RESOLUTION CONDITIONALLY APPROVING THE CHARTER PETITION
OF ACE CHARTER SCHOOL

SANTA CLARA COUNTY BOARD OF EDUCATION
RESOLUTION NO. 2010-1

RESOLVED by the Santa Clara County Board of Education, County of Santa Clara, State of California, that:

WHEREAS, pursuant to the procedures set forth in Education Code Section 47605 and its implementing regulations, petitioners for the ACE Charter School presented their Petition to establish a charter school to the County Office of Education on October 11, 2007, having been denied by the Alum Rock Union Elementary School District Board of Education on October 5, 2007; and the County Board of Education held a public hearing on this matter on November 7, 2007; and

WHEREAS, the County Board of Education reviewed the petition taking into consideration the testimony and documents submitted, including the ACE Charter Petition to the County Board of Education; the testimony presented at the public hearing; additional materials received from petitioners, the Alum Rock Union Elementary School District and the public; and the review of County Office of Education staff; and

WHEREAS, the County Board of Education finds that the proposed charter school will offer services to pupils who have performed at an average or below average level, and that such pupils will benefit from those services; and

WHEREAS, the County Board of Education finds that the deficiencies identified by staff review can be addressed by corrections and additions to the charter petition materials and incorporated into the standard County Office of Education Memorandum of Understanding (MOU);

NOW, THEREFORE, the County Board of Education does hereby conditionally approve the petition, and does hereby grant the charter, with the stipulation that the charter granted by the County Board of Education differs from the original petition document in the following respects:

1. The charter document approved is the document entitled Proposed Charter Document, found in the ACE CHARTER SCHOOL PETITION document (green booklet) presented to the County Board of Education dated November 7, 2007.

2. The charter is approved for an initial period of three years of school operation, commencing July 1, 2008 and continuing through June 30, 2011.

3. Petitioners must develop and submit the following plans for the approval of the Interim County Superintendent of Schools: (a) financial plan, (b) plan for student academic performance, (c) recruitment and enrollment plan, (d) personnel policies, (e) plan for English Language Learners, and (f) maintenance, safety and long-term facility plan. Petitioners must submit the revised plans and policies to the Interim County Superintendent of School, and obtain the approval of the Interim County Superintendent of Schools in the form of a signed MOU that incorporates the revised plans. The County Board of Education directs the Interim County Superintendent of Schools to negotiate such an MOU with ACE
Charter School consistent with the standard MOU established by Santa Clara County Office of Education Administrative Regulation 6234. Failure to successfully negotiate such a MOU by April 1, 2008, shall be considered grounds for revocation of the charter.

PASSED AND ADOPTED by the Santa Clara County Board of Education at a meeting held on this 26th day of November, 2007 by the following vote:

AYES: President Rummelhoff, Vice President Howard, members Beauchman, Ho, Song, Mah and Mann
NOES: -none-
ABSTENTION: -none-
ABSENT: -none-

Joe Fimiani
Interim County Superintendent of Schools

Gary Rummelhoff, President
Santa Clara County Board of Education