

**RESOLUTION AND WRITTEN FINDINGS
OF THE ORANGE COUNTY BOARD OF EDUCATION
TO APPROVE THE PETITION FOR A CHARTER SCHOOL
FOR CALIFORNIA REPUBLIC LEADERSHIP ACADEMY CAPISTRANO**

WHEREAS, the Legislature has enacted the Charter Schools Act of 1992, Education Code § 47600 et seq.;

WHEREAS, Education Code § 47605(k) states 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;

WHEREAS, the county board of education is required to review the petition on appeal pursuant to Education Code § 47605(c);

WHEREAS, in 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;

WHEREAS, Education Code § 47605(c) states that the county board of education is required to grant the charter if it is satisfied that granting the charter is consistent with sound educational practice and with the interests of the community in which the school is proposing to locate;

WHEREAS, the county board of education must consider the academic needs of the pupils the school proposes to serve;

WHEREAS, the county board of education cannot deny a petition for the establishment of a charter school unless it makes written factual findings specific to the particular petition setting forth specific facts stating the reasons for the denial of the charter petition;

WHEREAS, on November 16, 2022, the Orange County Board of Education (“Board”) received a petition from CRLA Southern California, a nonprofit public benefit corporation, for the operation of California Republic Leadership Academy Capistrano (“Petition”) appealing the action on its Petition by the governing board of the Capistrano Unified School District (“District”) on November 9, 2022;

WHEREAS, charter schools are subject to the requirements of federal law, including, but not limited to, the Every Student Succeeds Act, 20 U.S.C. § 6301 et seq., the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g, and the Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq.;

WHEREAS, the law requires that the county board obtain information regarding the operation and potential impacts of the proposed charter school;

WHEREAS, the Board held a public hearing on the Petition on January 4, 2023, and considered the level of support for the petition by teachers employed by the school district, other employees of the school district, and parents;

WHEREAS, on January 17, 2023, the Board published a Staff Report, with recommended findings, prepared by members of Orange County Department of Education (“OCDE”) staff;

WHEREAS, on February 1, 2023, 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.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Petition for a charter school by California Republic Leadership Academy Capistrano.

BE IT FURTHER RESOLVED that the Board approves the standard Agreement with the understanding that California Republic Leadership Academy Capistrano will enter into said Agreement that addresses the operational relationship between the School, the Board and OCDE no later than the Board’s regularly scheduled meeting in May 2023. Should the Petitioner and Board fail to reach agreement by the regularly scheduled meeting in May 2023, the Board reserves the right to take further action, including but not limited to revoking its approval of the charter. The terms of this Resolution are severable.

STATE OF CALIFORNIA)
COUNTY OF ORANGE)
_____)

I, Darouny Sisavath, 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 1st day of February 2023, and that it was so adopted by the following vote:

AYES: 5

NOES: 0

ABSENT: 0

ABSTAIN: 0

BY: _____

Clerk of the Orange County Board of Education

