

ESTABLISHMENT CHARTER OF

THOMPSON PEAK CHARTER

A CALIFORNIA PUBLIC CHARTER SCHOOL

Submitted to the Susanville School District

April 30, 2019

Charter Term: July 1, 2019 to June 30, 2024

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AFFIRMATIONS AND DECLARATION

As the authorized lead petitioner, I, Sherri Morgan, hereby certify that the information submitted in this petition for a California public charter school to be named Thompson Peak Charter (“TPC” or the “Charter School”), to be operated by Long Valley Charter School (“LVCS”), a California nonprofit public benefit corporation, and to be authorized by the Susanville School District (the “District”) is true to the best of my knowledge and belief; I also certify that this petition does not constitute the conversion of a private school to the status of a public charter school; and further, I understand that if awarded a charter, the Charter School will 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(c)(1)]
- Long Valley Charter School declares that it shall be deemed the exclusive public school employer of the employees of Thompson Peak Charter for purposes of the Educational Employment Relations Act. [Ref. Education Code Section 47605(b)(6)]
- The Charter School shall be non-sectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. Education Code Section 47605(d)(1)]
- The Charter School shall not charge tuition. [Ref. Education Code Section 47605(d)(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 to determine admission. Except as required by Education Code Section 47605(d)(2) and Education Code Section 51747.3, admission to the Charter School shall not be determined according to the place of residence of the student or his or her parents within the State. Preference in the public random drawing shall be given as required by Education Code Section 47605(d)(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(d)(2)(C). [Ref. Education Code Section 47605(d)(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 identity, gender expression, 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(d)(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 a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools is required to hold. As allowed by statute, flexibility will be given to noncore, non-college preparatory teachers. [Ref. Education Code Section 47605(l)]
- 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 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(d)(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 educational programs. [Ref. Education Code Section 47605(c)]
- The Charter School shall comply with any applicable jurisdictional limitations to the locations of its facilities. [Ref. Education Code Sections 47605 and 47605.1]
- The Charter School shall comply with all laws establishing the minimum and maximum age for public school enrollment. [Ref. Education Code Sections 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 meet or exceed the legally required minimum number of school days. [Ref. Title 5 California Code of Regulations Section 11960]

Sherri Morgan
Executive Director/Superintendent
Thompson Peak Charter

Date

I. 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(b)(5)(A)(i).*

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, or the nature of the program operated, 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(b)(5)(A)(ii).

If the proposed charter school will serve high school pupils, the manner in which the charter school will inform parents about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered transferable and courses approved by the University of California or the California State University as creditable under the “A” to “G” admissions criteria may be considered to meet college entrance requirements. Education Code Section 47605(b)(5)(A)(iii).

Introduction

Thompson Peak Charter will provide a hybrid model of education, offering a TK-12 blended personalized learning program in Lassen County and the counties that are contiguous. Students in the personalized learning program will also have the option for distance learning. The Charter School’s purpose is to provide opportunities for teachers, parents, students, and community members to improve pupil learning; encourage the use of different and innovative teaching methods; and provide parents and pupils with expanded choices in the types of educational opportunities that are available within the public school system.

The Charter School will consult with parents and teachers on a regular basis regarding the Charter School’s educational programs as required by the Charter Schools Act.

Mission. The mission of Thompson Peak Charter is to equip its students with the knowledge and skills to be successful, responsible, and intelligent participants of a global society. It is our goal to provide an educational foundation that includes mastery of academic content, independent thinking, creativity, critical thinking, communication, and collaboration; thus, to best prepare students for a future yet to be imagined.

Vision. It is our privilege, as an educational community, to help each child achieve their highest potential, to provide opportunities for self-discovery, and to prepare students for the challenges of a rapidly changing world.

Students to be Served. The Charter School admission is open to students in grades TK-12 who are residents of Lassen County or the counties that are contiguous (Plumas, Sierra, Shasta and Modoc) for

blended personalized learning.

The Charter School will encourage the admission of students of all ability levels. We recognize as a rural, alternative program, we are at times a school of last resort. Therefore, it is with intention that we focus our efforts to assist at-risk-of-dropping-out students to gain competency, recover credits and graduate. We further acknowledge that the statewide assessment scores for at-risk students not continuously enrolled with the Charter School may be lower than the surrounding schools these students would have attended.

Overall Program Goals.

What It Means to be an Educated Person in the 21st Century

The Charter School believes that an educated person in the 21st century is someone who is self-motivated, competent, and a lifelong learner. The learner has mastered the California content standards, which include the Common Core State Standards (“CCSS”), Next Generation Science Standards (“NGSS”), History-Social Science Framework, English Language Development (“ELD”) Standards, and any other applicable state content standards (hereinafter, collectively “State Standards”), and is able to read, write, speak, and problem solve with clarity and precision. The learner is able to use digital technology and communication tools to access, manage, integrate, and evaluate information; to construct new knowledge; and to communicate effectively. The learner is able to think critically and creatively as well as to challenge and to question. Such a person understands the interrelationship of history, science, mathematics, literature, and the arts.

As a by-product of developing these academic and personal skills, the Charter School believes that these skills develop the following personal habits and attitudes: accepting responsibility for personal decisions and actions, academic honesty and the ability to face challenges with courage and integrity, a healthy lifestyle, empathy and courtesy for others and respect for differences among people and cultures, self-confidence and willingness to risk setbacks in order to learn, concentration and perseverance, managing time in a responsible manner, seeking a fair share of workload, working cooperatively with others that includes the ability to listen, share opinions, negotiate, compromise, and help a group reach consensus. It is the goal of the Charter School to help instill in students a desire to use their acquired knowledge and skills to benefit their local community as well as the world in which they live.

The Charter School shall establish Expected Schoolwide Learning Results (ESLRs) and review this document annually with its stakeholders (see Appendix A). Updated ESLRs shall be posted to the Charter School website.

Student Goals. All students deserve the opportunity to develop interests, uncover hidden talents, and experience satisfaction and accomplishments, while also learning to prepare for their future. Inventories and assessments such as Multiple Intelligence Assessment, True Colors Workshops, and Get Focused, Stay Focused curriculum are amongst the tools that may be used to help students discover more about themselves and their peers as well as make personal decisions for a bright future.

The Charter School offers a personalized mastery-based learning program. Utilizing information about the student’s learning style, learning modalities and personal interests/strengths, as well as core

subject assessments, a personalized student plan is developed. Clearly stated targeted competencies are established based on the State Standards. The student, family, and teacher shall continuously review assessments and progress. Competency-based report cards will document attainment and progress of goals at regular intervals.

Teaching Methodology: How Learning Best Occurs

The Charter School believes effective learning best occurs when a variety of methods of instructional and management strategies are implemented, all which lead to high academic and behavioral standards. We recognize student achievement is influenced by effective teachers. Teachers have the academic freedom to choose many of the methods utilized in their small groups. To continually seek improvement, the development of a common framework for effective instructional design as suggested by Robert J Marzano in *The Art and Science of Teaching* (2007) is being infused. This framework includes:

- Establishing learning goals, tracking progress, and celebrating success
- Effectively interacting with and deepening understanding of new knowledge
- Engaging students to have voice and choice in the demonstration of knowledge
- Creating a safe environment, maintain effective relationships with students, communicate high expectations

The Charter School considers itself a collaborative learning sanctuary where the efforts made by parents/guardians, teachers, administrators, and the community will help achieve the goal of developing life-long learners who possess the knowledge, skills and drive to pursue a productive career or college path.

Curricular materials are aligned with the State Standards and may be selected from the State adopted list where appropriate. Supplemental materials shall be selected to meet the differentiated needs of each individual student. Core material will be reviewed by teachers and parents on a regular basis. (Anticipated list of curricular materials is identified in Appendix B)

Blended Personalized Learning

The Charter School will utilize a blended personalized learning method for what has been traditionally described as Independent Study. TPC defines this method as a hybrid form of learning including a personalized combination of in-person, independent, and online learning. This approach supports individual development, through targeted competencies, engaging parents/guardians and students as co-designers in learning and goal setting. There will be opportunities for direct instruction for core and elective subjects, small group or individual tutoring, online courses, community college courses, community-based experiences, and vendor-provided options. The key to success in blended personalized learning is the guidance of an assigned certificated teacher who guides students and parents/guardians through the targeted competencies and assists with the selection of activities to demonstrate mastery. Our approach encourages students to be highly involved in the educational process, thereby becoming self-motivated, competent, lifelong learners.

The Resource Center is a component of the collaborative learning network of Thompson Peak Charter. The Charter School will operate a resource center in Susanville. The resource center will offer a safe

and orderly haven where students meet with their teachers on a regularly scheduled basis. There will be Internet and printer access for schoolwork completion, spaces for instructional purposes, and study and social networking areas. Students may voluntarily choose to attend classes on a schedule established with their family and teacher (not to exceed 79% of regular school minutes).

At enrollment, the blended personalized learning approach will start with a careful analysis of the student's individual needs including: assessment data, the student's learning modality/style, and strengths and weaknesses. Beginning with the very first meeting, students along with their families will be engaged in setting learning and personal goals. The Charter School teachers are trained to guide students into the correct courses for each, which will lead toward a high school diploma and determine a path toward career or college readiness. The team of student, parent, and teacher continue to interact a minimum of once every 10 school days, determining the student's goals for each learning period, as well as how that will fit into his or her overall goals.

Students, especially in contiguous counties may choose a personalized learning program that will be offered as a distance learning program. Following an in-person student intake/enrollment meeting, students and families will meet at a minimum of once every 10 school days via online teleconference meetings, providing a "face to face" dialogue. Like the blended learning program, the process begins with an analysis of the individual student needs resulting in a personalized plan based on assessment data, learning style, and strengths and weaknesses. Students will select online delivery methods of coursework. Since access to a learning center will not be available, tutoring and enrichment services from community experts will be an option.

Blended Personalized Learning Implementation.

Interested parents/guardians or students contact the Charter School. An appointment is scheduled to ensure that the parents and students understand the model and programmatic requirements. An enrollment packet is completed which includes the mandatory immunization information, request for the cumulative file, etc. A teacher will be designated to be the teacher of record for that student. A team is then formed with the teacher, the parent/guardian and the student. During the initial meeting all team members engage in a discussion to ascertain the student's academic progress to date and useful information regarding areas of interest and learning modalities in which the student excels and review the Student-Parent Handbook. Upon enrollment, each student will be assessed with the program's universal assessment tool to establish baseline skills and inform instruction in reading, writing and mathematics. Another initial step will be to complete the state-mandated Master Agreement. This agreement identifies courses, materials, meeting frequency as well as other requirements. High school students must enroll in courses that lead to the high school diploma as outlined in the Charter School's high school graduation requirements.

Following enrollment, the parent or guardian/student/teacher team will meet regularly for a learning meeting; this meeting's purpose will be to make assignments, evaluate progress, and utilize assessments to inform ongoing instruction. Mastery in each learning area is monitored and recorded during the learning meeting. The teacher records proficiency attainment and assures compliance with the Board's policies for Independent Study/Blended Personalized Learning. If the student does not meet the work requirement, mandatory meetings of a greater frequency are scheduled, and the parent or guardian/student/teacher team will begin a process to evaluate whether blended personalized

learning is an appropriate placement for the student.

Parental involvement is critical as the team determines a plan for frequency of meetings and participation in resource center classes or vendor-based opportunities. Parents and teachers are partners in the student learning; teachers provide instructional techniques for home use and support; parents provide deeper insight to student needs. Parents or guardians who enroll their children in this Charter School agree to be responsible in the participation and daily monitoring of their children's education. The parents serve as co-educators in their children's learning program and will have the opportunity to play an active role in the governance and policy development of the Charter School.

A variety of enrichment classes are offered at each resource center or online. Classes will be formed based upon satisfying the Charter School's standards of meeting student interest and need, and will be based upon age level, skill level, and other appropriate determining measures. Possible courses may include writing, mathematics instruction, current events, visual and performing arts, and foreign/sign language. The Charter School will seek to keep class sizes to no more than 15 students wherever possible; this will facilitate the creation of small communities where experimentation and creativity will flourish and children are known. Students who have difficulty adapting to traditional school settings will find the individualized nature of the blended personalized learning educational approach especially supportive of their unique needs and interests.

High School Program

Thompson Peak Charter will seek initial accreditation by the Western Association of Schools and Colleges ("WASC"). Courses for UC/CSU a-g requirements will be available to all students.

The Charter School's graduation requirements and high school course of study are aligned with state and college admission requirements. Students entering the high school program meet with their assigned teacher to establish a high school graduation plan. Specific topics discussed at the initial enrollment meeting include:

- Review of previous student coursework/ transcripts
- Creation of a personalized, blended learning plan
- Identification of coursework to meet graduation requirements, including pacing and methods of delivery
- Student's personal and academic goals
- Selection of a Career Technology Education pathway or coursework
- Selection of a graduation pathway

The school's registrar maintains records of student courses and credits and will be given to any school making a student cumulative file request. The coursework of prior schools will be indicated as well as the units earned through the Charter School's program.

High school learners, in consultation with their assigned teacher and parent, may choose any combination of the following instructional options:

- Online courses
- Resource center courses
- Elective courses

- Community College courses
- Textbook driven or project based independent studies
- Tutoring with qualified instructors

The Charter School believes the best way to prepare students for life after high school is to ensure they graduate with a strong foundation in the core academic areas that will leave all doors open for the future. Career Technical Education (“CTE”) coursework will be required.

Based on increased research overwhelmingly supporting the benefits of earning a college degree, an emphasis will be placed on encouraging students to pursue a path leading to college. Upon entry to our program at any grade level, the supervising teacher begins the discussion of working hard, building skills, and attending college. Many TPC students become first generation college students, and including parents in the discussion creates a powerful alliance toward that goal. Our rural locations offer several community college programs, making enrollment in a 2-year program realistic both geographically and financially. Students are encouraged to explore their interests, college programs, and prepare for college tests (such as SAT exams). Students will also be provided opportunities for participation in college visits, college-sponsored career day programs, and cash for college counseling nights. Students will have the option to earn college credit prior to graduation through dual enrollment in online or campus-based community college courses.

It is the goal to equip graduates from TPC with strong academic skills and highly developed computer and network/research skills that will enable them to qualify for jobs in an economy that is increasingly technology-centered. This charter intends to seek out relationships with corporations, foundations and organizations that can facilitate the highest quality educational opportunities for the enhancement of both the academic program and personal growth through apprenticeships and community service in business and professional environments prior to graduation.

Transferability and Eligibility of Courses

As high school students enroll in the blended personalized learning program, their supervising teacher will inform them about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements as well as the graduation requirements for TPC. Parents/guardians will be informed about the accreditation status of the Charter School. Students will be enrolled in the courses required for their individual goals that meet California high school graduation requirements.

Serving Academically Low-Achieving Students

All teachers will be trained to give attention to students with learning challenges. These students may be identified initially through state standardized assessment test results or through the Charter School’s benchmark testing, or through the Charter School’s Response to Instruction and Intervention (“RtI2”) Program. Low achieving students may also be identified through regular interactions with their teacher, or through a conversation with the parent/guardian. The student’s progress toward the goals and objectives will be monitored and documented by the teacher. Some strategies include using universal access supplements and online computer based skill builders. If the student is successful with these interventions, the process is continued at that level. If the student’s needs cannot be met

through this process, a formal referral for a Student Study Team (“SST”) is made. Through the SST process, goals and objectives will be further defined and monitored, and additional layers of support provided for the student under the RtI2 program. Regular follow-up meetings will be determined. If the student is not showing improvement, the SST will be revised as needed to address the deficiencies and a referral for assessment for consideration of eligibility under either the IDEA or Section 504 may be made.

