

TODAY'S
FRESH START
CHARTER SCHOOL

(TFSCS)

CHARTER RENEWAL PETITION

SUBMITTED TO LOS ANGELES COUNTY OFFICE OF EDUCATION

FOR CHARTER SCHOOL RENEWAL APPROVAL

January 11, 2010

[SUBMITTED ON APPEAL TO THE STATE BOARD OF EDUCATION](#)

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Today's Fresh Start Charter School will follow any and all federal, state, and local laws and regulations that apply to the Charter School and shall comply with any requirements specified by the State Board of Education in its approval of the charter petition, including but not limited to:

- The Charter School shall meet all statewide standards and conduct the student assessments required, pursuant to Education Code Sections 60605 and 60851, 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)]
- The Charter School shall be deemed the exclusive public school employer of the employees of Today's Fresh Start Charter School for purposes of the Educational Employment Relations Act and shall abide by the provisions described therein. [Ref. Education Code Section 47605(b)(5)(O)]
- 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, and who submit a timely application; unless the Charter School receives a greater number of applications than there are spaces for students, in which case each application will be given equal chance of admission through a public random drawing process. Except as required by Education Code Section 47605(d)(2), 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). 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)-(B)]
- The Charter School shall not discriminate on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, 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 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 in 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 are required to hold. As allowed by statute, flexibility will be given to non-core, non-college preparatory teachers. [Ref. California 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 a transcript of grades or report card and health information. [Ref. California Education Code Section 47605(d)(3)]

- The Charter School shall maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection.
- The Charter School shall on a regular basis consult with its parents and teachers regarding the Charter School's education programs.
- The Charter School shall comply with any jurisdictional limitations to locations of its facilities.
- The Charter School shall comply with all laws establishing the minimum and maximum age for public school enrollment.
- The Charter School shall comply with all applicable portions of the No Child Left Behind Act.
- 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 of school days.
- No employee will be required to be employed at or by Today's Fresh Start Charter School and no pupil will be required to be enrolled at Today's Fresh Start Charter School. Employment and enrollment is completely voluntary.

TODAY'S FRESH START CHARTER SCHOOL

CHARTER SCHOOL RENEWAL, January 11, 2010

PRESENTED TO:

**THE GOVERNING BOARD OF THE LOS ANGELES COUNTY OFFICE OF EDUCATION AND ON
APPEAL TO THE STATE BOARD OF EDUCATION**

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This document has been prepared in compliance with the terms, conditions and requirements of Education Code Section 47605.6, of the Charter School Act. It is being submitted by **Today's Fresh Start Charter School, Inc** (hereinafter referred to as "TFSCS") in cooperation with community leaders and other concerned citizens of Los Angeles, California. It addresses the establishment of *Today's Fresh Start Charter School* as a public charter school within Los Angeles County.

Deleted: Office of Education, hereafter referred to as LACOE

ELEMENT A

DESCRIPTION OF THE SCHOOL'S EDUCATIONAL PROGRAM

WHO THE SCHOOL IS ATTEMPTING TO EDUCATE

TFSCS is an independent, public and site based start-up K-8 charter school opened in September, 2003. Offering a traditional school calendar; TFSCS addresses the unique educational needs of an *increasing at risk school aged population*.

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The mission of TFSCS rests with a *commitment to excellence in educating at risk students*. First we must answer the question “*at-risk*” of what? We believe our students are *at risk* of not having the same opportunities to quality education with educated and interested teachers, access to proven educational curriculums and exciting learning alternatives, therefore creating a challenging environment to reach their fullest potential. We believe *parents are at risk* of not recognizing the impact they have on the shape and development of their children’s lives. We believe *teachers are at risk* of not believing all students can learn and are willing to provide instructional techniques to ensure students succeed in the classroom. Understanding what is *at risk* has enabled us to provide students, teachers and parents with an educational alternative built on clearly outlined personal and educational expectations and a proven, research based curriculum.

