

**RESOLUTION AND WRITTEN FINDINGS  
OF THE ORANGE COUNTY BOARD OF EDUCATION TO  
DENY THE PETITION FOR A CHARTER SCHOOL  
FOR TUSTIN INTERNATIONAL CHARTER SCHOOL**

**WHEREAS**, the Charter Schools Act of 1992, set forth in Education Code section 47600 et seq. (the “Act”), provides for the establishment and operation of publicly funded charter schools that operate independently from the existing school district structures in the State of California; and

**WHEREAS**, Education Code section 47605(k) provides that if the governing board of a school district denies a petition for a charter school, a petitioner may elect to submit the petition to the county board of education on appeal;

**WHEREAS**, on December 19, 2024, the Governing Board of the Tustin Unified School District (“TUSD”) denied the Charter Petition for Establishment of the Tustin International Charter School (“Petition”) to operate as an independent charter school within the boundaries of TUSD; and

**WHEREAS**, on January 8, 2025, pursuant to California Education Code section 47605 and California Code of Regulations, Title 5, Section 11967, following denial by TUSD, Mandarin Immersion Schools, Inc., a nonprofit public benefit corporation, (“Petitioner”) submitted the Petition and supporting documents for the establishment of Tustin International Charter School (“TICS” or “Charter School”) to the Orange County Board of Education; and

**WHEREAS**, the Orange County Board of Education (“Board”) is required to review the petition on appeal pursuant to Education Code § 47605(b) and (c); and

**WHEREAS**, in accordance with Education Code section 47505(c), when reviewing charter school petitions, the Board is guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system, and that establishment of charter schools should be encouraged; and

**WHEREAS**, following review of the Petition and a public hearing, the Board may approve a petition if it is satisfied that granting the petition is consistent with sound educational practice and with the interests of the community in which the school is proposing to locate. In making its determination, the Board shall consider the academic needs of the pupils the school proposes to serve. The Board may deny a petition only if it makes written factual findings that the Petition does not meet the standards and criteria described in Education Code Section 47605(c); and

**WHEREAS**, on March 5, 2025, pursuant to Education Code section 47605(b), the Board held a public hearing on the Petition to consider the level of support for the petition by teachers employed by the school district, other employees of the school district, and parents; and

**WHEREAS**, the Orange County Department of Education (“OCDE”) staff has reviewed and analyzed all information received with respect to the Charter and information related to the operation and potential effects of the proposed Charter School, including information shared during a clarification meeting on February 11, 2025.

**WHEREAS**, on March 18, 2025, in accordance with Education Code section 47605(b), the Board published a Staff Report, with recommended findings, prepared by members of the OCDE staff;

**WHEREAS**, on April 2, 2025, the Board, at its regular meeting held a public hearing, at which the Petitioners had equivalent time and procedures to present evidence and testimony to respond to the staff recommendations and findings, to grant or deny the petition; and,

**WHEREAS**, the Board has obtained, reviewed, and analyzed all information received with respect to the petition, including information related to the operation and potential impacts of the proposed charter school.

**WHEREAS**, the Board specifically notes that this Resolution does not include findings relative to every defect in the Petition, but is limited to the most significant issues, which as set forth in the Staff Report and Findings of Fact are legally sufficient to support the Board’s denial of the charter petition.

**NOW, THEREFORE, BE IT RESOLVED** that the Board hereby adopts the findings and recommendations set forth in the attached Staff Report and Findings of Fact dated March 18, 2025, which is attached hereto and integrated herein by this reference.

**BE IT FURTHER RESOLVED** that based on the written factual findings as specified in the Staff Report and adopted by the Board, the Board further finds that the Petition is not consistent with sound educational practice and fails to contain reasonably comprehensive descriptions of the required elements set forth in Education Code section 47605(c).

**BE IT FURTHER RESOLVED** that the Board denies the Petition based on the findings herein adopted. The terms of this Resolution are severable. Should it be determined that one or more of the findings is invalid, the remaining findings and the board action shall remain in full force and effect. Each finding is, in and of itself, a sufficient basis for the denial.

STATE OF CALIFORNIA )  
COUNTY OF ORANGE )  
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I, Jorge Valdes, Esq., Clerk of the Orange County Board of Education, do hereby certify that the foregoing Resolution was duly passed, approved and adopted by the Orange County Board of Education at a regular meeting thereof held on the 2<sup>nd</sup> day of April 2025, and that it was so adopted by the following vote:

AYES: 4

NOES: 1

ABSENT: 0

ABSTAIN: 0

BY: \_\_\_\_\_

  
Jorge Valdes, Esq.  
Clerk of the Orange County Board of Education

Resolution #13-25