

**DAVIS JOINT UNIFIED SCHOOL DISTRICT**

**RESOLUTION NO. 32-09**

**RESOLUTION OF THE BOARD OF TRUSTEES OF THE  
DAVIS JOINT UNIFIED SCHOOL DISTRICT TO CONDITIONALLY GRANT  
A CHARTER FOR THE DA VINCI CHARTER ACADEMY**

**WHEREAS**, by enacting the Charter Schools Act (Ed. Code §§ 47600, *et seq.*), the Legislature has declared its intent to provide teachers, parents, pupils, and community members the opportunity to establish and maintain schools that operate independently from the existing school district structure for the purposes specified therein; and

**WHEREAS**, the Legislature has declared its intent that charter schools are and should become an integral part of the California educational system and establishment of charter schools should be encouraged, and that charter schools are part of and under the jurisdiction of the Public School System and the exclusive control of the officers of the public schools; and

**WHEREAS**, the Charter Schools Act provides a charter may be granted for a period not to exceed five (5) years; and

**WHEREAS**, the Superintendent and/or his designees have received a petition and proposed Charter for establishment of Da Vinci Charter Academy with a mission of preparing pupils in grades 7-12 for the information-based, technologically advanced society of the 21<sup>st</sup> Century; and

**WHEREAS**, the Superintendent and/or his designees have reviewed the petition, proposed Charter and supporting documentation, and recommend that a charter be granted for Da Vinci Charter Academy.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees hereby finds the signatures of parents submitted in support of the petition to substantially comply with the requirements of Education Code section 47605(a)(1)(A) for the establishment of a start-up charter school and waives any purported defects in the petition or petition process; and

**BE IT FURTHER RESOLVED** that the Board of Trustees hereby finds that the proposed Charter, attached hereto as Exhibit A and incorporated herein by reference, satisfactorily responds to and substantially complies with all requirements of law as prescribed by the Charter Schools Act; and

**BE IT FURTHER RESOLVED** that the Board of Trustees hereby authorizes and conditionally approves the grant of a Charter, in substantially the form set forth in Exhibit A, for Da Vinci Charter Academy to operate as a start-up 7-12, public charter school, subject to the following conditions:

1. Da Vinci Charter Academy will undertake to commence operation for the 2009-2010 school year with an initial charter term of five (5) years commencing July 1, 2009, or other such date as determined and specified in writing by the Superintendent.

2. On or before April 30, 2009, Da Vinci Charter Academy shall verify, in a form as determined by the Superintendent or his designee, not less than two hundred fifty (250) pupils projected to attend Da Vinci Charter Academy in its first year of operation.

3. On or before April 30, 2009, Da Vinci Charter Academy shall apply for a Public Charter School Grant for the purpose of funding the purchase of a portable classroom suitable for science instruction.

4. On or before May 15, 2009, Da Vinci Charter Academy shall obtain a charter school number from the State Board of Education and CDS Code from the California Department of Education.

5. On or before May 22, 2009, Da Vinci Charter Academy shall comply with any and all applicable requirements of the California Environmental Quality Act in connection with the location of Da Vinci Charter Academy.

6. On or before May 30, 2009, Da Vinci Charter Academy and the District shall enter into Administrative Services and Facilities Use Agreements acceptable to the District, as determined by the Superintendent or his designee.

7. On or before June 15, 2009, Da Vinci Charter Academy shall verify, in a form as determined by the Superintendent or his designee, approval of start-up funding for the 2009-2010 school year.

8. On or before June 30, 2009, Da Vinci Charter Academy and District Business Services staff will complete revised financial statements and/or operating budgets, including startup costs, cash-flow, and financial projections for the first three years of operation, showing the fiscal solvency of the charter school.

9. On or before July 31, 2009, Da Vinci Charter Academy shall complete the selection of certificated and classified staff to serve at Da Vinci Charter Academy.

10. Da Vinci Charter Academy shall operate under the fiscal control, personnel management, and administrative oversight of Davis Joint Unified School District. Da Vinci Charter Academy shall be indirectly funded and Davis Joint Unified School District shall act as the fiscal agent of the Charter School for all purposes, as determined by the Superintendent or his designee.

11. The District shall serve as the local education agency ("LEA") for special education purposes, and Da Vinci Charter Academy shall be a public school of the District for special education purposes. The District shall retain the special education funds received through the SELPA for District-wide enrollment (including Charter School enrollment). The District shall provide special education instruction and related services to the students of the Da Vinci Charter Academy in the same manner as would be provided to the students of any other school of the District. The Charter School shall pay a pro-rata share of the District-wide general fund encroachment for special education and other costs, as set forth with more particularity in an Administrative Services Agreement with Da Vinci Charter Academy acceptable to the District, as determined by the Superintendent or his designee.

