



AUG 12 2020

Ventura County
Grand Jury

Grand Jury
800 South Victoria Avenue
Ventura, CA 93009
(805) 477-1600
Fax: (805) 658-4523
grandjury.countyofventura.org

Response to Grand Jury Report Form

Report Title: Charter School Implementation of State Mandated Sex Education - AB 329

Report Date: April 2, 2020

Response by: Jonathan Oates Title: Principal

FINDINGS / CONCLUSIONS

- I (we) agree with the Facts / Conclusions numbered: _____
- I (we) disagree wholly or partially with the Facts / Conclusions numbered:
C-02, C-03
(Attach a statement specifying any portions of the Facts / Conclusions that are disputed;
including an explanation of the reasons.)

RECOMMENDATIONS

- Recommendations numbered R-01, R-02, R-03, R-04, R-05, R-06 have been implemented.
(Attach a summary describing the implemented actions and date completed.)
- Recommendations number _____ have not yet been implemented, but will be implemented in the future.
(Attach a time frame for the implementation.)
- Recommendations numbered _____ require further analysis.
- Recommendations numbered R-07 will not be implemented because they are not warranted or are not reasonable.

Date: August 6, 2020

Signed: Jonathan Oates

Number of pages attached: 3

FINDINGS/CONCLUSIONS

Vista Real Public Charter disagrees wholly or partially with the Facts / Conclusions numbered:

C-02 – The Grand Jury concluded none of the Required Charter Schools provided sufficient details of their sexual health education curriculum and surveys regarding sexual practices. This does not allow parents/guardians to easily access, understand and make informed decisions about whether to opt out their child from the curriculum or surveys.

Response – Vista Real Public Charter provides a detailed overview of the course to every parent/guardian where it specifically notes particular content areas that will be addressed. Parents also have access to not only look at a course outline but the actual course and curriculum. The Grand Jury failed to adequately review the accessibility of Vista Real Public Charter's parent provided course description and the availability of course accessibility to parents.

C-03 – The Grand Jury concluded that only one of the Required Charter Schools included a sign and return form with the notification of curriculum to make it easy for parents/guardians to opt out their child from participation in the sexual health curriculum or surveys.

Response – The education code does not require schools to provide a sign and return notice form to parents/guardians. Vista Real Public Charter provides an opt out form for parents to sign and return to indicate any objection to their child's participation in the course curriculum. This is sufficient to meet the legal requirements. Further, this method appears to be a much more practical and effective method than the Grand Jury's recommendation.

RECOMMENDATIONS

Recommendations numbered R-01, R-02, R-03, R-04, R-05, R-06 have been implemented:

R-01 – The Grand Jury recommends the Required Charter School implement a set of policies, practices and curriculum by the beginning of the 2020-2021 school year to meet the requirements of AB 329 and AB 1227.

Response – Vista Real Public Charter has implemented policies, practices and curriculum in alignment with AB 329 and AB 1227. Although not required, a Board Policy regarding the school's sexual health curriculum and policies is to be presented and voted on at the school's board meeting on 8/25/2020.

R-02 – The Grand Jury recommends the Required Charter Schools provide to parents/guardians a notification of the curriculum on sexual health and human trafficking that includes a separate, easy-to-use opt out form for parents/guardians to sign and return.

Response – Parents/guardians are provided a separate opt-out form. This was implemented on 1/1/2020.

R-03 – The Grand Jury recommends the Required Charter Schools’ notifications to parents/guardians of sexual health curriculum include a statement that, should their child be opted out of that curriculum, an alternate curriculum will be offered with a description of that alternate curriculum.

Response – Parents/guardians are provided the opt-out form that states alternate curriculum will be provided to their child should they choose to opt them out of the sexual health curriculum. Multiple alternate curriculum options are available for review. This was implemented *on 1/1/2020*.

R-04 – The Grand Jury recommends the Required Charter Schools provide parents/guardians with a detailed and clear written explanation of the content of sexual health curriculum in a document separate from their policies handbook.

Response – Vista Real Public Charter provides an overview of the course to every parent/guardian where it specifically notes particular content areas that will be addressed. Parents also have access to not only look at a course outline but the actual contents of the course and its curriculum. This was implemented on 1/1/2020.

