

RESOLUTION NO. 21-19

**CONSIDERATION OF APPEAL REGARDING THE
CHARTER SCHOOL FACILITY GRANT PROGRAM –
DOWNTOWN COLLEGE PREPARATORY (DCP – EL PRIMERO) AND
DOWNTOWN COLLEGE PREPARATORY MIDDLE (DCP – EL CAMINO)**

June 24, 2021

WHEREAS, the California School Finance Authority (CSFA) administers the Charter School Facility Grant Program (Program or SB740), which provides annual assistance with facilities rent and lease expenditures to charter schools that meet eligibility criteria; and

WHEREAS, Downtown College Preparatory and Downtown College Preparatory Middle (collectively referred to as DCP) applied for an award from the Program under the 2020-21 funding round; and

WHEREAS, 4 CCR § 10170.3(f) states that “The Applicant is in Good Standing, as described in Section 10170.2(q), during the Fiscal Year. An Applicant found not to be in Good Standing, as determined by their Chartering Authority, shall be ineligible for grant funds; and

WHEREAS, 4 CCR § 10170.2(q) states that “Good Standing” shall mean the Applicant satisfies all three of the following conditions: 1) compliance with the terms of its Charter Agreement, 2) no pending or outstanding Notices of Violation described in Education Code Section 47607(g), and 3) no pending or outstanding Notices of Intent to Revoke described in Education Code Section 47607(h); and

WHEREAS, on August 21, 2020, San Jose Unified School District (SJUSD) notified (CSFA that DCP is not in good standing g; and

WHEREAS, SJUSD reported that DCP was not in compliance with the terms of its charter; and

WHEREAS, on January 11, 2021, CSFA notified DCP of its ineligibility.

WHEREAS, DCP appealed CSFA’s finding of ineligibility, came before the CSFA board at its May 2021 meeting, and the board directed staff to add the appeal of ineligibility to its next scheduled board meeting.

NOW, THEREFORE, BE IT RESOLVED by the California School Finance Authority as follows:

Section 1. Staff has found DCP ineligible for Program funds under the 2020-21 funding round due to not being in good standing with SJUSD as required under 4 CCR § 10170.3(f).

Section 2. This decision is considered final unless the board votes to overturn staff’s recommendation.

Section 3. This resolution shall take effect immediately upon its approval.

Date of Adoption; June 24, 2021

CERTIFICATE OF THE EXECUTIVE DIRECTOR
(Attesting to Action of the Authority)
Sacramento, California

I, Katrina Johantgen, Executive Director of the California School Finance Authority, hereby certify that the foregoing is a full, true, and a correct copy of Resolution No. 21-19 authorizing the denial of appeal regarding DCP – El Primero and DCP – El Camino’s 2020-21 Charter School Facility Grant Program Applications, as adopted at a meeting of the California School Finance Authority held at 915 Capitol Mall, Conference Room 587, Sacramento, California, on June 24, 2021, for which meeting all of the members of said Authority had due notice; and the above sections were adopted at the meeting by the following votes:

AYES:

NOES:

ABSTAINS:

ABSENT:

I further certify that the original minutes of said meeting and a copy of the original Resolution adopted at said meeting are on file in the California School Finance Authority office; and that the Resolution has not been amended, modified, or rescinded in any manner since the date of its adoption, and the same is now in full force and effect.

IN WITNESS WHEREOF, I have executed this certificate and affixed the seal of the California School Finance Authority hereto.

(seal)

Katrina Johantgen, Executive Director