The blended personalized learning approach is inherently well suited for addressing the needs of students who are academically low achieving. As a result of the development of an individualized plan, students who are assessed as academically low achieving will be identified immediately. Appropriate curriculum will be selected which is designed to meet the needs of these students in specific areas, and weekly tutoring may be required when students have scored below standard met in any core subject area. In addition, students who do not make adequate progress will be referred into the SST process to establish appropriate interventions, which may include required participation in reading support or math intervention tutorials.

Serving Academically High-Achieving Students

Academically talented students at the Charter School are challenged and enriched in the blended learning program with techniques including: providing an in-depth experience with each level of learning; exploring enrichment topics; and compacting the curriculum. The program will provide an opportunity for high achieving students to develop a customized plan in each subject. High school students capable of college level work, may enroll at their local community college. For gifted students in the areas of visual and performing arts, courses are offered in art, music and dance taught by well-qualified staff or community experts.

Serving English Learners

Overview

The Charter School will meet all applicable legal requirements for English Learners (“EL”), 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, re-classification to fluent English proficient status, monitoring and evaluating program effectiveness, and standardized testing requirements. The Charter School will implement policies to assure proper placement, evaluation, and communication regarding ELs and the rights of students and parents.

The goals developed for English Learners shall correlate with existing Long Valley Charter School Board adopted goals for all students. A successful program for English Learners shall be organized to provide equal access to the thinking, meaning centered core curriculum for all students. A relevant curriculum not only addresses the development of English communication, but also higher level thinking skills and academic proficiency. Relevance is achieved by focusing on key concepts from the core curriculum which are delivered through a variety of meaningfully connected experiences for students. At Thompson Peak Charter, the major goal for English Learners is to develop English fluency as rapidly as possible in an established English language program through structured English immersion or an alternate course of study with curriculum designed for such students.

Home Language Survey

The Charter School will administer the home language survey if the student is enrolling for the first time in a California public school.

English Language Proficiency Assessments for California (“ELPAC”) Testing

All students who indicate that their home language is other than English will be tested with the 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 paper–pencil 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.

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 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

The Charter School's reclassification procedures utilize multiple criteria in making a local determination whether to classify a pupil as proficient in English including, but not limited to, the following:

- Assessment of language proficiency using an objective assessment instrument including, but not limited to, the ELPAC. Reclassification will be considered if the student's overall performance level is Level 3 (Moderately Developed) or higher.
- Evaluation of the pupil's curriculum mastery with participation of the pupil's teachers and any other certificated staff with direct responsibility for teaching or placement decisions of the pupil.
- Parent opinion and consultation, achieved through notice to parents or guardians of the language reclassification and placement including a description of the reclassification process and the parents' 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.
- Comparison of the pupil's performance in basic skills against an empirically established range of performance in basic skills based upon 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. Performance in basic skills will be evaluated using the state assessments. Student performance will be evaluated in light of other assessments and compared to the basic skills assessment performance of grade level school and county peers.

Reclassified pupils will be monitored by the Charter School for up to four (4) years to ensure correct classification, placement, and advancement.

Strategies for English Learner Instruction and Intervention

Teacher Certification

All teachers serving EL students will be required to have a CLAD certification or California Commission on Teacher Credentialing ("CTC") recognized equivalent certification. Teachers without such certification will be required to complete the requirement as outlined in the employee handbook. EL students are only assigned to teachers holding the legally appropriate certification.

ELD Curriculum

Most of the curriculum that will be used by the Charter School contains embedded and/or supplementary ELD materials. In addition, EL students will have access to materials designated for English as a second language. The personalized approach easily allows teachers to use curriculum that addresses appropriate grade level content at the student's instructional level. Wherever possible, EL students will use the same materials as their grade level peers. Publisher materials for EL students will

be used as appropriate. EL students will be encouraged to develop their language arts skills in their primary languages also. Fluency in both English and a second, although primary, language enhances the students' abilities to pursue college and career opportunities.

The Charter School will provide all English Learners with a base program comparable to that of their native English-speaking peers. The base program is defined as services and materials received by English only speaking students which are paid for by the Charter School's general funds. Funding from Economic Impact Aide ("EIA"), Title I, or other supplemental money adheres to federal regulations and will be used to provide qualified services over and above the Charter School's base program. Primary language materials will be purchased when appropriate. The Blended Personalized Learning program will supplement their library collections with multi-cultural literature and resources that reflect the heritage of ELs. All EL students will have access to core curriculum materials and instructional supplies.

English Learner Instructional Strategies

The Charter School has established the following researchers and/or research studies as providing theoretical base for its specialized program serving the diverse language minority enrollment in the Charter School:

Theoretical Base

- We best develop language through natural acquisition rather than being taught the discreet rules and structures.
- There is a natural order to the way one acquires a language. Although this order may appear to be grammatical, language development programs should not be grammar based in nature.
- There is a learning device within all of us which naturally monitors the correctness of our grammar and structure.
- The effective acquisition of language comes only after clearly comprehending messages containing natural language.
- Effective acquisition of a language is highly correlated with low anxiety environments where students are highly motivated and self-confident.

(Terrell, Tracy. 1981 *The Natural Approach to Bilingual Education*)

Major Principals:

- Speech is not taught directly, but rather, is acquired by means of "comprehensible input" in low-anxiety environments.
- Speech emerges in natural stages. First, one goes through a listening stage. Second, one begins to produce single words to single phrase responses to what exists in the environment. Next, one produces phrases and sentences to give meaning to what exists in the environment. Finally, one is able to produce complex phrases and sentences set in different places in time.

(Cummins, James R. 1981. *The Role of Primary Language Development in Promoting Education*)

English Learners enrolled in the Thompson Peak Charter Blended Personalized Learning Program will receive ELD and SDAIE instruction provided by the personalized learning teacher of record in

collaboration with the student's support system. The instruction will be provided on a one to one basis or in a small group setting.

Monitoring and Evaluation of Program Effectiveness

The Charter School has developed a process for determining the effectiveness of its program for English Learners. Assessment procedures that will be used to determine the progress of ELs include: annual English Language assessments, state test data collection and analysis, and school adopted criteria for content standards and grade level expectations. English language proficiency scores are analyzed annually by the teachers to determine whether or not each student has met the annual benchmark goal during the academic year. State achievement results of ELs will also be analyzed on a yearly basis to monitor growth in academic areas. Based on the data, EL students who have met the school-established criteria will be reclassified as Fluent English Proficient. All EL students will be evaluated by school-adopted criteria to monitor progress and growth at each stage of language acquisition. Every year, the Charter School reviews its school plan, evaluates each component, makes modifications and adjustments, and develops new approaches to ensure overall program effectiveness and high academic standards for all students. In the event Thompson Peak Charter enrolls 21 or more EL students, pursuant to Education Code Section 52176, an English Learner Advisory Committee will be created comprised of parents, staff, and community members specifically designated to advise Charter School officials on English Learner program services.

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 ("Section 504"), the Americans with Disabilities Act ("ADA") and the Individuals with Disabilities in Education Improvement Act ("IDEA"). The Charter School shall not discriminate against any student with a disability.

The Charter School shall be its own local educational agency ("LEA"), and shall be a member of the Lassen County Special Education Local Plan Area ("SELPA") in accordance with Education Code Section 47641(a). Thus, the Charter School shall be solely responsible for its compliance with all state and federal laws related to the provision of special education instruction and related services and all SELPA policies and procedures; and shall utilize appropriate SELPA forms. The Charter School and its Board reserves the right to seek membership in another SELPA.

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

Services for Students under the "IDEA"

Thompson Peak Charter will adhere to the provisions of the IDEA and state special education laws and regulations to assure that all its students with disabilities are offered a free, appropriate public

education (“FAPE”). These provisions and laws provide a structure and framework that compliments the blended personalized learning approach that the Charter School will use for each student.

The Charter School will adhere to all applicable State and Federal law and SELPA policies and procedures regarding special education, including but not limited to identification, assessment, IEP development, and IEP implementation. The Charter School will collaborate with the SELPA as an active participant in the SELPA meetings. The Charter School will use SELPA forms. The TPC administration and staff will work with the SELPA administration and staff to develop, maintain, and review assessments and IEPs in the format required by the SELPA, including assessment and inputting IEP data into the SELPA data system in accordance with SELPA policies and procedures.

The SELPA, in conjunction with TPC staff, will maintain all of the TPC Special Education records, including student assessments and IEP’s. The Charter School will maintain copies of assessments and IEP materials for review by the SELPA. The Charter School submits to the SELPA and the District all required reports, in a timely manner as necessary to comply with state and federal laws. The IEP team will develop Individual Transition Plans to help students with disabilities, age 14 and older, in transitioning to adult living including supporting the SELPA and students in developing Workability opportunities and in completing the Department of Rehabilitation application process. Each IEP team will be comprised of all legally required members, including the Charter School administrator or appropriate designee, the general education teacher of record, the special education teacher/case manager, a SELPA administrator/designee (when appropriate), the student (when appropriate), and the parent or guardian. In addition to the core IEP team, other people may be invited or required to attend depending on the purpose of the meeting. These others might include the school psychologist, speech and language specialist, occupational or physical therapists, mental health service providers, social workers, Far Northern Regional Center case managers, and parent or student invited individuals.

The Lassen County SELPA will receive all special education revenues and is responsible for the management of the regionalized special education budgets, personnel, programs, and services of the SELPA member schools. Member schools will then provide their own localized personnel, programs and services, and will receive an allocation from the SELPA. As appropriate, the SELPA or TPC will ensure that all special education personnel are appropriately credentialed or licensed as consistent with applicable California and Federal laws and regulations. The Charter School Administration will meet with the SELPA administration at general meetings and by appointment in order to remain informed, and therefore plan for, any encroachments and changes in the Charter School’s fiscal responsibilities. These meetings will also address concerns, changes and needs regarding special education student services, staffing, facilities, and materials or equipment.

As with all populations of students at the Charter School, the unique instructional needs of special education students will be identified early and accurately, ensuring that the Charter School complies with all child-find requirements under applicable state and federal law and SELPA policy. All students will be assessed in math, reading and language arts upon enrollment in TPC. Curriculum and instruction will be personalized for the student’s instructional level and academic goals and grade level. In all cases, TPC will deliver grade level core content material differentiated for the student’s instructional level, whether that level is above or below the grade level’s CCSS expectations. Blended Personalized Learning Program students qualifying for special education will meet, at least, once every 5 school days with the supervising general education teacher of record as well as receive special

education direct services, and supplemental program supports including accommodations, and/or modifications specified in the student's IEP.

In both the site-based and the blended personalized learning programs, the special education referral process will be closely linked to the RtI2 and SST processes, and will support the legal obligation of child-find. All students will be assessed through observation, evaluation of daily work, publisher tests, and core subject assessments on a regular basis. This will enable teachers and other staff to quickly identify and provide intervention for any problem areas, whether academic, social or behavioral. Guided by a Student Study Team, a cycle of providing research-based curriculum and intervention, followed by assessment and review of data will be in place. In addition to the results of this cycle, prior interventions, accommodations, and modifications are reviewed. If the SST team determines that the student is failing to respond adequately to research-based interventions, this process may lead to a referral for assessment for special education eligibility. The Charter School will also identify and refer students who demonstrate early signs of academic, social, behavioral, or health issues that may require assessment for special education eligibility and placement in a special education program.

The Lassen County SELPA ensures that it provides for assessment and reassessment of special education students as required by applicable State and Federal law. Special education students have individualized education programs ("IEP") developed by a legally constituted IEP team which are implemented by well qualified general education and special education teachers and Special Education Specialists as required by each student's IEP. SELPA and TPC staff collaborate during the assessment process to ensure appropriate and complete assessments as dictated by the required assessment process and as needed by the student.

The Charter School will partner with the SELPA to ensure that all IEPs are maintained, implemented and goals pursued based on the individual needs of and strengths as required by each student's IEP. The IEP of each student is designed to focus on obtaining powerful, positive results through collaborative partnerships that involve the student, the student's parents, teachers, special education personnel, and Charter School administrators. The IEP will be formulated to challenge and support special needs students to pursue academic and personal goals and to meet or exceed the State and TPC requirements for a high school diploma, in ways that allow the student with disabilities to meet or exceed the Charter School's high standards for academic excellence. The Charter School will ensure that the teachers and other persons who provide services to a student with disabilities, including substitute teachers to the extent necessary, are knowledgeable of the content of the student's IEP.

Students with disabilities, to the greatest extent possible, and in accordance with their IEPs and applicable law, will be integrated into the Charter School's least restrictive educational environment that spans a home-school-community continuum of educational experiences, and includes the full range of academic, non-academic, and extracurricular activities with non-disabled peers. Differentiation strategies along with the use of accommodations/modifications as stated in the IEP will be implemented. Students will receive special education services via small group or individualized instruction in the resource centers or through teleconference services. The Charter School will base its special education program on research and best practice, and its assigned administrator coordinates and monitors the Charter School's policies, procedures and programs accordingly. The Charter School will act as an advocate for each student who requires special services and assistance to participate fully in the Charter School's Educational Program.

The Charter School will ensure that student discipline and procedures for suspension and expulsion of students with disabilities are in compliance with state and federal law, as further described below under “Suspension and Expulsion Policies.”

The SELPA, in consultation with The Charter School, will respond to any parent/guardian complaint regarding its compliance with the IDEA in accordance with the applicable law and SELPA policy and procedure. TPC will work together with the SELPA in the case of any due process hearings, whether initiated by the SELPA on behalf of a student enrolled in the Charter School or initiated by the parents or guardians of a student at TPC.

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.

Permission to evaluate for 504 plan eligibility will be obtained from the parent/guardian or educational rights holder for the student. A 504 team will be assembled by the Executive Director/ Superintendent or designee 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, which 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 including those tailored to assess specific areas of educational need, and not merely those which are designed to provide a single general intelligence quotient.
- Tests will be 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 will be made by the 504 team in writing and notice will be given in writing to the parent or guardian 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 a free and appropriate public education. 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 Charter 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, will 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/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.

Professional Development

The Charter School understands the importance effective teacher professional learning. Research indicates a positive link between teacher professional development, teaching practices, and student outcomes. TPC will structure professional learning to improve teacher practices and increase student achievement. Key elements in this approach include:

- Focused on content: teaching strategies based on discipline-specific curriculum and pedagogies
- Coaching support: coaching may occur between peers or between a teacher and a designated instructional coach and will be focused on teachers' individual needs.
- Incorporates active learning and collaboration: teachers share and communicate ideas; teachers engage in designing and trying out strategies. This asks teachers to learn in the same style of learning for students.
- Feedback and reflective practice: provides time for teachers to think about their teaching practice.
- Sustained: provides sufficient time to learn, practice, implement, and reflect on new learning.

(Darling-Hammond, et al. (2017) *Effective Teacher Professional Development Report*)

Specific topics addressed will support the attainment of State Priorities.

Charter School Goals and Actions to Achieve the Eight State Priorities

Pursuant to Education Code Sections 47605(b)(5)(A)(ii) and 47605(b)(5)(B), the Charter School's annual goals, actions and measurable outcomes, both schoolwide and for each subgroup of pupils, which address and align with the Eight State Priorities as described in Education Code Section 52060(d), can be found in Element II. Each of these goals addresses the unique needs of all students attending the Charter School, including our numerically significant student subgroups. The metrics

associated with these goals help the Charter School to ensure that these specific subgroups are making satisfactory progress, and are provided with necessary additional supports made possible by additional funds from the Local Control Funding Formula.

The Charter School shall develop and annually update its own LCAP in accordance with Education Code Section 47606.5 and shall use the LCAP template adopted by the State Board of Education. The Charter School reserves the right to establish additional and/or amend school-specific goals and corresponding assessments throughout the duration of the charter through the annual LCAP update. The Charter School shall submit the LCAP to the District and County Superintendent of Schools annually on or before July 1, as required by Education Code Section 47604.33.