R-05 – The Grand Jury recommends the Required Charter Schools specifically state in the notification to parents/guardians regarding the sexual health curriculum that a parent/guardian may opt out their child from any part of the curriculum or surveys, while allowing the child to participate in others.

Response – Parents/guardians are provided the opt-out form that states they may opt out of all or part of the curriculum. The curriculum does not include any surveys. This was implemented on 7/1/2020.

R-06 – The Grand Jury recommends the Required Charter Schools provide alternative educational curricula to the opted out child from the sexual health curriculum that closely aligns with the Legislature’s intent that instruction and materials provide pupils with “negotiation and refusal skills to assist pupils in overcoming peer pressure and using effective decision making skills to avoid high-risk activities.”

Response – Parents/guardians are provided the opt-out form that states alternate curriculum will be provided to their child should they choose to opt them out of the sexual health curriculum. Alternate curriculum options include “negotiation and refusal skills to assist pupils in overcoming peer pressure and using effective decision making skills to avoid high-risk activities” and are available for review. This was implemented on 1/1/2020.

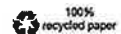
Recommendations numbered R-07 will not be implemented because they are not warranted or are not reasonable.

R-07 – The Grand Jury recommends that the Required Charter Schools provide a complete explanation in the parent/guardian notification of any surveys to be taken concerning the sexual behavior of a

student. The full survey should be on the charter school's website or provided by the school upon request by the parent/guardian.

Response – Vista Real Public Charter's sexual health curriculum does not include any surveys and therefore none will be posted on the website.

VENTURA COUNTY GRAND JURY 2019-2020



county of ventura

Anida Margolis
FOREPERSON, GRAND JUROR



800 S. Victoria Ave., Ventura, CA 93009
Anida.Margolis@Ventura.Org
<http://grandjury.countyofventura.org>

Tel: (805) 477-1600
Cell: (805) 990-3483
Fax: (805) 658-4523

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May 19, 2020

Confidential

Jon Oates
Vista Real Charter School
401 South "A" Street, Suite 3
Oxnard, CA 93030

Dear Mr. Oates:

The Ventura County Grand Jury has completed the attached report titled *Charter School Implementation of State Mandated Sex Education-AB 329*. This copy of the report is being provided to you two days in advance of its public release, as required by California Penal Code §933.05 (f), which states:

A grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.

Please check the last page of text of the report for the timing of your response, if any, as required by the Penal Code. Section 933.05 of the Penal Code is attached for your reference. Also attached is a form for your responses to Grand Jury findings/conclusions and recommendations.

Please keep in mind that this report must be kept confidential until its public release by the Grand Jury.

Respectfully,



Anida Margolis, Foreperson
2019-2020 Ventura County Grand Jury

California Penal Code Section 933.05

(a) For purposes of subdivision (b) of Section 933, as to each grand jury finding, the responding person or entity shall indicate one of the following:

- (1) The respondent agrees with the finding.
- (2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.

(b) For purposes of subdivision (b) of Section 933, as to each grand jury recommendation, the responding person or entity shall report one of the following actions:

- (1) The recommendation has been implemented, with a summary regarding the implemented action.
- (2) The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.
- (3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.
- (4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

(c) However, if a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the board of supervisors shall respond if requested by the grand jury, but the response of the board of supervisors shall address only those budgetary or personnel matters over which it has some decision-making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.

(d) A grand jury may request a subject person or entity to come before the grand jury for the purpose of reading and discussing the findings of the grand jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.

(e) During an investigation, the grand jury shall meet with the subject of that investigation regarding the investigation, unless the court, either on its own determination or upon request of the foreperson of the grand jury, determines that such a meeting would be detrimental.

(f) A grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.

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May 19, 2020

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Jon Oates
Vista Real Charter School
401 South "A" Street, Suite 3
Oxnard, CA 93030

Report receipt: Charter School Implementation of State Mandated Sex Education-AB 329

Delivered this report to the person or office indicated above.

By signing you confirm delivery of this Grand Jury Report.

Please keep in mind that this report must be kept confidential until its public release by the Grand Jury.

Received by:

Signature:

Print name:

Job Title: