

RESOLUTION APPROVING WITH CONDITIONS FOR A TERM OF JULY 1, 2026, THROUGH JUNE 30, 2031, THE CHARTER RENEWAL FOR VOICES COLLEGE-BOUND LANGUAGE ACADEMY AT MORGAN HILL CHARTER SCHOOL, AND, ALTERNATIVELY, MAKING WRITTEN FACTUAL FINDINGS SUPPORTING DENIAL AND DENYING THE VOICES COLLEGE-BOUND LANGUAGE ACADEMY AT MORGAN HILL CHARTER SCHOOL CHARTER RENEWAL IF THE CONDITIONS ARE NOT MET

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

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

WHEREAS, Voices College-Bound Language Academy at Morgan Hill Charter School is a Santa Clara County Board of Education (“County Board”) authorized district appeal charter school governed and operated by Voices College-Bound Language Academies (“VCBLA”) a California non-profit public benefit corporation, operating within the boundaries of the Morgan Hill Unified School District (“MHUSD”). The Voices College-Bound Language Academy at Morgan Hill Charter School serves students in K-8 and its current charter term runs through and including June 30, 2026. Voices College-Bound Language Academy at Morgan Hill Charter School and Voices College Bound Language Academies are referred to herein individually, collectively, and interchangeably as “Charter School” and/or “VMH,” and, for purposes of convenience, Voices College Bound-Language Academies may be referred to herein as “VCBLA,” and all references to one herein apply with full force and effect to both the school and the corporate entity; and

WHEREAS, on October 24, 2025, petitioners for the Charter School submitted to the Santa Clara County Office of Education a petition requesting renewal of its charter (“Charter”). For purposes of convenience, the County Board, the Santa Clara County Superintendent of Schools, and the Santa Clara County Office of Education may be collectively or separately referred to herein as “SCCOE”; and

WHEREAS, as specified in Education Code Section 47607(b), charter school renewals and material revisions are governed by the standards and criteria in Education Code Section 47605. Pursuant to Education Code Section 47607(c), a charter school’s performance on state and local indicators is an “additional criterion for determining whether to grant a charter renewal.” For this purpose, charter schools are divided into high, middle, and low performance categories, plus Dashboard alternative status schools, based on criteria set forth in Education Code Sections 47607(c) and 47607.2(a) & (b). The pertinent renewal standards and the available length of the renewal term are dependent on this categorization. (Ed. Code §§ 47607 and 47607.2.); and

WHEREAS, in accordance with Education Code Sections 47605 and 47607, the County Board held a public hearing on the provisions of the renewal Charter, on November 5, 2025, at which time the County Board considered the level of support for the Charter by teachers employed by MHUSD, other employees of MHUSD, and parents/guardians; and

WHEREAS, the California Department of Education (“CDE”), on its list of Charter School Performance Categories, has designated the Charter School as a “middle” performance level charter school for purposes of this renewal request. As such, the Charter School’s request for renewal was considered and is being acted on in accordance with the standards and requirements in Education Code Section 47607.2(b), applicable to middle performance level charter schools; and

WHEREAS, pursuant to Education Code Section 47607.2(b) for a middle performance tier charter, the chartering authority shall consider the schoolwide and subgroup performance on the state and local indicators on the California School Dashboard, giving greater weight to measurements of academic performance; and

WHEREAS, the chartering authority may deny a “middle” performing school on these grounds by making written factual findings that the school: 1) failed to meet or make sufficient progress toward meeting standards that provide a benefit to the pupils of the school; 2) closure of the school is in the best interest of pupils; *and* 3) if applicable, the decision provided greater weight to performance on measurements of academic achievement; and

WHEREAS, since submission of the Charter, SCCOE Staff and VMH discussed and agreed that VMH should retain a preference in admission for students who qualify for free or reduced price meals to ensure that VMH continues to serve traditionally underserved students, therefore, the admission preference requested by VMH are as follows:

1. Students currently enrolled at the Charter School
2. Siblings of students already enrolled or admitted into the Charter School
3. Children of teachers or staff, not to exceed 10% of the total Charter School enrollment
4. Students who reside in the District
5. Students who qualify for free or reduced price meals

WHEREAS, the SCCOE and Charter School entered into a Memorandum of Understanding in 2018 (“2018 MOU”) and an addendum to that MOU in 2022 (“2022 Addendum”) outlining agreements among the parties and governing their respective fiscal, operational, and administrative responsibilities and their legal relationship. By its terms, this 2018 MOU and 2022 Addendum remain in full force and effect during the period of any renewal granted by the SCCBOE unless and until such time as the Parties enter into a replacement MOU or specifically agree in writing that this MOU is terminated; and

WHEREAS, the SCCOE provided the Charter School an updated memorandum of understanding (“2025 MOU”) that is consistent with changes to law since entering into the 2018 MOU and 2022 Addendum and reflects SCCOE’s current best practices and the Charter School has approved and executed that 2025 MOU; and

