

Charter of Delta Elementary Charter



**DELTA
ELEMENTARY**
CHARTER SCHOOL

*Charter Renewal Petition for the term: July 1, 2020 to June 30, 2027
Material Revision Approved by the River Delta Unified School District Board on
_____, 2022*

Delta Elementary Charter Accomplishments

Delta Elementary Charter (“DECS” or the “Charter School”) is proud to serve the children, staff and families of our community, which serves the Clarksburg and West Sacramento regions. The Charter School has grown from fewer than 100 students in 2007 to over 410 students in 2019. Our financial model is responsible and sustainable.

We strive to excel in three core areas: positive school culture, academic excellence and outstanding and unique instructional programs and partnerships.

At DECS we know that a positive school culture is foundational to student learning and therefore to our Charter school. Our 2018-19-climate survey indicated that 99% of our parents are pleased with our school culture and feel that we have set high academic standards for their children. We are committed to including our families in the decision-making processes, which are important to parents. Parents have, time and again, demonstrated their consistent commitment to Art and Music programs, which have grown and are producing students that excel in the arts as they move into the Clarksburg Middle School. Our Art Gallery Events and Music Programs have been a positive addition in this community and have contributed to partnerships with UC Davis, CSUS, Wellness Together, and local artists.

Delta Elementary Charter is committed to project-based learning and benefits greatly from connection between local agri-business and their deep connections with the curriculum. Our Learning Garden is an outdoor classroom that allows students to think critically and appreciate agriculture and local farming, and apply what they have learned. Students and staff greatly appreciate the Agriculture Leadership classes as well as the Future Farmers of America (“FFA”) chapter for dedicating their time and energy to teaching our students lessons from dairy to farming and harvesting. Our focus on agriculture has also led to positive partnerships to other professionals in the field. Our focus on student engagement in the garden has led to a partnership with biologists who are leading walks throughout the surrounding ecological environments.

Our staff is committed to implementation of the Common Core State Standards (“CCSS”) in English Language Arts (“ELA”) and mathematics, the Next Generation Science Standards (“NGSS”) the English Language Development (“ELD”) standards, the History-Social Science Framework, and other state standards (collectively “State Standards”), and has focused its staff development ensuring that students find academic success. DECS staff and parents know that student data drives the Charter School’s decision making, while the Charter School maintains the humanistic goal of knowing every child by name and ensuring each student finds increased levels of success. Our professional development has been geared to ensure that all staff receive the support and guidance needed for this critical transition.

Delta Elementary Charter is proud to be located within the River Delta Unified School District (“RDUSD” or the “District”) boundaries. DECS families understand the importance of this partnership, and we are seeing far greater numbers of our students transitioning to the Clarksburg Middle School. The capacity for staff cross-utilization is remarkable. The teachers and students in the high school Agriculture Program have been instrumental to our focus on local farming. The

concept of a true K-12 partnership is becoming a reality that this school community greatly appreciates.

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AFFIRMATIONS and DECLARATION

As the authorized petitioners, we, the River Charter Schools Board of Directors (the “Board” or “Board of Directors”), hereby certify that the information submitted in this petition for a California public charter school named Delta Elementary Charter, operated by River Charter Schools, and located within the boundaries of the River Delta Unified School District is true to the best of our knowledge and belief; we also certify that this petition does not constitute the conversion of a private school to the status of a public charter school; and further, we understand that if awarded a charter renewal, the Charter School will continue to follow any and all federal, state, and local laws and regulations that apply to the Charter School, including but not limited to:

- The Charter School shall meet all statewide standards and conduct the student assessments required, pursuant to Education Code Section 60605 and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools. [Ref. Education Code Section 47605(d)(1)]
- River Charter Schools declares that it shall be deemed the exclusive public school employer of the employees of the Charter School for purposes of the Educational Employment Relations Act. [Ref. Education Code Section 47605(c)(6)]
- The Charter School shall be nonsectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. Education Code Section 47605(e)(1)]
- The Charter School shall not charge tuition. [Ref. Education Code Section 47605(e)(1)]
- The Charter School shall admit all students who wish to attend the Charter School unless the Charter School receives a greater number of applications than there are spaces for students, in which case it will hold a public random drawing process to determine admission. Except as required by Education Code Section 47605(e)(2), admission to the Charter School shall not be determined according to the place of residence of the student or of that student’s parent or legal guardian within the State. Preference in the public random drawing shall be given as required by Education Code Section 47605(e)(2)(B)(i)-(iv). In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the Charter School in accordance with Education Code Section 47605(e)(2)(C). [Ref. Education Code Section 47605(e)(2)(A)-(C)]
- The Charter School shall not discriminate on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, gender expression, gender identity, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, including immigration status, or association with an individual who has any of the aforementioned characteristics). [Ref. Education Code Section 47605(e)(1)]
- The Charter School shall adhere to all provisions of federal law related to students with disabilities including, but not limited to, Section 504 of the Rehabilitation Act of 1973,

Title II of the Americans with Disabilities Act of 1990 and the Individuals with Disabilities Education Improvement Act of 2004.

- The Charter School shall meet all requirements for employment set forth in applicable provisions of law, including, but not limited to credentials, as necessary. [Ref. Title 5 California Code of Regulations Section 11967.5.1(f)(5)(C)]
- The Charter School shall ensure that teachers in the Charter School hold the Commission on Teacher Credentialing (“CTC”) certificate, permit, or other document required for the teacher’s certificated assignment. These documents shall be maintained on file at the Charter School and are subject to periodic inspection by the District. The Charter School may use local assignment options authorized in statute and regulations for the purpose of legally assigning certificated teachers, in accordance with all of the requirements of the applicable statutes or regulations in the same manner as a governing board of a school district. Teachers employed by charter schools during the 2019-202 school year shall have until July 1, 2025, to obtain the certificate required for the teacher’s certificated assignment. The Charter School shall have authority to request an emergency permit or a waiver from the Commission on Teacher Credentialing for individuals in the same manner as a school district. [Ref. Education Code Section 47605(l) and 47605.4(a)]
- The Charter School shall at all times maintain all necessary and appropriate insurance coverage.

The Charter School shall, for each fiscal year, offer at a minimum, the number of minutes of instruction per grade level as required by Education Code Section 47612.5(a)(1)(A)-(D)

- If a pupil is expelled or leaves the charter school without graduating or completing the school year for any reason, the charter school shall notify the superintendent of the school district of the school district of the pupil’s last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including report cards or a transcript of grades and health information. If the pupil is subsequently expelled or leaves the school district without graduating or completing the school year for any reason, the school district shall provide this information to the Charter School within 30 days if the Charter School demonstrates that the pupil had been enrolled in the Charter School. [Ref. Education Code Section 47605(e)(3)]
- The Charter School may encourage parental involvement, but shall notify the parents and guardians of applicant pupils and currently enrolled pupils that parental involvement is not a requirement for acceptance to, or continued enrollment at, the Charter School. [Ref. Education Code Section 47605(n)]
- The Charter School shall maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection. [Ref. Education Code Section 47612.5(a)(2)]

- The Charter School shall on a regular basis consult with its parents and teachers regarding the Charter School's education programs. [Ref. Education Code Section 47605(d)]
- The Charter School shall comply with any applicable jurisdictional limitations to the locations of its facilities. [Ref. Education Code Section 47605-47605.1]
- The Charter School shall comply with all laws establishing the minimum and maximum age for public school enrollment. [Ref. Education Code Section 47612(b) and 47610]
- The Charter School shall comply with all applicable portions of the Elementary and Secondary Education Act (“ESEA”), as reauthorized and amended by the Every Student Succeeds Act (“ESSA”).
- The Charter School shall comply with the Public Records Act.
- The Charter School shall comply with the Family Educational Rights and Privacy Act.
- The Charter School shall comply with the Ralph M. Brown Act.
- The Charter School shall comply with Government Code Section 1090, *et seq.*, as set forth in Education Code Section 47604.1 (“Section 1090”).
- The Charter School shall comply with the Political Reform Act, Government Code Section 81000, *et seq.* (“PRA”).
- The Charter School shall meet or exceed the legal required minimum of school days. [Ref. Title 5 California Code of Regulations Section 11960]
- The Charter School shall not require any child to attend River Charter Schools, nor any employee to work at the Charter School.
- The Charter School shall comply with federal, state, and District mandates regarding English Learner (EL) education and re-designation of EL students and meet all requirements of federal and state law regarding equal access to the curriculum of English Learners.

INTRODUCTION

Delta Elementary Charter is a site-based, traditional-calendar charter school serving students in Transitional Kindergarten (“TK”) through sixth grade. The Charter School provides a family oriented, community-based, intimate-learning environment that is devoted to the academic, social, linguistic, and personal success of each child. The Charter School has the primary objective of enabling its students to become self-motivated, competent, and lifelong learners.

A. GOALS FOR THE CHARTER SCHOOL

- Delta Elementary Charter will attack the ethnic and socioeconomic achievement gap to enable students to become self-motivated, competent, and lifelong learners who are prepared for a lifetime of opportunities and change.
- Delta Elementary Charter will continue to provide personal growth and development opportunities in the areas of: intellectual development, social development, physical and emotional health, technological knowledge and skills, service to the local community, creative talents in the creative and performing arts, and will continue to nurture a student-centered learning environment.
- Delta Elementary Charter shall provide a diverse, student-centered learning environment that focuses on student achievement on an individual basis so that every student can reach his/her optimum academic performance level.
- Delta Elementary Charter’s educational program is based on the State Standards within an educational experience that will also include technology, fine arts, athletics, and project-based learning to support the intellectual, social, physical, and emotional development of students in the 21st Century.
- Delta Elementary Charter integrates the components of local agribusiness into curriculum and technological innovation and mastery as part of the core academic program. Delta Elementary Charter will create local partnerships that value local businesses and farmers.
- Delta Elementary Charter will provide multiple opportunities for cross-cultural understandings.

EDUCATIONAL PROGRAM

Governing Law: The educational program of the charter school, designed, among other things, to identify those whom the charter school is attempting to educate, what it means to be an “educated person” in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners. —Education Code Section 47605(c)(5)(A)(i).

Governing Law: The annual goals for the charter school for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served by the charter school, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals. Education Code Section 47605(c)(5)(A)(ii).

A. MISSION

The Mission of River Charter Schools, a leading center of educational innovation, is to grow leaders and scholars, ignite a love of learning and equip each student with the knowledge, skills, character, and social-emotional well-being to thrive and contribute to an evolving and increasingly-connected world, through schools which:

- Promote belonging for all members of our collaborative school communities
- Transform teaching, learning, and operations in our continuing pursuit of excellence
- Are filled with teams of talented, well trained, adequately supported and caring staff
- Are connected with communities of volunteers, parents and businesspeople to empower students and teachers through partnerships and positive relationships
- Rely upon responsible fiscal planning.

The Mission of Delta Elementary Charter School in Clarksburg is to provide a family-oriented, community-based intimate learning environment that is devoted to the academic, social, linguistic, and personal success of each child.

B. VISION

The petitioners for the Charter School renewal seek to capitalize on one of the last true small communities in Yolo County and surrounding counties. They are committed to building a collaborative learning community of parents, teachers, community members, farmers and students, all dedicated toward the goal of increasing pupil achievement at Delta Elementary Charter, a special place to learn.

The Charter School's Student Body

Delta Elementary Charter's educational program has been developed to provide expanded educational choice and opportunities for families in Clarksburg and surrounding communities. The Charter School will strive to enroll a student body that is reflective of the general population residing within the territorial jurisdiction of the District. The Charter School offers a school setting that reflects the community's desire to have access to a rigorous academic program that includes visual and performing arts, technology, athletics, and agriculture. The Charter School will continue to focus on parent and community involvement, reach out to all stakeholders, and ensure that the educational needs of all students are being met.

The Charter School serves students whose families have an interest in and a commitment to the Charter School's joint philosophy and vision.

The Charter School shall be nonsectarian in its admissions policies, employment practices, and all other operations. The Charter School shall not discriminate against any student on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, gender expression, gender identity, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, including immigration status, or association with an individual who has any of the aforementioned characteristics). The Founders believe that the personal attention and quality of the Charter School's academic program can greatly benefit all students, regardless of their educational history.

Ethnicity	Percentage
African American	2.2%
American Indian/Alaskan Native	1.0%
Asian	0.7%
Filipino	0.5%
Latino or Hispanic	39.2%
Pacific Islander	0.2%
White	44.3%
Multiple or no Response	11.9%
Sub-Group	
Free and Reduced Price Meals participants	29.3%
English Learners	12.3%
Students with Disabilities	10.3%
Parent Educational Level	Data Not Publicly Available
Not a High School Graduate	3.8%
High School Graduate	18.8%
Some College	36.7%
College Graduate	25.3%
Graduate School	4.83%

Source: California Department of Education October 29, 2019

Faculty/Staff

All core teachers will hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in a non-charter public school would be required to hold in accordance with Education Code Section 47605(l). Teachers will be responsible for carrying out the Charter School's educational program, teaching the core academic classes, overseeing students' academic progress, and monitoring assessment.

All staff members (classified and certificated) will receive extensive training on goals and vision of the Charter School to ensure a strong commitment/fit.

Academic Calendar

The following represents an example of the Charter School's school calendar.

Sample Calendar (For Reference only – specific dates will change annually)	
Summer Professional Development	August 1-6
First Day of Instruction	August 7
Veterans' Day	November 11
Thanksgiving Break	November 25-29
Winter Recess	December 23-January 10
MLK Holiday	January 20
Presidents' Day	February 10 and 17
Spring Recess	April 6 - 13
Memorial Day	May 25
Last Day of Instruction	June 5

Instructional Days: 180 scheduled, minimum, 175

Pupil Free professional development Days: minimum, 4

Daily Instructional Minutes

Currently, the school day begins at 8:30 a.m. and concludes at 3:15 p.m. Each day will include a 35-minute lunch period and a 15-minute break. The times may be adjusted to align with District school schedules. The total number of offered daily instructional minutes under this schedule is 355 minutes for a total of 62,125 minutes per 175-day minimum school year, which exceeds the state requirement of instructional minutes for all grade levels offered at DECS pursuant to Education Code Section 47612.5(a).

An “Educated Person” in the 21st Century

The Charter School will endeavor to enable its students to receive educational experiences that will prepare them for high school, college, leadership, and life. The Charter School shall matriculate students with the skills and attributes that are critical for all 21st Century learners.

To be a well-educated person of the 21st Century, one needs

- To think creatively and critically, to have problem-solving skills, and to develop learning and reasoning skills to prepare for lifelong learning
- To be able to set short- and long-term goals
- To have a deep understanding of the humanities, sciences, and arts
- To be capable of using technology as a tool in the pursuit of continued learning
- To be an exceptional communicator in many forms of communication

- To possess the attributes of responsibility, citizenship, sociability, diligence, civility, integrity, and honesty

The attributes of an educated person in the 21st Century include:

- Literacy and appreciation of the arts, science, mathematics, and history
- Understanding the scientific and mathematical processes
- Ability to gather and organize information and critically assess data
- Ability to think critically, analytically, creatively, and logically
- Ability to communicate complex ideas
- Ability to work with people of various backgrounds

How Learning Best Occurs

Learning best occurs in a student-centered environment where the teachers involve and challenge the students with issues that the students regard as important and meaningful. The Charter School will provide:

- A safe and nurturing environment.
- An environment where diversity is celebrated: An educational environment that builds on student strengths through enrichment activities, independent research, problem solving, critical thinking, music, art, science, and technology.
- A community that treats all youth as gifted and talented by offering an accelerated and academically rich curriculum to all students.
- An educational experience that prepares pupils for successful learning opportunities and prepares them for successful college and/or careers.
- A haven where students can build sustained and caring relationships with their fellow students, teachers, and community members.
- An environment where all Charter School community members (students, teachers, parents, community volunteers, and administration) collaborate to achieve the Charter School vision by sharing the responsibility and decision making for curriculum, instructional strategies, and school organization.
- Thematic programs that support tiered instruction and activities that allow for multi-disciplinary learning coupled with alternative responses and solutions.

Learning will best occur when:

- Focus is placed on individual personalized learning, which can provide flexibility for the students to pursue their intellectual interests.
- Parents are actively involved as participants in support of their child's education.
- Community volunteers are actively engaged in the education and development of youth in their community.
- Students, teachers, and parents understand the metrics for success and share high expectations for success.

- Students receive tiered instruction and are involved in activities that allow for alternative solutions.
- Teaching methodologies encourage students to think creatively and critically.
- Technology is integrated into the curriculum as a tool to help students achieve academic success.

School Wide Behavior

One of the foremost advances in schoolwide discipline is the emphasis on Positive Behavioral Interventions and Supports (“PBIS”) which includes proactive strategies for defining, teaching, and supporting appropriate student behaviors to create positive school environments. Instead of using a piecemeal approach of individual behavioral management plans, a continuum of positive behavior support for all students within the Charter School is implemented in areas including the classroom and non-classroom settings (such as hallways, buses, and restrooms). PBIS is an application of a behaviorally-based systems approach to enhance the capacity of schools, families, and communities to design effective environments that improve the link between research-validated practices and the environments in which teaching and learning occurs. Attention is focused on creating and sustaining Tier 1 supports (universal), Tier 2 supports (targeted group), and Tier 3 supports (individual) systems of support that improve lifestyle results (personal, health, social, family, work, recreation) for all children and youth by making targeted behaviors less effective, efficient, and relevant, and desired behavior more functional

Methods of Instruction

The Charter School shall provide a small learning environment and contribute to educational reform by providing Standards-based instruction. The Charter School intends to provide each student with powerful learning experiences that are differentiated to meet individual student needs. Mentoring of students by staff as well as fellow students at the Charter School will foster positive learning experiences, further develop the community, and diminish the need for remediation.

A combination of small- and large-group instruction will be used to deliver the curriculum with one-on-one help, including mentoring assistance for those who are in need of additional enrichment. The Founders believe that this approach to learning will provide powerful learning experiences for all students within the Charter School.

Delta Elementary Charter will work to:

- Create small communities of learning where stable, close, mutually respectful relationships with adults and peers are considered fundamental for intellectual development and personal growth; and
- Teach a core academic program that utilizes research-based instructional practices and promotes artistic, scientific, and mathematical literacy, as well as critical thinking and reasoning.

