



ORANGE COUNTY DEPARTMENT OF EDUCATION

Staff Report for NOVA Academy OC

October 21, 2025

I. INTRODUCTION

This report summarizes the review conducted by Orange County Department of Education (OCDE) staff regarding the petition submitted by NOVA Academy to establish NOVA Academy OC as a countywide charter school. The report also provides staff's recommendations for consideration by the Orange County Board of Education (the Board).

Under Education Code section 47605.6, the Board must act to either grant or deny the charter within 90 days of its receipt, unless the timeline is extended by up to 30 days by mutual agreement.

Based on the review, including clarification meetings with petitioners on September 8, 2025 and October 16, 2025, Orange County Department of Education staff recommends approval of the NOVA Academy OC countywide charter petition for a five-year term with conditions in place to ensure strong accountability and to address concerns identified in this report.

II. BACKGROUND

On July 11, 2025, the Board received a petition from NOVA Academy, a California nonprofit public benefit corporation, proposing to establish NOVA Academy OC as a countywide charter school serving grades 6–12 beginning in the 2026–27 academic year.

NOVA Academy operates a district-authorized charter school in Santa Ana: NOVA Academy Early College High School. The petitioners propose a new countywide charter school, with new students, intended to provide earlier intervention through a 6–12 model and expanded access to instructional supports.

On September 3, 2025, the Board held a public hearing to consider the provisions of the petition and to receive public comment regarding the level of support from teachers, parents/guardians, and school districts where facilities are proposed.

III. LEGAL STANDARD

The Charter Schools Act reflects a legislative preference for charters locally authorized by the district in which they operate. A county board of education may only approve a countywide charter school if it makes specific threshold findings, in addition to the legal standards and criteria under Education Code section 47605.6(b)(1)-(7). Specifically:

“A county board of education may approve a countywide charter only if it finds, in addition to the other requirements of this section, that the educational services to be provided by the charter school will offer services to a pupil population that will benefit from those services and that cannot be served as well by a charter school that operates in only one school district in the county.” (Education Code § 47605.6(a)(1))

Additionally, Education Code section 47605.6(b) states:

“A county board may grant a charter for the operation of a charter school under this part only if it is satisfied that granting the charter is consistent with sound educational practice and that the charter school has reasonable justification for why it could not be established by petition to a school district pursuant to Education Code section 47605.”

Education Code section 47605.6(b)(1)-(7) states that a county board shall deny a petition for the establishment of a charter school if it finds one or more of the following:

- 1) The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.
- 2) The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
- 3) The petition does not contain the number of signatures required by subdivision (a).
- 4) The petition does not contain an affirmation of each of the conditions described in subdivision (e).
- 5) The petition does not contain reasonably comprehensive descriptions of the required elements under Education Code section 47605.6.
- 6) The petition does not contain a declaration of whether or not the charter school shall be deemed the exclusive public-school employer of the employees of the charter school for purposes of the Educational Employment Relations Act Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code.
- 7) Any other basis that the county board of education finds justifies the denial of the petition.

If the Board denies a countywide charter petition, there is no appeal to the State Board of Education (Education Code section 47605.6(k)). Petitioners may instead submit a petition to a local school district under Education Code section 47605 or, in this case, seek a material revision to expand grade levels at their existing district-authorized charter. Should the Board take action to deny the charter school petition, the Board may adopt this Staff Report as written findings in support of the denial.

IV. SUMMARY OF FINDINGS

Staff's review identified the following:

1. Academic Concerns at Existing School

- Performance at NOVA Academy Early College High School highlights persistent weaknesses in mathematics, subgroup outcomes (English Learners, Students with Disabilities), and sustained declines on state assessments.
- CAASPP results over four years show declining proficiency in both English language arts and mathematics.
- In 2024–25, only 2.17% of students met or exceeded standards in mathematics, compared to 20.62% of 11th grade students in the Santa Ana Unified School District and 30.49% of 11th graders assessed statewide (CAASPP is administered on 11th grade at the high school level).
- Subgroup performance remains a concern: 0% of English Learners and Students with Disabilities met standards in mathematics on the 2025 CAASPP.
- English Learner Progress (ELPAC) percentage of “Proficient/Level 4” students declined for four consecutive years (39.58% → 31.82% → 28.79% → 18.33%).