JUSTIFICATION FOR COUNTYWIDE CHARTER

Presently, there are many children countywide whose educational needs are not being met. These children are disadvantaged, low income with many single parents who have only a high school education or less. The families are poor and in need of capable assistance in educating them to be better parents and improving the education of their children. Because of the long term experience of almost four decades of the Founders and Administrators of TFSCS in successfully educating children in the inner city, we can utilize this expertise and expand on helping more children academically and educating the parents of these children to be better equipped parents with tools necessary to face the challenges of the 21st Century. One of the goals of charter schools is to create an alternative educational model that can be duplicated in other schools. TFSCS is committed to our model that addresses accountability, flexibility, options for parents and proven teaching methods. We recognize in order to provide all students with opportunities for learning, we must *reach outside individual cities and expand educational opportunities countywide*.

The opening phase of TFSCS started in September, 2003 and began serving 282 pupils, which exceeded the anticipated minimum population of 220 students for K-3. In September, 2004 TFSCS succeeded in expanding to include grade 4 (fourth grade) as previously stated in the original charter. Additional locations were added in other districts starting with year 2, September, 2004. TFSCS’s first site is located at 4470-76 Crenshaw Blvd. in South Los Angeles which is within the jurisdictional boundaries of the Los Angeles County Office of Education. TFSCS locations has a pupil population drawn from other districts, such as LAUSD, Lynwood, Long Beach, Compton, Pasadena, Paramount, Hawthorne, and Inglewood.

TFSCS TIME LINE FOR EXPANSION SITES

1. January, 2003 Preparation of LACOE petition for submission
2. February, 2003 Student recruitment via flyers, radio, newspapers
3. May 29, 2003 Submit petition to LACOE
4. July, 2003 Attend LACOE public hearing on petition
5. September 2, 2003 Attend public hearing approval of petition
6. September 9, 2003 School opens
7. Identify site to be opened Inglewood and / or Culver City or Compton Unified School Districts
8. August, 2004 30 days prior to opening site notify district of intention to start charter school
9. September, 2004 Second site opens in another district
10. July, 2005 Renewed Charter July 1, 2005

THE ABOVE TIMELINE FOR EXPANSION SITES WAS ACCOMPLISHED.

Many children in the geographic area of the first location are educationally disadvantaged and are attending underperforming schools. Due to these disadvantages, many of these elementary aged students are deemed at risk of failing and not succeeding in the skills of life long learning. By providing an educational alternative, qualified teachers and a diverse learning environment we will ensure *no child is left behind*. The early detection of each child's potential for success is a priority. Students have a rigorous, hands-on, comprehensive and performance based learning environment. This curriculum, strongly reinforced with intervention and enrichment studies with an on staff visual and performing arts, form a bridge for students to achieve academic excellence. Experience shows that the arts have a special potential for engaging all students and that the traditional practices of the arts can improve teaching and learning in all areas. TFSCS uses a site based model of instruction. Many of the public schools located in the area place in the bottom three deciles of both the statewide and similar schools Academic Performance Index (API). Over 97% of the students are deemed as socio-economically disadvantaged. Socio-economically disadvantaged is defined by the State Board of Education as pupils who meet one or both of the criteria: 1) neither of the pupils parents received a high school diploma or 2) the pupil participates in reduced price or free lunch programs. **The most recent 2008-2009 information gathered from the surrounding schools has been set out in comparisons, see Addendum A for State Mandated Testing and how well TFSCS students performed by comparison.**

The elementary schools are underperforming as determined by the 2001 API statewide rank and 2001 similar school rank. Analysis of the 1999-2000 Stanford 9 Achievement Test data reveals the following average score results for economically disadvantage students at grade two: 74% below the 50th percentile in reading; 44% below the 50th percentile in mathematics; 40% below the 50% percentile in language and 48% below the 50th percentile in Spelling. Test data reveals there is a disparity in mastery skill attainment among ethnic groups and non-economically disadvantaged students. The Charter will provide all students with opportunities to achieve academic mastery and experience the meaning of personal excellence.

The first site opened September, 2003 at 4470-76 Crenshaw Blvd. in South Los Angeles within the Los Angeles County Office of Education boundaries. The site opened with 282 students and exceeded the original expectations of serving a minimum population of 220 students for K-3 with each grade having a student to teacher ratio of 20:1. TFSCS projected initial minimum enrollment at each additional site in Inglewood and Compton, California is 200 students within the next five years (projected for years 4 and 5). TFSCS has a current enrollment of 540: (as per the October 2009):

Deleted: TFSCS will expand to higher grades as the enrolled students progress to the next grade level up to grade 12 when fully implemented.

