

**RESOLUTION OF THE BOARD OF EDUCATION
OF THE VISTA UNIFIED SCHOOL DISTRICT**

Resolution No. 18-53

Resolution to Deny the Petition for National University Academy Dual Language Institute

WHEREAS, the approval of charter schools is governed by the Charter Schools Act of 1992, as subsequently amended, Education Code sections 47600 *et seq.* and its implementing Title 5 regulations;

WHEREAS, the Vista Unified School District (“District”) received the proposed petition (“Petition”) to establish the National University Academy Dual Language Institute (“Charter School”);

WHEREAS, consistent with Education Code section 47605, subdivision (b), a public hearing was held on the Petition, at which time the Board of Education of the Vista Unified School District (“Board”) considered the level of support for the Petition by teachers employed by the District, other employees of the District, and parents/guardians;

WHEREAS, the Board has convened on May 31, 2018 to consider whether to grant or deny the Petition;

WHEREAS, the Charter School has been operating under the jurisdiction of Lakeside Union School District;

WHEREAS, Education Code section 47605, subdivision (b), prohibits the Board from denying a charter petition unless it makes written factual findings, specific to the particular charter school, setting forth facts to support one or more findings, if applicable:

1. The petition does not contain the number of signatures required by Education Code section 47605, subdivision (a);
2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition;
3. The charter school presents an unsound educational program for the students to be enrolled in the charter school;
4. The petition does not contain an affirmation of each of the conditions described in Education Code section 47605, subdivision (d); or
5. The petition does not contain reasonably comprehensive descriptions of all elements required in Education Code section 47605, subdivision (b)(5).

WHEREAS, the District’s administration, with the assistance of legal counsel, has reviewed and analyzed the Petition and supporting documents for legal sufficiency and has identified numerous deficiencies in and concerns related to the Petition, which are set forth in the

“Findings of Fact,” attached hereto as Exhibit “A,” and “National University Academy Demographic and Academic Achievement Analysis,” attached hereto as Exhibit “B,” both of which are incorporated herein by this reference;

WHEREAS, the Findings of Fact are not intended to serve as an exhaustive list of each concern, issue, and/or deficiency identified in the Petition and supporting documents, but rather are meant to describe those deficiencies that are of the most significant concern to the District and which provide legally sufficient grounds to deny the Petition; and

WHEREAS, based on the Findings of Fact described in Exhibit A, it is recommended that the Board deny the Petition for the National University Academy Dual Language Institute.

THEREFORE BE IT RESOLVED, that the Board of Education of the Vista Unified School District hereby adopts the “Findings of Fact,” attached hereto as Exhibit “A,” and “National University Academy Demographic and Academic Achievement Analysis,” attached hereto as Exhibit “B,” and denies the Petition to establish the National University Academy Dual Language Institute.

PASSED AND ADOPTED by the Board on May 31, 2018 at a duly noticed meeting by the following vote:

AYES: 3
NOES: 2
ABSTAIN: 0
ABSENT: 0

Cipriano Vargas
I, _____, Clerk of the Board of Education of the Vista Unified School District, HEREBY CERTIFY that the foregoing Resolution was duly introduced, passed and adopted by the Board at a meeting thereof held on May 31, 2018 by a vote of 3 to 2.

IN WITNESS THEREOF, I have hereto set my hand this 31 day of May, 2018.



Clerk of the Board of Education