs/hs/hsgtable.asp>

<sup>24</sup> See <https://hs-articulation.ucop.edu/agcourselist>. There is a particular policy around IS programs that teach mostly online courses, which dictates expectations for "subject expert teachers" – but it is unclear if this is enforced by the UC articulation program.

# Endnotes

<sup>25</sup> Riverside County Community's courses appeared under "Riverside County High School." Communication with RCOE staff stated that this school includes the Riverside County Community School program, but it may include other programs as well. RCOE did not respond to requests for more information.

<sup>26</sup> Since February 1, 2020, the UC system has maintained a list of approved online course publishers. Schools may certify and self-report courses from any publisher on that list in order to have them appear on the A-G approved course list. See <https://hs-articulation.ucop.edu/guide/update-your-a-g-list/online-courses/>.

<sup>27</sup> [https://www.ctc.ca.gov/credentials/leaflets/multiple-subject-teaching-credential-\(cl-561c\)#:~:text=The%20Multiple%20Subject%20Teaching%20Credential,classes%20organized%20primarily%20for%20adults.](https://www.ctc.ca.gov/credentials/leaflets/multiple-subject-teaching-credential-(cl-561c)#:~:text=The%20Multiple%20Subject%20Teaching%20Credential,classes%20organized%20primarily%20for%20adults.)

<sup>28</sup> The Commission on Teacher Credentialing has issued guidance to school administrators that repeatedly references the Multiple Subject credential as a credential that is appropriate in elementary and some middle school settings. For example: "Self-contained classrooms, which are authorized by the Multiple Subject Teaching Credential, are generally found in the elementary schools in grades preschool through six where all, or most, subjects are taught to one group of children by a single teacher. It is possible to find a self-contained classroom at a higher grade level, such as in a one-room school or an opportunity classroom." CTC Administrator's Assignment Manual, 2021 Edition.

<sup>29</sup> *Id.*

<sup>30</sup> School districts and County Offices of Education are both considered LEAs (local educational authorities) when acting in their capacity to administer schools.

<sup>31</sup> The LCAP Annual Update includes total estimated actual expenditures associated with the school district's planning for the particular school year. See Cal. Dep't of Educ., "Adopted LCAP Template," <https://www.cde.ca.gov/re/lc/documents/adoptedlcaptemplate.docx> (last accessed December 15, 2022).

<sup>32</sup> For detailed descriptions of the goals and actions we included for each COE in these categories, please contact East Bay Community Law Center.

<sup>33</sup> Francesca Berardi and Zoe Kirsch, "Bottom of the class," (Slate, May 24, 2017), <https://slate.com/news-and-politics/2017/05/the-worst-online-credit-recovery-courses-used-in-schools.html>.

<sup>34</sup> Caroline O'Donovan, "This virtual classroom company made millions during the pandemic while students languished," (Buzzfeed News, Oct. 11, 2021), <https://www.buzzfeednews.com/article/carolineodonovan/edgenuity-education-technology-virtual-classrooms-pandemic>

<sup>35</sup> Caroline Heinrich et al, A look inside online educational settings in high school: promises and pitfalls for improving educational opportunities and outcomes, [https://my.vanderbilt.edu/digitaled/files/2016/08/HS-online-course-taking\\_AERJ-2019.pdf](https://my.vanderbilt.edu/digitaled/files/2016/08/HS-online-course-taking_AERJ-2019.pdf).

<sup>36</sup> Name has been changed to protect confidentiality.

<sup>37</sup> These figures average per-pupil expenditures across all alternative schools we reviewed in each COE.

# Endnotes

<sup>38</sup> See Cal. Educ. Code § 1240(c)(2)(A)(ii) (West) (“(III) The list of schools compiled pursuant to clause (i) shall exclude alternative schools within the meaning of subdivision (d) of Section 52052 and other schools accepted for participation in the Dashboard Alternative School Status program by the department.”).

<sup>39</sup> See Decent Schools for California website, “Settlement Implementation Agreement,” available at [https://decentsschools.org/settlement/Settlement\\_Implement\\_Agr.pdf](https://decentsschools.org/settlement/Settlement_Implement_Agr.pdf).

<sup>40</sup> Note that current law has been updated to reflect the new accountability system, the Local Control Funding Formula, but still excludes alternative schools as noted above.

<sup>41</sup> A.B. 607, Cal. 2005-2006 Reg. Sess., (Cal. 2007).

<sup>42</sup> California Legislative Analyst’s Office, “Re-envisioning County Offices of Education: A Study of Their Mission and Funding,” Feb. 6, 2017, <https://lao.ca.gov/Publications/Report/3547>.

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