

RESOLUTION NO. 2016/17-055

**RESOLUTION OF THE GOVERNING BOARD OF
ABRAXIS CHARTER SCHOOL
CLOSING ALL OPERATIONS AND SURRENDERING CHARTER TO
SANTA ROSA CITY SCHOOLS**

WHEREAS, the Abraxis Charter School was granted a petition by Santa Rosa City Schools (“District”) on April 12, 2013 for a five-year term ending June 30, 2018, for operation of a charter school serving students in grades 9-12; and

WHEREAS, the Governing Board of Abraxis wishes to provide adequate notice to its students and parents as soon as possible regarding the closure of the charter and its programs to provide for an orderly transition of students and records.

NOW, THEREFORE, the Governing Board of Abraxis does hereby resolve as follows:

That its Charter No. is hereby surrendered to the chartering authority, the District, effective June 30, 2017.

That Abraxis hereby names California Human Development, a 501c3 Non-Profit Public Benefit Corporation identified in its charter, as its fiscal agent, and instructs the Non-Profit Public Benefit Corporation to pay all of Abraxis’s debts and obligations from Abraxis revenues and assets.

That Non-Profit Public Benefit Corporation is hereby authorized to liquidate any and all assets of Abraxis for the sole purpose of generating income to pay any outstanding debts and obligations of Abraxis. The Non-Profit Public Benefit Corporation shall ensure the following:

- (1) The return of any grant funds and restricted categorical funds to their source in accordance with the terms of the grant or state and federal law, as appropriate, which may include submission of final expenditure reports for entitlement grants and the filing of any required Final Expenditure Reports and Final Performance Reports.
- (2) The return of any donated materials and property in accordance with any conditions established when the donation of such materials or property was accepted.

After the Non-Profit Public Benefit Corporation is certain that all outstanding debts and obligations are paid, the Non-Profit Public Benefit Corporation shall transfer any remaining Abraxis revenues pursuant to the closure procedures set forth in the charter and applicable law and regulation.

That Abraxis hereby assigns to the Non-Profit Public Benefit Corporation the right to take any action reasonable and necessary to collect revenues from creditors of Abraxis.

That the Charter School shall provide a list of pupils in each grade level and the classes

they have completed, together with information on the pupils' district of residence, to the Non-Profit Public Benefit Corporation.

Non-Profit Public Benefit Corporation is hereby directed to gather all Abraxis student records, including but not limited to all state assessment results, and any special education records, from program sites and provide such records to the District. The Non-Profit Public Benefit Corporation is further directed to transfer all Abraxis attendance records and financial records to the custody of the Abraxis charter school serving high school students as long as that school continues in operation.

That the Non-Profit Public Benefit Corporation is hereby directed to inform all program sites, students, parents, and teachers as soon as possible about the voluntary closure of Abraxis and assist students and parents with any transitional needs.

That the Non-Profit Public Benefit Corporation is hereby directed to inform the District; all parents and guardians; the Sonoma County Office of Education and Superintendent of Schools; the California Department of Education; the State Teachers Retirement System; the California Public Employees' Retirement System; the federal Social Security Administration (if applicable); and its Special Education Local Plan Area regarding the voluntary closure and surrender of the Charter, and provide those agencies with the following information:

- (1) The effective date of the closure;
- (2) The name(s) of and contact information for the person(s) to whom reasonable inquiries may be made regarding the closure;
- (3) The pupils' school districts of residence; and
- (4) The manner in which parents (guardians) may obtain copies of pupil records, including specific information on completed courses and credits that meet graduation requirements.

That the Non-Profit Public Benefit Corporation is hereby directed to transfer and maintain personnel records in accordance with applicable law and the terms of this Resolution.

That the Non-Profit Public Benefit Corporation is hereby directed to complete an independent final audit within six months after the closure of the school that may function as the annual audit, and that includes at least the following:

- (1) An accounting of all financial assets, including cash and accounts receivable and an inventory of property, equipment, and other items of material value.
- (2) An accounting of the liabilities, including accounts payable and any reduction in apportionments as a result of audit findings or other investigations, loans, and unpaid staff compensation.
- (3) An assessment of the disposition of any restricted funds received by or due to the charter school.

The Non-Profit Public Benefit Corporation shall provide a copy of the audit to the District upon completion.

The Non-Profit Public Benefit Corporation shall ensure the completion and filing of any annual reports required pursuant to Education Code section 47604.33.

The Non-Profit Public Benefit Corporation shall identify and ensure funding for the activities identified in this Resolution.

APPROVED this May 10, 2017.

Jenni Klose, President