The following key elements, together, comprise the Charter School’s approach to instruction:

- State Standards-based instruction
- Project-based learning (“PBL”)
- High quality professional development
- Integration of technology
- Art and Music

The Charter School understands the importance of using research-based instructional practices to promote student achievement. In order to address how learning best occurs, faculty will be trained to: (1) design State Standards-based instruction (using the principles of backward design); (2) align appropriate assessments to the standards; and (3) implement project-based instructional activities that are aligned to standards and reflect research-based best practices, as detailed in the Buck Institute’s *Project Based Learning Handbook*. Teachers will also design instruction that incorporates strategies detailed in *Classroom Instruction That Works*, by Marzano, Pickering, and Pollock. The following provides a detailed description of the State Standards-based instructional design process that the Charter School follows.

The method, known as “backward design,” is an instructional design method with a strong research base currently being employed in reform efforts across the nation. Originally published in *Understanding by Design*, by Grant Wiggins and Jay McTighe, this process of instructional planning provides teachers with a method for aligning State Standards, assessment, and instruction. This process is one in which teachers start with the desired results (goals or State Standards) – and then derive the curriculum from the evidence of learning (performances) called for by the State Standard and the teaching needed to equip students to perform. There are three distinct stages of this process that the Charter School will use. The three stages are as follows:

Stage 1: Unpacking and Prioritizing State Standards:

Teachers and administrators will apply specific tools necessary to “unpack” and prioritize State Standards. This is a necessary prerequisite step to design effective assessments that are aligned to the State Standards. Specifically, teachers will:

- Understand the three steps of the backward design process (identifying desired results, designing and aligning assessments to those results, differentiating instruction to meet the needs of all learners).
- Apply a concrete process for analyzing standards which helps teachers internalize the State Standards as well as determine the following information:
 - Level of thinking (based on Bloom’s Taxonomy) required by students to reach mastery of the State standard (this will be tied to creating assessments).
 - Percentage of questions from the Smarter Balanced Assessment Consortium that relate to each strand of the State Standards. Value added assessments to be utilized to measure student growth.
 - Identification of State Standards that will serve as “anchors” upon which units can be based. Other State Standards are tied to these “anchor” standards within each unit designed by teachers (this will be tied to creating assessments for units as well as individual lessons within the unit).

Teachers in each of the content areas, including physical education and visual and performing arts, will use State Standards as part of this process.

Stage 2: Aligning Assessments (formative and summative) to State Standards

Teachers will design effective assessments that are aligned to State Standards and provide an accurate measure of a student's ability to engage in the level of thinking that is required by each State Standard.

Specifically, teachers will:

- Use of Evaluation rubrics: goals and objectives to measure teachers' effectiveness as related to student achievement
- Targets to be met to demonstrate progress (rubric scores)
- Insight Core Framework
- Identify four overarching assessment methods (selected response, constructed response, performance assessment, and personal communication) from which to choose when designing State Standards-based assessments (both formative and summative).
- Analyze State Standards to determine the "achievement target" embedded within each State Standard (achievement targets are the link between State Standards and assessment).
- Match an appropriate assessment method to each State Standard.
- Establish and articulate clear criteria for reaching proficient performance on State Standards.

Stage 3: Differentiating Instruction to Meet the Needs of All Learners

Teachers will design innovative instructional strategies by:

- Differentiating the content, process, and products delivered to students in order to provide equal access to State Standards-based education for all learners (including English Learners ("ELs") and students with special needs)
- Writing effective State Standards-based lesson plans
- Exploring how all learners (including ELs and special needs students) vary in their readiness, interests, and learning profiles
- Using a repertoire of research-based instructional strategies proven to increase student achievement in a State Standards-based system (e.g., latest research from Marzano, Pickering, Pollock, Schmoker, Tomlinson, Buck Institute for Education ("BIE"), Insight Education Group)
 - All coursework will involve a rich repertoire of instructional strategies, curriculum, and materials. Many of the sample instructional strategies listed below incorporate one or more of the nine research-based strategies proven to have a positive effect on student learning, as described in *Classroom Instruction That Works*.
 - Sample instructional strategies will include:
 - Use of Insight Core Framework to measure lesson delivery effectiveness
 - Project-based learning and other ways of experiencing real-world problems

- Collaborative investigations and demonstrations
- Mini-lessons that address specific skills within the context of larger projects
- Guidance and adequate time to self-reflect and self-assess
- Democratic classrooms and school structure
- Authentic assessments
- Direct instruction
- Research-based projects
- Cooperative group work and projects
- Interdisciplinary approaches to curriculum
- Presentation of clearly defined “learning targets” for all students by all teachers
- Rubric designed for self-assessment (Teacher Assessment System: (“TAS”))
- Involvement of community members and educational partners in instructional presentations
- Mentoring program
- Peer study groups
- Creation of learning experiences that promote understanding, interest, and excellence
- Innovation and enhancement of current State Standards-based adopted programs

As a result of implementing and using this process, educational objectives become the criteria by which materials are selected, content is outlined, instructional procedures are developed, and tests and examinations are prepared. Teachers will use the process on a continual basis to evaluate the effectiveness of materials and instructional strategies used in their classrooms. Thus, the process will serve as the vehicle for ongoing conversations among grade levels and departments at the Charter School. Specifically, all teachers will be charged with the responsibility of meeting weekly, as a staff, to engage in lesson study and the examination of student work in order to critically examine lessons to determine their effectiveness.

As demonstrated by the sample interdisciplinary State Standards-based units found in the curricular section of this charter, the backward design process enables teachers to design and deliver comprehensive standards-based lessons in which multiple State Standards from across the content areas are effectively addressed and assessed.

Project-Based Learning

A key instructional approach to meeting a variety of student needs is standards-based project-based learning. State Standards-focused PBL is a *“systematic teaching method that engages students in learning knowledge and skills through an extended inquiry process structured around complex, authentic questions and carefully designed products and tasks.”* Research shows that students engaged in PBL *“construct solutions, thus shifting the emphasis [from the product] toward the process of learning”* (Buck Institute for Education, 2004, <http://www.bie.org/>).

Project Based Learning is a teaching method in which students gain knowledge and skills by working for an extended period of time to investigate and respond to a complex question, problem, or challenge. Essential Elements of PBL include:

- Significant Content - At its core, the project is focused on teaching students important knowledge and skills, derived from State Standards and key concepts at the heart of academic subjects.
- 21st century competencies - Students build competencies valuable for today's world, such as problem solving, critical thinking, collaboration, communication, and creativity/innovation, which are explicitly taught and assessed.
- In-Depth Inquiry - Students are engaged in an extended, rigorous process of asking questions, using resources, and developing answers.
- Driving Question - Project work is focused by an open-ended question that students understand and find intriguing, which captures their task or frames their exploration.
- Need to Know - Students see the need to gain knowledge, understand concepts, and apply skills in order to answer the Driving Question and create project products, beginning with an Entry Event that generates interest and curiosity.
- Voice and Choice - Students are allowed to make some choices about the products to be created, how they work, and how they use their time, guided by the teacher and depending on age level and PBL experience.
- Critique and Revision - The project includes processes for students to give and receive feedback on the quality of their work, leading them to make revisions or conduct further inquiry.
- Public Audience - Students present their work to other people, beyond their classmates and teacher.

Brain-based research conducted by Kotulak (1996) and Kuhl (1994) has shown that human beings learn most what is most meaningful to them. Conversely, new material for which there is no connection is discarded. If an emotional connection is made during learning, the material learned is reinforced. Furthermore, a recent review of research on project-based learning (Thomas, 2000) suggests that PBL is a teaching method that may be particularly well adapted to disadvantaged youth, such as the ones who will be served at Delta Elementary Charter. According to this research, PBL makes the content areas more relevant and meaningful to disaffected youth, while enhancing the *quality* of student learning and the development of self-directed learners. The same review also proves that PBL does enhance professionalism and collaboration among educators.

All project-based units will reflect the principles of backward design – the project content and processes will be framed by an essential question that is aligned to State Standards. Each project will be anchored by an enduring understanding standard or big idea that teachers have identified within the State Standards. Enduring understanding standards generally require high levels of critical thinking (analysis, synthesis, and evaluation on Bloom's Taxonomy) and also require a performance assessment to adequately assess student mastery of such standards. Therefore, project-based learning provides a successful vehicle through which students can demonstrate their mastery of big ideas that reside at the heart of State Standards. Along with the enduring

understanding standard that anchors each project, teachers will identify State Standards that represent discrete skills or isolated pieces of knowledge that support the enduring understanding or big idea. Students will address these State Standards in relation to the big idea, which will enable students to see the connections between isolated facts or discrete skills and the big idea. This approach to curricular design and delivery is solidly grounded within the backward-design approach to curricular planning and provides for a meaningful comprehensive way in which to promote mastery of State Standards.

Students will continue to be assessed for their mastery of State Standards, as well as their ability to solve problems individually and in cooperative groups. Project design will continue to incorporate rigorous and complex problems that require students to understand the relationships between concepts from different disciplines. All projects will continue to culminate in a tangible product and often a public exhibition of the students' work. Furthermore, all projects will continue to reflect the "6 A's" of high quality PBL:

- Authenticity
- Academic rigor
- Applied learning
- Active exploration
- Adult relationships
- Assessment

High-Quality Professional Development

Although not explicitly a method of construction, a key component of the Charter School's approach is to continually work with our staff to ensure the teaching staff are constantly improving in their instructional delivery and content mastery. One of the most successful ways to accomplish this high-quality professional development ("PD") is to ensure that teachers and administration, work in a collaborative environment, with extensive opportunities for improvement and self-reflection. The educational program is designed to allow teachers the opportunity to work collaboratively throughout the entire educational process, from planning their lessons, daily instruction, as well as periods of reflection. The weekly calendar allows for grade level teams to work collaboratively as well as the entire staff to share best practices.

Professional Development will be focused on specific best practices around CCSS implementation.

PD will focus on the five core practices as outlined through the Insight Education Group research:

1. Know the discipline well
2. Prioritize evidence over opinion
3. Grow and Improve students' knowledge base
4. Assess progress towards mastery
5. Promote intellectual risk taking and persistence

Integration of Technology

In order for our students to be successful in achieving our goal of all students being an “educated person” in the 21st century, technological mastery is paramount. The tools of technology will be an integral part of all students’ and adults’ lives and should be a key component of DECS student’s educational experience. DECS students will be able to know about and use numerous forms of technology to demonstrate what they know and utilize this technology to learn about the world around them. A key component of our educational program is the use of electronic assessments, including but not limited to Accelerated Reader, as well as computer adaptive formative and summative assessments that are aligned to State Standards.

C. CURRICULUM

State Standards- aligned curriculum will be used as a tool to ensure students are mastering content areas. Innovative curricular programs will be founded on the research-based approach described in *Understanding by Design* (backward design), and on innovations in project-based learning. By integrating backward design into PBL, teachers are empowered to use creative and authentic instructional methods, while ensuring the coverage of State Standards within the project context. The traditional backward-design process guides teachers through a three-step process: (1) internalization and prioritization of State Standards; (2) differentiated assessment methods aligned to anchor standards and identified learning targets; and (3) innovative, research-based instructional strategies clearly articulating student learning objectives. In a State Standards-based PBL model, the third step is a process of aligning State Standards and assessments to real-world learning applications that take the shape of meaningful, rigorous, and assessable projects.

At Delta Elementary Charter, students are expected to be engaged in the curriculum and learning objectives at all times. Teachers are expected to continuously communicate learning objectives to all students while formatively and summatively assessing for student mastery of all concepts and State Standards. Research clearly suggests that learning best occurs when students are actively engaged in their own learning. This requires that students are involved in conversations about learning objectives, instruction, and assessment.

As part of the curriculum design process, research-based instructional strategies for increasing student achievement will be embedded into the daily culture of the classroom. Teachers will be challenged to examine the three elements of effective pedagogy: instructional strategies, management techniques, and curricular design. Teachers will receive professional development around effective strategies that engage students to ensure active participation and growth in core curricular areas.

The Core Curriculum

Textbooks and materials will be used along with a variety of supplemental resources aligned to State Standards. The academic core curriculum will include reading and language arts, mathematics, history and social science, and science. “Anchor” standards will define for each subject and grade the most important knowledge that students must acquire and the skills that they must master. Other standards that represent discrete learning skills will be linked to the Anchor

Standards (as demonstrated in the sample units above) in order to bring relevance to the standards that represent isolated skills. Clustering State Standards in this way, prior to choosing curricular resources, will ensure that the Charter School's choice and use of curricular resources are aligned to State Standards. As described in the Common Core State Standards, in Mathematics, the Charter School's students will be able to apply the following:

Standards for Mathematical Practice

- Make sense of problems and persevere in solving them.
 - Find meaning in problems
 - Analyze, predict and plan solution pathways
 - Verify answers
 - Ask themselves the question: "Does this make sense?"
- Reason abstractly and quantitatively.
 - Make sense of quantities and their relationships in problems
 - Create coherent representations of problems
- Construct viable arguments and critique the reasoning of others.
 - Understand and use information to construct arguments
 - Make and explore the truth of conjectures
 - Justify conclusions and respond to arguments of others
- Model with mathematics.
 - Apply mathematics to problems in everyday life
 - Identify quantities in a practical situation
 - Interpret results in the context of the situation and reflect on whether the results make sense
- Use appropriate tools strategically.
 - Consider the available tools when solving problems
 - Are familiar with tools appropriate for their grade or course (pencil and paper, concrete models, ruler, protractor, calculator, spreadsheet, computer programs, digital content located on a website, and other technological tools)
- Be precise.
 - Communicate precisely to others
 - Use clear definitions, state the meaning of symbols and are careful about specifying units of measure and labeling axes
 - Calculate accurately and efficiently
- Look for and make use of structure.
 - Discern patterns and structures
 - Can step back for an overview and shift perspective
 - See complicated things as single objects or as being composed of several objects

- Look for and identify ways to create shortcuts when doing problems.
 - When calculations are repeated, look for general methods, patterns and shortcuts
 - Be able to evaluate whether an answer makes sense

In Mathematics, students will also be responsible for learning the content and the skills at each grade level of the State Standards. For example, an overview of the Kindergarten mathematics standards is included below.

Grade K Overview | Mathematics

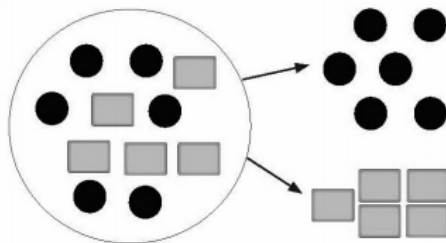
Kindergarten students learn to count to 100 and write numbers to 20. Attention is given to numbers 11-20 where emphasis is placed on tens and ones building a foundation for place value understanding. Beginning addition and subtraction starts in kindergarten. Students sort and classify groups of objects and identify basic shapes.

- Know number names and be able to count to 100
- Write numbers 0 – 20
- Learn about numbers 11-20, with tens and ones
- Count objects to tell the number of things in a group up to 20
- Compare numbers and groups



Which group has more? Which group has less?
Are these groups equal?

- Understand that addition is putting together groups and adding to groups
- Understand that subtraction is taking apart groups and taking from groups
- Fluently add and subtract within 5
- Understand concepts of time (morning, afternoon, evening, etc.)
- Know about the tools that measure time (clock, calendar, etc.)
- Sort objects into groups



Reading and Language Arts

Similarly, for English Language Arts, the Charter School students, will become proficient at all of the adopted Common Core State Standards for ELA.

History and Social Science

Students will understand and apply knowledge in the areas of history, geography, economics, civics, and government, as described in the History-Social Science Framework, to appreciate the interrelationships that exist within our complex 21st Century. They will develop the skills of a historian through research and the use of primary sources.

Science

Students will apply their knowledge of science in the three dimensions of the Next Generation Science Standards (Practices, Crosscutting Concepts, and Disciplinary Core Ideas). There will be a focus on involving deeper understanding and application of content than the often fact-driven State Standards previously adopted by California.

Other Areas of Emphasis in Curriculum

In addition to the core curriculum, the Charter School will also emphasize several other curricular areas in its course of study, including (1) health, especially those elements cited in the State Standards; (2) physical education, as outlined in the *Physical Education Model Content Standards*; (3) visual and performing arts, as spelled out by grade level in the *Visual and Performing Arts Content Standards*; and (4) agricultural science. Although not necessarily designed as separate courses of study, agricultural sciences and language study will be incorporated throughout the curriculum.

Unique Aspects of the Charter School's Program

Curricular decisions will be approved by the Charter School's Board of Directors. The Charter School's staff shall be encouraged to offer their expertise in selecting appropriate curricular materials.

The courses of study developed for the Charter School will be intellectually demanding, relevant, and taught through an interdisciplinary team-teaching approach. Based on current research on how students learn, this interdisciplinary team-based approach reinforces brain-based learning. It has been demonstrated that students are better able to retain information when curriculum is presented in an integrated setting rather than in isolation.

The Charter School's teachers are encouraged to use an interdisciplinary approach in a State Standards-based system with student-centered learning opportunities. This will be accomplished through the seamless integration of State Standards with project-based learning, as described above. In order to ensure the effective integration of these pedagogical approaches, all staff members shall have a variety of opportunities for professional development, including staff

development to enhance the Charter School's team-based approach to learning. Staff training shall be focused on the academic State Standards, best practices in teaching, and accountability for school-wide goals.

The Charter School will implement a comprehensive model of continuous school improvement, which includes staff professional development as well as personalized coaching to help teachers implement concepts in their classroom in a practical way that meets their needs. The Charter School will encourage teachers to identify the types of professional development that they need in order to fulfill the mission and vision of the Charter School.

Teachers and administrators have received onsite professional development from the McGraw Hill publishers of the State Standards- aligned curriculum. Additional training has been scheduled for the 2019-20 school year to ensure a strong understanding on content and delivery strategies, as well as, understanding the use of assessment tools to modify instruction as needed. Additional professional development will focus on topics that are relevant to the Charter School's mission, such as project-based learning.

Teachers will be encouraged to share with the staff and Charter School Board of Directors the areas where they feel a need for more support and professional development. Peer support teams and informal and/or formal interdisciplinary teams will promote the Charter School as a place for professional and personal growth for every staff member, as well as a place for learning for every student.

Technology will be available for all students as an integral part of the curriculum, staff members will be adequately trained in the use of computers and tablets and their application to curricular planning and development and for data retrieval and analysis.

The standard for high-quality student work will be enhanced and enabled by excellent teaching within a supportive school culture in which:

Teachers are expected to:

- Demonstrate annual progress on the Charter School's teacher/staff rubric
- Possess demonstrable professional competence; maintain emotional and physically safe learning environments.
- Implement State Standards-based education in all areas of the curriculum.
- Use curricular materials and assessment practices that are aligned with State Standards.
- Provide content and performance standards that are clear, including required academic performance levels, for all parents and students.
- Assign regular and relevant homework linked to content and performance standards.
- Establish the development of literacy as a high priority.
- Utilize support personnel, including parent and community volunteers.
- Facilitate student access to human services agencies and to other appropriate organizations.
- Encourage innovation and academic excellence.