WHEREAS, Staff has reviewed and analyzed the renewal Charter pursuant to the standards and requirements of Education Code Sections 47605, 47607, and 47607.2, including the factors and findings required for renewal of a middle performing charter school. Staff has also reviewed the requested material revisions pursuant to the standards and requirements of Education Code Sections 47605 and 47607. Staff’s analysis, recommendations, and recommended findings regarding the request for renewal and the requested material revisions based on its review and analysis are set forth in the written Staff Analysis, Recommendations, and Proposed Findings of Fact Regarding Review of Voices College-Bound Language Academy at Morgan Hill Charter School Renewal Petition, dated January 21, 2026, and published January 6, 2026, (hereinafter “Staff Report, Analysis & Findings,” attached hereto as Exhibit “A” and incorporated herein by this reference); and

WHEREAS, for all of the reasons set forth in the Staff Report, Analysis & Findings, Staff has recommended that the County Board of Education approve with conditions the request for renewal of the Charter for a term of five years (July 1, 2026 – June 30, 2031) on the condition that the Charter School and SCCOE enter into a memorandum of understanding and/or addendum to a memorandum of understanding on or before March 15, 2026, or such later deadline as may be agreed to by the County Superintendent or designee, that addresses each of Staff’s concerns and recommended conditions as identified in the Staff Report, Analysis & Findings, including those as specifically reviewed in the Staff Report, Analysis & Findings and as necessary to update and/or replace the terms of the 2018 MOU and 2022 Addendum and/or the 2025 MOU to be consistent with current law and SCCOE best practices, as well as any additional conditions identified by the SCCBOE, and has further recommended that the County Board adopt alternative written findings of denial because Staff believes that all the issues and concerns noted in the Staff Report, Analysis & Findings must be remediated in order for renewal of the Charter to be consistent with sound educational practice and the interests of the community in which the Charter School is located; and

WHEREAS, the County Board has taken into consideration the information and documents submitted, including the renewal Charter, the proposed material revisions, statements, and information presented at the public hearing, performance data, and the Staff Report, Analysis & Findings; and

WHEREAS, the County Board reviewed and deliberated on the renewal Charter and material revisions pursuant to the standards and procedures set forth in California Education Code Sections 47605, 47607, and 47607.2; and

WHEREAS, the County Board specifically notes that this Resolution No. _____ does not necessarily include findings relative to every defect in the renewal Charter submitted, and that the findings set forth herein are sufficient to support denial of the renewal Charter if the conditions for approval are not met, and it is the findings set forth and adopted herein, including all those incorporated herein by reference from the Staff Report, Analysis & Findings, on which the denial of renewal findings are based; and

THEREFORE, BE IT RESOLVED AND ORDERED that the County Board 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 County Board of Education hereby adopts and incorporates herein by this reference as though set forth in full herein the written factual findings and specific facts supporting those findings relative to both the renewal of the Charter and the requested material revisions as contained in the Staff Report, Analysis & Findings.

BE IT FURTHER RESOLVED AND ORDERED that the County Board, having fully considered and evaluated the renewal Charter, including the performance information, giving greater weight to measurements of academic performance, and the application to the Charter of the standards and criteria of Education Code Section 47605, hereby finds that compliance with each of the conditions set forth below is necessary and approval of the renewal of the Charter is consistent with sound educational practice and with the interests of the community in which VMH is located only if the Charter School complies fully with each of these conditions.

BE IT FURTHER RESOLVED AND ORDERED that the County Board of Education hereby conditionally approves the Charter for the renewal of VMH for a period of five years, commencing on July 1, 2026, and continuing through and including June 30, 2031. The renewal Charter that the Governing Board is hereby

conditionally approving is attached hereto as Exhibit "B." This approval is conditional on the Charter School complying with all the following conditions:

