

**RESOLUTION AND WRITTEN FINDINGS
OF THE ORANGE COUNTY BOARD OF EDUCATION
TO APPROVE THE PETITION FOR A
COUNTYWIDE CHARTER SCHOOL FOR EXPLORE ACADEMY**

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

WHEREAS, Education Code section 47605.6 states that a county board of education may approve a countywide charter only if it finds, in addition to the other requirements of this section, that the educational services to be provided by the charter school will offer services to a pupil population that will benefit from those services and that cannot be served as well by a charter school that operates in only one school district in the county;

WHEREAS, Education Code section 47605.6 states that the county board of education may impose any additional requirements beyond those required by Education Code section 47605.6 that it considers necessary for the sound operation of a countywide charter school.

WHEREAS, Education Code section 47605.6 states that the county board of education may grant a charter for the operation of a charter school under this part only if it is satisfied that granting the charter is consistent with sound educational practice and that the charter school has reasonable justification for why it could not be established by petition to a school district pursuant to Education Code section 47605;

WHEREAS, Education Code section 47605.6(b) states that, after receiving a petition, the County Board must hold a public hearing within 60 days to consider the petition, and is required to take action to either grant or deny the charter within ninety (90) days of receipt of the petition, unless this date is extended by up to an additional 30 days by agreement;

WHEREAS, the county board of education shall not 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 June 21, 2021, the Orange County Board of Education (“Board”) received a petition from ExploureK12, a California nonprofit public benefit corporation, for the operation of Explore Academy (“Petition”);

WHEREAS, on August 4, 2021, the Board held a public hearing on the Petition and received public comment thereon;

WHEREAS, on September 21, 2021, the Board published a Staff Report, with recommended findings, prepared by staff members of the Orange County Department of Education (“OCDE”);

WHEREAS, on October 6, 2021, 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;

NOW, THEREFORE, BE IT RESOLVED that the Board reviewed and considered the Petition and related information received with respect to the Petition, including information presented at the public hearings and in the Staff Report in accordance with Education Code sections 47605.6;

BE IT FURTHER RESOLVED that the Board finds that the educational services to be provided by the Explore Academy will offer services to a pupil population that will benefit from those services and cannot be served as well by the charter school that operates in only one school district in the county;

BE IT FURTHER RESOLVED that the Board approves the Petition for a charter school by ExploureK12, a California nonprofit public benefit corporation, for the operation of Explore Academy;

BE IT FURTHER RESOLVED that the Board approves the standard Agreement with the understanding that Explore Academy 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 April 2022. Should the Petitioner and Board fail to reach agreement by the regularly scheduled meeting in April 2022, 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 6th day of October 2021, and that it was so adopted by the following vote:

AYES: Williams, Sparks, Bartki, Shaw (4)

NOES: Gomez (1)

ABSENT: 0

ABSTAIN: 0

BY: _____

Clerk of the Orange County Board of Education