Learning opportunities include the following:

- Students will be encouraged to collaborate and work effectively with other students in the TK-6 community.
- Students shall have opportunities to participate in a well-articulated physical fitness and athletics program that will promote lifelong fitness.
- Students shall have opportunities to participate in visual and performing arts programs.
- Students will develop individual goals for high school, post-high school, and career planning.

D. CHARTER SCHOOL ANNUAL GOALS AND ACTIONS TO ACHIEVE STATE PRIORITIES

Pursuant to Education Code Section 47605(c)(5)(A)(ii), the Charter School has developed annual goals to be achieved in the state priorities school wide and for all pupil subgroups, as described in Education Code Section 52060(d)(2)-(8), and specific annual actions to achieve those goals. The Charter School annually revises its goals during the process of adopting the Local Control and Accountability Plan (“LCAP”). The 2019-20 LCAP is included in this document in Appendix E, and the current LCAP is on file with the District.

E. PLANS FOR STUDENTS WHO ACHIEVE BELOW OR ABOVE GRADE LEVEL

It is the primary goal of the Charter School to have a student body meeting or exceeding State Standards on all achievement tests. Establishing a comprehensive intervention system is a critical component of a sound educational program. It is the intention of the Charter School to implement academic support structures for students and their identified needs. There are two particular groups of students who need strategically differentiated intervention/enrichment programs. First, students who do not meet their progression towards proficiency in English language arts, English language development, and mathematics, and need intervention programs. Second, students who are achieving above grade level will also benefit from enrichment programs, which will be a regular part of their daily curricular experience.

The Charter School promotes success for all students. The Charter School believes all students can achieve high results, regardless of their strengths, weaknesses, and life experiences, and therefore, should be offered opportunities to engage in a rigorous curriculum.

Students Achieving Above Grade Level Expectations

Students who are achieving above grade level will be provided with opportunities to extend and expand on the State Standards. Teachers will engage students with open ended projects and allow students to work at their individual level to challenge and enhance their experience and produce the best work in accordance with their ability. The Charter School will also provide appropriate reading material to build student awareness and imagination. Understanding and comprehension of reading material will be assessed using the Accelerated Reading program and individual goals set to challenge the student. Students will be identified as achieving above grade level primarily through daily teacher interactions and daily assessments in the classroom. Extension activities through Project-Based Learning opportunities will be provided for accelerated learners.

Students Achieving Below Grade Level Expectations

Students who are not meeting grade level expectations will be provided additional interventions. In order to determine which students are operating below grade level, the Charter School will utilize several techniques. One of the primary ways of identifying these students is through the daily teacher interactions with the student. Teachers are offering daily assessments, checking for understanding regularly and providing students with ample opportunities to demonstrate their mastery of skills. In addition to the teacher identification of those students not meeting grade level expectations, the Charter School will employ a series of regular assessments, beginning early in the school year, to determine the student's performance level. These monthly assessments will be based on items derived from a State Standards item bank, which will provide the teacher with diagnostic information about each student's performance and identify those students in need of extra help. Finally, the Charter School will use the results of the state assessments when identifying those students in need of remediation. Above all, this is a data-driven process, where the teacher and administrator will work together in this identification.

The interventions provided to the students will focus on building and supporting basic reading, writing, and math skills for success in the regular grade level appropriate curriculum. Additionally, the interventions will provide opportunities for students to relearn concepts already presented to them. Students will be identified for intervention, based CAASPP data (students with an achievement result of "Standard Not Met"), diagnostic assessments to be administered by classroom teachers, and any other classroom-based assessment data relevant to student achievement.

Student Study Team

The Charter School is committed to working with students who are performing below grade level by helping them achieve at expected levels and to those students who are performing above grade level and needing additional challenges. The Charter School will identify students who are performing below or above grade level expectations, or those students otherwise having behavioral issues, and use a Student Study Team ("SST") process to develop a plan to address their individual needs.

The Charter School Response to intervention ("RTI") is a multi-tiered service-delivery model. For students who are not progressing with Tier 1-2 interventions, Tier 3 interventions will be provided. Tier 1 interventions include targeted instruction and flexible grouping and ongoing assessments. Tier 2 interventions are monitored by the Learning Center Coordinator to ensure a more targeted support program. Assistance at tier 3 level may be more frequent, involve smaller group aide or additional time provided to complete tasks. Tier 3 may utilize specific materials or programs that focus on the targeted need. The Charter School's Learning Center Coordinator will monitor and ensure that Tier 3 interventions are provided and will be responsible to monitor progress. A mix of pullout and push in services will be utilized with the goal of fewer classroom pullouts or interruptions. The Learning Center Coordinator will be responsible for monitoring and working with the classroom teacher to ensure that appropriate interventions are being implemented.

An SST uses a systematic problem-solving approach to assist students with concerns that are interfering with success. The SST clarifies problems and concerns; develops strategies and organizes resources; provides a system for school accountability; and serves to assist and counsel the parent, teacher, and student. An SST is a general education function. All students can benefit from an SST, including, but not limited to, those students achieving below or above grade level expectations and students who have experienced emotional trauma, or have behavioral or language challenges.

Anyone who has a concern for a student can refer that student to the SST for consideration. Anyone who is connected with that student can be included in the SST to provide information to share about the student's strengths, concerns, and strategies that have been used in the past. These people may include, but are not limited to, teachers, parents, counselors, doctors, administrators, social workers, and law enforcement personnel. The meeting is designed to bring out the best in the people involved.

The Charter School's 12 SST meeting steps shall include:

1. Team members introduce themselves and their roles.
2. The purpose and process of the meeting are stated.
3. A timekeeper is appointed.
4. Strengths are identified.
5. Concerns are discussed, clarified, and listed.
6. Pertinent information and currently deployed accommodations are identified.
7. Concerns are synthesized, with one or two chosen for focus.
8. Strategies to deal given concerns are brainstormed.
9. Team chooses best strategies to carry into action.
10. Individuals make commitments to actions.
11. Persons responsible and timelines for actions are recorded.
12. Follow-up date is set. 6-8 weeks

If the concerns continue to exist after an SST plan has been implemented, revisions to the plan may be discussed or, if necessary, a referral for special education or Section 504 assessment might be deemed necessary by the SST. The RCS Special Education team will be requested to assist in formal assessments to determine if district services are required.

F. PLAN FOR ENGLISH LEARNERS

The Charter School will meet all applicable legal requirements for English Learners, including long-term English Learners or English Learners at risk of becoming long-term English Learners, as they pertain to annual notification to parents, student identification, placement, program options, EL and core content instruction, teacher qualifications and training, reclassification to fluent English proficient status, monitoring and evaluating program effectiveness, and standardized testing requirements. The Charter School will implement policies to ensure proper placement, evaluation, and communication regarding ELs and the rights of students and parents. Teachers will create a plan that ensures that EL's needs are being met on a daily basis. The Charter School's goal is that each student will be reclassified within 5 years.

Home Language Survey

The Charter School will administer the home language survey upon a student's initial enrollment in the Charter School.

English Language Proficiency Assessment

All students who indicate that their home language is other than English will be tested with the English Language Proficiency Assessments for California ("ELPAC"). The ELPAC has four proficiency levels (Level 4: well developed; Level 3: moderately developed; Level 2: somewhat developed; and Level 1: minimally developed) and is aligned with the 2012 California ELD Standards.

The ELPAC consists of two separate assessments:

- Initial Assessment ("IA")

The ELPAC IA is used to identify students as either an English Learner, or as fluent in English. The IA is administered only once during a student's time in the California public school system based upon the results of the home language survey. The locally scored IA will be the official score. The IA is given to students in grades K–12 whose primary language is not English to determine their English proficiency status.

- Summative Assessment ("SA")

ELs will take the SA every year until they are reclassified as fluent English proficient. The ELPAC SA is only given to students who have previously been identified as an EL based upon the IA results, in order to measure how well they are progressing with English development in each of the four domains. The results are used as one of four criteria to determine if the student is ready to be reclassified as fluent English proficient, to help inform proper educational placement, and to report progress for accountability.

Both the ELPAC SA and IA are assessments administered in seven grade spans—K, 1, 2, 3–5, 6–8, 9–10, and 11–12. In kindergarten and grade 1, all domains are administered individually. In grades 2–12, the test is administered in groups, exclusive of speaking, which is administered individually. The ELPAC IA and SA will be administered via a computer-based platform, while the ELPAC Writing Domain for Kindergarten through 2nd grade will continue to be administered as a paper-pencil test.

Testing times will vary depending upon the grade level, domain, and individual student. Both the ELPAC IA and SA are given in two separate testing windows through the school year.

The IA testing window will be year-round (July 1–June 30). Any student whose primary language is other than English as determined by the home language survey and who has not previously been identified as an English Learner by a California public school or for whom there is no record of results from an administration of an English language proficiency test, shall be assessed for English language proficiency within 30 calendar days after the date of first enrollment in a California

public school, or within 60 calendar days before the date of first enrollment, but not before July 1 of that school year.

The SA testing window will be a four-month window after January 1 (February 1–May 31). The English language proficiency of all currently enrolled English Learners shall be assessed by administering the test during the annual assessment window.

The Charter School will notify all parents of its responsibility for ELPAC testing and of ELPAC results within thirty days of receiving results from publisher. The ELPAC shall be used to fulfill the requirements under the Every Student Succeeds Act for annual English proficiency testing.

Reclassification Procedures

Reclassification procedures provide for multiple criteria in determining whether to classify a pupil as proficient in English, including, but not limited to, all of the following:

- Assessment of language proficiency, using an objective assessment instrument; this includes, but is not limited to, the ELPAC.
- The pupil's classroom teachers and any other certificated staff with direct responsibility for teaching or placement decisions of the pupil may evaluate the pupil's mastery of the curriculum.
- Parental opinion and consultation may be sought through a notice to parents or guardians. This includes language reclassification and placement, giving the parents an opportunity to participate, and encouragement of the participation of parents or guardians in the reclassification procedure including seeking their opinion and consultation during the reclassification process.
- A comparison of the pupil's performance in basic skills against an empirically established range of performance and basic skills. The comparison will be based on the performance of English proficient pupils of the same age that demonstrate to others that the pupil is sufficiently proficient in English to participate effectively in a curriculum designed for pupils of the same age whose native language is English.

Strategies for English Learners

The instructional design model to be used by the Charter School places a heavy emphasis on differentiating instruction to meet the needs of English Learners based on their academic and language readiness. Through the well-defined professional development plan that accompanies this instructional design model, teachers will be trained on a variety of instructional strategies to be used specifically with English Learners. These strategies include, but are not limited to, the following techniques:

The Guided Language Acquisition Design. GLAD is a model of professional development in the area of language acquisition and literacy. The strategies and model promote English language

acquisition, academic achievement and cross-cultural skills. GLAD is an instructional model that develops metacognitive use of high level, academic language and literacy. All teachers will be trained to utilize GLAD strategies, as it relies on teachers implementing specific strategies to enhance the learning environment.

Cooperative Learning. Robert E. Slavin (1995) has shown cooperative learning can be effective for students at all academic levels and learning styles. Other research indicates that cooperative learning can be an "effective vehicle for learning content and learning in a second language" (Calderon, 2001; Cohen, Lotan, Scarloss, and Arellano, 1999; McGroarty, 1989, as cited in Calderon, 2001, p. 280). Cooperative learning involves student participation in small-group learning activities that promote positive interactions. As Cochran (1989) notes, "Cooperative learning makes sense for teachers who have limited English proficient pupils in their classes because all students are given frequent opportunities to speak and because a spirit of cooperation and friendship is fostered among classmates." Through a shared learning activity, students benefit from observing learning strategies used by their peers. EL students can benefit from face-to-face verbal interactions, which promote communication that is natural and meaningful (Johnson, Johnson & Holubec, 1994; Kagan, 1994). Calderon suggests that "cooperative learning is effective when students have an interesting well-structured task, such as a set of discussion questions around a story they just read, producing a cognitive map of the story, or inventing a puppet show to highlight character traits" (2001, p. 280).

Language Experience Approach (also known as dictated stories). This approach uses students' words to create a text that becomes material for a reading lesson (Carrasquillo & Rodriguez, 2002). Students describe orally a personal experience to a teacher or peer. The teacher or another student writes down the story, using the student's words verbatim. The teacher/student then reads the story back as it was written, while the student follows along. Then the student reads the story aloud or silently. Other follow-up activities can be done with this approach. In this way, students learn how their language is encoded as they watch it written down, building sight word knowledge and fluency as they use their own familiar language. This approach allows students to bring their personal experiences into the classroom—especially important for culturally diverse students (Peterson, Caverly, Nicholson, O'Neal, & Cusenbary, 2000).

Dialogue Journals (also known as interactive journals). This approach is a way for teachers to engage students in writing. Students write in a journal, and the teacher writes back regularly, responding to questions, asking questions, making comments, or introducing new topics. Here the teacher does not evaluate what is written, but models correct language and provides a nonthreatening opportunity for EL students to communicate in writing with someone proficient in English, and to receive some feedback (Peyton, 2000; Reid, 1997). Reid's literature review and her action research project show dialogue journaling with a teacher to be beneficial in improving spelling and fluency.

Academic Language Scaffolding. The term "scaffolding" is used to describe the step-by-step process of building students' abilities to complete tasks on their own (Gibbons, 2002). Academic language scaffolding draws on Cummins's research in cognitive academic language proficiency (Chamot & O'Malley, 1994; Cummins, 1981). Scaffolding actually consists of several linked strategies, including modeling academic language; contextualizing academic language using

visuals, gestures, and demonstrations; and using hands-on learning activities that involve academic language. These strategies are a central part of sheltered instructional methods but can be used in any classroom context. (See Gibbons [2002] for specific scaffolding strategies.)

Native Language Support. Whenever possible, EL students should be provided with academic support in their native language (Thomas & Collier, 2002). Even in English-only classrooms, and even when an instructor is not fluent in a student's language, this can still be done in a number of ways. According to Lucas and Katz (1994), a student's native language serves several important functions: it gives students "access to academic content, to classroom activities, and to their own knowledge and experience." In addition, they found that it also "gave teachers a way to show their respect and value for students' languages and cultures; acted as a medium for social interaction and establishment of rapport; fostered family involvement; and fostered students' development of, knowledge of, and pride in their native languages and cultures."

Monitoring and Evaluation of Program Effectiveness

The evaluation for the program effectiveness for ELs in the Charter School will include:

- Adhere to Charter School-adopted academic benchmarks by language proficiency level and years in program to determine annual progress.
- Monitoring of teacher qualifications and the use of appropriate instructional strategies based on program design.
- Monitoring of student identification and placement.
- Monitoring of parental program choice options.
- Monitoring of availability of adequate resources.
- Teachers will be evaluated yearly using the Insight Core Framework Rubric.

G. SERVING STUDENTS WITH DISABILITIES

Overview

The Charter School shall comply with all applicable state and federal laws in serving students with disabilities, including, but not limited to, Section 504 of the Rehabilitation Act, the Americans with Disabilities Act ("ADA"), and the Individuals with Disabilities Education Improvement Act ("IDEA").

The Charter School shall be categorized as an independent local educational agency ("LEA") member of the El Dorado County Charter Special Education Local Plan Area ("SELPA") in conformity with Education Code Section 47641(a).

The Charter School shall comply with all state and federal laws related to the provision of special education instruction and related services and all of SELPA policies and procedures; and shall utilize appropriate SELPA forms.

The Charter School may request related services (e.g. Speech, Occupational Therapy, Adapted P.E., Nursing, and Transportation) from the SELPA, subject to SELPA approval and availability. The Charter School may also provide related services by hiring credentialed or licensed providers through private agencies or independent contractors.

The Charter School shall be solely responsible for its compliance with Section 504 of the Rehabilitation Act and the ADA. The facilities to be utilized by the school shall be accessible for all students with disabilities.

Section 504 of the Rehabilitation Act

The Charter School recognizes its legal responsibility to ensure that no qualified person with a disability shall, on the basis of disability, be excluded from participation, be denied the benefits of, or otherwise be subjected to discrimination under any program of the Charter School. A student who has a physical or mental impairment that substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment, is eligible for protections under Section 504.

A 504 team will be assembled by the Principal or assigned administrator and shall include the parent/guardian, the student (where appropriate), and other qualified persons knowledgeable about the student, the meaning of the evaluation data, placement options, and accommodations. The 504 team will review the student's existing records, including academic, social, and behavioral records, and is responsible for making a determination as to whether an evaluation for 504 services is appropriate. If the student has already been evaluated under the IDEA but found ineligible for special education instruction or related services under the IDEA, those evaluations may be used to help determine eligibility under Section 504. The student evaluation shall be carried out by the 504 team that will evaluate the nature of the student's disability and the impact upon the student's education. This evaluation will include consideration of any behaviors that interfere with regular participation in the educational program and/or activities. The 504 team may also consider the following information in its evaluation:

- Tests and other evaluation materials that have been validated for the specific purpose for which they are used and are administered by trained personnel.
- Tests and other evaluation materials include those tailored to assess specific areas of educational need, not merely those which are designed to provide a single general intelligent quotient.
- Tests are selected and administered to ensure that when a test is administered to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student's aptitude or achievement level, or whatever factor the test purports to measure, rather than reflecting the student's impaired sensory, manual, or speaking skills.

The final determination of whether the student will or will not be identified as a person with a disability is made by the 504 team in writing, and notice is given in writing to the parents or guardians of the student in their primary language along with the procedural safeguards available to them. If, during the evaluation, the 504 team obtains information indicating possible eligibility

of the student for special education per the IDEA, a referral for assessment under the IDEA will be made by the 504 team.

If the student is found by the 504 team to have a disability under Section 504, the 504 team shall be responsible for determining what, if any, accommodations or services are needed to ensure that the student receives the free and appropriate public education (“FAPE”). In developing the 504 Plan, the 504 team shall consider all relevant information utilized during the evaluation of the student, drawing upon a variety of sources, including, but not limited to, assessments conducted by the school’s professional staff.

The 504 Plan shall describe the Section 504 disability and any program accommodations, modifications, or services that may be necessary.