2. Internal Benchmark Data (STAR Renaissance)

- While the 2024–25 assessment data demonstrate measurable improvement in English Language Arts, periodic dips in academic achievement in prior years make the sustainability of this growth trend uncertain. Similarly, although internal assessment data indicate improvement in mathematics, performance has been inconsistent, and gains have not translated into increased CAASPP proficiency. These patterns underscore the need for strengthened instructional supports and targeted interventions to ensure equitable and sustained academic growth across all content areas.

3. New School Context:

- The proposed school will serve new students beginning in middle school, allowing for earlier academic support and intervention, and will build on the school's strong record of student retention and stability.
- Petitioners have contracted with OCDE for technical assistance in 2025–26, providing external oversight and support for improvement.
- Staff find that approval with strong conditions will address concerns raised by performance at the existing high school and ensure the new school is accountable for measurable results from the outset.

4. Capacity:

- NOVA Academy Early College High School was approved for a five-year renewal by Santa Ana Unified School District (SAUSD) in October 2025.
- Petitioners and the school's board have extensive governance and operational experience and have been in operation under the authorization of the SAUSD since 2005.
- The proposed budget and multi-year projections for NOVA Academy OC are reasonable and fiscally prudent for initial authorization. Enrollment, ADA, and cost assumptions are supportable; cash balances and fund balance targets meet or exceed recommended minimums; and the budget benefits from co-location/shared services with NOVA Academy Early College High School in Santa Ana.

V. CONDITIONS OF APPROVAL

If the Board approves the NOVA Academy OC countywide petition, staff recommend the following conditions to the charter agreement/MOU:

1. CAASPP Proficiency Benchmarks

- By year three, achieve ELA and mathematics proficiency rates for all students, including subgroups, at or above the district and state averages.
- All students, including subgroups, must show annual growth in proficiency in ELA and mathematics until performance meets or exceeds the district and state averages.
- Within 120 days of approval, submit a plan for the administration of SBAC formative assessments, including timing and frequency.

2. Internal Growth Measures

- Administer STAR Renaissance, or an equivalent approved verified assessment, in reading and mathematics three times annually (fall, winter, spring).
- Demonstrate average annual grade-equivalency growth of at least 1.5-2.0 years of progress per cohort, enabling students to accelerate toward grade-level proficiency.

3. Assessment Participation

- Maintain at least 95% participation annually on CAASPP, ELPAC, and verified local assessments.

4. Intervention & Support Plans

- Within 120 days of approval, submit an English Learner Master Plan and Special Education Annual Plan to OCDE for review and comment.

- Within 120 days of approval provide a list of standards-based curricula and instructional materials for core subjects, and supplemental curricula that address the specific needs of English language learners, to OCDE for review and comment.

5. Monitoring and Reporting

- Provide semiannual academic progress reports to OCDE, including local assessment results and CAASPP data when available, for all students and disaggregated by subgroup and grade level.
- Provide annual updates on interventions for students performing below grade level, including targeted supports for subgroups.

6. Facility Location Restrictions

- NOVA Academy Orange County shall not open or operate a facility within the boundaries of the SAUSD unless NOVA Academy Early College High School is either denied or not approved expansion to grades 6–8 through a material revision to the charter petition currently renewed by SAUSD on October 14, 2025. The petitioner must provide written documentation of such action or evidence of inaction to the Orange County Department of Education prior to establishing any facility within SAUSD boundaries. If a material revision to NOVA Early College High School charter petition is approved, NOVA Academy Orange County may operate within the boundaries of SAUSD as soon as July 1, 2028.

VI. STAFF RECOMMENDATION

OCDE staff recommend that the Board approve the NOVA Academy OC countywide charter petition for a five-year term with conditions as outlined above. These conditions provide a framework for accountability and ensure that the new school demonstrates measurable academic progress and equitable outcomes for all student groups.