The LCAP and any revisions necessary to implement the LCAP shall not be considered a material revision to the charter, and shall be maintained by the Charter School at the school site.

II. Measurable Student Outcomes; and

III. Assessment Methods and the Use and Reporting of Data

Governing Law: The measurable pupil outcomes identified for use by the charter school. “Pupil outcomes,” for purposes 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 groups of pupils served by the charter school, as that term is defined in subparagraph (B) of paragraph (3) of subdivision (a) of Section 47607. The pupil outcomes shall align with the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school. Education Code Section 47605(b)(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(b)(5)(C).

Goals, Actions and Measurable Outcomes Aligned with the Eight State Priorities

Student outcomes are defined as the degree to which all students of the Charter School demonstrate that they have attained the skills, knowledge and attitudes commensurate to their abilities, as specified in the goals of the Charter School’s educational program.

Pursuant to Education Code Sections 47605(b)(5)(A)(ii) and 47605(b)(5)(B), and as addressed above in Element I, the Charter School’s annual goals, actions and measurable outcomes, both schoolwide and for each subgroup of pupils, which address and align with the Eight State Priorities as described in Education Code Section 52060(d), can be found in the chart below. Each of these goals addresses the unique needs of all students attending the Charter School, including our numerically significant student subgroups. The metrics associated with these goals help the Charter School to ensure that these specific subgroups are making satisfactory progress, and are provided with necessary additional supports made possible by additional funds from the Local Control Funding Formula.

The Charter School shall develop and annually update its own LCAP in accordance with Education Code Section 47606.5 using the LCAP template adopted by the State Board of Education. The Charter School reserves the right to establish additional and/or amend school-specific goals and corresponding assessments throughout the duration of the charter through the annual LCAP update. The Charter School shall submit the LCAP to the District and County Superintendent of Schools annually on or before July 1, as required by Education Code Section 47604.33.

The LCAP and any revisions necessary to implement the LCAP shall not be considered a material revision to the charter, and shall be maintained by the Charter School.

The pupil outcomes shall align with the state priorities, as described in subdivision (d) of Section 52060, which apply for the grade levels served, or the nature of the program operated, by the Charter School.

All goals, outcomes and actions are schoolwide except where indicated. It is anticipated that the population of students seeking enrollment will include the following subgroups: approximately 60% unduplicated pupils; 20% students with disabilities; 15% Hispanic pupils; and 70% White pupils.

GOAL# 1 Thompson Peak Charter will strive to provide a broad course of study for all students from a qualified, appropriately credentialed staff working towards full implementation of the California State Standards in a safe, well-maintained environment.

This goal addresses: Priorities 1, 2, and 7

EXPECTED MEASURABLE OUTCOMES		Method for Measurement
1A	Achieve a 100% of appropriately assigned and credentialed staff.	SARC
1B	Achieve a 100% level of access to standards aligned materials.	Report to Board
1C	Achieve a percentage of 85% or greater agreement with the statement "My school is generally clean and in good repair.	Survey
2A	Establish baselines for standards implementation utilizing state suggested rubric for progress in providing professional learning for teaching to the adopted standards and progress in implementing academic standards.	Survey
2B	Establish baselines for standards implementation utilizing state suggested rubric for progress teaching to the adopted academic standards for ELD and progress in implementing policies or programs to support staff in identifying areas where they can improve delivery of instruction.	Survey
7A	Achieve a 100% level of access to a broad course of study for all students.	SIS
7A	Develop power standards, rubrics and effective means of tracking to support mastery-based learning.	Board documents
7A	Provide access to 4 year old students meeting qualifications for early admission to Transitional Kindergarten Program.	SIS records
7B	Achieve a 100% level of access to a broad course of study for unduplicated pupils.	SIS report
7B	Achieve enrollment in CTE courses that is consistent with school demographics for unduplicated pupils.	SIS report
7C	100% level of access to a broad course of study for Students with Disabilities ("SWD").	SIS report
7C	Achieve enrollment in CTE courses that is consistent with school demographics for Students with Disabilities.	SIS report
ACTIONS TO ACHIEVE GOAL #1		
1A	Support teachers with preliminary credentials with mentors; enrollment in teacher induction program offered to no more than 2 teachers.	
1B	Adopt a schedule of the purchase of standards aligned materials in matching the state's adoption cycle.	
1C	Provide janitorial and maintenance services for all locations.	
2A	Provide training to staff on new materials and standards.	
2B	Provide training to staff on ELD resources and Universal Design for Learning.	
7A, 7B & 7C	Annually review course catalog to verify availability of coursework.	

7A	Provide inservice time for staff to collaborate on power standards, rubrics and means of tracking the mastery of standards.	
7A	Offer early admission to TK.	
7B & 7C	Utilize career and college counselor to meet with unduplicated and SWD to encourage and assure equal enrollment in CTE courses.	
GOAL#2 Thompson Peak Charter will provide all students with a rigorous and challenging education, focused instructional assistance, and the appropriate skills necessary for college and career readiness.		
<i>This goal addresses: Priorities 4 & 8</i>		
EXPECTED MEASURABLE OUTCOMES		Method for Measurement
4A	Establish a baseline of ELA scores as measured in relation to level 3 including all students and all student subgroups.	CA School Dashboard
4A	Establish a baseline of mathematics scores as measured in relation to level 3 including all students and all student subgroups.	CA School Dashboard
4A	Establish a baseline of science test scores for all students and all student subgroups.	CA School Dashboard
4A	Establish a baseline of ELA scores for SWD as measured in relation to level 3.	CA School Dashboard
4A	Establish a baseline of mathematics scores for SWD as measured in relation to level 3.	CA School Dashboard
4A	Establish a baseline of ELA scores for Unduplicated Pupils as measured in relation to level 3.	CA School Dashboard
4A	Establish a baseline of mathematics for Unduplicated Pupils scores as measured in relation to level 3.	CA School Dashboard
4B	Establish a baseline of students completing courses that satisfy UC/CSU entrance requirements including all students and all student subgroups.	CA School Dashboard
4B	Establish a baseline of students completing CTE Pathways or are enrolled in community college coursework including all students and all student subgroups.	CA School Dashboard
4C	Establish a baseline of students who make progress toward English language proficiency.	CA School Dashboard
4D	Establish a baseline of EL reclassification rate	CA School Dashboard
4E	N/A-school does not plan to offer AP courses	N/A
4F	Establish a baseline of pupils participating in and demonstrating college preparedness as determined through the Early Assessment Program including all students and all student subgroups.	CAASPP Scores for 11 th grade students
4G	Establish a baseline of 11 th grade ELA and mathematics results as measured in relation to level 3 including all students and all student subgroups.	CAASPP/TOMS reports
8	Determine a baseline of students prepared to begin high school level mathematics in 9 th grade	i-Ready results at start of 9 th grade year greater than or equal to grade 7.0
8	Establish a baseline of Expected Schoolwide Learning Results self-assessment and teacher assessment.	ESLR Rubric survey

8	Establish a baseline of students scoring at or above grade level at the winter i-Ready diagnostic assessment.	i-Ready results
ACTIONS TO ACHIEVE GOAL #2		
4A, 4D, & 8	Identify, purchase and provide training and supplemental resources to support student performance in reading, writing, mathematics, and science. These may include resources such as Renaissance Learn products, i-Ready Toolbox, Curriculum Associates CAMS/STAMS.	
4A, 4C, & 4D	Provide instructional aides/ paraeducators to support progress on mastery of instructional goals in ELA, ELD, and mathematics.	
4A-G, 8	Provide RtI instruction in ELA and mathematics.	
4B	Provide services of career & college counselor to meet with students in grades 7-12 to develop plans for future goals with a focus on understanding a-g requirements, dual enrollment and CTE pathways.	
4B & 4F	Provide training to teachers of high school students to understand processes related to a-g requirements, dual enrollment, CTE pathways, and career-college readiness indicators.	
8	Provide training to staff, parents, and students on the ESLRs assessment instrument.	
8	Provide annual training to staff on administering and interpreting assessment data from i-Ready.	
GOAL#3 Thompson Peak Charter will meaningfully engage parents, students, and staff in school community that is welcoming and conducive to learning.		
<i>This goal addresses: Priorities 3, 5, & 6</i>		
EXPECTED MEASURABLE OUTCOMES		Method for Measurement
3A	Establish a baseline of parent/guardian that feel they have opportunities for involvement and input in school.	Survey
3B	Achieve a percentage of families with unduplicated pupils who participate in school meetings, committees, and events that is similar to the percentage of unduplicated students.	Sign-in sheets
3C	Achieve a percentage of families with SWD who participate in school meetings, committees, and events that is similar to the percentage of students with disabilities.	Sign-in sheets
5A	Achieve an overall attendance rate of at least 94%. Review data for all student subgroups to assure attendance rates within 3% of overall rate.	SIS
5B	Achieve a chronic absenteeism rate that is less than or equal to the state average. Review data for all student subgroups to assure rates within 1-2% of the overall rate.	CA School Dashboard
5C	Achieve a middle school dropout rate less than or equal to the state average.	CA School Dashboard
5D	Achieve a high school dropout rate less than or equal to the state average.	CA School Dashboard
5E	Achieve a high school graduation rate of 90% or greater. Review data for all student subgroups to assure rates within 5% of overall school rate.	CA School Dashboard
6A	Achieve a pupil suspension rate of 3% or less.	CA School Dashboard
6B	Achieve a pupil expulsion rate equal or less than the state average.	CA School Dashboard

6C	Establish a baseline of sense of safety by pupils, parents, and teachers.	Survey
6C	Establish a baseline on parents and staff that feel communication is satisfactory.	Survey
ACTIONS TO ACHIEVE GOAL #3		
3A	Plan opportunities for parent participation in schoolwide events and trainings. Serve refreshments and provide childcare.	
3A	Establish and support site committees to provide opportunities for meaningful input in school decision making.	
3A	Utilize survey monkey to develop parent and student surveys to collect input on future goals, outcomes and actions.	
3B & 3C	Develop and implement a digital solution to record parent participation by demographics to assure effective outreach and access to all sub-groups.	
5A & 5B	Establish policies and procedures for judging attendance and monitor non-compliance rules and procedures.	
5C-5E	Offer leadership classes for middle and high school students.	
5C-5E	Provide staff training to recognize signs of students at risk of dropping out of school.	
6A 6C	Implement PBIS strategies schoolwide.	
6A-6C	Require all staff members to participate in bullying prevention and training and provide student/family access to STOP-IT reporting application.	
6C	Utilize Parent Square to provide email, text and phone messages for parent and staff communication.	
6C	Provide monthly calendars to families and staff with information of interest to each stakeholder group.	

Assessment

This chart identifies the assessments administered to students annually.

Assessment	Applicable Grade Level	Frequency
CAASPP: <ul style="list-style-type: none"> • ELA SBAC • Math SBAC • CAST 	<ul style="list-style-type: none"> • Grades 3-8, 11 • Grades 3-8, 11 • Grades 5, 8, once in high school (10, 11, 12) 	<ul style="list-style-type: none"> • As mandated by statute • As mandated by statute • As mandated by statute
ELPAC: <ul style="list-style-type: none"> • Initial Assessment • Summative Assessment 	<ul style="list-style-type: none"> • IA: Grades K-12 whose primary language is not English • SA: Identified ELs in Grades K-12 	<ul style="list-style-type: none"> • Once upon entry for students first enrolling in a California school • Annually until reclassification
i-Ready Assessment <ul style="list-style-type: none"> • Math and reading 	<ul style="list-style-type: none"> • Grade 1 • Grades 2-11 • Grade 12 	<ul style="list-style-type: none"> • For grades 1-11, twice per year • As needed
Teacher-created Competency-based Assessment	<ul style="list-style-type: none"> • TK/K 	<ul style="list-style-type: none"> • 2-3 times per year

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(b)(5)(D).

Non-Profit Public Benefit Corporation

Thompson Peak Charter shall be a directly funded independent charter school and will be operated by Long Valley Charter School, a California Nonprofit Public Benefit Corporation, pursuant to California law upon approval of this charter. The Charter School shall be governed pursuant to the bylaws adopted by LVCS Board of Directors (“Board”), as may be subsequently amended pursuant to the amendment process specified in the bylaws, and which shall be consistent with the terms of this charter.

The Charter School shall operate autonomously from the District, with the exception of the supervisory oversight as required by statute and other contracted services as may be negotiated between the District and the Charter School. Pursuant to Education Code Section 47604(d), the District shall not be liable for the debts and obligations of the Charter School, operated by a California non-profit 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 C, please find Long Valley Charter School’s Articles of Incorporation, Draft Bylaws and Draft Conflict of Interest Code.

Board of Directors

Thompson Peak Charter shall be governed by the LVCS Board of Directors, which shall include no less than five (5) members and no more than seven (7) members. In accordance with Education Code Section 47604(c), the District may appoint a representative to sit on the Board of Directors. If the District chooses to do so, the Charter School may appoint another Director to ensure that the Board is maintained with an odd number of Directors.

Each director shall hold office for four (4) years, and until a successor Director has been designated and qualified.

Parents of students enrolled in the charter schools operated by the Corporation and community members residing in the attendance area of such charter schools are eligible for election to the Board of Directors, subject to the eligibility criteria outlined in the bylaws. In general, three (3) seats on the Board shall be reserved for a representative of each of the communities served by the Corporation—that has campuses and/or resource centers. Remaining seats shall be for a member(s) at large. One (1) seat shall be for a representative appointed by the District in accordance with Education Code Section 47604(c). Board members shall be elected to the Board consistent with the process outlined in the Bylaws.

The Board’s major roles and responsibilities include:

- Establishing, approving, and supervising all major educational and operational policies
- Approving all major contracts
- Reviewing and approving the Charter School's annual budget
- Approving changes to the budget greater than 5% of the total annual ADA
- Overseeing the Charter School's financial affairs
- Selecting and evaluating the top administrative staff
- Approving charter amendments by a majority

The Board of Directors shall accept, consider, and be responsive to input from all stakeholders. The Board of Directors facilitates the identification of problems and the consensus building needed to identify and implement solutions that will help to maintain a successful school. Consensus is defined as agreement to a solution by all those involved; agreement means that the participants can live with a solution, even though some may not like it. On major issues, the Charter School may survey parents and staff to determine if the solutions have their support.

The Charter School's Board of Directors may initiate and carry out any program, activity, or may otherwise act in any 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 charter schools are established.

The Board of Directors may execute any powers delegated by law to it and shall discharge any duty imposed by law upon it and may delegate to an officer or employee of the Charter School any of those powers or duties. The Board of Directors, however, retains ultimate responsibility over the performance of those powers or duties so delegated.

The Charter School shall comply with all applicable conflicts of interest laws including but not limited to the Political Reform Act, and Corporations Code, and shall comply with the Brown Act. Annual training on the Brown Act, conflicts laws, and effective governance shall be provided to all members of the Board.

Leadership Team

The members of the Leadership Team hired by the Long Valley Charter School Board of Directors are provided with an applicable job description and a contract approved by the LVCS Board of Directors. The Leadership Team is comprised of at least one Executive Director/Superintendent, who shall also serve as the Chief Executive Officer and administrators whose knowledge and skills will collaboratively assure the implementation of the established direction and outcomes of the Charter School program in order to achieve the Charter School's goals and objectives and to further the Charter School's philosophy.

