

# **Morgan Hill Unified School District**

## **RESOLUTION**

### **RESOLUTION OF APPROVAL OF THE CHARTER SCHOOL OF MORGAN HILL RENEWAL PETITION WITH RECOMMENDATIONS AND STIPULATIONS TO MEET REQUISITE STATUTORY CRITERIA**

**WHEREAS**, the establishment of charter schools is governed by the Charter Schools Act of 1992, as set forth in California Education Code sections 47600, *et seq.*, and its implementing regulations, as set forth in Title 5 of the California Code of Regulations; and

**WHEREAS**, on August 5, 2015, the Board of Education of the Morgan Hill Unified School District (“District”) received a petition for renewal from Charter School of Morgan Hill (“Charter School”) or (“CSMH”) for a term of five years; and

**WHEREAS**, Charter School’s initial charter was granted in 2001, and petitions for renewal were approved on January 24, 2006 and September 28, 2010, each for a term of five years. The current charter expires on June 30, 2016; and

**WHEREAS**, consistent with Education Code section 47605(b), at a regular meeting of the Board of Education (“Board”) on September 1, 2015, the Board held a timely public hearing on the proposed charter Renewal Petition, at which time the Board considered the level of support for the petition by teachers employed by the district, other employees of the district, and parents; and

**WHEREAS**, the Board is required to take action to grant or deny the Petition within sixty (60) days of receipt, and has therefore timely agendized action on the Petition for a special board meeting of September 29, 2015; and

**WHEREAS**, approval of charter petitions is governed by the standards and criteria set forth in Education Code section 47605; and

**WHEREAS**, the Board of Education has considered the report and recommendation of the Superintendent and his administrative team to approve the petition for the term of July 1, 2016 to June 30, 2021; and

**WHEREAS**, it is the Board’s determination that the Petition meets the requisite statutory criteria with the following recommendations and stipulations:

1. Address deficit spending by the Charter School Budget Committee and develop a written budget plan to be submitted to the District that provides a list of potential options for eliminating deficit spending for ongoing operating expenditures and provides for a balanced budget without the use of fundraising if not remedied prior to January 15, 2016;

2. Develop month-by-month cash flow projections and multi-year projections and submit such reports to the District bi-annually;
3. Develop a collaboration structure between CSMH and MHUSD to produce a common and fair data reporting protocols so as to provide parents and community an accurate picture of student achievement that reflects the educational program and considers the demographic makeup of the school;
4. Provide for a weighted lottery system that gives a 2 to 1 preference to Socioeconomically Disadvantaged Students (SED) and English Learners (EL). Work in partnership with the District to review the outreach plan and revise as necessary to achieve a more diverse student population at CSMH, reflective of the District's demographics;
5. Ensure staff is not misassigned and provide a professional development plan for ensuring current staff become CLAD compliant;
6. Continue the process for all regular parent or community volunteers to have background check and clearances completed by CSMH with verifications of completions kept on file in the office;
7. Develop a timeline for district oversight responsibilities, including the District's identification of at least one staff member as a contact person for the charter school, a schedule for district staff visitation of the school, a schedule for an annual update as required pursuant to Section 47606.5 to ensure that CSMH complies with all reports required of charter schools by law under its authority, and a schedule to monitor the fiscal condition of each charter school under its authority;
8. Develop a timeline for the MHUSD Governing Board to name and place a single representative from MHUSD as a Board member on the Charter School Board of Directors; and

**WHEREAS,** the Petitioners and the District will work together to execute a Memorandum of Understanding ("MOU") setting forth the terms and conditions outlined above and under which the Charter School will operate in the District;

**THEREFORE BE IT RESOLVED THAT:** The Board of Education of the Morgan Hill Unified School District hereby grants approval of the Renewal Petition and authorizes Charter School of Morgan Hill to continue to operate within the District beginning in the 2016-2017 school year for a period of five years ending June 30, 2021.

**BE IT FURTHER RESOLVED THAT:** The Superintendent is hereby directed to negotiate a MOU with Petitioners to cover all matters relating to the Charter School's relationship with the District, for final review and approval by the Board of Education.

**BE IT FURTHER RESOLVED THAT:** By good faith efforts of both parties, the District and Charter School shall reach agreement and execute an MOU prior to January 15, 2016.

**PASSED, APPROVED AND ADOPTED** by the Board of Education of the Morgan Hill Unified School District this 29th day of September, 2015.

AYES:

NOES:

ABSTAIN:

ABSENCES:

DATED: September 29, 2015

SIGNED: \_\_\_\_\_

Robert Benevento, President  
Board of Education

I, Steve Betando, Secretary of the Board of Education, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Board of Education of the MORGAN HILL UNIFIED SCHOOL DISTRICT at the special meeting on September 29, 2015, which resolution is on file in the office of said Board.

DATED: September 29, 2015

SIGNED: \_\_\_\_\_

Steve Betando, Secretary  
Board of Education