

**RESOLUTION DENYING THE RENEWAL APPEAL OF THE CHARTER FOR ESCUELA POPULAR CENTER FOR
TRAINING AND CAREERS FAMILY LEARNING CHARTER SCHOOL**

**SANTA CLARA COUNTY BOARD OF EDUCATION
RESOLUTION No. _____**

RESOLVED by the Santa Clara County Board of Education (“SCCBOE” or “County Board”), County of Santa Clara, State of California, that:

WHEREAS, pursuant to the procedures set forth in Education Code Sections 47605, 47607, and 47607.2, on or about April 13, 2026, the Board of the East Side Union High School District (“ESUHSD” or “District”) denied the renewal charter (“Petition” or “Charter”) for Escuela Popular Center for Training and Careers Family Learning Charter School (“EPCTC” or “Charter School”) to continue to operate as an independent charter school governed by Escuela Popular del Pueblo (“EP”); and

WHEREAS, pursuant to California Education Code Section 47605 and California Code of Regulations, Title 5, Section 11967, on or about April 23, 2026, EPCTC submitted the Renewal Appeal Petition and supporting documents on appeal to the County Board; and

WHEREAS, in accordance with Education Code Sections 47605, 47607, and 47607.2, the County Board held a public hearing on the provisions of the Renewal Appeal Petition on May 20, 2026, at which time the County Board considered the level of support for the Charter by teachers, parents or guardians, and the school district where the Charter School facilities are located; and

WHEREAS, the Charter School is a Dashboard Alternative School Status (DASS) charter school, and is included on the California Department of Education’s (“CDE”) list of DASS schools, and shall be considered for renewal in accordance with Education Code Section 47607(c)(7); and

WHEREAS, the County Board has considered the Charter School’s Dashboard and its performance on alternative metrics applicable to EPCTC based on the pupil population served by the Charter School; and

WHEREAS, the Charter School has not met all the alternative metrics established with ESUHSD throughout the entire charter term, including but not limited to, failing to meet NWEA Math Growth, graduation rate, and student participation on TEN Feedback Loop; and

WHEREAS, the Charter School’s achievement data and performance on alternative metrics, as well as comparison data with other DASS high school data indicate that closure is in the best interest of pupils, and does not support renewal; and

WHEREAS, Education Code Section 47607(e) authorizes a chartering authority, in addition to the other bases for denial of a charter renewal set forth under Education Code Sections 47605, 47607, and 47607.2, to deny charter renewal upon a finding that the charter school is demonstrably unlikely to

successfully implement the program set forth in the petition due to substantial fiscal or governance factors, or is not serving all pupils who wish to attend. To deny on one of these bases, a chartering authority must first provide the charter school with at least 30 days' notice of the violation(s) and a reasonable opportunity to cure the violation(s), including submission by the charter school of a corrective action plan. Thereafter, the chartering authority may only deny renewal on this basis by making either a finding that the corrective action plan proposed by the charter school has been unsuccessful or that the violations are sufficiently severe and pervasive as to render a corrective action plan unviable; and

WHEREAS, SCCOE is not the current authorizer for EPCTC and therefore is utilizing the governance and fiscal issues raised by ESUHSD during its denial hearing as SCCOE's providing EPCTC a notice to cure for substantial governance issues; and

WHEREAS, the SCCOE Charter Schools Department Staff ("Staff") conducted a renewal site visit, collected documents, reviewed EPCTC policies and procedures, and interviewed EPCTC staff, students, and board members, which further confirmed the substantial governance issues and the multiple charter violations which shows that the governance issues are so pervasive as to render a corrective action plan unviable; and

WHEREAS, in accordance with Education Code Section 47607(d), SCCOE requested from CDE, and reviewed aggregate data reflecting pupil enrollment patterns at Charter School, but since EPCTC is a DASS school and State testing only occurs in 11th grade no testing data is available for EPCTC; and

WHEREAS, the County Board finds renewal of the Charter is not consistent with sound educational practice; and