The Leadership Team is responsible for:

- Recommendations for hiring and termination of certificated and classified staff pursuant to Charter School personnel policy and subject to the Board of Directors approval
- Supervising and evaluating all certificated and classified staff members of the Charter School
- Presenting an annual report of programs to the District and the Charter School Board of

Directors

- Liaison between the Board of Directors and the District
- Liaison between the Board of Directors and the Advisory Council
- Liaison between the Charter School and the community
- Liaison between the Charter School and the Lassen County SELPA
- Overseeing a contract between the Board of Directors and back office service provider(s) for all fiscal and HR services including but not limited to:
 - Budget preparation and presentation to the Board of Directors
 - Preparing all legally required fiscal reports and all reports requested by the District
 - Overseeing all daily and fiscal operations of the Charter School
 - Presenting an annual financial report to the Charter School Board of Directors and District

Advisory Council

The Advisory Council will be structured and conducted in accordance with its Bylaws; membership is comprised of parity between parents/guardians/students and staff. The Advisory Council has the opportunity to make educational and operational recommendations to the Long Valley Charter School Board of Directors and the Executive Director/Superintendent. It works with parents to develop parental involvement strategies and policies, and to submit the policies to the Board of Directors for approval. The Advisory Council also reviews and makes recommendations to the Board of Directors on the approval of the school's annual LCAP.

Parent Involvement in Governance

Parents of students enrolled in the Charter School residing in the attendance area of the Charter School are eligible for election to the Board of Directors, subject to the eligibility criteria and procedures outlined in the bylaws. Serving on the local site committees and the Advisory Council provides another opportunity for parents to participate in the governance decisions of the Charter School.

V. Employee Qualifications

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

All instructional and non-instructional staff employed by Long Valley Charter School shall possess the experience and expertise appropriate for their position within the Charter School as outlined in the Charter School's job descriptions and the Charter School's adopted personnel policies.

Personalized Learning Teachers

Long Valley Charter School shall retain and employ teaching staff who hold appropriate California teaching certificates, permits, or other documents issued by the Commission on Teacher Credentialing ("CTC") in accordance with Education Code Section 47605(l). These teachers provide personalized learning in the core academic areas of mathematics, language arts, science, and history/social studies. The personalized learning teachers are responsible for overseeing the students' academic progress, and for monitoring grading. All teachers of English Learners will be appropriately credentialed to serve English Learners, with a Crosscultural, Language, and Academic Development ("CLAD"), Bilingual, Crosscultural, Language, and Academic Development ("BCLAD") or other equivalent CTC recognized EL certification.

Persons employed in teaching positions must be appropriately assigned within their valid California teaching credential. Flexibility shall be given with regard to teachers teaching noncore, non-college preparatory courses.

Instructional Support Staff

The Long Valley Charter School also employs or retains non-certificated instructional support staff, in any case where a prospective employee has an appropriate mix of subject matter expertise, professional experience, and the demonstrated capacity to work successfully in an instructional support capacity. Persons employed as paraprofessionals or paraeducators must be qualified in accordance with applicable state and federal law.

Site Administrators

LVCS will employ Site Administrators who shall have leadership and educational experience. Site Administrators are responsible for the overall supervision and management of the local campus or resource center. Candidates with an administrative services credential may fulfill the role as Principal; individuals without the administrative credential will be hired in the role of Lead Teacher. A Master's degree in education or a related field is desirable, but combined experience and education deemed equivalent may be accepted.

Assistant Director

The Assistant Director shall have experience with Special Programs, including Special Education, 504 plans, English Learner programs, Foster and Homeless Youth Education programs, and programs associated with students from disadvantaged socioeconomic backgrounds. Additionally, the Assistant Director must hold an Administrative Services Credential. A Master's degree in education or a related field is desirable, but combined experience and education deemed equivalent may be accepted.

Executive Director/ Superintendent

The Executive Director/Superintendent shall have extensive and varied experience and education consistent with the duties associated with the position. Specific qualifications include skills in managing educational or other organizations, knowledge of school finance, educational leadership, teaching experience, charter school experience, blended personalized learning experience, and brick-and-mortar school experience. Experience developing and administering LCAPs, Charters, and WASC accreditation is essential. The ability to maintain excellent interpersonal relationships with the LVCS Governing Board and with other necessary committees and professionals, such as the Lassen County Office of Education is required. An Administrative Services Credential is required and a Master's degree in education or a related field is desirable, but combined experience and education deemed equivalent may be accepted.

Long Valley Charter School requires that each employee and contractor of the Charter School submit to a criminal background check and furnish a criminal record summary as required by Education Code Sections 44237 and 45125.1.

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 (H), inclusive, of paragraph (2) of subdivision (a) of Section 32282 and procedures for conducting tactical responses to criminal incidents.*
- (iii) That the school safety plan be reviewed and updated by March 1 of every year by the charter school. Education Code Section 47605(b)(5)(F).*

The Charter School shall adopt and implement a comprehensive set of health, safety, and risk management policies. It is our intent to operate a safe, risk free school to protect students and staff alike. The policies shall be developed in consultation with the Charter School's insurance carriers and address the following issues:

- A requirement that all enrolling students who receive small group instruction at the learning center provide records documenting immunizations to the extent required for enrollment in non-charter public schools pursuant to Health and Safety Code Sections 120325-120375, and Title 17, California Code of Regulations Sections 6000-6075, and a requirement that all rising 7th grade students are immunized with a pertussis (whooping cough) vaccine booster.
- A requirement that each employee and contractor of the Charter School submit to a criminal background check and furnish a criminal record summary as required by Education Code Sections 44237 and 45125.1. 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.
- A requirement that all employees will be mandated child abuse reporters in compliance with all applicable reporting laws, and that the Charter School will provide mandated reporter training to all employees annually in accordance with Education Code Section 44691.
- A policy requiring tuberculosis risk assessments and examinations (if necessary) for employees prior to commencing employment and working with students, and for employees at least once each four years thereafter.
- Policies and procedures for responding to emergencies and natural disasters.
- Policies and procedures for contacting parents or guardians in case of an emergency.
- Policies relating to the prevention of exposure to blood borne pathogens and communicable diseases.
- A policy regarding the administration of medication in school in compliance with Education Code Section 49423, and epinephrine auto-injectors in compliance with Education Code Section 49414.
- A policy requiring that instructional staff receive training in first aid and CPR or its equivalent.
- A policy establishing that Thompson Peak Charter operates as a drug, alcohol, and tobacco free environment.
- A policy for the prevention of discrimination and sexual harassment, as well as any harassment based upon protected characteristics.
- A policy for facility safety, including seismic safety.
- The site based program will participate in the annual vision, hearing, and scoliosis screening

provided by the Lassen County Office of Education in compliance with Education Code Section 49450, *et seq.*, as applicable to the grade levels served by the Charter School.

- A policy on student suicide prevention in accordance with Education Code Section 215.
- Diabetes: The Charter School will provide an information sheet regarding type 2 diabetes to the parent or guardian of incoming 7th grade students, pursuant to Education Code Section 49452.7. The information sheet shall include, but shall not be limited to, all of the following:
 - (1) A description of type 2 diabetes;
 - (2) A description of the risk factors and warning signs associated with type 2 diabetes;
 - (3) A recommendation that students displaying or possibly suffering from risk factors or warning signs associated with type 2 diabetes should be screened for type 2 diabetes;
 - (4) A description of treatments and prevention of methods of type 2 diabetes; and
 - (5) A description of the different types of diabetes screening tests available.
- By January 1, 2020, a requirement to identify and implement the most appropriate methods of informing parents and guardians of students in grades 6 through 12 of human trafficking prevention resources.
- A requirement to stock at least 50% of its restrooms with feminine hygiene products, and not charge students for these products, pursuant to Education Code Section 35292.6.
- A requirement to 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 schoolday. The Charter School shall provide this meal for any eligible student on any schoolday that the student is scheduled for educational activities, as defined in Education Code Section 49010, lasting two or more hours, at a schoolsite, resource center, meeting space, or other satellite facility operated by the Charter School.
- A requirement to teach sexual health education and human immunodeficiency virus (“HIV”) prevention education to students in grades 7-12 at least once in junior high or middle school and at least once in high school, pursuant to the California Healthy Youth Act (Education Code Section 51930, *et seq.*).
- 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)-(H):
 - 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
 - procedures for conducting tactical responses to criminal incidents

- 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.

The policies above shall be incorporated as appropriate into the Charter School's handbook, and shall be reviewed annually or as necessary, by the Charter School's Advisory Council. Revisions shall be submitted to the Board of Directors for approval.

VII. Racial and Ethnic Balance

Governing Law: The means by which the charter school will achieve the racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the district to which the charter petition is submitted. Education Code Section 47605(b)(5)(G).

Thompson Peak Charter shall not discriminate against any student or employee on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, gender identity, gender expression, 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). Each student who attends Thompson Peak Charter does so on a voluntary basis, and the program appeals to all people.

The Charter School shall implement a student recruitment strategy that includes, but is not limited to, the following elements to ensure a racial and ethnic balance among its students that is reflective of the general population residing within the territorial jurisdiction of the District:

- Promotional and informational materials that appeal to all of the various racial and ethnic groups represented in the District.
- Development of the above materials in languages other than English to reach populations with limited English proficiency.
- The service of Spanish-speaking staff, when available, to facilitate communication for limited English proficient parents and community members.
- Implementation of a translating program to convert English to Spanish for the purpose of written Charter School communication.

The outreach plan will be regularly reviewed and revised as necessary to ensure a racial and ethnic balance that is reflective of the general population residing within the territorial jurisdiction of the District. Efforts will also be made to ensure that the Charter School's student population reflects the racial and ethnic balance within the community where the TPC resource center is located.

VIII. 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).

The Charter School will be nonsectarian in its programs, admission policies, and all other operations, and will not charge tuition or discriminate against any student based upon any of the characteristics listed in Education Code Section 220.

The Charter School shall admit all pupils who wish to attend the Charter School. No test or assessment shall be administered to students prior to acceptance and enrollment into 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 public random drawing, shall not be determined by the place of residence of the pupil or his or her parent or legal guardian within the state, unless required by Education Code Section 51747.3. 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.

Prospective students and their parents or guardians shall receive material regarding the Charter School's instructional and operational philosophy, and student-related policies. 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:

1. Student enrollment form
2. Proof of Immunization
3. Completion of Emergency Medical Information Form
4. Proof of minimum age requirements
5. Release of records
6. Proof of residency
7. Technology Use Agreement
8. Parent/Student Agreement to comply with rules and regulations of the student/parent handbook, and commit to attend school every day

Public Random Drawing

Applications will be accepted during a publicly advertised open enrollment period each year 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 ("lottery") to determine admission for the impacted grade level, with the exception of existing students, who are guaranteed admission in the following school year. Admission preferences in the case of a public random drawing shall be given to the following students in the following order:

1. Siblings of students admitted to or attending the Charter School
2. Children of the Charter School's staff members
3. Residents of the District
4. All other 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 student enrollment capacity level is set by the Long Valley Charter School Board of Directors. 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 or if applicable, grade level ranges by the designated lottery official (appointed by the Executive Director/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.

At the conclusion of the public random drawing, students who were not granted admission due to capacity shall be placed on a waiting list for enrollment, in the order in which their names were drawn in the public random drawing. They will be contacted in accordance with their number on the list, as vacancies in their appropriate grade levels become available. 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 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 all applicants and interested parties of the rules to be followed during the public random drawing process via mail or email at least two weeks prior to the lottery date.

The Charter School will conduct the lottery in the spring for enrollment in fall of that year.

Readmission Restrictions

Research supports the importance of consistency in educational placement. Multiple school moves can increase student risk of not graduating, lower school engagement, and poorer grades in math and reading. In order to discourage high rates of transiency between charter schools and other local area schools, it is the policy of Thompson Peak Charter to not grant readmission to the charter program within the same school year. In the event of extenuating circumstances, a process to petition the Charter School for re-entry is available.

IX. Annual, 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. 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 procedures. 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 State Controller's K-12 Audit Guide.

The LVCS Governing Board 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 will be approved by the State Controller on its published list as an educational audit provider. To the extent required under applicable federal law, the audit scope will be expanded to include items and processes specified in applicable Office of Management and Budget Circulars.

The annual audit will be completed and forwarded to the District, the County Superintendent of Schools, the State Controller and to the California Department of Education by the 15th of December of each year. The Executive Director/Superintendent will review any audit exceptions or deficiencies and report to the LVCS 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 the same. 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 his or her 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 him or her 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 learning center small group 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 site administrator'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 (5) 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.

Procedures

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 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) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.
 - (1) Except as provided in Education Code Section 48910, a pupil enrolled in

kindergarten or any of grades 1 to 3, inclusive, shall not be suspended for any of the acts enumerated in this subdivision.

- l) Knowingly received stolen school property or private property, which includes, but is not limited to, electronic files and databases.
- m) 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.
- n) 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.
- o) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- p) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, “hazing” means a method of initiation or preinitiation 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.
- q) 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.
- r) 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.

- s) 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.
 - t) 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.
 - u) 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.
 - v) 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).
 - w) 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 Executive Director 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 student had obtained written permission to possess the item from a certificated school employee, with the Executive Director 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 preinitiation 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 (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 Executive Director 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 student had obtained written permission to possess the item from a certificated school employee, with the Executive Director 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 firearm 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 Executive Director/ Superintendent or designee with the student and his or her parent/guardian and, whenever practical, the teacher, supervisor or Charter School employee who referred the student to the Executive Director/ Superintendent or designee.

The conference may be omitted if the Executive Director/ Superintendent 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 Executive Director or Executive Director's designee, the pupil and the pupil's parent/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/guardians, unless the pupil and the pupil's parents/guardians fail to attend the conference.

This determination will be made by the Executive Director 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 of Directors following a hearing before it or by the Charter School Board of Directors upon the recommendation of a neutral and impartial Administrative Panel, to be assigned by the Board of Directors as needed. The Administrative Panel shall consist of at least three (3) members who are certificated and neither a teacher of the pupil or a member of the Charter School Board of Directors. 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

Unless postponed for good cause, the hearing shall be held within thirty (30) school days after the Executive Director/ Superintendent 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 which 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 (5) 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 person 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 entity 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 person 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 of Directors, which will make a final determination regarding the expulsion. The final decision by the Board of Directors shall be made within ten (10) school days following the conclusion of the hearing. The decision of the Board of Directors 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 Executive Director/ Superintendent or designee, following a decision of the Board of Directors to expel, shall send written notice of the decision to expel, including the Board of Directors' 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 Executive Director/ Superintendent 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 of Directors' 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 of Directors 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 of Directors following a meeting with the Executive Director/ Superintendent 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 Executive Director/ Superintendent or designee shall make a recommendation to the Board of Directors 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 that the

Charter School or the 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, believing 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 U.S.C. 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 Executive Director/ Superintendent 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 IDEA 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 IDEA-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. Employee Retirement Systems

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).

Certificated employees shall participate in the State Teachers' Retirement System ("STRS"). All other employees shall participate in federal social security. The Executive Director/ Superintendent or designee is responsible for ensuring that appropriate arrangements for retirement coverage are made for all employees.

XII. Public School 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).

Enrollment at Thompson Peak Charter is entirely voluntary on the part of the students who attend. 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 school within the District according to District policy or at 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 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 education agency.

XIII. Employee Return Rights

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.

Sick or vacation leave or years of service credit at the District or any other school district will not be transferred 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. Dispute Resolution Procedures

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

Intent. It is the intent of our dispute resolution process to:

- Resolve disputes within the Charter School pursuant to the Charter School's policies
- Minimize oversight burden on the District
- Ensure prompt and fair resolution to disputes

Public Comment. The staff and Governing Board and the District agree to attempt to resolve all disputes regarding this charter pursuant to the terms of this section. Both shall refrain from public commentary regarding any disputes until the matter has progressed through the resolution process.

Disputes between the Charter School and the District. The Charter School recognizes that it cannot bind the District to a dispute resolution procedure to which the District does not agree. The following policy 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.