1. On or before March 15, 2026, or such later deadline as agreed to in writing by the County Superintendent or designee, the Charter School and the SCCOE shall enter into and execute a memorandum of understanding (MOU) and/or an addendum to an MOU in the form and including the terms satisfactory to the County Superintendent or designee, in their sole discretion, that will govern the SCCOE's oversight of the Charter School, and clarify and provide greater specificity regarding the Charter School's operations pursuant to the renewal Charter, and that will address all of Staff's concerns with and recommended conditions for the renewal Charter, including but not limited to those specified in the Staff Report, Analysis & Findings and as necessary to update and/or replace the terms of the 2018 MOU and 2022 Addendum and/or the 2025 MOU to be consistent with current law and SCCOE best practices, and any additional conditions as noted by the County Board. The MOU/addendum shall be coextensive with and remain in full force and effect throughout the term of the Charter School's Charter and during the pendency of any appeal of a denial of a renewal request or a revocation of the Charter. Further, the term of the MOU/addendum shall continue in full force and effect beyond the current Charter term during any period when the County Board is the Charter School's chartering authority (whether approved directly or if the County Board is designated by the State Board of Education to serve as the chartering authority) including during the pendency of any appeal of a denial of a renewal request or a revocation of the charter, unless and until such time as (a) the Parties agree that a replacement MOU/addendum shall supersede and replace the MOU/addendum and that replacement MOU/addendum becomes effective; (b) the parties agree in writing that the MOU/addendum is terminated; or (c) VMH ceases operating and relinquishes/loses its Charter for any reason and complies with all applicable closure procedures and any ongoing requirements of the Charter, the MOU/addendum, and the 2025 MOU and/or the 2018 MOU/2022 Addendum, (should either or both of those agreements be in effect). The MOU/addendum shall be incorporated into the Charter and made a part thereof as if set forth in full in the Charter itself for all purposes, including for purposes of Education Code Section 47607 controlling charter revocation for material violations. In the event of a conflict between the law and the terms of the MOU/addendum, the law shall prevail, and any such conflicting terms shall be revised by mutual agreement of the parties. To the extent that there are any inconsistencies or conflicts between the MOU/addendum, the 2025 MOU and/or the 2018 MOU and 2022 Addendum (to the extent those agreements are in effect), and the approved renewal Charter, the order of precedence shall be as follows: (1) 2025 addendum; (2) 2025 MOU, (3) 2022 Addendum, (4) 2018 MOU (6) renewal Charter, and the terms shall control and prevail in this precedence order, and the terms of the MOU/addendum, 2025 MOU, 2022 Addendum, and 2018 MOU shall be interpreted and deemed to be updates and clarifications to the Charter.

BE IT FURTHER RESOLVED AND ORDERED that the Santa Clara County Board of Education finds that if the conditions described above are not timely complied with to the satisfaction of the County Superintendent or designee, approval of the renewal Charter is not consistent with sound educational practice and the interests of the community in which VMH is located, based upon numerous grounds and factual findings including, but not limited to, the following:

1. 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 of the required charter elements [Ed. Code §§ 47605(c)(5) and 47607(b)].

2. The Charter School is demonstrably unlikely to successfully implement the program as set forth in the petition [Ed. Code § 47605(c)(2)].

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

1. **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 of 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 governance structure, employee qualifications, and admissions policies and procedures; as set forth in the adopted and incorporated Staff Report, Analysis & Findings.

2. **The Charter School is demonstrably unlikely to successfully implement the program as set forth in the petition.**

The concerns and deficiencies regarding implementation of the program set forth in the renewal Charter as described in the adopted and incorporated Staff Report, Analysis & Findings are incorporated herein by this reference, specifically the need to update and remediate provisions of the Charter as described in the Staff Report, Analysis & Findings in order for the program described in the Charter to be complete and legally compliant such that implementation is consistent with law and VMH's obligations pursuant to the 2018 MOU and 2022 Addendum, sound educational practice, and the interests of the community in which it is located.

BE IT FURTHER RESOLVED AND ORDERED that the Charter School shall comply with the conditions by the dates and times specified above. The County Board hereby delegates to the County Superintendent or designee authority to extend in writing the deadline for compliance with a condition(s) should the County Superintendent or designee determine that an extension of the timelines is consistent with sound educational practice.

BE IT FURTHER RESOLVED AND ORDERED that should the Charter School not comply with all the conditions to the County Superintendent or designee's sole satisfaction, on or before the dates and times specified above, or such later deadline as agreed to in writing by the County Superintendent or designee, the conditional approval of the renewal Charter is terminated and withdrawn and the renewal Charter is denied based on the written factual findings set forth above and adopted hereby, unless the County Board, in its sole discretion, deletes the requirement or extends the deadline for compliance therewith.

BE IT FURTHER RESOLVED AND ORDERED that the terms of this Resolution, and incorporated Staff Report, Analysis & Findings, setting forth the factual findings supporting denial of the renewal are severable. Should it be determined that one or more of the findings is invalid, the remaining findings, and the

conditional approval or denial for failure to comply with the conditions, shall remain in full force and effect. In this regard, the County Board specifically finds that each factual finding is, in and of itself, a sufficient basis for denial of the Charter renewal.

BE IT FURTHER RESOLVED AND ORDERED that approval of the renewal Charter is explicitly and necessarily based on the Charter School's compliance with the conditions imposed by the County Board pursuant to this Resolution, and should it be determined that approval of the renewal Charter with conditions is not permissible pursuant to the Charter Schools Act of 1992, the approval is withdrawn and the renewal Charter is denied based on the factual findings specific to the renewal Charter set forth and adopted by the County Board herein.

Passed and adopted by the Santa Clara County Board of Education at a meeting held on this 21st day of January 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
Santa Clara County Office of Education

EXHIBIT A

STAFF REPORT, ANALYSIS & FINDINGS

EXHIBIT B

VMH CHARTER