All 504 team participants, parents, guardians, teachers, and any other participants in the student’s education, including substitutes and tutors, must have a copy of each student’s 504 Plan. The site administrator will ensure that teachers include 504 Plans with lesson plans for short-term substitutes and that he or she review the 504 Plan with a long-term substitute. A copy of the 504 Plan shall be maintained in the student’s file. Each student’s 504 Plan will be reviewed at least once per year to determine the appropriateness of the Plan, needed modifications to the plan, and continued eligibility.

Services for Students Under the IDEA

The Charter School shall provide special education instruction and related services in accordance with the IDEA, Education Code requirements, and applicable policies and practices of the SELPA.

The Charter School shall provide services for special education students enrolled in the Charter School. The Charter School shall follow SELPA policies and procedures and shall utilize SELPA forms in seeking out and identifying and serving students who may qualify for special education programs and services and for responding to record requests and parent complaints, and maintaining the confidentiality of pupil records.

The Charter School agrees to promptly respond to all SELPA inquiries, to comply with reasonable SELPA directives, and to allow the SELPA access to Charter School students, staff, facilities, equipment and records as required by law.

Staffing

All special education services at the Charter School shall be delivered by individuals or agencies qualified to provide special education services as required by the California Education Code and the IDEA. Charter School staff shall participate in SELPA in-service training relating to special education.

The Charter School shall be responsible for the hiring, training, and employment of site staff necessary to provide special education services to its students, including, without limitation, special education teachers, paraprofessionals, and resource specialists. The Charter School shall

ensure that all special education staff hired or contracted by the Charter School is qualified pursuant to SELPA policies, as well as meet all legal requirements. The Charter School shall be responsible for the hiring, training, and employment of itinerant staff necessary to provide special education services to Charter School students, including, without limitation, speech therapists, occupational therapists, behavioral therapists, and psychologists.

Notification and Coordination

The Charter School shall follow SELPA policies as they apply to all SELPA schools for responding to implementation of special education services. The Charter School shall adopt and implement policies relating to all special education issues and referrals.

Identification and Referral

The Charter School shall have the responsibility to identify, refer, and work cooperatively in locating Charter School students who have or may have exceptional needs that qualify them to receive special education services. The Charter School shall implement SELPA policies and procedures to ensure timely identification and referral of students who have, or may have, such exceptional needs. A pupil shall be referred for special education only after the resources of the general education program have been considered, and where appropriate, utilized.

The Charter School shall follow SELPA child-find procedures to identify all students who may require assessment to consider special education eligibility and special education and related services in the case that general education interventions do not provide a free appropriate public education to the student in question.

Assessments

The term “assessments” shall have the same meaning as the term “evaluation” in the IDEA, as provided in Section 1414, Title 20 of the United States Code. The Charter School shall determine what assessments, if any, are necessary and arrange for such assessments for referred or eligible students in accordance with applicable law. The Charter School shall obtain parent/guardian consent to assess Charter School students.

IEP Meetings

The Charter School shall arrange and notice the necessary Individualized Education Program (“IEP”) meetings. IEP team membership shall be in compliance with state and federal law. The Charter School shall be responsible for having the following individuals in attendance at the IEP meetings: the Principal and/or the Charter School designated representative with appropriate administrative authority as required by the IDEA; the student’s special education teacher; the student’s general education teacher if the student is or may be in a regular education classroom; the student, if appropriate; and other Charter School representatives who are knowledgeable about the regular education program at the Charter School and/or about the student. The Charter School shall arrange for the attendance or participation of all other necessary staff that may include, but are not limited to, an appropriate administrator to comply with the requirements of the IDEA, a

speech therapist, psychologist, resource specialist, and behavior specialist; and shall document the IEP meeting and provide notice of parental rights.

IEP Development

The Charter School understands that the decisions regarding eligibility, goals/objectives, program, services, placement, and exit from special education shall be the decision of the IEP team, pursuant to the IEP process. Programs, services and placements shall be provided to all eligible Charter School students in accordance with the policies, procedures and requirements of the SELPA and State and Federal law.

IEP Implementation

The Charter School shall be responsible for all school site implementation of the IEP. As part of this responsibility, the Charter School shall provide parents with timely reports on the student's progress as provided in the student's IEP at least as frequently as report cards are provided for the Charter School's non-special education students. The Charter School shall also provide all home-school coordination and information exchange. The Charter School shall also be responsible for providing all curriculum, classroom materials, classroom modifications, and assistive technology.

Interim and Initial Placements of New Charter School Students

The Charter School shall comply with Education Code Section 56325 with regard to students transferring into the Charter School within the academic school year. In accordance with Education Code Section 56325(a)(1), for students who enroll in the Charter School from another school district within the State, but outside of the SELPA with a current IEP within the same academic year, the Charter School shall provide the pupil with a free appropriate public education, including services comparable to those described in the previously approved IEP, in consultation with the parent, for a period not to exceed thirty (30) days, by which time the Charter School shall adopt the previously approved IEP or shall develop, adopt, and implement a new IEP that is consistent with federal and state law.

In accordance with Education Code Section 56325(a)(2), in the case of an individual with exceptional needs who has an IEP and transfers into the Charter School from a district operated program under the same special education local plan area of the Charter School within the same academic year, the Charter School shall continue, without delay, to provide services comparable to those described in the existing approved IEP, unless the parent and the Charter School agree to develop, adopt, and implement a new IEP that is consistent with federal and state law.

For students transferring to the Charter School with an IEP from outside of California during the same academic year, the Charter School shall provide the pupil with a free appropriate public education, including services comparable to those described in the previously approved IEP in consultation with the parents, until the Charter School conducts an assessment pursuant to paragraph (1) of subsection (a) of Section 1414 of Title 20 of the United States Code, if determined to be necessary by the Charter School, and develops a new IEP, if appropriate that is consistent with federal and state law.

Non-Public Placements/Non-Public Agencies

The Charter School shall be solely responsible for selecting, contracting with, and overseeing all non-public schools and non-public agencies used to serve special education students.

Non-discrimination

It is understood and agreed that all children shall have access to the Charter School and no student shall be denied admission nor counseled out of the Charter School due to the nature, extent, or severity of his/her disability or due to the student's request for, or actual need for, special education services.

Parent/Guardian Concerns and Complaints

The Charter School shall adopt policies for responding to parental concerns or complaints related to special education services. The Charter School shall receive any concerns raised by parents/guardians regarding related services and rights.

The Charter School's designated representative shall investigate as necessary, respond to, and address the parent/guardian concern or complaint.

Due Process Hearings

The Charter School may initiate a due process hearing or request for mediation with respect to a student enrolled in the Charter School if it determines such action is legally necessary or advisable. In the event that the parents/guardians file for a due process hearing, or request mediation, the Charter School shall defend the case.

SELPA Representation

The Charter School shall represent itself at all SELPA meetings.

Funding

The Charter School shall be subject to the allocation plan of the SELPA.

II. MEASURABLE PUPIL OUTCOMES AND

III. ASSESSMENT OF STUDENT PERFORMANCE

Governing Law: The measurable pupil outcomes identified for use by the charter school. “Pupil outcomes,” for purpose of this part, means the extent to which all pupils of the charter school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the charter school’s educational program. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both schoolwide and for all pupil subgroups served by the charter school, as that term is defined in subdivision (a) of Section 52052. The pupil outcomes shall align with the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served by the charter school.— Education Code Section 47605(c)(5)(B).

Governing Law: The method by which pupil progress in meeting those pupil outcomes is to be measured. To the extent practicable, the method for measuring pupil outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card.—Education Code Section 47605(c)(5)(C).

A. SCHOOLWIDE OUTCOMES / METHODS OF MEASUREMENT

The Charter School will measure school wide outcomes as required and referenced in its LCAP. In order to best serve our students and community, the Charter School will examine and refine its list of school-wide outcomes annually.

B. SUBJECT MATTER SPECIFIC PUPIL OUTCOMES

The State Standards define for each subject and grade the most important knowledge that students must acquire and the skills that they must master. Appropriate grade-level mastery of core academic skills will include, but not be limited to, the following:

Reading and English Language Arts

Students will demonstrate strong reading, writing, speaking and language skills in multiple forms of expression (e.g., written, oral, multimedia, and performing arts) with communication skills appropriate to age, setting, and audience.

Mathematics

Students will develop abilities to reason logically and to understand and apply mathematical processes and concepts, including those within number sense and operations, functions and algebra, geometry and measurement, and statistics, data analysis, and probability appropriate to their skill levels.

History and Social Science

Students will understand and apply knowledge in the areas of history, geography, economics, civics, and government to appreciate the interrelationships that exist within our complex 21st Century. They will develop the skills of a historian through research and the use of primary sources.

Science

Students will successfully utilize scientific research and inquiry methods to understand and apply the major concepts underlying various branches of the sciences. They will develop the skills of a scientist through research and lab opportunities.

Other Areas of Emphasis

In addition to the core curriculum, as noted earlier in Section II of this charter, the Charter School will also emphasize several other curricular areas in the course of studies offered the students from Transitional Kindergarten through grade six. The areas include (1) health and nutrition; (2) physical education and athletics; (3) visual and performing arts; and (4) agricultural science.

C. OUTCOMES THAT ALIGN WITH STATE PRIORITIES

Pursuant to Education Code Section 47605(c)(5)(B), the Charter School's measurable student outcomes that align with the state priorities and the Charter School's goals and actions to achieve the state priorities, can be found in the Charter School's current LCAP. The 2019-20 LCAP is included in this document in Appendix E, and the current LCAP is on file with the District.

D. METHODS OF ASSESSMENT AND REPORTING OF DATA

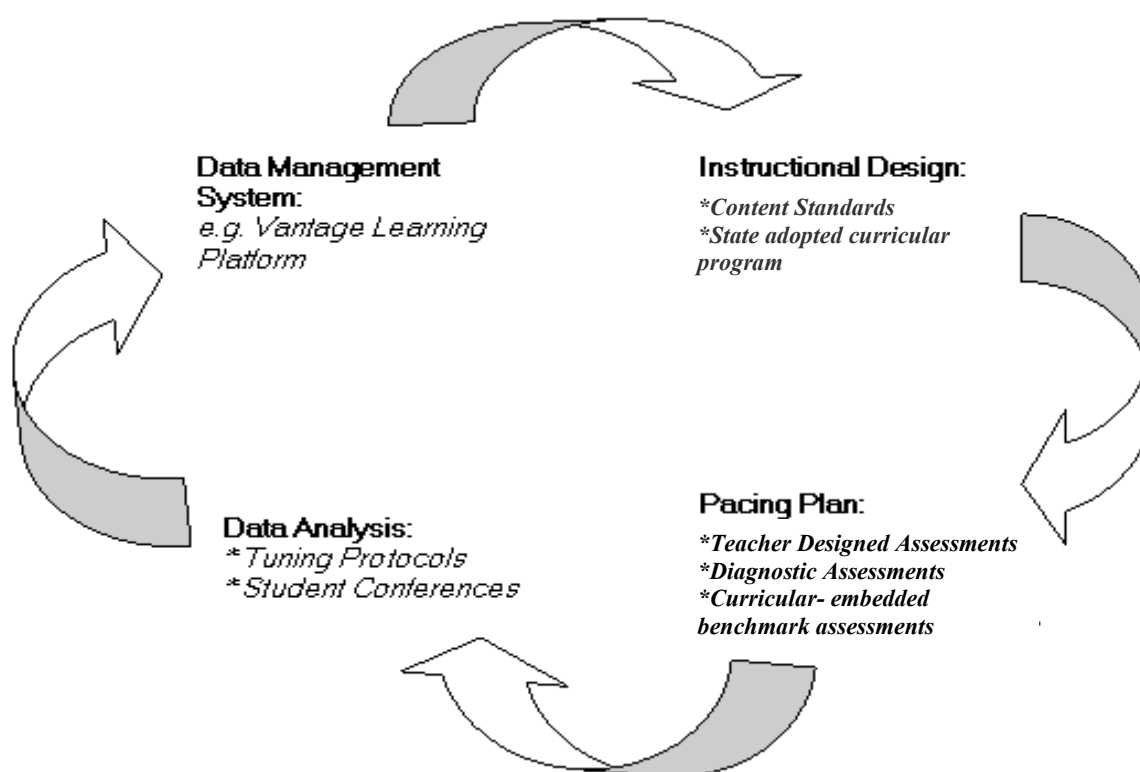
The Charter School shall conduct the required pupil assessments pursuant to Education Code Section 60602.5 and any other pupil assessments applicable to pupils in non-charter public schools. The Charter School affirms that its methods for measuring pupil outcomes for the State Priorities, as described in its LCAP, shall be consistent with the way information is reported on a School Accountability Report Card as required by Education Code Section 47605(c)(5)(C).

The Charter School is dedicated to documenting student achievement of the State standards each year through state-mandated assessments.

The Charter School will implement a cyclical feedback process to ensure that measurable pupil outcomes are used to inform and guide instruction. Teachers will be trained to work with State Standards and the chosen curricular program(s) to determine pupil outcomes. The Charter School has chosen a curricular program that includes curriculum referenced tests that are aligned to its sequence. These tests, along with other curricular-embedded, nationally normed assessments, and teacher-designed assessments, will be used to assess student mastery of the standards. The Charter School utilizes school-wide pacing plans for each grade level that identify when each State Standard is assessed during the course of the year.

The Charter School will compile and disaggregate assessment data (by student subgroup) and create a variety of instructive data reports. These reports will be used by teachers and other staff to collectively analyze student performance and modify instruction as needed. Using this data staff will review student performance by subgroup and grade level. The Charter School will also employ a strategy of quarterly assessments in each grade. The results of these assessments will be aggregated and shared with the teachers, administrators to determine the best strategy for maximizing student performance. The Charter School staff, and its governing board, will examine the findings and plan to make appropriate adjustments to ensure the success of all students in the Charter School.

Teachers will meet weekly as an entire staff with the administration and the leadership team. During these weekly collaborative meetings, teachers will apply tuning protocols; use student data conferences and other data analysis processes to identify students' academic strengths and weaknesses; and use that information to guide their instructional design. The Principal will monitor the use of data to drive instruction.



The data analysis process will also help the Charter School staff determine which students are in need of intervention (remedial instruction) or enrichment. Students in need of intervention services who are performing two or more levels below their actual grade level (as indicated by diagnostic assessments and/or curricular-embedded assessments) and those students who are not meeting State Standards in any subject area on the state mandated testing will receive interventions, as discussed above, including, but not limited to, instruction in one of the CDE-adopted reading and/or math intervention programs (e.g., *Read 180*, *McDougall Littell*).

Student progress shall be measured through varied and diverse methods, which include, unit tests, and standardized tests as well as through ongoing “authentic assessment” methods, such as demonstrations, performances, and exhibitions.

Students will also be measured in non-curricular areas, such as class attendance and discipline, to ensure that they are meeting their social responsibilities. The Charter School believes that students develop important life skills when they are held responsible for both performance and conduct.

The Charter School will centrally manage scores from assessments and other meaningful quantifiable data so that students’ progress within particular subjects and across all subjects and areas of interest can be monitored. The Charter School will provide the students and teachers this progress data so that the Charter School staff, students, and parents can track individual student performance throughout the student’s career at the Charter School.

Teachers and students shall be able to critically analyze student data, identify strengths and opportunity areas, develop individualized learning plans, and define goals for the students. Goals would be jointly set by teachers and students, and student progress will be tracked and discussed with both students and parents on a regular basis. Parent participation will be essential in setting up these individual student educational contracts and in managing the students as they successfully progress through their goals and objectives. This information will be used to identify areas of student, teacher, and program level improvement within the Charter School’s program. The Charter School will encourage active participation by parents in their child’s learning. The Charter School will provide extensive opportunities for parents to provide their time and assistance in the classroom and on school grounds. Additionally, the Charter School will work with parent groups established at the school to maximize the home to school connection.

Additional assistance will be offered to those students who need extra help in reaching their academic and personal goals. Examples include peer tutoring, parent or community volunteer assistance, after-school mentoring programs, and educating parents on how they can help at home.

State-Standards-based report cards will be utilized for both progress reports and end of term grading to communicate student performance with parents.

E. PERFORMANCE REPORTING

In the fall of each year, the Charter School will provide to the District Board of Education an annual performance report. This report will include the following information:

- Summary data showing student progress toward the goals and outcomes listed above
- A summary of major decisions and policies set forth by the Charter School’s Board of Directors during the year
- Data on the parent involvement in the school’s governance (and other facets of the school) and summary data from a yearly parent and student satisfaction survey
- Data regarding the number of staff working at the school and their qualifications

- A copy of the school’s health and safety policies and any major changes to those policies during the year
- A comprehensive view of the Charter School’s admissions practices during the year (This will include information regarding the numbers of students enrolled, children on waiting lists, and the students expelled and/or suspended.)
- Analyses of the effectiveness of the Charter School’s internal dispute mechanisms and information regarding the number and resolutions of disputes and complaints
- Results of a Parent/teacher satisfaction survey
- Any other information regarding the educational program and the administrative, legal, and governance operations of the Charter School relative to compliance with the terms of the charter generally

The Charter School and District’s Board of Education will jointly develop any additional content, evaluation criteria, timelines, and processes for the annual performance report. The Charter School will use the data in the performance report to assess and improve upon its educational programming, as deemed necessary.

The above-referenced annual performance report and the state mandated School Accountability Report Card and Local Control Accountability Plan (see below) will be submitted to the District within the timelines agreed upon by the District and the Charter School and made available to the public. The Charter School and District’s Board of Education has developed a visitation process to enable the District to gather information needed to validate the school’s performance and compliance with the terms of this charter. However, the Charter School agrees to and submits to the right of the District to make random visits and inspections in order to carry out its statutorily required oversight.

Pursuant to Education Code Section 47604.3, the Charter School shall promptly respond to all reasonable inquiries, including, but not limited to, inquiries regarding its financial records from the district, the Sacramento County Office of Education, and the State Superintendent of Public Instruction.

F. LOCAL CONTROL AND ACCOUNTABILITY PLAN

Pursuant to Education Code Section 47606.5, the Charter School shall comply with all elements of the Local Control and Accountability Plan (“LCAP”) pursuant to regulations and a template adopted by the State Board of Education and reserves the right to establish additional and/or amend school-specific goals and corresponding assessments throughout the duration of the charter.. The Charter School shall submit the LCAP to the District and the Sacramento County Superintendent of Schools annually on or before July 1 of each year as required by Education Code Section 47604.33.

The LCAP and any revisions necessary to implement the LCAP, including outcomes and methods of measurement listed below, shall not be considered a material revision to the charter, and shall be maintained by the Charter School at the school site.