Grade Level	Enrollment	Number of Classes	Teacher/Student Ratio
Kindergarten	102	5	20 to 1
First Grade	101	5	20 to 1
Second Grade	80	4	20 to 1
Third Grade	83	5	20 to 1
Fourth Grade	34	2	25 to 1
Fifth	32	2	25 to 1
Sixth	51	2	25 to 1
Seventh	28	2	25 to 1
Eighth	29	2	25 to 1
Total	540	29	

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*Some classes are combination classes.

TFSCS will present an innovative educational alternative for improving student outcomes in academic achievement.

WHAT IT MEANS TO BE AN EDUCATED PERSON IN THE 21ST CENTURY

The goal of TFSCS is that each student become an enthusiastic learner for a lifetime and therefore, **a life long learner**. An educated person in the 21st Century will have a large arsenal of knowledge to draw upon for successes in a highly competitive, educated, technical and sophisticated society. Core knowledge in the subjects of language arts, math, science, social studies, geography, and history, is essential. However, such knowledge must be coupled with an appreciation for their environment and performing arts. This combined knowledge allows individuals to work cooperatively and understand and respect people from diverse cultural and social backgrounds. An educated person, to his/her fullest potential will become a self-motivated, competent and productive citizen in the global economy of the 21st Century.

HOW LEARNING BEST OCCURS

Learning best occurs when several elements are effectively integrated. A successful educational model will include:

- Educational goals that are clear and concise
- State approved programs such as Houghton Mifflin that provide a full range of subjects completely correlated with California State Standards.
- Mutual respect

- Integrity
- Opportunities for leadership and service
- Well planned teacher training instruction
- Oral and written competence
- Responsible citizenship in an ethically and culturally diverse society
- Academic excellence
- Integrated real time technology
- An approach in the development of the whole child
- Experiential opportunities with a global perceptiveness
- Small class sizes
- Student-centered collaborative learning groups to enhance learning opportunities
- Flexible grouping
- Business and Community Partnerships
- Meaningful, on-going parent involvement
- Qualified, energetic, creative and committed teaching staff
- Computer and hands-on professional training in student centered, standards-based instruction and authentic assessment
- Teaching and Learning best practices that engage students in the learning process
- Leadership skills may be developed as a non-academic tool
- Citizenship is emphasized
- Conflict resolution through non-violent approaches

TFSCS enables students to become self-motivated, competent, and lifelong learners by creating a school environment wherein every student learns the specific knowledge and skills to advance to the next grade level, essentially creating the foundation for which knowledge can build upon knowledge.

Educational Program: Curriculum and Instructional Methods

TFSCS provides a strong academic experience for all students by making good use of what others have already found successful. *California State Approved Programs, such as Houghton Mifflin* forms the foundation of our total curriculum. The California State Approved Programs such as Houghton Mifflin offers an intervention reading program, core subjects of reading and literature, language arts, mathematics, social studies, science, technology and professional development. This program was established more than 150 years ago and provides a comprehensive, powerful curriculum approved by the State of California and bears a perfect correlation to the State Standards.

THE CORE CURRICULUM

TFSCS utilizes California standards based approved curricula for its core curricula such as Houghton Mifflin. We will utilize its English Learner imbedded component and other English Learner standards based curricula. California standards based Intervention materials are also be utilized and intertwined to capture the individual strategy of teaching and enhance *life long learning*. English language arts and mathematics *supplementary reading component* for intervention strategies encompassing additional reading materials will be utilized. Consultants

are utilized and practice intervention reading strategies and techniques to help improve individual students in the reading and mathematics

Scope and Sequence – Kindergarten thru 5th Grade

<u>Scope</u>	<u>K</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>
<u>English-Language Arts</u>	<u>Language Arts</u>	<u>Language Arts</u>	<u>Language Arts</u>	<u>Language Arts</u>	<u>Language Arts</u>	<u>Reading Writing</u>
<u>Mathematics</u>	<u>Computation and Problem Solving</u>	<u>Computation and Problem Solving</u>	<u>Computation and Problem Solving</u>	<u>Computation and Problem Solving</u>	<u>Computation and Problem Solving</u>	<u>Math</u>
<u>History/Social Science</u>	<u>Learning and Working Now and Long Ago</u>	<u>A Child's Place in Time and Space</u>	<u>People Who Make a Difference</u>	<u>Continuity and Change</u>	<u>California A Changing State</u>	<u>US History and Geog</u>
<u>Science</u>	<u>Science</u>	<u>Science</u>	<u>Science</u>	<u>Science</u>	<u>Science</u>	<u>Science</u>

