

**SAN DIEGO COUNTY BOARD OF EDUCATION
RESOLUTION # 2017-9**

APPROVING SCHOLARSHIP PREP CHARTER SCHOOL PETITION

WHEREAS, the Charter Schools Act of 1992, set forth at Education Code section ("Section") 47600 et seq., (the "Act") and its implementing Regulations provide for the establishment and operation of publicly-funded charter schools in the State of California; and

WHEREAS, pursuant to Section 47605 of the Act, a school district governing board may approve a petition for the operation of a charter school that will operate at one or more sites within the geographical boundaries of the school district; and

WHEREAS, pursuant to Section 47605(j) of the Act, if a charter petition is denied by a school district governing board, the petition may be submitted on appeal to the county board of education, which board shall review the petition pursuant to the criteria and standards set forth in Section 47605(b) and take action to either grant or deny a petition; and

WHEREAS, Lead petitioner ("Petitioner") for the proposed Scholarship Prep Charter School ("Charter School") submitted a charter petition ("Petition") to the Oceanside Unified School District ("District") for the establishment of a new charter school; and

WHEREAS, pursuant to Education Code section 47605(b), the District governing board denied the Petition on November 15, 2016, and made findings of fact in support of that denial; and

WHEREAS, on February 15, 2017, the Petitioner submitted the Petition to the San Diego County Board of Education ("Board") on appeal from the District's denial; and

WHEREAS, the Board held a duly noticed public hearing on March 8, 2017, at which time the Board considered the level of support for the petition, and received testimony from the Petitioners and the District; and considered the review of the San Diego County Office of Education Charter Review Team, including its recommendations for conditions of approval to be included in a Memorandum of Understanding with Scholarship Prep.

NOW, THEREFORE, BE IT RSOLVED AND ORDERED that the Board does hereby approve the charter petition for a Five (5) year Term, commencing on July 1, 2017, and continuing through June 30, 2022.

BE IT FURTHER RESOLVED AND ORDERED, the Board does hereby direct Scholarship Prep and the San Diego County Office of Education to enter into a Memorandum of Understanding that will govern the County Offices of Education's oversight and operations of Scholarship Prep, but that also addresses the deficiencies in the charter petition. Failure to successfully negotiate and execute the MOU by May 31, 2017, may be considered grounds for revocation of the charter. To the extent there are any inconsistencies between the MOU and the approved charter, the MOU controls.

PASSED AND ADOPTED by the San Diego County Board of Education this 12th day of April 2017, by the following vote:

AYES: Donnellon, González, Muñoz, Powell,

NOES: Shea

ABSTAIN:

ABSENT:

STATE OF CALIFORNIA)

) SS

COUNTY OF SAN DIEGO)

I, Edward Velásquez, Secretary of the Governing Board, do hereby certify that the foregoing is a full, true and correct copy of a resolution duly passed and adopted by said Board at a regularly called and conducted meeting held on said date.

A handwritten signature in black ink, appearing to read 'E. Velásquez', is written over a horizontal line.

Mr. Edward Velásquez
Interim San Diego County Superintendent of Schools