WHEREAS, the SCCOE Staff has reviewed and analyzed the information received with respect to the Renewal Appeal Petition and information related to the continued operation and potential effects of the EPCTC, and, based on that review, has made a recommendation to the County Board of Education to not renew the Charter, and Staff prepared a written Staff Analysis and Proposed Findings of Fact, dated August 5, 2026, and posted on July 16, 2026, (hereafter collectively "Staff Report, Analysis & Findings," attached hereto as Exhibit "A") setting forth that recommendation and proposed findings of fact, which Staff Report, Analysis & Findings are incorporated herein by this reference; and

WHEREAS, on July 9, 2026, EPCTC requested a 30-day extension of the renewal appeal proceedings which was granted by SCCOE, and based on that extension, the Staff Analysis and Proposed Findings of Fact was updated and reposted to align with the new decision hearing of August 5, 2026 and posted on July 16, 2026, setting forth that recommendation and proposed findings of fact; and

WHEREAS, the County Board has taken into consideration the information and documents submitted, including the Renewal Appeal Petition, statements and information presented at the public hearing, performance data, site visit data, and the Staff Report, Analysis & Findings; and

WHEREAS, the County Board reviewed and deliberated on the Renewal Appeal Petition, pursuant to the standards and procedures set forth in California Education Code Sections 47605, 47607, and 47607.2; and

WHEREAS, the County Board of Education specifically notes that this Resolution No. _____ does not include findings relative to every defect in the renewal Charter submitted, but is limited to some of the significant issues with the Renewal Appeal Petition, and that the findings set forth herein are sufficient to support the County Board of Education's denial of the Renewal Appeal Petition; now

THEREFORE, BE IT RESOLVED AND ORDERED, that the County Board of Education finds the above listed recitals to be true and correct and incorporates them herein by this reference.

BE IT FURTHER RESOLVED AND ORDERED, that the Santa Clara County Board of Education, having fully considered and evaluated the Renewal Appeal Petition for the continuation of Escuela Popular Center for Training and Careers Family Learning Charter School, hereby finds approval of the renewal Charter is not consistent with sound educational practice and the interests of the community in which the Charter School is located, that closure is in the best interest of the students, and the Charter renewal can and shall be denied, based upon numerous grounds and factual findings including, but not limited to, the following:

1. The Charter School failed to meet its alternative metrics and closure is in the best interest of students. [Education Code Section 47607(c)(7)]
2. The Charter School failed to update its Charter to include a reasonably comprehensive description of all new requirements of charter schools enacted into law since the Charter was last renewed and/or the renewal Charter does not contain a reasonably comprehensive description of all the required charter elements. [Education Code Sections 47605(c)(5) and 47607(b)].
3. The Charter School presents an unsound educational program for the pupils to be enrolled in the Charter School. [Education Code Section 47605(c)(1)]
4. The Charter School is demonstrably unlikely to successfully implement the program as set forth in the petition. [Education Code Section 47605(c)(2)]
5. The Charter School has substantial governance issues and the violations are sufficiently severe and pervasive as to render a corrective action plan unviable. [Education Code Section 47607(e)]

BE IT FURTHER RESOLVED AND ORDERED, that the County Board of Education hereby determines that the foregoing findings are supported by specific facts, including the following facts and findings:

1. **The Charter School failed to meet its alternative metrics and closure is in the best interest of students.**

As detailed in the Staff Report, Analysis & Findings, EPCTC and ESUHSD established alternative metrics as required in Education Code 47607(c)(7). However, utilizing EPCTC's data, EPCTC did

not meet all the required metrics to be renewed, including but not limited to, NWEA ELA growth target, NWEA Math growth target, graduation rate, participation on TEN Feedback Loop, and increasing number of enrolled long term students. EPCTC academic performance was compared to several DASS schools as well as schools selected via the 2025 Certificate of Annual Filings by EP, and EPCTC was outperformed by the comparison schools, ESUHSD - its authorizer, and the State of California.

- 2. The Charter School failed to update its Charter to include a reasonably comprehensive description of all new requirements of charter schools enacted into law since the Charter was last renewed and/or the renewal Charter does not contain a reasonably comprehensive description of all the required charter elements.**

As detailed in the Staff Report, Analysis & Findings, multiple required charter elements in the renewal Charter were not properly updated to include a reasonably comprehensive description, including to comply with all new requirements of law. These elements include, but are not limited to, the required description of the educational program, measurable student outcomes, methods of measuring student outcomes, governance structure, employee qualifications; health and safety policies and procedures; student population balance, admission policies and procedures, employee retirement systems, dispute resolution procedures, closure procedures, and employee rights of return, as set forth in the adopted and incorporated Staff Report, Analysis & Findings.