Scope and Sequence – 6th thru 8th Grades

<u>Scope</u>	<u>6th</u>	<u>7th</u>	<u>8th</u>
<u>English-Language Arts</u>	<u>Reading Writing</u>	<u>English</u>	<u>English</u>
<u>Mathematics</u>	<u>Mathematics</u>	<u>Pre-Algebra</u>	<u>Algebra 1</u>
<u>History-Social Science</u>	<u>World History Ancient Civilizations</u>	<u>World History and Geography Medieval to Early Modern Times</u>	<u>U.S. History and Geography Growth and Conflict</u>
<u>Science</u>	<u>Earth Science</u>	<u>Life Science</u>	<u>Physical Science</u>

The core educational program for all grades K-8 is detailed in the [TFSCS Core Content Pacing Plans](#) which have been developed for each content areas for grades K-8. Teachers use the [pacing plans](#) to map out the year's instruction. The [current Core Content Pacing Plans](#) are attached as [Addendum E](#).

In addition to the [Core Curriculum pacing plans](#), teachers create a [California Standards Test Blueprints Standards Pacing Plan](#). This [pacing plan](#) is created by [grade level teams](#) every [four weeks](#). Teachers use the [California Standards Test Blueprints Pacing plans](#) to [plan daily, weekly, and monthly](#). [Grade levels adjust pacing according to student master of standards](#). [Examples of California Standards Test Blue Prints Pacing Plans](#) are attached in [Addendum F](#).

THE LEARNING ENVIRONMENT

TFSCS is site based. The instructional mode relies on the concept of teachers as conveyers of knowledge and students as learners. The school year is a traditional calendar year (July 1-June 30). All K-3 classes have a student-to-teacher ratio of 20 to 1 and upper grades have a 25 to 1. To increase the potential of individualized instruction, through the use of volunteers and

assistants, the student-to-adult ratio is often less than 20:1. Parents and businesses are encouraged to provide added assistance to each students.

INSTRUCTION

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Teachers are California credentialed and have access to on going professional development. We hire teacher assistants and paraprofessionals (have at least 45 – 60 minimum units from a regionally accredited institution). They assist the credentialed classroom teachers in student achievement to their highest goals.

Whole group instruction is provided to the entire class. The teachers will:

- Introduce and explain the purpose of the grade level standard/skill
- Demonstrate and model the standard/skill
- Provide guided practice for students to apply the strategy with feedback
- Allow students to practice independently or in groups
- Assess the student's ability to apply knowledge or skill.

Small Group Instruction is provided in the classroom or a separate learning space to groups of no more than 4-7 students. Students that do not score at the mastery level will be identified for supplemental follow up small group instruction. The content of small group instruction is the same standard but may include but is not limited to:

- Flexible ability grouping
- Altering pacing
- Altering Degree of Scaffolding
- Increasing Time to Complete Task
- Altering Homework
- Authentic Assessment (drawing, performing, projects)

Examples of whole and small group lesson plans are also attached in Addendum G.

The lesson plan format used by TFSCS is derived from Madeline Hunter's Seven Step Lesson Plan Format. Lesson Plans are designed using the California Standards as the basis for construction. The lessons are taught to students in small groups according to the student's needs. Intervention groups are created using Friday Assessment data as well as from beginning of the year and middle of the year reading assessments. Students are grouped according to need and by reading level (for reading intervention groups). Students receive instruction in the targeted skill and are assessed to gauge whether the new material or skill has been attained and or retained.

ASSESSMENT

TFSCS defines what each student should know at each grade level as an assessment measurement and according California State outlined standards. Student mastery of these concepts are assessed periodically using such computerized programs as Houghton Mifflin math

programs and Edusoft computer program for assessments, state-mandated standardized test, publisher-developed assignments and assessments, and teacher assignments and assessments and others as they may become available.