IV. GOVERNANCE STRUCTURE

Governing Law: The governance structure of the charter school, including, but not limited to, the process to be followed by the charter school to ensure parental involvement. —Education Code Section 47605(c)(5)(D).

A. NONPROFIT PUBLIC BENEFIT CORPORATION

The Charter School will be a directly funded independent charter school operated by River Charter Schools, a California nonprofit public benefit corporation, pursuant to California law.

The Charter School will operate autonomously from the District, with the exception of the supervisory oversight, as required by statute, and other contracted services, as negotiated between the District and the Charter School. Pursuant to California Education Code Section 47604(d), River Delta Unified School District shall not be liable for the debts and obligations of Delta Elementary Charter, operated by a California nonprofit public benefit corporation, or for claims arising from the performance of acts, errors, or omissions by the Charter School as long as the District has complied with all oversight responsibilities required by law.

Attached, as Appendix B, are the Articles of Incorporation, the Bylaws, and the Conflict of Interest Code of River Charter Schools.

River Charter Schools is a non-profit public benefit corporation that has created a non-profit public benefit supporting organization, Leaders & Scholars, Inc., whose purpose is to operate “exclusively for the benefit of, to perform the functions of, or to carry out the purposes of” River Charter Schools. Further, according to its Bylaws (attached as Appendix F), it is “to direct attention and effort toward providing funding to support the educational purposes of River Charter Schools and the development of other charter schools that may later be formed.” No part of the net earnings, properties, or assets of the corporation, on dissolution or otherwise, shall inure to the benefit of any private person or individual, or to any director or officer of the corporation. All the board members of Leaders & Scholars, Inc. are appointed by the Board of River Charter Schools and none of the Board members receive compensation.

Leaders & Scholars, Inc. has created Leaders & Scholars, LLC “L&S LLC” and Leaders & Scholars Two, LLC “L&S Two”(see Appendix F for their Operating Agreements) to further its charitable and exempt activities and all property owned by the Companies are irrevocably dedicated to charitable purposes. In keeping with their Operating Agreements, if L&S LLC or L&S Two is dissolved for any reason, all of their assets after paying lawful debts will be distributed to the Sole Member (Leaders & Scholars, Inc.) an organization organized and operated exclusively for charitable purposes and which has established its tax-exempt status under section 501(c)(3) of the Internal Revenue Code. In accordance with Generally Accepted Accounting Principles (“GAAP”), the financial statements of both RCS charter schools are consolidated together in the River Charter Schools’ audit and financial statements. The audited statements provided to the District always have contained, and will continue to contain, both a profit and loss statement and a balance sheet that shows DECS broken out from all other RCS entities. All State required submittals: (1) annual budget; (2) interim budgets; (3) unaudited actual for DECS shall be

submitted separately to the District to enable it to conduct its required oversight. In accordance with GAAP, the financial statements of both Leaders & Scholars, Inc., L&S LLC and L&S Two are consolidated together in River Charter Schools' audit and financial statements. L&S Two holds title to DECS' modular buildings located at 36230 N. School St., Clarksburg, CA which it acquired from DECS at the net book value of those buildings. Payment was in the form of paying off DECS' two bank loans and establishing a fully amortized note payable with DES for the balance. L&S Two leases the buildings to DECS. (See Facilities section of charter for more information.)

B. BOARD OF DIRECTORS

Delta Elementary Charter is governed by the Board of Directors of River Charter Schools, in accordance with its adopted corporate bylaws, which are consistent with the terms of this charter. The current charter bylaws can be found in Appendix B.

Commencing July 1, 2023, and each year thereafter, upon receipt of a petition for student representation that meets the requirements of Education Code Section 47604.2(b)(2), the Board shall order the inclusion within its membership, in addition to the number of members otherwise prescribed, of at least one student member. A student member of the Board shall have preferential voting rights as defined in Education Code Section 47604.2(b)(4).

Board's Duties

The Board of Directors of River Charter Schools will meet regularly, at least once a month and in accordance with the Ralph M. Brown Act and Education Code Section 47604.1(c). The Board of Directors is fully responsible for the operation and fiscal affairs of the Charter School, including, but not limited to, the following:

- Hire, supervise, evaluate, discipline, and dismiss the Superintendent of the Charter School:
- Hire, promote, discipline, and dismiss all employees of the charter school after consideration of a recommendation by the Superintendent.
- Approve all contractual agreements.
- Approve and monitor the implementation of general policies of the Charter School. These will include effective human resource policies for career growth and compensation of the staff.
- Approve and monitor the Charter School's annual budget and budget revisions.
- Act as a fiscal agent. This includes the receipt of funds for the operation of the Charter School in accordance with charter school laws and the receipt of grants and donations consistent with the mission of the Charter School.
- Contract with an external independent auditor to produce an annual financial audit according to generally accepted accounting practices.
- Establish operational committees, as needed.
- Regularly measure progress of both student and staff performance.
- Involve parents and the community in school-related programs.
- Execute all applicable responsibilities provided for in the California Corporations Code.
- Engage in strategic planning.

- Approve the school calendar and schedule of Board meetings.
- Review requests for out-of-state or overnight field trips.
- Participate in the dispute resolution procedure and complaint procedures, when necessary.
- Approve charter amendments, as necessary, and submit material revisions, as necessary, for the District's consideration.
- Approve annual fiscal audit.
- Appoint an administrative panel or act as a hearing body and take action on recommended student expulsions.

The Board may initiate and carry on any program or activity or may otherwise act in a manner which is not in conflict with or inconsistent with or preempted by any law and which is not in conflict with the purposes for which schools are established. The Charter School shall comply with the Ralph M. Brown Act.

The Charter School has adopted a Conflict of Interest Code that complies with the Political Reform Act, Government Code Section 1090, et seq., as set forth in Education Code Section 47604.1, Corporations Code Conflicts of Interest rules, and any charter school specific conflicts of interest regulations. The Conflict of Interest Code" is included in Appendix B.

The Board may execute any powers delegated by law to it and shall discharge any duty imposed by law upon it and may delegate to an employee of the Charter School any of those duties with the exception of budget approval or revision, approval of the fiscal audit, and the adoption of Board policies. The Board, however, retains ultimate responsibility over the performance of those powers or duties. Such delegation will:

- Be in writing.
- Specify the entity designated.
- Describe in specific terms the authority of the Board of Directors being delegated, any conditions on the delegated authority or its exercise, and the beginning and ending dates of the delegation.
- Require an affirmative vote of a majority of Board members.

The River Charter Schools' Board of Directors will attend in-service sessions for the purposes of training Board members on their responsibilities, with topics to include, at a minimum, conflicts of interest and the Ralph M. Brown Act.

C. **CENTRAL OFFICE**

Central Office" ("Home Office" in audit documents) is not a physical location but, rather, a classification of personnel and expenditures that are incurred by RCS for the benefit of both charter schools. These expenditures are allocated to the two charter schools based primarily on proportional Average Daily Attendance. Staff positions and benefits classified as Home Office are: Superintendent; Chief Business Officer; Special Education Director; Business Analyst; and Payroll, Human Resources, and Business Technicians. Expenditures classified as Home Office include audit fees, legal expense, payroll processing, and bank fees (legal and other direct costs attributable to one school are charged directly to the appropriate charter school).

D. SUPERINTENDENT

The Superintendent shall be the Chief Executive Officer of the Charter School. He/she is responsible for the effective operation of the Charter School; general administration of all instructional, business or other operations of the Charter School (in coordination with the Charter School's Chief Business Officer); and for advising and making recommendations to the Board with respect to such activities. He/she shall perform all the duties and accept all of the responsibilities required by a Superintendent as prescribed by the Board.

Primary Activities:

- Keep the Board informed of the condition of the Charter School's educational system; assure effective communication between Board and the staff of the Charter School. Relay all communications by the Board regarding personnel to District employees and receive from all school personnel any communications directed to the Board.
- In consultation with the President of the Board, prepare the agenda for Board meetings.
- Prepare and submit recommendations to the Board relative to all matters requiring board action, placing before the Board such necessary and helpful facts, information, and reports as are needed to insure the making of informed decisions.
- Develop and recommend to the Board objectives of the educational system; see to the development of internal objectives which support those of the Board.
- Develop and recommend to the Board long range plans consistent with population trends, cultural needs, and the appropriate use of school facilities and see to the development of long-range plans which are consistent with Board objectives. To be consistent with Local Control and Accountability Plan.
- See to the execution of all decisions of the Board.
- See that sound plans of organization, educational programs and services are developed and maintained for the Board.
- Work with Charter School's CBO to maintain adequate records for the Charter School, including a system of financial accounts, business and property records, personnel records.
- See that appropriate in-service training is conducted as are necessary to carry out the educational programs of the Charter School.
- Recommend to the Board all appointments, discipline or termination of employment of teaching and non-teaching personnel of the Charter School.
- See to the development throughout the Charter School of high standards of performance in educational achievement, use of and development of personnel, public responsibility, and operating efficiency.
- See that effective relations with RDUSD are maintained at the Superintendent and District level. See that relations with the Clarksburg Middle School ("CMS")/Delta High School ("DHS") staff and Principal focus on retaining students in the Clarksburg school system: i.e. DECS to CMS/DHS.
- Establish and maintain liaison with community groups that are interested or involved in the educational programs of the Charter School community.

- Establish and maintain liaison with California Charter Schools Association, County Office of Education, the California Department of Education, Legislature, colleges and universities.
- Directly oversee the work of central office personnel.
- Hold regular meetings with site administrator, Coordinators and Directors to discuss educational problems facing the Charter School.
- Work extensively with CBO on budgets to ensure alignment with Charter School goals.
- Work with CBO on relationships with advisors, consultants, auditors, architects, attorneys and contractors.
- Represent the Charter School before the public, and maintain, through cooperative leadership such a program of public relations as may keep the public informed as to the activities, needs and successes of the Charter School.
- Receive all complaints, comments, concerns and criticisms regarding the operation of the Charter School from the public, employees, students and Board members.
- Approve all major contracts; assist Charter School's CBO in the development of the annual budget to ensure financial success.
- Complete annual Charter School review process.

E. PRINCIPAL

The Principal reports directly to the Superintendent, and he or she is responsible for the orderly operation of the Charter School and the supervision of all employees in the Charter School. The Principal will be the leader of the Charter School. The Principal will ensure that the curriculum is implemented in order to maximize student learning experiences.

The Principal is assigned to perform assigned tasks directed from the Superintendent and is required to undertake some or all of the tasks detailed below. These tasks may include, but are not limited to, the following:

- Ensure that the Charter School enacts its mission.
- Supervise and evaluate teachers and staff.
- Communicate and report to the Superintendent.
- Oversee Charter School finances to ensure financial stability.
- Participate in and develop professional development workshops, as needed.
- Serve or appoint a designee to serve on any committees of the Charter School.
- Interview and recommend employee hiring, promotion, discipline, and/or dismissal.
- Ensure compliance with all applicable state and federal laws and help secure local grants.
- Communicate with parents, recruit new families and students, and assure families of academic growth.
- Take responsible steps to secure full and regular attendance at Charter School of the students enrolled in accordance with policies established by the Board of Directors.
- Complete and submit required documents, as requested or required by the charter and/or District Superintendent or River Charter Schools' Board of Directors.
- Identify the staffing needs of the Charter School and offer staff development, as needed.
- Maintain up-to-date financial records.
- Ensure that appropriate evaluation techniques are used for both students and staff.

- Establish and maintain a system to handle organizational tasks, such as student records, teacher records, teacher credentialing information, contemporaneous attendance logs, purchasing, budgets, and timetables.
- Hire qualified substitute teachers, as needed.
- Ensure the security of the Charter School buildings.
- Promote and publish the Charter School program in the community and promote positive public relations and interact effectively with media.
- Encourage and support teachers on ongoing professional development.
- Attend meetings with the Charter School's Chief Business Officer on fiscal oversight issues once monthly or as otherwise agreed upon.
- Provide all necessary financial reports, as required for proper reporting of average daily attendance ("ADA").
- Develop the Charter School's annual school accountability report card.
- Manage student discipline, as necessary, and participate in the suspension and expulsion process.
- Participate in special education meetings, as necessary.

The above duties, with the exception of personnel matters, may be delegated or contracted, as approved by the Board of Directors, to a business administrator of the Charter School or other employee, a parent volunteer (only in accordance with student and teacher confidentiality rights), or to a third-party provider.

F. ENGLISH LEARNER ADVISORY COMMITTEE

The Charter School will maintain an English Learner Advisory Committee ("ELAC"). The ELAC shall be comprised of parents, staff, and community members specifically designated to advise the Charter School on English Learner program services. The Charter School will work with parents of both English Learners and English speaking students in developing and adopting parent involvement strategies and policies.

G. SCHOOL SITE COUNCIL

The Charter School will maintain a School Site Council ("SSC"). The SSC is an advisory committee that works together to support the Charter School's growth as a united and innovative Charter School community. The membership of the SSC represents all major stakeholders in order to provide a forum for stakeholder voice and input on Charter School development as it relates to building community, accomplishing goals, and reaching the mission of the Charter School.

GH. PARENT INVOLVEMENT

Parent Teacher Club

The Charter School will maintain a Parent Teacher Club to be responsible for parent involvement in Charter School activities, fundraising, and advising the Charter School Board of Directors on any and all matters related to the strengthening of the Charter School community.

Parent Volunteer Opportunities

In addition to parent/guardian participants on the Board and parent participation on the Parent Teacher Club, parents will be strongly encouraged to contribute 30 hours per family per academic year to the Charter School. The Principal shall maintain a comprehensive list of volunteer opportunities, including, but not limited to, the following: volunteering in the classroom/school (including at-home assistance); tutoring; attending parent-teacher conferences; attending meetings of the River Charter Schools' Board of Directors (as member or observer), ELAC or SSC, or any applicable parent group functions; participating in the planning of, or attendance at, fundraising or academic/arts events; or taking part in other activities upon approval by the Principal. No child will be excluded from the Charter School or school activities due to the failure of his or her parent or legal guardian to fulfill the encouraged 30 hours of participation. Parental involvement is not a requirement for acceptance to, or continued enrollment at, the Charter School.

I. ORGANIZATIONAL CHART

See Appendix C for the RCS organizational chart.

V. QUALIFICATIONS OF SCHOOL EMPLOYEES

Governing Law: The qualifications to be met by individuals to be employed by the charter school. —Education Code Section 47605(c)(5)(E).

For all administrative, instructional, instructional support, and noninstructional support positions, the Charter School shall recruit professional, effective, and qualified personnel who believe in the vision of the Charter School and are in touch with the needs of the community. The Charter School shall be nonsectarian in its employment practices and all other operations. The Charter School shall not discriminate on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, gender expression, gender identity, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, including immigration status, or association with an individual who has any of the aforementioned characteristics).

All employees should possess the personal characteristics, knowledge, and relevant experiences to meet the responsibilities and qualifications identified in their posted job description, as determined by the Charter School.

Employees and contractors of the the Charter School are required to submit to a criminal background check and to furnish a criminal record summary as required by Education Code Sections 44237.

Prior to commencing employment with the Charter School, all employees shall be fingerprinted and receive a background clearance in accordance with Education Code Section 44237.

The following are a list of key personnel to be employed by the Charter School, along with corresponding qualifications:

Administrators' Qualifications

The Charter School seeks candidates who possess strong leadership skills; the ability to understand and implement the educational vision of the Charter School; and a desire to facilitate communication and effective participation among teachers, students, staff, the Board, and the community at large. The Charter School administrators shall possess the following minimum qualifications:

- Valid teaching credential
- Valid Administrative Services Credential (or Pupil Services Credential) preferred
- Minimum of five years of teaching experience
- Master's Degree or equivalent

Teachers' Qualifications

The Charter School shall seek teachers who are committed to education and the mission and vision of the Charter School and who are in touch with the needs of the community. Teachers are

expected to exhibit critical-thinking and communication skills, effective teaching strategies, subject-matter expertise, and a willingness to work collaboratively and take responsibility and exercise leadership for the Charter School as a whole.

The Charter School shall comply with Education Code Section 47605(l), which states:

Teachers in charter schools shall the Commission on Teacher Credentialing certificate, permit, or other document required for the teacher's certificated assignment. These documents shall be maintained on file at the charter school and are subject to periodic inspection by the chartering authority. A governing body of a direct-funded charter school may use local assignment options authorized in statute and regulations for the purpose of legally assigning certificated teachers, in accordance with all of the requirements of the applicable statutes or regulations in the same manner as a governing board of a school district. A charter school shall have authority to request an emergency permit or a waiver from the Commission on Teacher Credentialing for individuals in the same manner as a school district.

Teachers will be CLAD certified or will hold a similar certificate issued by the Commission on Teacher Credentialing.

Non-certificated Staff

The Charter School shall seek non-certificated candidates who embrace the vision of the Charter School and are flexible and able to work collaboratively with administrators, students, faculty, staff, and parents. Non-certificated staff candidates must possess adequate professional training and/or experience.

Non-certificated staff members, who may include business service providers, a custodian, a school secretary, and a bus driver, must exhibit the following minimum qualifications¹:

- Adequate professional training and/or experience
- Any and all licenses or certifications necessary to perform the responsibilities of the position
- Positive references

Classroom Aides

The Charter School may hire well qualified paraprofessional classroom aides to further support students and teachers. The Charter School recognizes the importance of trained aides in the classroom to help the teacher in the instruction of students; therefore, aides must possess the following qualifications:

- Candidate must hold a high school diploma.

¹ In the alternative, the Charter School may contract for any or all of these services.

- Candidate must have completed a minimum of two years of post-secondary study (defined as 48 semester units or greater) or hold a minimum of an AA degree - to include coursework that shall prepare the paraprofessional candidate for demonstration of working knowledge of and the ability to assist in instructing in the areas of reading, writing, and math, or in "school readiness." In lieu of this, the candidate may have job experience in the same or similar position or have a skillset that is needed such as being bilingual.

Staff Selection Procedures

The Charter School shall not discriminate on the basis of any characteristic described in Education Code Section 220.

When a vacancy occurs, the Principal shall establish an ad hoc hiring committee, which shall:

- Announce openings.
- Recruit applicants; request resumes.
- Interview and select candidates.
- Teacher candidates will provide 1-2 demonstration lessons prior to final panel interview

VI. HEALTH AND SAFETY PROCEDURES

Governing Law: The procedures that the charter school will follow to ensure the health and safety of pupils and staff. These procedures shall require all of the following:

- (i) That each employee of the charter school furnish the charter school with a criminal record summary, as described in Section 44237.*
- (ii) The development of a school safety plan, which shall include the safety topics listed in subparagraphs (A) to (J), inclusive, of paragraph (2) of subdivision (a) of Section 32282*
- (iii) That the school safety plan be reviewed and updated by March 1 of every year by the charter school.*

—Education Code Section 47605(c)(5)(F).