In the event of a dispute between the Charter School and the District, the staff and members of the Board of Directors of the Charter School and the District agree to first frame the issue in written format ("dispute statement"), and refer the issue to the District Superintendent and Executive Director/ Superintendent of the Charter School, or their respective designees. In the event that the District believes that the dispute relates to an issue that could lead to the revocation of the charter, the Charter School requests that this shall be specifically noted in the written dispute statement, although it recognizes it cannot legally bind the District to do so. However, participation in the dispute resolution procedures outlined in this section shall not be interpreted to impede or act as a pre-requisite to the District's ability to proceed with revocation in accordance with Education Code Section 47607 and its implementing regulations.

The Superintendent and Executive Director/ Superintendent, or their respective designees, shall informally meet and confer in a timely fashion to attempt to resolve the dispute, not later than five (5) 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 representatives of their respective boards who shall jointly meet with the Superintendent and Executive Director/ Superintendent, or their respective designees, and attempt to resolve the dispute within fifteen (15) business days from receipt of the dispute statement.

If this joint meeting fails to resolve the dispute, the Superintendent and Executive Director/ Superintendent, or their respective designees, 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 costs of the mediator shall be shared equally by both parties. The format of the mediation session

shall be developed jointly by the Superintendent and Executive Director/ Superintendent, or their respective designees. Mediation shall be held within sixty (60) business days of receipt of the dispute statement. If mediation does not resolve the dispute, either party may pursue any other remedy available under the law. All procedures in this section may be revised upon mutual written agreement of the District and the Charter School.

Oversight Reporting. The District may inspect or observe any part of the Charter School at any time. While not legally required, the Charter School asks, but recognizes it cannot compel, reasonable notice prior to any observation or inspection.

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 shall be 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

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).

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 Lassen County Office of Education, the Charter School's SELPA, the retirement systems in which the Charter School's employees participate (e.g., 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 Charter School 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 Charter School 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 Charter School and shall be distributed in accordance with the Articles of Incorporation upon the dissolution of the non-profit public benefit corporation. 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 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. Miscellaneous Charter Provisions

Budgets and Financial Reporting

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).

A multi-year financial plan for the Charter School is attached as Appendix D, which includes the following documents:

- A projected three-year budget, including start-up costs
- Cash flow projections
- Financial projections

These documents are based on the best data available to the petitioners at the time the financial plan was assembled.

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

1. By July 1, a preliminary budget for the current fiscal year. For a charter school in its first year of operation, financial statements submitted with the charter petition pursuant to Education Code Section 47605(g) will satisfy this requirement.
2. By July 1, a local control and accountability plan and an annual update to the LCAP 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, California 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 report for 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 will 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) (as stated above), 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.

Attendance Accounting

The Charter School will implement an attendance recording and accounting system, to ensure contemporaneous record keeping, which complies with state law.

Insurance

The District shall not be required to provide coverage to the Charter School under any of the District self-insured programs or commercial insurance policies. The Charter School shall secure and maintain, as a minimum, insurance as set forth below to protect the Charter School from claims which may arise from its operations:

1. Workers' Compensation Insurance in accordance with provisions of the California Labor Code, adequate to protect the Charter School from claims under the Workers' Compensation laws and its implementing regulations, which may arise from its operations.
2. General Liability, Comprehensive Bodily Injury and Property Damage Liability for combined single limit coverage of not less than \$1,000,000 for each occurrence based upon the recommendation of the insurance provider for schools of similar size, location, and type of program. The policy shall be endorsed to name the District as additional insured.
3. Fidelity Bond coverage shall be maintained by the Charter School to cover all Charter School employees who handle, process, or otherwise have responsibility for Charter School funds, supplies, equipment or other assets. Minimum amount of coverage shall be \$50,000 per occurrence, with no self-insured retention.
4. Directors' and Officers' Coverage shall be maintained by the Charter School to cover its Board of Directors.

Insurance Certificates

The Charter School shall keep on file certificates signed by an authorized representative of the insurance carrier. Certificates shall be endorsed as follows: The insurance afforded by this policy shall not be suspended, cancelled, reduced in coverage or limits or non-renewed except after thirty (30) days after written notice has been given to the District by certified mail, return receipt requested. Facsimile or reproduced signatures are not acceptable. The District reserves the right to require complete certified copies of the required insurance policies.

Administrative Services

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

Thompson Peak Charter will do its own accounting and be its own fiscal agent and may contract for management, educational and other services through an appropriately qualified third-party contractor. The back office service provider shall comply with the fiscal policies adopted by the LVCS Board of Directors. Thompson Peak Charter shall utilize the Delta Managed Services (“DMS”) for back office services. In future years, should the Board of Directors find that Thompson Peak Charter could obtain financial and HR services in house, through its authorizer, or through the Lassen County Office of Education, or other entities, meeting the same qualifications or better than DMS for similar or better services at similar or better cost to the Charter School, the Charter School shall consider making such change.

Any services provided by the District to the Charter School shall be contracted on a fee for services basis, to be addressed in a memorandum of understanding.

Facilities

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

Thompson Peak Charter shall be located at 995 Paiute Lane, Susanville, California 96130.

Thompson Peak Charter is the only occupant of the facility.

All Charter School facilities will comply with Education Code Section 47610. The Charter School will provide the District with all requested information regarding its facilities and understands that all facilities are available for periodic and unannounced inspections.

Potential Civil Liability Effects

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

The Charter School shall be operated by a California non-profit 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 authority that grants a charter to a charter school operated by or as a non-profit 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 the District shall not be liable for the operation of the Charter School.

Further, the Charter School intends to enter into a memorandum of understanding with the District, which provides for indemnification of the District by the Charter School. Insurance amounts are described above and will be updated as needed by recommendation of the District and the Charter School's insurance company for schools of similar size, location, student population, 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 the Charter School provide for indemnification of its 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.

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

Term

The term of this charter shall begin July 1, 2019 and expire five years thereafter, on June 30, 2024, with option for renewal.

Renewal of Charter

The District may renew this charter for the term of five years. The Charter School shall re-petition the District for charter renewal prior to expiration.

Material Revisions

Any material revisions to this charter shall be made by the mutual agreement of the Governing Boards of the Charter School and the District. Material revisions shall be made pursuant to the standards, criteria, and timelines in Education Code Sections 47605 and 47607.

Communications

All official communications between Thompson Peak Charter and the District will be sent via First Class Mail or other appropriate means to the following addresses:

Thompson Peak Charter
P.O. Box 7
Doyle, CA 96109

Susanville School District
109 S. Gilman St.
Susanville, CA 96130

Business Agreement/MOU

TPC intends to engage with the District and develop a mutually agreeable Memorandum of Understanding including but not limited to the following provisions: the District may charge for the

actual costs of supervisory oversight of the Charter School not to exceed one (1) percent of all Thompson Peak Charter revenue, pursuant to Education Code Section 47613(a); the Charter School will receive Local Control Funding Formula funds, 100% of applicable Lottery, Instructional Materials Funds, and other operational funding, as well as state and federal grants, special education and one time funding.

APPENDIX A-ESLRs

Thompson Peak Charter Expected Schoolwide Learning Results

1. Students are self-directed learners who

- Assume responsibility for personal life-long learning; discovering, developing and pursuing individual interests.
- Organize and manage time and resources efficiently.

2. Students demonstrate strong interpersonal skills through

- Demonstrating respectful, effective and proficient communication skills.
- Working collaboratively with others, with an emphasis on problem solving.

3. Students are academically proficient as reflected by

- Demonstrating a progressive mastery of California State Standards leading to proficient or advanced scores on California standards assessments.
- Demonstrating higher order thinking skills including application, analysis, synthesis and evaluation.

4. Students demonstrate technological competency by

- Accessing, utilizing, synthesizing and evaluating digital information to support learning and to build skills for career and college.
- Creating multimedia products to present knowledge and understanding of content.

5. Students are responsible citizens who

- Demonstrate respect for cultural, ethnic, and economic diversity.
- Model good character traits.
- Strive to become self-sufficient, productive, and contributing members of society.

6. Students demonstrate a growth mindset by

- Acknowledging and embracing imperfections.
- Demonstrating goal-driven practices for improvement.

APPENDIX B-CURRICULAR MATERIALS

Reading/ Language Arts

- K-5-Wonders- McGraw Hill
- 6-8-Amplify
- 6-12-Springboard
- 7-12-Florida Virtual Academy online curriculum
- 6-12-Odysseyware-online curriculum
- K-6- Reading A to Z
- Khan Academy
- 2-12- i-Ready-Curriculum Associates
- K-8-Common Core Standards Plus
- K-2 Starfall Reading
- 1-12-Accelerated Reader 360 (Renaissance Learning)
- K-8-Scholastic News
- 3-12- Inquire
- Teacher developed units

Mathematics

- K-5- Math Expressions-Houghton Mifflin
- K-8 Jump Math
- Khan Academy
- 7-12-Florida Virtual Academy online curriculum
- 6-12-Odysseyware-online curriculum
- 2-12- i-Ready-Curriculum Associates
- K-8-Common Core Standards Plus
- 6-12-Big Ideas math
- Teacher developed units
- Khan Academy

Science


- K-6-Houghton Mifflin
- K-5-Mystery Science
- Khan Academy
- 7-12-Florida Virtual Academy online curriculum
- 6-12-Glencoe
- 6-12 Holt
- K-8-Science Weekly
- Teacher developed units

Social Science

- K-8-Houghton Mifflin
- NewsELA
- Khan Academy
- 7-12-Florida Virtual Academy online curriculum
- 6-12-Glencoe
- 7-8-History Alive
- K-8-Social Studies Weekly
- Teacher developed units


APPENDIX C-ARTICLES OF INCORPORATION, DRAFT BYLAWS, and
DRAFT CONFLICT OF INTEREST CODE

2257627


State of California
SECRETARY OF STATE


I, *BILL JONES*, Secretary of State of the State of California,
hereby certify:

That the attached transcript of 2 page(s) has
been compared with the record on file in this office, of
which it purports to be a copy, and that it is full, true
and correct.



IN WITNESS WHEREOF, I execute this
certificate and affix the Great Seal of
the State of California this day of

AUG 18 2000


Secretary of State

Sec/State Form CE 107 (rev. 9/99)

GSP 95 13524

2257627

ENDORSED - FILED
IN THE OFFICE OF THE
SECRETARY OF STATE
OF THE STATE OF CALIFORNIA

ARTICLES OF INCORPORATION
OF
LONG VALLEY CHARTER SCHOOL
(A California Non-Profit Public Benefit Corporation)

JUL 27 2000

BILL JONES, SECRETARY OF STATE

I.

The name of the Corporation shall be: Long Valley Charter School.

II.

The Corporation is a non-profit public benefit corporation and is not organized for the private gain of any person. It is organized under the Non-Profit Public Benefit Corporation Law for public and charitable purposes. The specific purposes for which this Corporation is organized are to manage, operate, guide, direct and promote the Long Valley Charter School (a California public school).

The Corporation is organized and operated exclusively for educational and charitable purposes pursuant to and within the meaning of section 501(c)(3) of the Internal Revenue Code or the corresponding provision of any future United States Internal Revenue Law. Notwithstanding any other provision of these articles, the Corporation shall not, except to an insubstantial degree, engage in any other activities or exercise of power that do not further the purposes of the Corporation. The Corporation shall not carry on any other activities not permitted to be carried on by: (a) a corporation exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code; or (b) by a corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

III.

The name and address in the State of California of this Corporation's initial agent for service of process is:

Paul C. Minney
Girard and Vinson
1676 N. California Blvd., Suite 450
Walnut Creek, CA 94596

IV.

All corporate property is irrevocably dedicated to the purposes set forth in the second article above. No part of the net earnings of the Corporation shall inure to the benefit of, or be distributable to any of its directors, members, trustees, officers or other private persons except that the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered, and to make payments and distributions in furtherance of the purposes set forth in Article II.

No substantial part of the activities of the Corporation shall consist of the carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office.

Subject to the provisions of the non-profit public benefit provisions of the Non-Profit Corporation Law of the State of California, and any limitations in the articles or bylaws relating to action to be approved by the members or by a majority of all members, if any, the activities and affairs of this Corporation shall be conducted and all the powers shall be exercised by or under the direction of the board of directors.

The number of directors shall be as provided for in the bylaws. The bylaws shall prescribe the qualifications, mode of election, and term of office of directors.

V.

The authorized number and qualifications of members of the corporation, if any, the different classes of membership, the property, voting and other rights and privileges of members, and their liability for dues and assessments and the method of collection thereof, shall be set forth in the bylaws.

VI.

Upon the dissolution or winding up of the Corporation, its assets remaining after payment of all debts and liabilities of the Corporation, shall be distributed to a non-profit fund, foundation, or association which is organized and operated exclusively for educational, public or charitable purposes and which has established its tax exempt status under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by a court of competent jurisdiction of the county in which the principal office of the Corporation is then located, exclusively for such purposes or to such organization or organizations, as said court shall determine, which are organized and operated exclusively for such purposes.

Dated: June 15th, 2000

Joan Donovan
Joan Donovan
Incorporator



A0794826

2257627
**CERTIFICATE OF AMENDMENT OF
ARTICLES OF INCORPORATION**

FILED *W*
Secretary of State
State of California

W
FEB 23 2017

The undersigned certifies that:

1. They are the President and the Secretary of Long Valley Charter School, a California nonprofit public benefit corporation.
2. Article II of the Articles of Incorporation of this corporation is amended to read as follows:

The Corporation is a nonprofit public benefit corporation and is not organized for the private gain of any person. It is organized under the Nonprofit Public Benefit Corporation Law for public and charitable purposes. The specific purposes for which this Corporation is organized are to manage, operate, guide, direct and promote one or more California public charter schools.

The Corporation is organized and operated exclusively for educational and charitable purposes pursuant to and within the meaning of Section 501(c)(3) of the Internal Revenue Code or the corresponding provision of any future United States Internal Revenue Law. Notwithstanding any other provision of these articles, the Corporation shall not, except to an insubstantial degree, engage in any other activities or exercise of power that do not further the purposes of the Corporation. The Corporation shall not carry on any other activities not permitted to be carried on by: (a) a corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code; or (b) by a corporation, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

3. The foregoing amendment of the Articles of Incorporation has been duly approved by the board of directors.
4. The corporation has no members.

We further declare under penalty of perjury under the laws of the State of California that the matters set forth in this certificate are true and correct of our own knowledge.

DATE: 11/10/16

Richard Gotcher

Richard Gotcher, President

DATE: 11-10-16

Barbara Lee

Barbara Lee, Secretary



I hereby certify that the foregoing transcript of _____ page(s) is a full, true and correct copy of the original record in the custody of the California Secretary of State's office.

MAR 7 - 2017 *h*

Date: _____

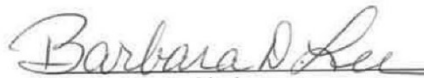
Alex Padilla

ALEX PADILLA, Secretary of State

CERTIFICATE OF CLERK

I certify that I am the duly elected and acting Clerk of the Long Valley Charter School, a California nonprofit public benefit corporation; that these bylaws, consisting of 14 pages, are the bylaws of this corporation as adopted by the Board of Directors on October 10, 2001; and that these bylaws have been amended or modified at a public meeting of the Board of Directors duly noted in the minutes thereof dated November 8, 2016.

Executed on 11.10.16 at Doyle, California


Barbara Lee, Clerk

DRAFT
BYLAWS
OF
Long Valley Charter School
(A California Nonprofit Public Benefit Corporation)

ARTICLE I
NAME

Section 1. NAME. The name of this Corporation is Long Valley Charter School.

ARTICLE II
PRINCIPAL OFFICE OF THE CORPORATION

Section 1. PRINCIPAL OFFICE OF THE CORPORATION. The principal office for the transaction of the activities and affairs of this corporation is located at 436-965 Susan Drive in Doyle, Lassen County, California 96109. The Board of Directors may change the location of the principal office. Any such change of location must be noted by the secretary on these bylaws opposite this Section; alternatively, this Section may be amended to state the new location.