- 3. The Charter School presents an unsound educational program for the pupils to be enrolled in the Charter School:**

The concerns and deficiencies regarding the EPCTC educational program set forth in the adopted and incorporated Staff Report, Analysis & Findings, which discussions are not repeated in full here, establish that the Charter School presents an unsound educational program. These concerns and deficiencies include, but are not limited to, lack of development of the educational program – particularly the transition progression process for each of the grade levels, the lack of access to advanced placement courses, lack of clarity around “bilingual” program, failure to establish an English Learner Advisory Council or School Site Council for EPCTC, and deficiencies in the plan for compliance with the Individuals with Disabilities Education Improvement Act (“IDEIA”).

- 4. The petitioners are demonstrably unlikely to successfully implement the program set forth in the Petition:**

The concerns and deficiencies regarding the educational program, legal compliance, failure to include reasonably comprehensive descriptions of each of the required charter elements, and budget issues set forth in the adopted and incorporated Staff Report, Analysis & Findings, which discussions are not repeated in full here, are incorporated herein by this reference, and each of those deficiencies in the Petition serves to establish that the petitioners are demonstrably unlikely to successfully implement the program set forth in the Petition because the program is either not properly established or described the elements of the proposal which would or has violated public policy, legal requirements, and/or SCCOE-approved practices for charter schools

under its oversight. Current violations include, but are not limited to: failing to comply with appropriate filing of conflict of interest code with county board of supervisors, failing to comply with Brown Act, failing to appropriately and timely train employees, failure to collect student cumulative records, failure of staff to have appropriate credentials for “bilingual” education program, failing to create a School Site Council and English Learner Advisory Council for EPCTC, failing to file the appropriate Form 700’s, and failing to comply with EC 49501.5 and the National School Lunch Program to provide free meals to students on campus more than four hours as required for high school students.

5. The Charter School has substantial governance issues and the violations are sufficiently severe and pervasive as to render a corrective action plan unviable.

As SCCOE is not the authorizer for EPCTC, had SCCOE been the authorizer, SCCOE would have provided EPCTC with a 47607(e) notification during its charter term due to substantial governance and fiscal concerns. Further, EPCTC was placed on notice by ESUHSD during its renewal denial actions regarding ESUHSD’s concerns over governance and fiscal issues. Therefore, SCCOE has complied fully with all procedural requirements of Education Code Section 47607(e) prior to denying renewal on this basis. The issues and the evidence regarding, including but not limited to, Conflict of Interest Code violations, lack of adherence to nepotism policies, attendance and enrollment procedure issues, credentialing issues, Brown Act violations, insufficient documentation for cost-sharing across EPCTC and EPAFLC, leadership conflicts and interested person, and other charter violations; that the Charter School continues to have governance issues are described and demonstrated in detail in the Staff Report, Analysis & Findings, as well as ESUHSD’s revocation actions, show that the issues are so pervasive as to render a corrective action plan unviable.

BE IT FURTHER RESOLVED AND ORDERED, by the County Board of Education that for the foregoing reasons and based on the foregoing findings, the Renewal Appeal Petition for the renewal of Escuela Popular Center for Training and Careers Family Learning Charter School is hereby denied.

BE IT FURTHER RESOLVED AND ORDERED, that the terms of this Resolution are severable. Should it be determined that one or more of the findings and/or the factual determinations supporting the findings are invalid, the remaining findings and/or factual determinations and the denial of the Charter shall remain in full force and effect. In this regard, the County Board of Education specifically finds that each factual determination, in and of itself, is a sufficient basis for the finding it supports, and each such finding, in and of itself, is a sufficient basis for denial.

PASSED AND ADOPTED by the County Board of Education at a meeting held on August 5, 2026, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Victoria Chon, President
Santa Clara County Board of Education

Dr. David M. Toston, Sr.
County Superintendent of Schools