In order to provide safety for all students and staff, the Charter School has adopted and implemented full health and safety procedures and risk management policies for the Charter School site.

The following is a summary of the health and safety policies of the Charter School:

Procedures for Background Checks

Employees and contractors of the Charter School will be required to submit to a criminal background check and furnish a criminal record summary, as required by Education Code Sections 44237 and 45125.1. Applicants for employment must submit two sets of fingerprints to the California Department of Justice for the purpose of obtaining a criminal record summary. The Charter School shall not hire any person, in either a certificated or classified position, who has been convicted of a violent or serious felony except as otherwise provided by law, pursuant to Education Code Sections 44830.1 and 45122.1. The Principal of the Charter School shall monitor compliance with this policy and report to the Board of Directors on a regular basis. The Board President shall monitor the fingerprinting and background clearance of the Principal. Volunteers who will volunteer outside of the direct supervision of a credentialed employee shall be fingerprinted and receive background clearance prior to volunteering without the direct supervision of a credentialed employee.

Role of Staff as Mandated Child Abuse Reporters

All employees will be mandated child abuse reporters and will follow all applicable reporting laws. The Charter School shall provide mandated reporter training to all employees annually in accordance with Education Code Section 44691.

Tuberculosis Risk Assessment and Examination

Employees, and volunteers who have frequent or prolonged contact with students, will be assessed and examined (if necessary) for tuberculosis prior to commencing employment and working with students, , and for employees at least once each four years thereafter, as required by Education Code Section 49406.

Immunizations

All enrolled students who receive classroom-based instruction will be required to provide records documenting immunizations, as is required at public schools pursuant to Health and Safety Code Sections 120325-120375 and Title 17, California Code of Regulations, Sections 6000-6075.

Medications in School

The Charter School will adhere to Education Code Section 49423 regarding administration of medications in school. The Charter School has adopted a Medication Administration Policy attached as Appendix I. The Charter School will adhere to Education Code Section 49414 regarding epinephrine auto-injectors and training for staff members.

Vision, Hearing, and Scoliosis Screening

Students will be screened for vision, hearing, and scoliosis. The Charter School will adhere to Education Code Section 49450 *et seq.*, as applicable to the grade levels served by the school.

Diabetes

The Charter School shall make the type 1 diabetes informational materials accessible to the parent or guardian of a pupil when the pupil is first enrolled in elementary school.

Suicide Prevention Policy

The Charter School shall maintain a policy on student suicide prevention in accordance with Education Code Section 215. The Charter School shall review, at minimum every fifth year, its policy on pupil suicide prevention and, if necessary, update its policy.

Prevention of Human Trafficking

The Charter School shall identify and implement the most appropriate methods of informing parents and guardians of students in grades 6 of human trafficking prevention resources.

Feminine Hygiene Products

The Charter School will stock at least 50% of its restrooms with feminine hygiene products, and shall not charge students for these products, pursuant to Education Code Section 35292.6.

Emergency Preparedness

The Charter School shall adhere to an *Emergency Preparedness Handbook*, drafted specifically to the needs of the facility in conjunction with law enforcement and the Fire Marshall. This handbook shall include, but not be limited to, the following responses: fire, flood, earthquake, terrorist threats, and hostage situations.

Staff shall receive training in emergency response, including appropriate "first responder" training or its equivalent.

Bloodborne Pathogens

The Charter School shall meet state and federal standards for dealing with bloodborne pathogens and other potentially infectious materials in the workplace. The Board shall establish a written infectious control plan designed to protect employees and students from possible infection due to contact with bloodborne viruses, including human immunodeficiency virus ("HIV") and hepatitis B virus ("HBV").

Whenever exposed to blood or other bodily fluids through injury or accident, students and staff should follow the latest medical protocol for disinfecting procedures.

Drug-, Alcohol-, and Smoke-Free Environment

The Charter School shall function as a drug-, alcohol-, and tobacco-free workplace.

Facility Safety

The Charter School shall comply with Education Code Section 47610 by either utilizing facilities that are compliant with the Field Act or facilities that are compliant with the California Building Standards Code. The Charter School agrees to test sprinkler systems, fire extinguishers, and fire alarms annually at its facilities to ensure that they are maintained in an operable condition at all times. The Charter School shall conduct fire drills as required under Education Code Section 32001.

Comprehensive Anti-Discrimination and Harassment Policies and Procedures

The Charter School is committed to providing a school that is free from discrimination and sexual harassment, as well as any harassment based upon the actual or perceived characteristics of race, religion, creed, color, gender, gender identity, gender expression, nationality, national origin, ancestry, ethnic group identification, genetic information, age, medical condition, marital status, sexual orientation, sex and pregnancy, physical or mental disability, childbirth or related medical conditions, military and veteran status, denial of family and medical care leave, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, or any other basis protected by federal, state, local law, ordinance or regulation. The Charter School has a comprehensive policy to prevent and immediately remediate any concerns about discrimination or harassment at the Charter School (including employee to employee, employee to student, and student to employee misconduct). Misconduct of this nature is very serious and will be addressed in accordance with the Charter School's discrimination and harassment policies.

A copy of the policy shall be provided as part of any orientation program conducted for new and continuing pupils at the beginning of each quarter, semester, or summer session, as applicable,

and to each faculty member, all members of the administrative staff, and all members of the support staff at the beginning of the first quarter or semester of the school year, or at the time that there is a new employee hired.

Nutritionally Adequate Free or Reduced Price Meal

The Charter School shall provide each needy student, as defined in Education Code Section 49552, with one nutritionally adequate free or reduced-price meal, as defined in Education Code Section 49553(a), during each school day.

The Charter School shall provide two school meals free of charge during each school day to any pupil who requests a meal without consideration of the pupil's eligibility for a federally funded free or reduced-price meal, with a maximum of one free meal for each meal service period. The meals provided under this paragraph shall be nutritionally adequate meals that qualify for federal reimbursement.

School Safety Plan

The Charter School shall adopt a School Safety Plan, to be reviewed and updated by March 1 of every year, which shall include identifying appropriate strategies and programs that will provide or maintain a high level of school safety and address the Charter School's procedures for complying with applicable laws related to school safety, including the development of all of the following pursuant to Education Code Section 32282(a)(2)(A)-(J):

- child abuse reporting procedures
- routine and emergency disaster procedures
- policies for students who committed an act under Section 48915 and other Charter School-designated serious acts leading to suspension, expulsion, or mandatory expulsion recommendations
- procedures to notify teachers of dangerous students pursuant to Education Code Section 49079
- a discrimination and harassment policy consistent with Education Code Section 200
- provisions of any schoolwide dress code that prohibits students from wearing "gang-related apparel," if applicable
- procedures for safe ingress and egress of pupils, parents, and employees to and from the Charter School
- a safe and orderly environment conducive to learning
- the rules and procedures on school discipline adopted pursuant to Education Code Sections 35291, 35291.5, 47605, and 47605.6
- procedures for conducting tactical responses to criminal incidents

Bullying Prevention

The Charter School shall adopt procedures for preventing acts of bullying, including cyberbullying. The Charter School shall annually make available the online training module

developed by the CDE pursuant to Education Code Section 32283.5(a) to certificated schoolsite employees and all other schoolsite employees who have regular interaction with children.

Athletic Programs

The Charter School shall comply with all applicable laws related to health and safety policies and procedures surrounding athletic programs at charter schools, including but not limited to providing information to athletes regarding sudden cardiac arrest and annually providing each athlete an Opioid Factsheet for Patients.

VII. Student Population BALANCE

Governing Law: The means by which the charter school will achieve a balance of racial and ethnic pupils, special education pupils, and English learner pupils, including redesignated fluent English proficient pupils, as defined by the evaluation rubrics in Section 52064.5, that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted. —Education Code Section 47605(c)(5)(G).

The Charter School shall strive, through recruitment and admissions practices, to achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the River Delta Unified School District.

The Charter School will implement an outreach plan that includes, but is not limited to, the following elements or strategies, which focus on achieving and maintaining a racial and ethnic balance among students that is reflective of the general population residing within the territorial jurisdiction of the River Delta Unified School District:

- An enrollment process that is scheduled and adopted to include a timeline that allows for a broad-based application process.
- The development and distribution of promotional and informational material that reaches out to all of the various racial and ethnic groups represented in the territorial jurisdiction of the River Delta Unified School District, including Spanish language materials.

The outreach plan will be reviewed and updated annually based upon the success and/or failures of the prior year.

VIII. STUDENT ADMISSION POLICIES AND PROCEDURES

Governing Law: Admission policies and procedures, consistent with [Education Code Section 47605] subdivision (d). —*Education Code Section 47605(b)(5)(H)*.

Charter schools are schools of choice. The Charter School shall admit all pupils who wish to attend the Charter School subject only to capacity. No test or assessment shall be administered to students prior to acceptance and enrollment in the Charter School. The Charter School will comply with all laws establishing minimum and maximum age for public school attendance in charter schools. Admission, except in the case of a random public lottery, shall not be determined according to the place of residence of the pupil, or of his or her parent or guardian, within this state. In accordance with Education Code Sections 49011 and 47605(d)(2)(B)(iv), admission preferences shall not require mandatory parental volunteer hours as a criterion for admission or continued enrollment.

The Charter School shall be nonsectarian in its admission policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against any pupil on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, gender expression, gender identity, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, including immigration status, or association with an individual who has any of the aforementioned characteristics).

In accordance with Education Code Section 47605(d)(4)(A), the Charter School shall not discourage a pupil from enrolling or seeking to enroll in the charter school for any reason, including, but not limited to, academic performance of the pupil or because the pupil exhibits any of the characteristics described in Education Code Section 47605(d)(2)(B)(iii), including pupils with disabilities, academically low-achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, or pupils who are economically disadvantaged, as determined by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation. Similarly, in accordance with Section 47605(d)(4)(C), the Charter School shall not encourage a pupil currently attending the Charter School to disenroll from the Charter School or transfer to another school for any reason, including, but not limited to the academic performance of the pupil or because the pupil exhibits any of the characteristics described in Education Code Section 47605(d)(2)(B)(iii), as listed above.

Pursuant to Education Code Section 47605(d)(4)(D), the Charter School shall post a notice developed by the CDE on the Charter School website, outlining the requirements of Section 47605(d)(4), and make this notice available to parents.

The Charter School shall require students who wish to attend the Charter School to complete an application form. After admission, students will be required to submit an enrollment packet, which shall include the following:

- Completion of a student enrollment form
- Proof of immunizations
- Home language survey

- Completion of “Emergency Medical Information Form”
- Proof of minimum age requirements
- Release of records²

A. PUBLIC RANDOM DRAWING

Applications will be accepted during a publicly advertised open enrollment period each spring for enrollment in the following school year. Following the open enrollment period each year, applications shall be counted to determine whether any grade level has received more applications than availability. In the event that this happens, the Charter School will hold a public random drawing to determine enrollment for the impacted grade levels, with the exception of existing students who are guaranteed enrollment in the following school year. Currently enrolled students at the Charter School who will be moving up into the next grade level will be automatically re-enrolled for the following year. Each returning student will be required to return an “intent to return” form.

Admission preferences in the case of a public random drawing will be given to the following students in the following order:

Priority 1: Students who reside in the former Clarksburg Elementary School attendance area.

Priority 2: Siblings of students who attended DECS during its first two inaugural years: 2007-2008 and 2008-2009.

Priority 3: Children of DECS Employees, Board of Directors, and Founding Members. (Not to exceed 15% of total population. “Founding Members” shall be defined in accordance with adopted policy of the Board of Directors.)

Priority 4: Siblings of students who currently attend DECS for 30 school days.

Priority 5: Students who are currently enrolled in, and students who reside in the attendance area of, Bates Elementary School, where the Delta Elementary Charter School site is physically located and which has more than 55% of its student enrollment eligible for free and reduced price meals, in accordance with Education Code Section 47614.5.

Priority 6: Residents of the River Delta Unified School District attendance area.

Priority 7: Siblings of students attending Clarksburg Middle School or Delta High School.

Priority 8: All students on the “wait list” from the previous year.

² The Charter School shall not request a pupil’s records or require a parent, guardian, or pupil to submit the pupil’s records to the Charter School before enrollment.

Priority 9: All other out-of-District applicants.

The Charter School and the District agree to adhere to the requirements related to admission preferences as set forth in Education Code Section 47605(d)(2)(B)(i)-(iv).

The Board of Directors will take all necessary efforts to ensure lottery procedures are fairly executed. Lottery spaces are pulled in order of grade level by the designated lottery official (appointed by the Superintendent). Separate lotteries shall be conducted for each grade in which there are fewer vacancies than pupils interested in attending. All lotteries shall take place on the same day in a single location. Lotteries will be conducted in ascending order beginning with the lowest applicable grade level. There is no weighted priority assigned to the preference categories; rather, within each grade level, students will be drawn from pools beginning with all applicants who qualify for the first preference category, and shall continue with that preference category until all vacancies within that grade level have been filled. If there are more students in a preference category than there are spaces available, a random drawing will be held from within that preference category until all available spaces are filled. If all students from the preference category have been selected and there are remaining spaces available in that grade level, students from the second preference category will be drawn in the lottery, and the drawing shall continue until all spaces are filled and preference categories are exhausted in the order provided above.

Once a grade level is filled to capacity, applications will continue to be drawn for positions on a waiting list. This waiting list will allow students the option of enrollment in the case of an opening during the school year. In no circumstance will a waiting list carry over to the following school year.

Public random drawing rules, deadlines, dates and times will be communicated in the application form and on the Charter School's website. Public notice for the date and time of the public random drawing will also be posted once the application deadline has passed. The Charter School will also inform parents of all applicants and all interested parties of the rules to be followed during the public random drawing process via mail or email prior to the lottery date.

B. SCHOOL ORIENTATION AND PARENT CONTRACT

Interested parents of prospective students are strongly encouraged to visit the DECS to learn more about the Charter School's goals and philosophy. Once a student has been enrolled in the Charter School, a parent and /or guardian will be encouraged to sign a nonbinding Parent Contract, which is a voluntary agreement among families, the Charter School, and the student. The provisions of the Parent Contract are described further below:

1. Work with staff to provide an optimal learning environment at home and school.
2. Strive to contribute a minimum of 30 hours per school year in a volunteer capacity.

The intent of the Parent Contract is to create a strong relationship between families of the Charter School's students and Charter School personnel. Parents of students enrolled in the Charter School will be encouraged to consider the benefits of strong parental support to their children's education. Opportunities to meet the commitments of the Parent Contract will be flexible in order to provide

for varying parental schedules and needs. Although the fulfillment of the Parent Contract is highly recommended, children whose parents are unable to complete the agreement will not be excluded from the Charter School program or activities, nor will Charter School personnel penalize them in any way.

IX. INDEPENDENT FINANCIAL AUDITS

Governing Law: The manner in which annual, independent financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the chartering authority. — California Education Code Section 47605(b)(5)(I).

An annual independent fiscal audit of the books and records of the Charter School will be conducted, as required by Education Code Sections 47605(b)(5)(I) and 47605(m). The books and records of the Charter School will be kept in accordance with generally accepted accounting principles, and as required by applicable law, the audit will employ generally accepted accounting principles. The audit shall be conducted in accordance with applicable provisions within the California Code of Regulations governing audits of charter schools, as published in the K-12 Audit Guide issued by the State Controller's Office.

An audit committee will select an independent auditor through a request for proposal format. The auditor will have, at a minimum, a CPA and educational institution audit experience and be approved by the State Controller on its published list of educational audit providers. To the extent required under applicable federal law, the audit's scope will be expanded to include items and processes specified in applicable Office of Management and Budget Circulars.

The annual audits will be completed and forwarded to the District, the Sacramento County Superintendent of Schools, the State Controller, and to the CDE by December 15th of each year. The Principal, along with the audit committee, will review any audit exceptions or deficiencies and report to the Charter School Board of Directors with recommendations on how to resolve them. The Board will submit a report to the District describing how the exceptions and deficiencies have been or will be resolved to the satisfaction of the District, along with an anticipated timeline for doing so. Any disputes regarding the resolution of audit exceptions and deficiencies will be referred to the dispute resolution process referenced in this Charter. Audit appeals or requests for summary review shall be submitted to the Education Audit Appeals Panel ("EAAP") in accordance with applicable law.

The independent fiscal audit of the Charter School is public record to be provided to the public upon request.

X. SUSPENSION AND EXPULSION PROCEDURES

Governing Law: The procedures by which pupils can be suspended or expelled from the charter school for disciplinary reasons or otherwise involuntarily removed from the charter school for any reason. These procedures, at a minimum, shall include an explanation of how the charter school will comply with federal and state constitutional procedural and substantive due process requirements that is consistent with all of the following:

(i) For suspensions of fewer than 10 days, provide oral or written notice of the charges against the pupil and, if the pupil denies the charges, an explanation of the evidence that supports the charges and an opportunity for the pupil to present the pupil's side of the story.

(ii) For suspensions of 10 days or more and all other expulsions for disciplinary reasons, both of the following:

(I) Provide timely, written notice of the charges against the pupil and an explanation of the pupil's basic rights.

(II) Provide a hearing adjudicated by a neutral officer within a reasonable number of days at which the pupil has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate.

(iii) Contain a clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five school days before the effective date of the action. The written notice shall be in the native language of the pupil or the pupil's parent or guardian or, if the pupil is a foster child or youth or a homeless child or youth, the pupil's educational rights holder, and shall inform the pupil, the pupil's parent or guardian, or the pupil's educational rights holder of the right to initiate the procedures specified in clause (ii) before the effective date of the action. If the pupil's parent, guardian, or educational rights holder initiates the procedures specified in clause (ii), the pupil shall remain enrolled and shall not be removed until the charter school issues a final decision. For purposes of this clause, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions specified in clauses (i) and (ii). —Education Code Section 47605(b)(5)(J).

Policy

This Pupil Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and well-being of all students at the Charter School. In creating this policy, the Charter School has reviewed Education Code Section 48900 *et seq.* which describes the non-charter schools' list of offenses and procedures to establish its list of offenses and procedures for suspensions and expulsions. The language that follows closely mirrors the language of Education Code Section 48900 *et seq.* The Charter School is committed to annual review of policies and procedures surrounding suspensions and expulsions and, as necessary, modification of the lists of offenses for which students are subject to suspension or expulsion.