Section 2. OTHER OFFICES OF THE CORPORATION. The Board of Directors may at any time establish branch or subordinate offices at any place or places where the Corporation is qualified to conduct its activities.

ARTICLE III
GENERAL AND SPECIFIC PURPOSES; LIMITATIONS

Section 1. GENERAL AND SPECIFIC PURPOSES. The purpose of this corporation is to manage, operate, guide, direct and promote one or more California public charter schools. Also in the context of these purposes, the corporation shall not, except to an insubstantial degree, engage in any other activities or exercise of power that do not further the purposes of this Corporation.

The Corporation shall not carry on any other activities not permitted to be carried on by: (a) a corporation exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code; or (b) a corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code. No substantial part of the activities of the Corporation shall consist of the carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate in, or intervene in (including the publishing or distributing of statements) any political campaign on behalf of or in opposition to any candidate for public office.

ARTICLE IV
CONSTRUCTION AND DEFINITIONS

Section 1. CONSTRUCTION AND DEFINITIONS. Unless the context indicates otherwise, the general provisions, rules of construction, and definitions in the California Nonprofit Corporation Law shall govern the construction of these bylaws. Without limiting the generality of the preceding sentence, the masculine gender includes the feminine and neuter, the singular includes the

plural, and the plural includes the singular, and the term “person” includes both a legal entity and a natural person.

ARTICLE V DEDICATION OF ASSETS

Section 1. DEDICATION OF ASSETS. The Corporation’s assets are irrevocably dedicated to public benefit purposes. 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. On liquidation or dissolution, all properties and assets remaining after payment, or provision for payment, of all debts and liabilities of the Corporation shall be distributed to a nonprofit fund, foundation, or corporation that is organized and operated exclusively for charitable purposes and that has established its exempt status under Internal Revenue Code section 501(c)(3), or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose.

ARTICLE VI CORPORATIONS WITHOUT MEMBERS

Section 1. CORPORATIONS WITHOUT MEMBERS. The Corporation shall have no voting members within the meaning of the Nonprofit Corporation Law.

ARTICLE VII BOARD OF DIRECTORS

Section 1. GENERAL POWERS. Subject to the provisions and limitations of the California Nonprofit Public Benefit Corporation Law and any other applicable laws, and subject to any limitations of the articles of incorporation or bylaws, the Corporation’s activities and affairs shall be managed, and all corporate powers shall be exercised, by or under the direction of the Board of Directors (“Board”). The Board may delegate the management of the corporation's activities to any person(s), management company or committees, however composed, provided that the activities and affairs of the corporation shall be managed and all corporate powers shall be exercised under the ultimate direction of the Board.

Section 2. SPECIFIC POWERS. Without prejudice to the general powers set forth in Section 1 of these bylaws, but subject to the same limitations, the Board of Directors shall have the power to:

- a. Appoint and remove, at the pleasure of the Board of Directors, all corporate officers, agents, and employees; prescribe powers and duties for them as are consistent with the law, the articles of incorporation, and these bylaws; fix their compensation; and require from them security for faithful service.
- b. Change the principal office or the principal business office in California from one location to another; cause the Corporation to be qualified to conduct its activities in any other state, territory, dependency, or country; conduct its activities in or outside California.
- c. Borrow money and incur indebtedness on the Corporation’s behalf and cause to be executed and delivered for the Corporation’s purposes, in the corporate name, promissory

notes, bonds, debentures, deeds of trust, mortgages, pledges, hypothecations, and other evidences of debt and securities.

- d. Adopt and use a corporate seal.

Section 3. DESIGNATED DIRECTORS AND TERMS. The number of directors shall be no less than five (5) and no more than seven (7) (unless changed by amendments to these bylaws.) All directors shall have full voting rights, including any representative appointed by the charter authorizer as consistent with Education Code Section 47604(b). If the charter authorizer appoints a representative to serve on the Board of Directors, the Corporation may appoint an additional director to ensure an odd number of Board members.

Section 4. RESTRICTION ON INTERESTED PERSONS AS DIRECTORS. No persons serving on the Board of Directors may be interested persons. An interested person is (a) any person compensated by the Corporation for services rendered to it within the previous 12 months, whether as a full-time or part-time employee, independent contractor, or otherwise, excluding any reasonable compensation paid to a director as director; and (b) any brother, sister, ancestor, descendant, spouse, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, or father-in-law of such person. The Board may adopt other policies circumscribing potential conflicts of interest.

Section 5. DIRECTORS' TERM. Each director shall hold office unless otherwise removed from office in accordance with these bylaws for four (4) years and until a successor director has been designated and qualified.

Section 6. NOMINATION AND ELECTION PROCEDURES. Parents of students enrolled in the charter schools operated by the Corporation and community members residing in the attendance area of such charter schools are eligible for election to the Board of Directors, subject to the eligibility criteria described below.

Three (3) seats on the Board shall be reserved for a representative of each of the specific communities where the campuses and/or resource centers of the charter schools operated by the Corporation are located. To be eligible for election to a seat reserved for a representative of a specific community, a candidate must be a resident of the specific community. To be eligible to vote for a candidate seeking election to a seat reserved for a representative of a specific community, a qualified voter must be a resident of the specific community to be represented by the candidate upon election.

Any remaining Board seats shall be for a member or members at large. Any parent of one or more students enrolled in the charter schools operated by the Corporation or community member residing in the attendance area of such charter schools is eligible for election to serve as the member(s) at large. All qualified voters are eligible to vote in the election of the member at large.

Employees of the Corporation, employees of the school districts and/or county offices of education that authorize the charter schools operated by the Corporation, and their immediate family and household members are ineligible for election to a seat on the Board.

In October of even years, the Board shall distribute an announcement to all parents/guardians of students attending the charter school operated by the Corporation and post notices at all campuses and resource centers of the charter schools operated by the Corporation to promote knowledge of upcoming vacancies on the Board of Directors. This announcement and notice shall indicate that a

candidate application is available at the school offices of the charter schools operated by the Corporation. The deadline for the receipt of this application will be the last business day in October.

During the 1st week of November, an announcement will be distributed naming all the candidates for the Board along with their qualifications and interest. This statement shall be no more than 200 words. This announcement will also state the date, time, and the polling place that the election will be held. This election shall take place in the last week of November. As it chooses, the Board may request that the School Advisory Committee hold a candidates' night during the month of November. The actual polling shall be run and supervised by the School Advisory Committee and the school Directors.

Except as otherwise provided, qualified voters are parents or guardians of students currently enrolled at the charter schools operated by the Corporation, staff including LCOE site employees, and site volunteers 18 years of age or older (who don't have children enrolled in the school).

Any stakeholder may request an absentee ballot. Those who wish to request an absentee ballot must submit the written request form and the ballot by the specified dates.

The new directors shall be seated at the 1st regular meeting of the subsequent calendar year. This will typically take place in January.

The first regular meeting in January shall also be the Board's annual reorganization meeting where new officers shall be elected (President, Vice President, and Secretary/Treasurer (referred to as the "Clerk")).

Section 7. **USE OF CORPORATE FUNDS TO SUPPORT NOMINEE.** If more people have been nominated for director than can be elected, no corporation funds may be expended to support a nominee without the Board's authorization.

Section 8. **EVENTS CAUSING VACANCIES ON BOARD.** A vacancy or vacancies on the Board of Directors shall occur in the event of (a) the death, resignation, or removal of any director; (b) the declaration by resolution of the Board of Directors of a vacancy in the office of a director who has been convicted of a felony, declared of unsound mind by a court order, or found by final order or judgment of any court to have breached a duty under California Nonprofit Public Benefit Corporation Law, Chapter 2, Article 3; or (c) the increase of the authorized number of directors.

Section 9. **RESIGNATION OF DIRECTORS.** Except as provided below, any director may resign by giving written notice to the Chairman of the Board, if any, or to the President, or the Clerk, or to the Board. The resignation shall be effective when the notice is given unless the notice specifies a later time for the resignation to become effective. If a director's resignation is effective at a later time, the Board of Directors may elect a successor to take office as of the date when the resignation becomes effective.

Section 10. **DIRECTOR MAY NOT RESIGN IF NO DIRECTOR REMAINS.** Except on notice to the California Attorney General, no director may resign if the Corporation would be left without a duly elected director or directors.

Section 11. **REMOVAL OF DIRECTORS.** Any director, except for the representative appointed by the charter authorizer, may be removed, with or without cause, by the vote of the majority

of the members of the entire Board of Directors at a special meeting called for that purpose, or at a regular meeting, provided that notice of that meeting and of the removal questions are given in compliance with the provisions of the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Division 2 of Title 5 of the Government Code) as said chapter may be modified by subsequent legislation ("Brown Act"). The representative designated by the charter authorizer may be removed without cause by the charter authorizer or with the written consent of the charter authorizer. Any vacancy caused by the removal of a director shall be filled as provided in Section 12.

Section 12. VACANCIES FILLED BY BOARD. Vacancies on the Board of Directors, except for the representative appointed by the charter authorizer, may be filled by approval of the Board of Directors or, if the number of directors then in office is less than a quorum, by (a) the affirmative vote of a majority of the directors then in office at a regular or special meeting of the Board, or (b) a sole remaining director. A vacancy in the seat of the representative of the charter authorizer shall be filled by the charter authorizer.

If a vacancy occurs less than one month before the end of the Board member's term, the Board shall take no action.

If the vacancy occurs two or more months before the end of a Board member's term, the Board shall make a provisional appointment to fill the term of office of the vacated Board member.

In order to make this provisional appointment, the Board shall advertise the position with an announcement distributed and an article in the local media, which invites interested candidates to file an application. The deadline for application shall be two weeks prior to the next scheduled Board meeting so that a committee of the Board may screen candidates for qualification and present a list of qualified candidates to the Board. The Board shall interview the candidates at a public meeting, accept oral or written public input, and select the provisional appointee by majority vote of the Board.

Section 13. NO VACANCY ON REDUCTION OF NUMBER OF DIRECTORS. Any reduction of the authorized number of directors shall not result in any directors being removed before his or her term of office expires.

Section 14. PLACE OF BOARD OF DIRECTORS MEETINGS. Meetings shall be held at the principal office of the Corporation unless the Board of Directors designates another location in accordance with these bylaws. The Board of Directors may also designate that a meeting be held at any place within the granting agency's boundaries designated in the notice of the meeting. All meetings of the Board of Directors shall be called, held and conducted in accordance with the terms and provisions of the Brown Act.

Section 15. MEETINGS; ANNUAL MEETINGS. All meetings of the Board of Directors and its committees shall be called, noticed, and held in compliance with the provisions of the Brown Act. The Board of Directors shall meet annually for the purpose of organization, appointment of officers, and the transaction of such other business as may properly be brought before the meeting. This meeting shall be held at a time, date, and place as noticed by the Board of Directors in accordance with the Brown Act.

Section 16. REGULAR MEETINGS. Regular meetings of the Board of Directors, including annual meetings, shall be held at such times and places as may from time to time be fixed by the Board of Directors. At least 72 hours before a regular meeting, the Board of Directors, or its

designee shall post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting.

Section 17. SPECIAL MEETINGS. Special meetings of the Board of Directors for any purpose may be called at any time by the Chairman of the Board of Directors, if there is such an officer, or a majority of the Board of Directors. If a Chairman of the Board has not been elected then the President is authorized to call a special meeting in place of the Chairman of the Board. The party calling a special meeting shall determine the place, date, and time thereof.

Section 18. NOTICE OF SPECIAL MEETINGS. In accordance with the Brown Act, special meetings of the Board of Directors may be held only after twenty-four (24) hours notice is given to the public through the posting of an agenda. Directors shall also receive at least twenty-four (24) hours notice of the special meeting, in the following manner:

- a. Any such notice shall be addressed or delivered to each director at the director's address as it is shown on the records of the Corporation, or as may have been given to the Corporation by the director for purposes of notice, or, if an address is not shown on the Corporation's records or is not readily ascertainable, at the place at which the meetings of the Board of Directors are regularly held.
- b. Notice by mail shall be deemed received at the time a properly addressed written notice is deposited in the United States mail, postage prepaid. Any other written notice shall be deemed received at the time it is personally delivered to the recipient or is delivered to a common carrier for transmission, or is actually transmitted by the person giving the notice by electronic means to the recipient. Oral notice shall be deemed received at the time it is communicated, in person or by telephone or wireless, to the recipient or to a person at the office of the recipient whom the person giving the notice has reason to believe will promptly communicate it to the receiver.

The notice of special meeting shall state the time of the meeting, and the place if the place is other than the principal office of the Corporation, and the general nature of the business proposed to be transacted at the meeting. No business, other than the business the general nature of which was set forth in the notice of the meeting, may be transacted at a special meeting.

Section 19. QUORUM. A majority of the directors then in office shall constitute a quorum. All acts or decisions of the Board of Directors will be by majority vote of the directors in attendance, based upon the presence of a quorum. Should there be less than a majority of the directors present at the inception of any meeting, the meeting shall be adjourned. The directors present at a duly called and held meeting at which a quorum is initially present may continue to do business notwithstanding the loss of a quorum at the meeting due to a withdrawal of directors from the meeting, provided that any action thereafter taken must be approved by at least a majority of the required quorum for such meeting or such greater percentage as may be required by law, the Articles of Incorporation or these Bylaws. Directors may not vote by proxy. The vote or abstention of each Board member present for each action taken shall be publicly reported.

Section 20. TELECONFERENCE MEETINGS. Members of the Board of Directors may participate in teleconference meetings so long as all of the following requirements in the Brown Act are complied with:

- a.* At a minimum, a quorum of the members of the Board of Directors shall participate in the teleconference meeting from locations within the boundaries of the school district in which the Corporation operates;
- b.* All votes taken during a teleconference meeting shall be by roll call;
- c.* If the Board of Directors elects to use teleconferencing, it shall post agendas at all teleconference locations with each teleconference location being identified in the notice and agenda of the meeting;
- d.* All locations where a member of the Board of Directors participates in a meeting via teleconference must be fully accessible to members of the public and shall be listed on the agenda;¹
- e.* Members of the public must be able to hear what is said during the meeting and shall be provided with an opportunity to address the Board of Directors directly at each teleconference location; and
- f.* Members of the public attending a meeting conducted via teleconference need not give their name when entering the conference call.²

Section 21. **ADJOURNMENT.** A majority of the directors present, whether or not a quorum is present, may adjourn any Board of Directors meeting to another time or place. Notice of such adjournment to another time or place shall be given, prior to the time scheduled for the continuation of the meeting, to the directors who were not present at the time of the adjournment, and to the public in the manner prescribed by the Brown Act.

Section 22. **COMPENSATION AND REIMBURSEMENT.** Directors may not receive compensation for their services as directors or officers, only such reimbursement of expenses as the Board of Directors may establish by resolution to be just and reasonable as to the Corporation at the time that the resolution is adopted.

Section 23. **CREATION AND POWERS OF COMMITTEES.** The Board, by resolution adopted by a majority of the directors then in office, may create one or more committees of the Board, each consisting of two or more directors and no one who is not a director, to serve at the pleasure of the Board. Appointments to committees of the Board of Directors shall be by majority vote of the directors then in office. The Board of Directors may appoint one or more directors as alternate members of any such committee, who may replace any absent member at any meeting. Any such committee shall have all the authority of the Board, to the extent provided in the Board of Directors' resolution, except that no committee may:

- a.* Take any final action on any matter that, under the California Nonprofit Public Benefit Corporation Law, also requires approval of the members or approval of a majority of all members;
- b.* Fill vacancies on the Board of Directors or any committee of the Board;

¹ This means that members of the Board of Directors who choose to utilize their homes or offices as teleconference locations must open these locations to the public and accommodate any members of the public who wish to attend the meeting at that location.

² The Brown Act prohibits requiring members of the public to provide their names as a condition of attendance at the meeting.