When the policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction. This policy shall serve as the Charter School's policy and procedures for student suspension and expulsion and it may be amended from time to time without the need to amend the charter so long as the amendments comport with legal requirements. Charter School

staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This policy and its procedures will be printed and distributed as part of the Student Handbook and will clearly describe discipline expectations.

Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of or willfully causing the infliction of physical pain on a student. For purposes of the policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to school property.

The Charter School administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline and involuntary disenrollment policies and procedures. The notice shall state that this policy and procedures are available on request at the Principal's office.

Suspended or expelled students shall be excluded from all school and school-related activities unless otherwise agreed during the period of suspension or expulsion.

A student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 ("IDEA") or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 ("Section 504") is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to general education students except when federal and state law mandates additional or different procedures. The Charter School will follow all applicable federal and state laws including but not limited to the California Education Code, when imposing any form of discipline on a student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students.

No student shall be involuntarily removed by the Charter School for any reason unless the parent or guardian of the student has been provided written notice of intent to remove the student no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the student or the student's parent or guardian or, if the student is a foster child or youth or a homeless child or youth, the student's educational rights holder, and shall inform him or her of the basis for which the pupil is being involuntarily removed and his or her right to request a hearing to challenge the involuntary removal. If a parent, guardian, or educational rights holder requests a hearing, the Charter School shall utilize the same hearing procedures specified below for expulsions, before the effective date of the action to involuntarily remove the student. If the student's parent, guardian, or educational rights holder requests a hearing, the student shall remain enrolled and shall not be removed until the Charter School issues a final decision. As used herein, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include removals for misconduct which may be grounds for suspension or expulsion as enumerated below.

A. Grounds for Suspension and Expulsion of Students

A student may be suspended or expelled for prohibited misconduct if the act is related to school activity or school attendance occurring at any time including but not limited to: a) while on school grounds; b) while going to or coming from school; c) during the lunch period, whether on or off the school campus; d) during, going to, or coming from a school-sponsored activity.

B. Enumerated Offenses

1. Discretionary Suspension Offenses. Students may be suspended for any of the following acts when it is determined the pupil:

- a) Caused, attempted to cause, or threatened to cause physical injury to another person.
- b) Willfully used force or violence upon the person of another, except self-defense.
- c) Unlawfully possessed, used or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind.
- d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
- e) Committed or attempted to commit robbery or extortion.
- f) Caused or attempted to cause damage to school property or private property which includes but is not limited to, electronic files and databases.
- g) Stole or attempted to steal school property or private property which includes but is not limited to, electronic files and databases.
- h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
- i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.

- k) Knowingly received stolen school property or private property which includes but is not limited to, electronic files and databases.
- l) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- m) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- n) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- o) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, “hazing” means a method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, “hazing” does not include athletic events or school-sanctioned events.
- p) Made terroristic threats against school officials and/or school property which includes but is not limited to, electronic files and databases. For purposes of this section, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family’s safety, or for the protection of school property which includes but is not limited to, electronic files and databases., or the personal property of the person threatened or his or her immediate family.
- q) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual’s academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.

- r) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
 - s) Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
 - t) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
- 1) “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
 - i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student’s or those students’ person or property.
 - ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
 - iii. Causing a reasonable student to experience substantial interference with his or her academic performance.
 - iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
 - 2) “Electronic Act” means the creation or transmission originated on or off the schoolsite, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
 - i. A message, text, sound, video, or image.
 - ii. A post on a social network Internet Web site including, but not limited to:
 - (a) Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.

- (b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
 - (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
 - iii. An act of cyber sexual bullying.
 - (a) For purposes of this clause, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
 - (b) For purposes of this clause, “cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
 - 3) Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
 - u) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1)(a)-(b).
 - v) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Principal or designee’s concurrence.
2. Non-Discretionary Suspension Offenses: Students must be suspended and recommended for expulsion for any of the following acts when it is determined the pupil:

- a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Principal or designee's concurrence.
 - b) Brandishing a knife at another person.
 - c) Unlawfully selling a controlled substance listed in Health and Safety Code Section 11053, et seq.
 - d) Committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code Section 48900(n)
3. Discretionary Expellable Offenses: Students may be recommended for expulsion for any of the following acts when it is determined the pupil:
- a) Caused, attempted to cause, or threatened to cause physical injury to another person.
 - b) Willfully used force or violence upon the person of another, except self-defense.
 - c) Unlawfully possessed, used, or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
 - d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
 - e) Committed or attempted to commit robbery or extortion.
 - f) Caused or attempted to cause damage to school property or private property which includes but is not limited to, electronic files and databases.
 - g) Stole or attempted to steal school property or private property which includes but is not limited to, electronic files and databases.
 - h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
 - i) Committed an obscene act or engaged in habitual profanity or vulgarity.
 - j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.

- k) Knowingly received stolen school property or private property which includes but is not limited to, electronic files and databases.
- l) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- m) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- n) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- o) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, “hazing” means a method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, “hazing” does not include athletic events or school-sanctioned events.
- p) Made terroristic threats against school officials and/or school property which includes but is not limited to, electronic files and databases. For purposes of this section, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family’s safety, or for the protection of school property, or the personal property of the person threatened or his or her immediate family.
- q) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual’s academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.

- r) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
 - s) Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
 - t) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
- 1) “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
 - i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student’s or those students’ person or property.
 - ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
 - iii. Causing a reasonable student to experience substantial interference with his or her academic performance.
 - iv. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
 - 2) “Electronic Act” means the creation or transmission originated on or off the schoolsite, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
 - i. A message, text, sound, video, or image.
 - ii. A post on a social network Internet Web site including, but not limited to:
 - (a) Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
 - (b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph

- (1) above. “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
 - (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
 - iii. An act of cyber sexual bullying.
 - (a) For purposes of this clause, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
 - (b) For purposes of this clause, “cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
- 3) Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
- u) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (3)(a)-(b).
- v) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Principal or designee’s concurrence.
- 4. Non-Discretionary Expellable Offenses: Students must be recommended for expulsion for any of the following acts when it is determined pursuant to the procedures below that the pupil:

- a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Principal or designee's concurrence.
- b) Brandishing a knife at another person.
- c) Unlawfully selling a controlled substance listed in Health and Safety Code Section 11053, et seq.
- d) Committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code Section 48900(n)

If it is determined by the Administrative Panel and/or Board of Directors that a student has brought a fire arm or destructive device, as defined in Section 921 of Title 18 of the United States Code, on to campus or to have possessed a firearm or dangerous device on campus, the student shall be expelled for one year, pursuant to the Federal Gun Free Schools Act of 1994. In such instances, the pupil shall be provided due process rights of notice and a hearing as required in this policy.

The term "firearm" means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm.

The term "destructive device" means (A) any explosive, incendiary, or poison gas, including but not limited to: (i) bomb, (ii) grenade, (iii) rocket having a propellant charge of more than four ounces, (iv) missile having an explosive or incendiary charge of more than one-quarter ounce, (v) mine, or (vi) device similar to any of the devices described in the preceding clauses.

C. Suspension Procedure

Suspensions shall be initiated according to the following procedures:

1. Conference

Suspension shall be preceded, if possible, by a conference conducted by the Principal or the Principal's designee with the student and his or her parent and, whenever practical, the teacher, supervisor or Charter School employee who referred the student to the Principal or designee.

The conference may be omitted if the Principal or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or Charter School personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference.

At the conference, the pupil shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given the opportunity to present his or her version and evidence in his or her defense, in accordance with Education Code Section 47605(b)(5)(J)(i). This conference shall be held within two (2) school days, unless the pupil waives this right or

is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization. No penalties may be imposed on a pupil for failure of the pupil's parent or guardian to attend a conference with Charter School officials. Reinstatement of the suspended pupil shall not be contingent upon attendance by the pupil's parent or guardian at the conference.

2. Notice to Parents/Guardians

At the time of the suspension, an administrator or designee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension and the date of return following suspension. This notice shall state the specific offense committed by the student. In addition, the notice may also state the date and time when the student may return to school. If Charter School officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may request that the parent/guardian respond to such requests without delay.

3. Suspension Time Limits/Recommendation for Expulsion

Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension. Upon a recommendation of expulsion by the Principal or Principal's designee, the pupil and the pupil's guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. In such instances when the Charter School has determined a suspension period shall be extended, such extension shall be made only after a conference is held with the pupil or the pupil's parents, unless the pupil and the pupil's parents fail to attend the conference.

This determination will be made by the Principal or designee upon either of the following: 1) the pupil's presence will be disruptive to the education process; or 2) the pupil poses a threat or danger to others. Upon either determination, the pupil's suspension will be extended pending the results of an expulsion hearing.

D. Authority to Expel

As required by Education Code Section 47605(b)(5)(J)(ii), students recommended for expulsion are entitled to a hearing adjudicated by a neutral officer to determine whether the student should be expelled. The procedures herein provide for such a hearing and the notice of said hearing, as required by law.

A student may be expelled either by the neutral and impartial Charter School Board following a hearing before it or by the Charter School Board upon the recommendation of a neutral and impartial Administrative Panel to be assigned by the Board as needed. The Administrative Panel shall consist of at least three members who are certificated and neither a teacher of the pupil or a Board member of the Charter School's governing board. Each entity shall be presided over by a designated neutral hearing chairperson. The Administrative Panel may recommend expulsion of

any student found to have committed an expellable offense, and the Board of Directors shall make the final determination.

E. Expulsion Procedures

Students recommended for expulsion are entitled to a hearing to determine whether the student should be expelled. Unless postponed for good cause, the hearing shall be held within thirty (30) school days after the Principal or designee determines that the pupil has committed an expellable offense.

In the event an Administrative Panel hears the case, it will make a recommendation to the Board for a final decision whether to expel. The hearing shall be held in closed session (complying with all pupil confidentiality rules under FERPA) unless the pupil makes a written request for a public hearing in open session three (3) days prior to the date of the scheduled hearing.

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least ten (10) calendar days before the date of the hearing. Upon mailing the notice, it shall be deemed served upon the pupil. The notice shall include:

1. The date and place of the expulsion hearing.
2. A statement of the specific facts, charges and offenses upon which the proposed expulsion is based.
3. A copy of the Charter School's disciplinary rules that relate to the alleged violation.
4. Notification of the student's or parent/guardian's obligation to provide information about the student's status at the Charter School to any other school district or school to which the student seeks enrollment.
5. The opportunity for the student and/or the student's parent/guardian to appear in person or to employ and be represented by counsel or a non-attorney advisor.
6. The right to inspect and obtain copies of all documents to be used at the hearing.
7. The opportunity to confront and question all witnesses who testify at the hearing.
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf including witnesses.

F. Special Procedures for Expulsion Hearings Involving Sexual Assault or Battery Offenses

The Charter School may, upon a finding of good cause, determine that the disclosure of either the identity of the witness or the testimony of that witness at the hearing, or both, would subject the witness to an unreasonable risk of psychological or physical harm. Upon this determination, the testimony of the witness may be presented at the hearing in the form of sworn declarations that shall be examined only by the Charter School or the hearing officer. Copies of these sworn declarations, edited to delete the name and identity of the witness, shall be made available to the pupil.

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive five days notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of

his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.

2. The Charter School must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
3. At the discretion of the entity conducting the expulsion hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.
4. The entity conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The entity conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the entity presiding over the hearing from removing a support person whom the presiding entity finds is disrupting the hearing. The entity conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.
7. If one or both of the support persons is also a witness, the Charter School must present evidence that the witness' presence is both desired by the witness and will be helpful to the Charter School. The person presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.
8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.
9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.
10. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed

inadmissible and shall not be heard absent a determination by the entity conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstance can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

G. Record of Hearing

A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made.

H. Presentation of Evidence

While technical rules of evidence do not apply to expulsion hearings, evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. A recommendation by the Administrative Panel to expel must be supported by substantial evidence that the student committed an expellable offense. Findings of fact shall be based solely on the evidence at the hearing. While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay. Sworn declarations may be admitted as testimony from witnesses of whom the Board or Administrative Panel determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

If, due to a written request by the expelled pupil, the hearing is held at a public meeting, and the charge is committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code Section 48900, a complaining witness shall have the right to have his or her testimony heard in a session closed to the public.

The decision of the Administrative Panel shall be in the form of written findings of fact and a written recommendation to the Board who will make a final determination regarding the expulsion. The final decision by the Board shall be made within ten (10) school days following the conclusion of the hearing. The decision of the Board is final.

If the Administrative Panel decides not to recommend expulsion, the pupil shall immediately be returned to his/her educational program.

I. Written Notice to Expel

The Principal or designee, following a decision of the Board to expel, shall send written notice of the decision to expel, including the Board's adopted findings of fact, to the student or parent/guardian. This notice shall also include the following: (a) Notice of the specific offense committed by the student; and (b) Notice of the student's or parent/guardian's obligation to inform

any new district in which the student seeks to enroll of the student's status with the Charter School.

The Principal or designee shall send a copy of the written notice of the decision to expel to the authorizer. This notice shall include the following: (a) The student's name; and (b) The specific expellable offense committed by the student.

J. Disciplinary Records

The Charter School shall maintain records of all student suspensions and expulsions at the Charter School. Such records shall be made available to the authorizer upon request.

K. No Right to Appeal

The pupil shall have no right of appeal from expulsion from the Charter School as the Charter School Board's decision to expel shall be final.

L. Expelled Pupils/Alternative Education

Parents/guardians of pupils who are expelled shall be responsible for seeking alternative education programs including, but not limited to, programs within the County or their school district of residence. The Charter School shall work cooperatively with parents/guardians as requested by parents/guardians or by the school district of residence to assist with locating alternative placements during expulsion.

M. Rehabilitation Plans

Students who are expelled from the Charter School shall be given a rehabilitation plan upon expulsion as developed by the Board at the time of the expulsion order, which may include, but is not limited to, periodic review as well as assessment at the time of review for readmission. The rehabilitation plan should include a date not later than one year from the date of expulsion when the pupil may reapply to the Charter School for readmission.

N. Readmission

The decision to readmit a pupil or to admit a previously expelled pupil from another school district or charter school shall be in the sole discretion of the Board following a meeting with the Principal or designee and the pupil and parent/guardian or representative to determine whether the pupil has successfully completed the rehabilitation plan and to determine whether the pupil poses a threat to others or will be disruptive to the school environment. The Principal or designee shall make a recommendation to the Board following the meeting regarding his or her determination. The Board shall then make a final decision regarding readmission during the closed session of a public meeting, reporting out any action taken during closed session consistent with the requirements of the Brown Act. The pupil's readmission is also contingent upon the Charter School's capacity at the time the student seeks readmission.

O. Notice to Teachers

The Charter School shall notify teachers of each pupil who has engaged in or is reasonably suspected to have engaged in any of the acts listed in Education Code Section 49079 and the corresponding enumerated offenses set forth above.

P. Special Procedures for the Consideration of Suspension and Expulsion or Involuntary Removal of Students with Disabilities

1. Notification of SELPA

The Charter School shall immediately notify the SELPA and coordinate the procedures in this policy with the SELPA of the discipline of any student with a disability or student who the Charter School or SELPA would be deemed to have knowledge that the student had a disability.

2. Services During Suspension

Students suspended for more than ten (10) school days in a school year shall continue to receive services so as to enable the student to continue to participate in the general education curriculum, although in another setting (which could constitute a change of placement and the student's IEP would reflect this change), and to progress toward meeting the goals set out in the child's IEP/504 Plan; and receive, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur. These services may be provided in an interim alternative educational setting.

3. Procedural Safeguards/Manifestation Determination

Within ten (10) school days of a recommendation for expulsion or any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the Charter School, the parent, and relevant members of the IEP/504 Team shall review all relevant information in the student's file, including the child's IEP/504 Plan, any teacher observations, and any relevant information provided by the parents to determine:

- a) If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or
- b) If the conduct in question was the direct result of the local educational agency's failure to implement the IEP/504 Plan.

If the Charter School, the parent, and relevant members of the IEP/504 Team determine that either of the above is applicable for the child, the conduct shall be determined to be a manifestation of the child's disability.

If the Charter School, the parent, and relevant members of the IEP/504 Team make the determination that the conduct was a manifestation of the child's disability, the IEP/504 Team shall:

- a) Conduct a functional behavioral assessment and implement a behavioral intervention plan for such child, provided that the Charter School had not conducted such assessment prior to such determination before the behavior that resulted in a change in placement;
- b) If a behavioral intervention plan has been developed, review the behavioral intervention plan if the child already has such a behavioral intervention plan, and modify it, as necessary, to address the behavior; and
- c) Return the child to the placement from which the child was removed, unless the parent and the Charter School agree to a change of placement as part of the modification of the behavioral intervention plan.

If the Charter School, the parent, and relevant members of the IEP/504 Team determine that the behavior was not a manifestation of the student's disability and that the conduct in question was not a direct result of the failure to implement the IEP/504 Plan, then the Charter School may apply the relevant disciplinary procedures to children with disabilities in the same manner and for the same duration as the procedures would be applied to students without disabilities.

4. Due Process Appeals

The parent of a child with a disability who disagrees with any decision regarding placement, or the manifestation determination, or the Charter School believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, may request an expedited administrative hearing through the Special Education Unit of the Office of Administrative Hearings or by utilizing the dispute provisions of the 504 Policy and Procedures.

When an appeal relating to the placement of the student or the manifestation determination has been requested by either the parent or the Charter School, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer in accordance with state and federal law, including 20 USC Section 1415(k), until the expiration of the forty-five (45) day time period provided for in an interim alternative educational setting, unless the parent and the Charter School agree otherwise.

In accordance with 20 U.S.C. Section 1415(k)(3), if a parent/guardian disagrees with any decision regarding placement, or the manifestation determination, or if the Charter School believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, the parent/guardian or Charter School may request a hearing.

In such an appeal, a hearing officer may: (1) return a child with a disability to the placement from which the child was removed; or (2) order a change in placement of a child with a disability to an appropriate interim alternative educational setting for not more than 45 school days if the hearing officer determines that maintaining the current placement of such child is substantially likely to result in injury to the child or to others.

5. Special Circumstances

Charter School personnel may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a child with a disability who violates a code of student conduct.

The Principal or designee may remove a student to an interim alternative educational setting for not more than forty-five (45) school days without regard to whether the behavior is determined to be a manifestation of the student's disability in cases where a student:

- a) Carries or possesses a weapon, as defined in 18 U.S.C. Section 930, to or at school, on school premises, or to or at a school function;
- b) Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function; or
- c) Has inflicted serious bodily injury, as defined by 20 U.S.C. Section 1415(k)(7)(D), upon a person while at school, on school premises, or at a school function.