- c. Fix compensation of the directors for serving on the Board of Directors or on any committee;
- d. Amend or repeal bylaws or adopt new bylaws;
- e. Amend or repeal any resolution of the Board of Directors that by its express terms is not so amendable or subject to repeal;
- f. Create any other committees of the Board of Directors or appoint the members of committees of the Board;
- g. Expend corporate funds to support a nominee for director if more people have been nominated for director than can be elected; or
- h. Approve any contract or transaction to which the Corporation is a party and in which one or more of its directors has a material financial interest.

The Board may also create one or more advisory committees composed of directors and non-directors. It is the intent of the Board to encourage the participation and involvement of faculty, staff, parents, students and administrators through attending and participating in open committee meetings. The Board may establish, by resolution adopted by a majority of the directors then in office, advisory committees to serve at the pleasure of the Board.

Section 24. MEETINGS AND ACTION OF COMMITTEES. Meetings and actions of committees of the Board of Directors shall be governed by, held, and taken under the provisions of these bylaws concerning meetings, other Board of Directors' actions, and the Brown Act, if applicable, except that the time for general meetings of such committees and the calling of special meetings of such committees may be set either by Board of Directors' resolution or, if none, by resolution of the committee. Minutes of each meeting shall be kept and shall be filed with the corporate records. The Board of Directors may adopt rules for the governance of any committee as long as the rules are consistent with these bylaws. If the Board of Directors has not adopted rules, the committee may do so.

Section 25. NON-LIABILITY OF DIRECTORS. No director shall be personally liable for the debts, liabilities, or other obligations of the Corporation.

Section 26. COMPLIANCE WITH LAWS GOVERNING STUDENT RECORDS. The Charter School and the Board of Directors shall comply with all applicable provisions of the Family Education Rights Privacy Act ("FERPA") as set forth in Title 20 of the United States Code Section 1232g and attendant regulations as they may be amended from time to time.

ARTICLE VIII OFFICERS OF THE CORPORATION

Section 1. OFFICES HELD. The officers of this corporation shall be a Chief Executive Officer, a President, a Vice President, and a Secretary/Treasurer (who shall hereafter be referred to as the "Clerk").

Section 2. DUPLICATION OF OFFICE HOLDERS. Any number of offices may be held by the same person, except that the Clerk may not serve concurrently as the President or the Chief Executive Officer.

Section 3. ELECTION OF OFFICERS. The officers of the Corporation shall be chosen annually by the Board of Directors and shall serve at the pleasure of the Board, subject to the rights of any officer under any employment contract.

Section 4. REMOVAL OF OFFICERS. Without prejudice to the rights of any officer under an employee contract, the Board of Directors may remove any officer with or without cause.

Section 5. RESIGNATION OF OFFICERS. Any officer may resign at any time by giving written notice to the Board. The resignation shall take effect on the date the notice is received or at any later time specified in the notice. Unless otherwise specified in the notice, the resignation need not be accepted to be effective. Any resignation shall be without prejudice to any rights of the Corporation under any contract to which the officer is a party.

Section 6. VACANCIES IN OFFICE. A vacancy in any office because of death, resignation, removal, disqualification, or any other cause shall be filled in the manner prescribed in these bylaws for normal appointment to that office, provided, however, that vacancies need not be filled on an annual basis.

Section 7. PRESIDENT. If a President is elected, he or she shall preside at Board of Directors meetings. If a President is elected, there shall also be a Vice President. The President shall have such other powers and duties as the Board of Directors or the bylaws may require.

Section 8. VICE PRESIDENT. If the President is absent or disabled, the Vice President shall perform all duties of the President. When so acting, a Vice President shall have all powers of and be subject to all restrictions on the President. The Vice President shall have such other powers and perform such other duties as the Board of Directors or the bylaws may require.

Section 9. CLERK. The Clerk or his/her designee shall be responsible for seeing that notices are issued for all meetings of the Board and shall see that minutes of these meetings are kept. The Clerk shall keep or cause to be kept, at the principal office, a copy of the Articles of Incorporation and bylaws, as amended to date.

The Clerk shall exercise the powers and perform the duties usually incident to the office of Secretary, and perform other duties as assigned by the President or the Board of Directors.

The Clerk or his/her designee is responsible for the control, receipt, and custody of all assets of the Corporation; monitoring disbursements as authorized by the Board of Directors; reporting receipt, use, and disbursements of all assets of the Corporation. The Clerk shall exercise the powers and perform other duties usually incident to the office of Treasurer and as assigned by the President or the Board.

Section 10. CHIEF EXECUTIVE OFFICER. The Chief Executive Officer, also known as the Executive Director/Superintendent, shall be the general manager of the Corporation and shall supervise, direct, and control the Corporation's activities, affairs, and officers as fully described in any applicable employment contract, agreement, or job specification. The Chief Executive Officer shall have such other powers and duties as the Board of Directors or the bylaws may require.

ARTICLE IX CONTRACTS WITH DIRECTORS

Section 1. **CONTRACTS WITH DIRECTORS.** The Corporation shall not enter into a contract or transaction in which a director directly or indirectly has a material financial interest (nor shall the Corporation enter into any contract or transaction with any other corporation, firm, association, or other entity in which one or more of the Corporation's directors are directors and have a material financial interest).

ARTICLE X CONTRACTS WITH NON-DIRECTOR DESIGNATED EMPLOYEES

Section 1. **CONTRACTS WITH NON-DIRECTOR DESIGNATED EMPLOYEES.** The Corporation shall not enter into a contract or transaction in which a non-director designated employee (e.g., officers and other key decision-making employees) directly or indirectly has a material financial interest unless all of the requirements in the Corporation's Conflict of Interest Code have been fulfilled.

ARTICLE XI LOANS TO DIRECTORS AND OFFICERS

Section 1. **LOANS TO DIRECTORS AND OFFICERS.** The Corporation shall not lend any money or property to or guarantee the obligation of any director or officer without the approval of the California Attorney General; provided, however, that the Corporation may advance money to a director or officer of the Corporation for expenses reasonably anticipated to be incurred in the performance of his or her duties if that director or officer would be entitled to reimbursement for such expenses of the Corporation.

ARTICLE XII INDEMNIFICATION

Section 1. **INDEMNIFICATION.** To the fullest extent permitted by law, the Corporation shall indemnify its directors, officers, employees, and other persons described in Corporations Code Section 5238(a), including persons formerly occupying any such positions, against all expenses, judgments, fines, settlements, and other amounts actually and reasonably incurred by them in connection with any "proceeding," as that term is used in that section, and including an action by or in the right of the Corporation by reason of the fact that the person is or was a person described in that section. "Expenses," as used in this bylaw, shall have the same meaning as in that section of the Corporations Code.

On written request to the Board of Directors by any person seeking indemnification under Corporations Code Section 5238 (b) or Section 5238 (c) the Board of Directors shall promptly decide under Corporations Code Section 5238 (e) whether the applicable standard of conduct set forth in Corporations Code Section 5238 (b) or Section 5238 (c) has been met and, if so, the Board of Directors shall authorize indemnification.

ARTICLE XIII INSURANCE

Section 1. **INSURANCE.** The Corporation shall have the right to purchase and maintain insurance to the full extent permitted by law on behalf of its directors, officers, employees, and other

agents, to cover any liability asserted against or incurred by any director, officer, employee, or agent in such capacity or arising from the director's, officer's, employee's, or agent's status as such.

ARTICLE XIV MAINTENANCE OF CORPORATE RECORDS

Section 1. MAINTENANCE OF CORPORATE RECORDS. The Corporation shall keep:

- a. Adequate and correct books and records of account;
- b. Written minutes of the proceedings of the Board and committees of the Board; and
- c. Such reports and records as required by law.

ARTICLE XV INSPECTION RIGHTS

Section 1. DIRECTORS' RIGHT TO INSPECT. Every director shall have the right at any reasonable time to inspect the Corporation's books, records, documents of every kind, physical properties, and the records of each subsidiary as permitted by California and federal law. The inspection may be made in person or by the director's agent or attorney. The right of inspection includes the right to copy and make extracts of documents as permitted by California and federal law. This right to inspect may be circumscribed in instances where the right to inspect conflicts with California or federal law (e.g., restrictions on the release of educational records under FERPA) pertaining to access to books, records, and documents.

Section 2. ACCOUNTING RECORDS AND MINUTES. On written demand on the Corporation, any director may inspect, copy, and make extracts of the accounting books and records and the minutes of the proceedings of the Board of Directors and committees of the Board of Directors at any reasonable time for a purpose reasonably related to the director's interest as a director. Any such inspection and copying may be made in person or by the director's agent or attorney. This right of inspection extends to the records of any subsidiary of the Corporation.

Section 3. MAINTENANCE AND INSPECTION OF ARTICLES AND BYLAWS. The Corporation shall keep at its principal California office the original or a copy of the articles of incorporation and bylaws, as amended to the current date, which shall be open to inspection by the directors at all reasonable times during office hours.

ARTICLE XVI REQUIRED REPORTS

Section 1. ANNUAL REPORTS. The Board of Directors shall cause an annual report to be sent to itself (the members of the Board of Directors) within 120 days after the end of the Corporation's fiscal year. That report shall contain the following information, in appropriate detail:

- a. The assets and liabilities, including the trust funds, or the Corporation as of the end of the fiscal year;
- b. The principal changes in assets and liabilities, including trust funds;

- c. The Corporation's revenue or receipts, both unrestricted and restricted to particular purposes;
- d. The Corporation's expenses or disbursement for both general and restricted purposes;
- e. Any information required under these bylaws; and
- f. An independent accountant's report or, if none, the certificate of an authorized officer of the Corporation that such statements were prepared without audit from the Corporation's books and records.

Section 2. ANNUAL STATEMENT OF CERTAIN TRANSACTIONS AND INDEMNIFICATIONS. As part of the annual report to all directors, or as a separate document if no annual report is issued, the Corporation shall, within 120 days after the end of the Corporation's fiscal year, annually prepare and mail or deliver to each director and furnish to each director a statement of any transaction or indemnification of the following kind:

- (a) Any transaction (i) in which the Corporation, or its parent or subsidiary, was a party, (ii) in which an "interested person" had a direct or indirect material financial interest, and (iii) which involved more than \$50,000 or was one of several transactions with the same interested person involving, in the aggregate, more than \$50,000. For this purpose, an "interested person" is either:
 - (1) Any director or officer of the Corporation, its parent, or subsidiary (but mere common directorship shall not be considered such an interest); or
 - (2) Any holder of more than 10 percent of the voting power of the Corporation, its parent, or its subsidiary. The statement shall include a brief description of the transaction, the names of interested persons involved, their relationship to the Corporation, the nature of their interest, provided that if the transaction was with a partnership in which the interested person is a partner, only the interest of the partnership need be stated.
- (b) The amount and circumstances of any indemnifications aggregating more than \$10,000 paid during the fiscal year to any director or officer of the Corporation pursuant to Article XII of these Bylaws.

ARTICLE XVII BYLAW AMENDMENTS

Section 1. BYLAW AMENDMENTS. The Board of Directors may adopt, amend or repeal any of these Bylaws by a majority vote of the directors present at a meeting duly held at which a quorum is present, except that no amendment shall change any provisions of the charter governing any charter school operated by the Corporation or make any provisions of these Bylaws inconsistent with such charter, the Corporation's Articles of Incorporation, or any laws.

ARTICLE XVIII FISCAL YEAR

Section 1. FISCAL YEAR OF THE CORPORATION. The fiscal year of the Corporation shall begin on July 1st and end on June 30th of each year.

CERTIFICATE OF CLERK

I certify that I am the duly elected and acting Clerk of the Long Valley Charter School, a California nonprofit public benefit corporation; that these bylaws, consisting of ## pages, are the bylaws of the Corporation as adopted by the Board of Directors on [REDACTED]; and that these bylaws have not been amended or modified since that date.

Executed on [REDACTED] at [REDACTED], California.

[REDACTED]

[REDACTED], Clerk

DRAFT

<p style="text-align: center;">Conflict of Interest Code Adopted by Long Valley Charter School 11/8/2016</p>
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I. ADOPTION

In compliance with the Political Reform Act of 1974, California Government Code Section 87100, et seq., the Long Valley Charter School hereby adopts this Conflict of Interest Code (“Code”), which shall apply to all governing board members and all other designated employees of Long Valley Charter School (“Charter School”), as specifically required by California Government Code Section 87300.

II. DEFINITION OF TERMS

As applicable to a California public charter school, the definitions contained in the Political Reform Act of 1974, the regulations of the Fair Political Practices Commission, specifically California Code of Regulations Section 18730, and any amendments or modifications to the Act and regulations are incorporated by reference to this Code.

III. DESIGNATED EMPLOYEES

Employees of this Charter School, including governing board members, who hold positions that involve the making or participation in the making, of decisions that may foreseeably have a material effect on any financial interest, shall be “designated employees.” The designated positions are listed in “Exhibit A” attached to this policy and incorporated by reference herein.

IV. STATEMENT OF ECONOMIC INTERESTS: FILING

Each designated employee, including governing board members, shall file a Statement of Economic Interest (“Statement”) at the time and manner prescribed by California Code of Regulations, title 2, section 18730, disclosing reportable investments, interests in real property, business positions, and income required to be reported under the category or categories to which the employee’s position is assigned in “Exhibit A.”

An investment, interest in real property or income shall be reportable, if the business entity in which the investment is held, the interest in real property, the business position, or source of income may foreseeably be affected materially by a decision made or participated in by the designated employee by virtue of his or her position. The specific disclosure responsibilities assigned to each position are set forth in “Exhibit B.”

Statements Filed With the Charter School. All Statements shall be supplied by the Charter School. All Statements shall be filed with the Charter School. The Charter School’s filing official shall make and retain a copy of the Statement and forward the original to the County Board of Supervisors.

V. DISQUALIFICATION

No designated employee shall make, participate in making, or try to use his/her official position to influence any Charter School decision which he/she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family.

VI. MANNER OF DISQUALIFICATION

A. Non-Governing Board Member Designated Employees

When a non-Governing Board member designated employee determines that he/she should not make a decision because of a disqualifying interest, he/she should submit a written disclosure of the disqualifying interest to his/her immediate supervisor. The supervisor shall immediately reassign the matter to another employee and shall forward the disclosure notice to the Charter School Executive Director, who shall record the employee's disqualification. In the case of a designated employee who is head of an agency, this determination and disclosure shall be made in writing to his/her appointing authority.

B. Governing Board Member Designated Employees

The Corporation shall not enter into a contract or transaction in which a director directly or indirectly has a material financial interest (nor shall the Corporation enter into any contract or transaction with any other corporation, firm, association, or other entity in which one or more of the Corporation's directors are directors and have a material financial interest).

EXHIBIT A-Designated Positions

<u>Designated Position</u>	<u>Assigned Disclosure Category</u>
Members of the Governing Board	1, 2
President	1, 2
Treasurer	1, 2
Secretary/Clerk	1, 2
Vice President	1, 2
Executive Director	1, 2
Assistant Director	2
Principals	2
Consultants/New Positions	*

*Consultants/New Positions shall be included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code, subject to the following limitation:

The Charter School Director may determine in writing that a particular consultant or new position, although a “designated position,” is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant’s or new position’s duties and, based upon that description, a statement of the extent of disclosure requirements. The Charter School Director’s determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code (Government Code § 81008).

EXHIBIT B-Disclosure Categories

Category 1

Designated positions assigned to this category must report:

- a. Interests in real property located in whole or in part within two (2) miles of any facility utilized by Long Valley Charter School, including any leasehold, beneficial or ownership interest or option to acquire such interest in real property.
- b. Investments and business positions in business entities, or sources of income (including receipt of gifts, loans, and travel payments) that engage in the purchase or sale of real property or are engaged in building construction or design.

Category 2

Designated positions assigned to this category must report:

Investments and business positions in business entities or sources of income (including receipt of gifts, loans, and travel payments) from sources that are contractors engaged in the performance of work or services, or sources that manufacture or sell supplies, instructional materials, machinery or equipment of the type to be utilized by Long Valley Charter School.

Category 3

Designated positions assigned to this category must report:

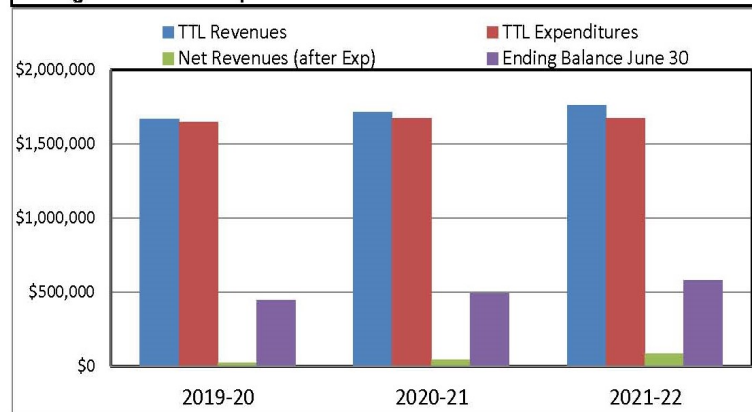
Investments and business positions in business entities or sources of income (including receipt of gifts, loans, and travel payments) from sources that are contractors engaged in the performance of work or services, or sources that manufacture or sell supplies, instructional

materials, machinery or equipment of the type to be utilized by the designated position's department.

APPENDIX D-BUDGET, CASH FLOW & FINANCIAL PROJECTIONS

Thompson Peak Charter 3 Year Financial Projection MULTI-YEAR PROJECTION SUMMARY

	2019-20	2020-21	2021-22
Projected Enrollment:	166	166	166
Projected P-2 ADA:	146.70	146.70	146.70
Revenues:			
LCFF Funding	1,517,800	1,561,194	1,606,768
Federal Revenue	52,682	52,682	52,682
Other State Revenue	31,212	36,264	36,264
Other Local Revenue	66,319	66,319	66,319
TTL Revenues	1,668,013	1,716,459	1,762,033
Expenditures:			
Certificated Salaries	586,400	592,264	593,878
Non-Certificated Salaries	121,018	122,228	129,269
Benefits	330,360	338,239	333,019
Books/Supplies/Materials	123,221	125,685	129,782
Services/Operations	420,179	427,895	421,421
Capital Outlay (Depreciation)	13,000	13,000	13,000
Other Outgo	50,810	51,826	53,515
TTL Expenditures	1,644,987	1,671,137	1,673,885
Net Revenues (after Exp)	23,026	45,322	88,148
Beginning Balance July 1	424,599	447,625	492,946
Ending Balance June 30	447,625	492,946	581,095
Ending Bal. as % of Exp.:	27.2%	29.5%	34.7%



Thompson Peak Charter
3 Year Financial Projection
STARTUP EXPENSE SUMMARY

	Year 1 Startup Portion	Year 1 Recurring Portion	Total Year 1
Revenues:			
LCFF Revenues	216,199	1,301,601	1,517,800
Federal Revenue	-	52,682	52,682
Other State Revenue	-	31,212	31,212
Other Local Revenue	-	66,319	66,319
TTL Revenues:	216,199	1,451,814	1,668,013
Expenditures:			
Certificated Salaries	37,500	548,900	586,400
Non-certificated Salaries	21,050	99,968	121,018
Benefits	16,549	313,811	330,360
Books/Supplies/Materials	71,600	51,621	123,221
Services/Operations	69,500	350,679	420,179
Capital Outlay	-	13,000	13,000
Other Outgo	-	50,810	50,810
TTL Expenditures:	216,199	1,428,788	1,644,987
Net Revenues (after Exp)	-	23,026	23,026

Thompson Peak Charter
3 Year Financial Projection
FUNDING ASSUMPTIONS

ENROLLMENT/ADA ASSUMPTIONS:

1. Grade span enrollment projections are shown on the Enrollment Assumptions sheet.
2. ADA is assumed at 88.37% of enrollment throughout based on historical averages for charter schools of this projected size and demographics.
3. LCFF Unduplicated Percentage conservatively estimated at 67.00%.

FEDERAL FUNDING ASSUMPTIONS:

1. ESSA Title I Part A, Title II Part A, and Title IV, Part A included.
2. No current direct NSLP participation assumed.

STATE FUNDING ASSUMPTIONS:

1. LCFF funding is calculated using FCMAT's LCFF Calculator and results entered into the Funding Calculations page, assuming Susanville Elementary SD as the highest physical location district for both base year and unduplicated percentage calculations. In-lieu-of property tax rate uses projected districtwide ADA with new charter included.
2. COLAs and gap rates taken from LCFF FCMAT Calculator.
3. Lottery funding based on \$153/51 per ADA x 1.04446 factor, accrued in Year 1.
4. Mandate Block Grant funding is assumed at \$16.33/PY ADA for TK-8, \$45.23/PY ADA for 9-12.

LOCAL FUNDING ASSUMPTIONS:

1. SELPA funding shown as local revenues.

BALANCE/LOAN ASSUMPTIONS

1. Beginning balance assumes transfer of net assets from LVCS-S as per FCMAT guidance.

Thompson Peak Charter
3 Year Financial Projection
Multi-year Projection Summary
ENROLLMENT and ADA ASSUMPTIONS

	YEAR 1		YEAR 2		YEAR 3	
ADA Ratio:	2019-20		2020-21		2021-22	
88.37%						
	ENROLL	ADA	ENROLL	ADA	ENROLL	ADA
Total TK-3 Enrollment	19	16.79	19	16.79	19	16.79
Total 4-6 Enrollment	14	12.37	14	12.37	14	12.37
Total 7-8 Enrollment	29	25.63	29	25.63	29	25.63
Total 9-12 Enrollment	104	91.91	104	91.91	104	91.91
TTL Enrollment/ADA	166	146.70	166	146.70	166	146.70
LCFF Unduplicated Calc:						
Enrollment*	166		166		166	
Unduplicated Count*	111		111		111	
Unduplicated Percentage:	66.87%		66.87%		66.87%	
Blended 3-year UP:	66.87%		66.87%		66.87%	

Thompson Peak Charter
3 Year Financial Projection
FUNDING CALCULATIONS

2019-20 (Year 1)		Statewide COLA:		3.460%
LCFF FUNDING				TOTALS
	<u>\$/ADA</u>	<u>ADA</u>	<u>Subtotal</u>	
LCFF State Aid:	\$ 8,296.28	146.70	\$ 1,217,065	
LCFF Education Protection Account:	200.00	146.70	29,340	
LCFF In-Lieu-Of Property Taxes:	1,850.00	146.70	271,395	
Total LCFF Funding:	\$ 10,346.28	per ADA		1,517,800.00
TOTAL LCFF FUNDING				\$ 1,517,800.00
FEDERAL REVENUES				
Title I Part A			\$ 37,673	
Title II Part A			5,009	
Title III LEP			-	
Title IV Part A			10,000	
ESSA Funding				52,682.00
Other Federal Revenues				
PCSGP Startup/Implementation Grant			\$ -	
National School Lunch Program			-	
Federal IDEA Special Education			-	
Other Federal Revenue			-	
Total Other Federal Revenues:				-
TOTAL FEDERAL REVENUES				\$ 52,682.00
OTHER STATE REVENUES				
Non-Prop 20 Lottery	\$ 151.00	153	\$ 23,103.00	
Prop 20 Lottery	53.00	153	8,109.00	
Additional Other State Revenues				31,212.00
State Lunch Program Revenues			\$ -	
Mandate Block Grant (starts Year 2)			-	
Other State Revenues			-	
Total Additional Other State Revenues:				-
TOTAL OTHER STATE REVENUES				\$ 31,212.00
OTHER LOCAL REVENUES				
Local Donations/Contributions				
Private Grant Commitments				
Local Special Education Revenues:			66,319.00	
Local Lunch Revenues				
Before/After School Program				
Interest Earnings				
Other Local Revenues			-	
Other Local Revenues			-	
Total Additional Other Local Revenues:				66,319.00
TOTAL OTHER LOCAL REVENUES				\$ 66,319.00
TOTAL REVENUES				\$ 1,668,013.00

Thompson Peak Charter
3 Year Financial Projection
FUNDING CALCULATIONS

2020-21 (Year 2)			Statewide COLA:	2.86%
LCFF FUNDING			TOTALS	
	<u>\$/ADA</u>	<u>ADA</u>	<u>Subtotal</u>	
LCFF State Aid:	\$ 8,592.09	146.70	\$ 1,260,459	
LCFF Education Protection Account:	200.00	146.70	29,340	
LCFF In-Lieu-Of Property Taxes:	1,850.00	146.70	271,395	
Total LCFF Funding:	\$ 10,642.09	per ADA		1,561,194.00
TOTAL LCFF FUNDING			\$ 1,561,194.00	
FEDERAL REVENUES				
Title I Funding			\$ 37,673	
Title II Part A			5,009	
Title III LEP			-	
Title IV Part A			10,000	
ESSA Funding				52,682.00
Other Federal Revenues				
PCSGP Startup/Implementation Grant			\$ -	
National School Lunch Program			-	
Federal IDEA Special Education			-	
Other Federal Revenue			-	
Total Other Federal Revenues:				-
TOTAL FEDERAL REVENUES			\$ 52,682.00	
OTHER STATE REVENUES				
Non-Prop 20 Lottery	\$ 151.00	153	\$ 23,103.00	
Prop 20 Lottery	53.00	153	8,109.00	
Additional Other State Revenues				31,212.00
State Lunch Program Revenues			\$ -	
Mandate Block Grant (ongoing)			5,052.00	
Other State Revenues			-	
Total Additional Other State Revenues:				5,052.00
TOTAL OTHER STATE REVENUES			\$ 36,264.00	
OTHER LOCAL REVENUES				
Local Donations/Contributions			\$ -	
Private Grant Commitments			-	
Local Special Education Revenues:			66,319.00	
Local Lunch Revenues			-	
Before/After School Program			-	
Interest Earnings			-	
Other Local Revenues			-	
Other Local Revenues			-	
Total Additional Other Local Revenues:				66,319.00
TOTAL OTHER LOCAL REVENUES			\$ 66,319.00	
TOTAL REVENUES			\$	1,716,459.00

Thompson Peak Charter
3 Year Financial Projection
FUNDING CALCULATIONS

2021-22 (Year 3)			Statewide COLA:	2.92%
LCFF FUNDING			TOTALS	
	<u>\$/ADA</u>	<u>ADA</u>	<u>Subtotal</u>	
LCFF State Aid:	\$ 8,902.75	146.70	\$ 1,306,033	
LCFF Education Protection Account:	200.00	146.70	29,340	
LCFF In-Lieu-Of Property Taxes:	1,850.00	146.70	271,395	
Total LCFF Funding:	\$ 10,952.75	per ADA		1,606,768.00
TOTAL LCFF FUNDING				\$ 1,606,768.00
FEDERAL REVENUES				
Title I Funding			\$ 37,673	
Title II Part A			5,009	
Title III LEP			-	
Title IV Part A			10,000	
ESSA Funding				52,682.00
<u>Other Federal Revenues</u>				
PCSGP Startup/Implementation Grant			\$ -	
National School Lunch Program			-	
Federal IDEA Special Education			-	
Other Federal Revenue			-	
Total Other Federal Revenues:				-
TOTAL FEDERAL REVENUES				\$ 52,682.00
OTHER STATE REVENUES				
Non-Prop 20 Lottery	\$ 151.00	153	\$ 23,103.00	
Prop 20 Lottery	53.00	153	8,109.00	
				31,212.00
<u>Additional Other State Revenues</u>				
State Lunch Program Revenues			\$ -	
Mandate Block Grant (ongoing)			5,052.00	
Other State Revenues			-	
Total Additional Other State Revenues:				5,052.00
TOTAL OTHER STATE REVENUES				\$ 36,264.00
OTHER LOCAL REVENUES				
Local Donations/Contributions			\$ -	
Private Grant Commitments			-	
Local Special Education Revenues:			66,319.00	
Local Lunch Revenues			-	
Before/After School Program			-	
Interest Earnings			-	
Other Local Revenues			-	
Other Local Revenues			-	
Total Additional Other Local Revenues:				66,319.00
TOTAL OTHER LOCAL REVENUES				\$ 66,319.00
TOTAL REVENUES			\$	1,762,033.00

Thompson Peak Charter
3 Year Financial Projection
2019-20 Projected Monthly Cash Flow Statement

	2019-20 Budget	July	August	September	October	November	December	January	February	March	April	May	June	Actuals	Total For Year
DESCRIPTION															
BEGINNING CASH		558,432	503,929	375,925	528,983	408,843	283,280	571,886	458,428	338,078	383,420	424,088	454,712	488,578	
REVENUES															
LCFF State Aid	1,217,065	-	-	231,242	-	-	328,608	-	-	131,443	131,443	131,443	131,443	131,443	1,217,065
Education Protection Account	29,340	-	-	7,335	-	-	7,335	-	-	7,335	7,335	7,335	7,335	7,335	29,340
In-Lieu-Of Property Taxes	271,395	-	-	48,851	-	-	65,135	-	-	52,470	26,235	26,235	26,235	26,235	271,395
Federal Revenues	52,682	-	-	-	-	-	6,585	-	-	-	-	-	6,585	6,585	52,682
Lottery Revenues	31,212	-	-	-	-	-	-	-	-	-	-	-	-	31,212	31,212
Other State Revenues	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other Local Revenues	66,319	-	-	6,316	6,316	6,316	6,316	6,316	6,316	6,316	6,316	6,316	6,316	6,316	66,319
TTL REVENUES	1,668,013	-	-	283,745	6,316	6,316	413,979	6,316	6,316	204,148	163,984	163,984	177,914	224,974	1,668,013
EXPENDITURES															
All Certificated Salaries	586,400	16,670	49,542	49,542	49,542	49,542	49,542	49,542	49,542	49,542	49,542	49,542	49,542	49,542	586,400
All Classified Salaries	121,018	3,025	10,256	10,256	10,256	10,256	10,256	10,256	10,256	10,256	10,256	10,256	10,256	10,256	121,018
All Benefits	330,360	9,198	27,925	27,925	27,925	27,925	27,925	27,925	27,925	27,925	27,925	27,925	27,925	27,925	330,360
All Materials & Supplies	123,221	5,601	10,268	10,268	7,701	5,134	5,134	3,851	6,931	18,368	15,612	15,612	15,612	15,612	123,221
All Services and Operations	420,179	21,009	30,013	30,013	30,013	30,013	30,013	30,013	30,013	30,013	30,013	30,013	30,013	30,013	420,179
All Capital Outlay	13,000	-	-	12,702	-	-	-	-	-	-	-	-	-	-	13,000
All Other Expenditures	50,810	-	-	12,702	-	-	12,702	-	-	12,702	-	-	12,702	-	50,810
TTL EXPENDITURES	1,644,987	55,503	128,004	140,706	125,437	122,870	135,572	121,588	124,667	148,305	133,348	133,348	146,050	128,092	1,644,987
OTHER TRANS. AFFECTING CASH:															
Accounts Receivable (net change)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Accounts Payable (net change)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Fixed Asset Acquisitions	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
TTL OTHER TRANSACTIONS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NET CHANGE IN CASH	(55,503)	(128,004)	153,038	(118,121)	(118,553)	(118,553)	278,407	(115,270)	(118,350)	55,344	30,848	30,848	31,864	31,864	23,026
ENDING CASH BALANCE	503,929	375,925	528,983	408,843	283,280	571,886	458,428	338,078	383,420	424,088	454,712	488,578	488,578	488,578	503,929