6. Interim Alternative Educational Setting

The student's interim alternative educational setting shall be determined by the student's IEP/504 Team.

7. Procedures for Students Not Yet Eligible for Special Education Services

A student who has not been identified as an individual with disabilities pursuant to IDEIA and who has violated the Charter School's disciplinary procedures may assert the procedural safeguards granted under this administrative regulation only if the Charter School had knowledge that the student was disabled before the behavior occurred.

The Charter School shall be deemed to have knowledge that the student had a disability if one of the following conditions exists:

- a) The parent/guardian has expressed concern in writing, or orally if the parent/guardian does not know how to write or has a disability that prevents a written statement, to Charter School supervisory or administrative personnel, or to one of the child's teachers, that the student is in need of special education or related services.
- b) The parent has requested an evaluation of the child.
- c) The child's teacher, or other Charter School personnel, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the director of special education or to other Charter School supervisory personnel.

If the Charter School knew or should have known the student had a disability under any of the three (3) circumstances described above, the student may assert any of the protections available to IDEIA-eligible children with disabilities, including the right to stay-put.

If the Charter School had no basis for knowledge of the student's disability, it shall proceed with the proposed discipline. The Charter School shall conduct an expedited evaluation if requested by the parents; however the student shall remain in the education placement determined by the Charter School pending the results of the evaluation.

The Charter School shall not be deemed to have knowledge that the student had a disability if the parent has not allowed an evaluation, refused services, or if the student has been evaluated and determined to not be eligible.

XI. RETIREMENT BENEFITS

Governing Law: The manner by which staff members of the charter schools will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security. —Education Code Section 47605(b)(5)(K).

Eligible employees in the Charter School will participate in the State Teachers' Retirement System ("STRS"). STRS participants are exempt from Social Security participation. All staff not participating in STRS will participate in Social Security, and all eligible staff working 30 hours per week or more will be enrolled in the Public Employees' Retirement System ("PERS") after 1,000 hours of employment following PERS regulations, if not already enrolled at the time of hire. The Charter School may elect to (a) file STRS and PERS reporting directly with Sacramento County Office of Education, or (b) ask the District to forward any required payroll deductions and related reporting data to STRS and PERS, as required by Education Code Section 47611.3. In the case of (b) above, the District may charge the Charter School its actual costs for the provision of such services. The Charter School reserves the right explore additional opportunities to offer to teachers and staff alternative retirement programs.

XII. ATTENDANCE ALTERNATIVES

Governing Law: The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools. —Education Code Section 47605(b)(5)(L).

No student may be required to attend the Charter School. Students who reside within the District who choose not to attend the Charter School may attend schools within the District according to District policy or in another school district or school within the District through the District's intra- and inter-district transfer policies. Parents and guardians of each student enrolled in the Charter School will be informed on admissions forms that the students have no right to admission in a particular school of a local education agency as a consequence of enrollment in the Charter School, except to the extent that such a right is extended by the local educational agency.

XIII. RETURN RIGHTS OF SCHOOL DISTRICT EMPLOYEES

Governing Law: The rights of an employee of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school. –Education Code Section 47605(b)(5)(M).

No public school district employee shall be required to work at the Charter School. Employees of the District who choose to leave the employment of the District to work at the Charter School will have no automatic rights of return to the District after employment by the Charter School unless specifically granted by the District through a leave of absence or other agreement. Charter School employees shall have any right upon leaving the District to work in the Charter School that the District may specify, any rights of return to employment in a school district after employment in the Charter School that the District may specify, and any other rights upon leaving employment to work in the Charter School that the District determines to be reasonable and not in conflict with any law.

Accrued sick leave, but not vacation leave, earned at another school district shall be transferable to the Charter School. Employment by the Charter School provides no rights of employment at any other entity, including any rights in the case of closure of the Charter School.

XIV. RESOLUTION OF DISPUTES

Governing Law: The procedures to be followed by the charter school and the chartering authority to resolve disputes relating to provisions of the charter. —Education Code Section 47605(b)(5)(N).

The Charter School recognizes that it cannot bind the District to a dispute resolution procedure to which the District does not agree. The policy below is intended as a starting point for a discussion of dispute resolution procedures. The Charter School is willing to consider changes to the process outlined below as suggested by the District.

The Charter School and the District will be encouraged to attempt to resolve any disputes amicably and reasonably without resorting to formal procedures.

In the event of a dispute between the Charter School and the District, the Charter School staff, employees, and Board members of River Charter Schools and District agree to first frame the issue in written format (“dispute statement”) and refer the issue to the District Superintendent and the Superintendent of the Charter School. In the event that the District Board of Trustees believes that the dispute relates to an issue that could lead to revocation of the charter in accordance with Education Code Section 47607, the Charter School requests that this shall be noted in the written dispute statement, but recognizes that it cannot require the District to do so. However, participation in the dispute resolution procedures outlined in this section shall not be interpreted to impede or as a prerequisite to the District’s ability to proceed with revocation in accordance with Education Code Section 47607 and its implementing regulations.

The Superintendent of the Charter School and District Superintendent shall informally meet and confer in a timely fashion to attempt to resolve the dispute not later than five business days from receipt of the dispute statement. In the event that this informal meeting fails to resolve the dispute, both parties shall identify two Board members from their respective boards who shall jointly meet with the District’s Superintendent and the Superintendent of the Charter School and attempt to resolve the dispute within 15 business days from receipt of the dispute statement.

If this joint meeting fails to resolve the dispute, the District Superintendent and the Superintendent of the Charter School shall meet to jointly identify a neutral third-party mediator to engage the parties in a mediation session designed to facilitate resolution of the dispute. The format of the mediation session shall be developed jointly by the District Superintendent and the Superintendent of the Charter School. Mediation shall be held within 60 business days of receipt of the dispute statement. The costs of the mediator shall be split equally between the District and the Charter School. If mediation does not resolve the dispute, either party may pursue any other remedy available under the law. All timelines in this section may be revised upon mutual written agreement of the District and the Charter School.

Internal Disputes

The Charter School shall have an internal dispute resolution process to be used for all internal disputes related to the Charter School’s operations. The Charter School shall also maintain a Uniform Complaint Policy and Procedures as required by state law. Parents, students, Board

members, volunteers, and staff at the Charter School are provided with a copy of the Charter School's policies and internal dispute resolution process. The District shall promptly refer all disputes not related to a possible violation of the charter or law to the Charter School.

XV. SCHOOL CLOSURE PROCEDURES

Governing Law: The procedures to be used if the charter school closes. The procedures shall ensure a final audit of the charter school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records. —Education Code Section 47605(b)(5)(O).

The following procedures shall apply in the event that the Charter School closes. The following procedures apply regardless of the reason for closure.

Closure of the Charter School will be documented by official action of the Board of Directors. The action will identify the reason for closure. The official action will also identify an entity and person or persons responsible for closure-related activities.

The Charter School will promptly notify parents and students of the Charter School, the District, the Sacramento County Office of Education, the Charter School's SELPA, the retirement systems in which the Charter School's employees participate (e.g., Public Employees' Retirement System, State Teachers' Retirement System, and federal social security), and the California Department of Education of the closure as well as the effective date of the closure. This notice will also include the name(s) of and contact information for the person(s) to whom reasonable inquiries may be made regarding the closure; the pupils' school districts of residence; and the manner in which parents/guardians may obtain copies of pupil records, including specific information on completed courses and credits that meet graduation requirements.

The Board will ensure that the notification to the parents and students of the Charter School of the closure provides information to assist parents and students in locating suitable alternative programs. This notice will be provided promptly following the Board's decision to close the Charter School.

The Board will also develop a list of pupils in each grade level and the classes they have completed, together with information on the pupils' districts of residence, which it will provide to the entity responsible for closure-related activities.

As applicable, the Charter School will provide parents, students and the District with copies of all appropriate student records and will otherwise assist students in transferring to their next school. All transfers of student records will be made in compliance with the Family Educational Rights and Privacy Act ("FERPA") 20 U.S.C. § 1232g. The Charter School will ask the District to store original records of Charter School students. All student records of the Charter School shall be transferred to the District upon Charter School closure. If the District will not or cannot store the records, the Charter School shall work with the County Office of Education to determine a suitable alternative location for storage.

All state assessment results, special education records, and personnel records will be transferred to and maintained by the entity responsible for closure-related activities in accordance with applicable law.

As soon as reasonably practical, the Charter School will prepare final financial records. The Charter School will also have an independent audit completed within six months after closure. The Charter School will pay for the final audit. The audit will be prepared by a qualified Certified Public Accountant selected by the Charter School and will be provided to the District promptly upon its completion. The final audit will include an accounting of all financial assets, including cash and accounts receivable and an inventory of property, equipment, and other items of material value, an accounting of the liabilities, including accounts payable and any reduction in apportionments as a result of audit findings or other investigations, loans, and unpaid staff compensation, and an assessment of the disposition of any restricted funds received by or due to the Charter School.

The Charter School will complete and file any annual reports required pursuant to Education Code section 47604.33.

On closure of the Charter School, all assets of the Charter School, including but not limited to all leaseholds, personal property, intellectual property and all ADA apportionments and other revenues generated by students attending the Charter School, remain the sole property of the nonprofit public benefit corporation. Upon the dissolution of the non-profit public benefit, all net assets shall be distributed to another public school that satisfies the requirements of paragraphs (a) through (e) of section III.A of Notice 2015-07 issued by the Internal Revenue Service and the Treasury Department entitled “Relief for Certain Participants in § 414(d) Plans” or any final regulations implementing 26 U.S.C. § 414(d) or to a State, political subdivision of a State, or agency or instrumentality thereof.. Any assets acquired from the District or District property will be promptly returned upon Charter School closure to the District. The distribution shall include return of any grant funds and restricted categorical funds to their source in accordance with the terms of the grant or state and federal law, as appropriate, which may include submission of final expenditure reports for entitlement grants and the filing of any required Final Expenditure Reports and Final Performance Reports, as well as the return of any donated materials and property in accordance with any conditions established when the donation of such materials or property was accepted.

On closure, the Charter School shall remain solely responsible for all liabilities arising from the operation of the Charter School.

As the Charter School is operated as or by a non-profit public benefit corporation, should the corporation dissolve with the closure of the Charter School, the Board will follow the procedures set forth in the California Corporations Code for the dissolution of a non-profit public benefit corporation and file all necessary filings with the appropriate state and federal agencies.

As specified by the Budget in Appendix D, the Charter School will utilize the reserve fund to undertake any expenses associated with the closure procedures identified above.

XVI. REPORTING AND ACCOUNTABILITY

A. BUDGETS AND FISCAL REPORTS

Governing Law: The petitioner or petitioners also shall be required to provide financial statements that include a proposed first-year operational budget, including startup costs, and cash flow and financial projections for the first three years of operation. —Education Code Section 47605(g).

Attached, as Appendix D, please find the following documents:

- A projected 2020-21 budget
- Financial projections and cash flow for the next three years of operations.
- Budget narrative and assumptions

These documents are based upon the best data available to the petitioners at this time.

The Charter School shall provide reports to the District in accordance with Education Code Section 47604.33, as follows, and shall provide additional fiscal reports as requested by the District:

1. By July 1, a preliminary budget for the current fiscal year.
2. By July 1, a local control and accountability plan and an annual update to the local control and accountability plan required pursuant to Education Code Section 47606.5.
3. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. Additionally, on December 15, a copy of the Charter School's annual independent financial audit report for the preceding fiscal year shall be delivered to the District, State Controller, State Department of Education, and County Superintendent of Schools.
4. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31.
5. By September 15, a final unaudited actuals report from the full prior year. The report submitted to the District shall include an annual statement of all the Charter School's receipts and expenditures for the preceding fiscal year.

The Charter School shall provide reporting to the District as required by law and as requested by the District including, but not limited to, the following: California Basic Educational Data System ("CBEDS"), actual Average Daily Attendance reports, all financial reports required by Education Code Sections 47604.33 and 47605(m), the School Accountability Report Card ("SARC"), and the LCAP.

The Charter School agrees to and submits to the right of the District to make random visits and inspections in order to carry out its statutorily required oversight in accordance with Education Code Sections 47604.32 and 47607.

Pursuant to Education Code Section 47604.3, the Charter School shall promptly respond to all reasonable inquiries including, but not limited to, inquiries regarding its financial records from the District.

B. INSURANCE COVERAGE

The Charter School shall acquire and finance general liability, workers' compensation, and other necessary insurance of the types and in the amounts required for an enterprise of similar purposes and circumstance. Coverage amounts will be based on recommendations provided by the District and the Charter School's insurer. The District Board of Education shall be named as an additional insured on all policies of the Charter School.

C. ADMINISTRATIVE SERVICES

Governing Law: The manner in which administrative services of the charter school are to be provided. —Education Code Section 47605(g).

The Principal will assume the lead responsibility for administering the Charter School under the policies adopted by the Charter School's Board of Directors. The Charter School will provide internally or procure through a third-party contract most of its own administrative services, including, but not limited to, financial management, human resources, payroll, and attendance accounting.

Should the District be interested in offering certain services to the Charter School for a fee from the District, the Charter School shall consider the possibility of purchasing some of these or other services from the District. The specific terms and cost for these services will be the subject of a separate memorandum of understanding between the Charter School and the District and subject to District availability.

Pursuant to California law, the District will be required to provide oversight and performance monitoring services, including monitoring school and student performance data, reviewing the school's audit reports, performing annual site visits, engaging in any necessary dispute resolution processes, and considering charter amendment and renewal requests. In accordance with Education Code Section 47613(a), the District may charge for the actual costs of supervisorial oversight of the Charter School not to exceed one percent (1%) of the revenue of the Charter School. If the Charter School receives substantially rent-free facilities from the District, the District may charge the actual costs up to three percent (3%) of the revenue of the Charter School pursuant to Education Code Section 47613(b). Pursuant to Education Code Section 47613(f), "revenue of the charter school" means the amount received in the current fiscal year from the local control funding formula calculated pursuant to Education Code Section 42238.02, as implemented by Education Code Section 42238.03.

D. FACILITIES

Governing Law: The facilities to be utilized by the charter school. The description of the facilities to be used by the charter school shall specify where the charter school intends to locate. — Education Code Section 47605(g)

The Charter School's address is 36230 N. School St., Clarksburg, CA 95612. At this address, the Charter School has 17 modular classroom buildings. The Charter School also operates its TK program at Clarksburg Community Church, 52910 Netherlands Ave, Clarksburg, CA 95612.

The Charter School receives facilities funding from the Charter School Facilities Grant Program lease reimbursement program, which is administered by the California School Finance Authority ("CSFA"). CSFA permits lease reimbursements to the Charter School through its supporting corporation, Leaders & Scholars, Inc., and the LLCs, L&S Two and L&S LLC as described in Section IV.A, above. Accordingly, River Charter Schools set up the supporting corporation and LLCs to match the requirements of CSFA's Regulations and, in particular, the California Code of Regulations, Title 4, Section 10170.14(a)(3)(B). This regulation allows the supporting LLC to pay for all the buildings/property and then lease them to the Charter School.

In the case of Delta Elementary Charter School, all its buildings are owned by L&S Two and are leased to DECS for approximately 83% of their fair market value (based on a current appraisal) or \$10.9K per building per year for a total monthly payment from DECS to L&S Two of \$12,750. As noted in Section IV.A. above, L&S Two has paid off both of DECS' bank loans and has originated in favor of DECS a fully amortized 15 year interest bearing (5%) note to pay DECS the balance of the net book value of the buildings it purchased.

DECS will continue to seek reimbursement from CSFA for the lease payments and the lease payments to Clarksburg Community Church along with many other qualifying facilities expenses under the Charter School Facilities Grant Program (SB740).

E. TRANSPORTATION

The Charter school will provide bussing for a limited number of students residing in the Washington Unified School District boundaries. The Charter school will continue to work with RDUSD on bussing for in-district students.

F. FOOD SERVICES

The Charter School will enter into a contract for food services with either the District's chosen vendor or into another contract.

XVII. POTENTIAL CIVIL LIABILITY EFFECTS

Governing Law: Potential civil liability effects, if any, upon the charter school and upon the school district. — California Education Code Section 47605(g).

The Charter School shall be operated by a California nonprofit public benefit corporation. This corporation is organized and operated exclusively for charitable purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code and California Revenue and Taxation Code Section 23701(d).

Pursuant to Education Code Section 47604(d), an entity that grants a charter to a charter school operated by or as a nonprofit public benefit corporation shall not be liable for the debts or obligations of the Charter School or for claims arising from the performance of acts, errors, or omissions by the Charter School if the authority has complied with all oversight responsibilities required by law. The Charter School shall work diligently to assist the District in meeting any and all oversight obligations under the law, including monthly meetings, reporting, or other District requested protocol to ensure that the District shall not be liable for the operation of the Charter School.

Further, the Charter School and the District shall enter into a memorandum of understanding which shall provide for indemnification of the District by the Charter School. Insurance amounts will be determined by recommendations of the insurance company for schools of similar size, location, and type of program. The District shall be named an additional insured on the general liability insurance of the Charter School.

The corporate bylaws of River Charter Schools shall provide for indemnification of the Charter School's Board of Directors, officers, agents, and employees; and the Charter School will purchase general liability insurance, directors and officers insurance, and fidelity bonding to secure against financial risks.

As stated above, insurance amounts will be determined by recommendation of the District and the Charter School's insurance company for schools of similar size, location, and student population. The District shall be named an additional insured on the general liability insurance of the Charter School.

The Charter School will institute appropriate risk management practices as discussed herein, including screening of employees, establishing codes of conduct for students, and dispute resolution.

XVIII. CONCLUSION

By approving this charter renewal, River Delta Unified School District will be fulfilling the intent of the Charter Schools Act of 1992 to improve pupil learning; increase learning opportunities for all pupils, with special emphasis on expanded learning opportunities for all pupils who are identified as academically low achieving; create new professional opportunities for teachers; and provide parents and pupils with expanded choices in education and following the directive of law to encourage the creation of charter schools. The petitioners are eager to work independently, yet cooperatively, with the District to raise the bar for what a charter school can and should be. To this end, the petitioners pledge to work cooperatively with the District to answer any concerns over this document and to present the District with the strongest possible proposal requesting a five-year term to begin July 1, 2020, Renewal of the charter shall be governed by the standards and criteria in Education Code Sections 47605 and 47607, as applicable. Consistent with the terms of approval, the term of this charter is five years, from July 1, 2020 to June 30, 2025.

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