Intervention programs are available and utilized for students requiring additional assistance with monitoring of each child's needs. TFSCS believes learning must have meaningful relevance, therefore, authentic assessments ask students to read real texts, write for authentic purposes about meaningful topics and participate in authentic literacy tasks. Student achievement in developing conceptual thinking, problem solving and content mastery is assessed using multiple measures. Assessments are ongoing so that a student's level of competence is known. Assessment timelines are aligned with the state standardized calendar. Mastery is measured using assessment models that are formative and summative, standardized, narrative and criterion-referenced. TFSCS also observes and monitors factors which may influence academic achievement and growth such as professional development and effective teacher practices, parent involvement, and student conduct.

Research/Philosophy In Support of Educational Program

TFSCS believes in a building block belief system that will create a sense of mutual respect for every student and teacher with a high expectation for success. Strong character is built through the receipt and giving of respect to all individuals, appreciation for environment, continual and ongoing personal growth, and integrity. Students utilize all these elements to build a bridge to lifelong academic and personal excellence. Our building block belief system continually builds one element on top of another – respect builds integrity, integrity builds a will to know and expect success, success leads to competent and confident individuals, competent and confident individuals lead lifelong learners to be prepared for a diverse and changing 21st Century.

Proven reforms and strategies are employed to assure all teachers have the knowledge and tools to ensure success and improvement across content areas. Collaborations with local business and other non profits have been established. We are committed to community based learning and narrowing the gap between the achiever and the underachiever by working with businesses and organizations. Currently, in many other settings, many students and parents are provided, few if any choices. Many school programs are not addressing the needs of at-risk children, but only providing *the same recipe* for education that research shows does not work. TFSCS seeks to individualize teaching to each child based on his / her needs through small group settings and inclusion methods.

The California Department of Education (CDE) has adopted State content standards for reading/language arts, mathematics, history/social studies, and science which outline what each student should know and be able to do at the end of each year in each subject area. These standards are aligned with proven Comprehensive School Reform Demonstration Programs (CSRDP). They are based on proven results, effective practices, and emphasis on basic academics and parental involvement, as well as standards outlined in No Child Left Behind Act of 2001. Curriculum frameworks criteria provide direction for the development and evaluation of instructional resources, serve as guidelines for professional development, research in content, curriculum structure, and strategies for effective teaching and assessment.

- **READING** – Curriculum materials used by TFSCS meet the criteria for effective reading instruction. The reading program offers evidence of effectiveness based on programs which been researched and appropriate for every reading level; systematic instruction in the five dimensions of reading (phonemic awareness, phonics, fluency, vocabulary and comprehension); resources to meet the needs of each child and classroom management tools that support efficient planning and teaching.
- **LANGUAGE ARTS** – The comprehensive program helps students become powerful motivated writers by building strong grammar, usage and mechanical skills through real life applications. The instruction meets local, state and national standards;
- **MATH** – Provides a common sense approach to mathematics. The research based program offers a balance of hands-on activities and problem solving opportunities; differentiated instruction built into every lesson; consistent review and assessment and a comprehensive intervention system that is organized and ready to go, to ensure no child is left behind.
- **SOCIAL STUDIES** – A comprehensive program which focuses on citizenship with a balanced mix of history, geography, economics and culture.
- **SCIENCE** – The Science program is designed to be moved independently, and up or down one grade level to meet the needs of all learners. Students at each grade level develop a concrete understanding of science through hands-on activities and then develop and abstract understanding of those concepts through content rich resources.
- **TECHNOLOGY** – Each classroom has computers for student use. Students are instructed on the proper use of the computers and usage of the programs. Programs utilized generate assessments in math and language arts. There is also on line use of “The Kids Place” which provides activities and brain teasers. Additional exercises are available online for teachers, parents and students on and www.eduplace.com and for parents. There are other resources online used by teachers and students in support of math and reading, such as www.bookadventure.org, a reading incentive program.

Early Intervention Reading Programs are used by classroom teachers and paraprofessionals to provide effective, reading intervention for students. Students work in small groups where teachers address the areas of rhyme, phonemic awareness, and sentence dictation with the goal in mind of students becoming confident, independent readers.

ENGLISH LEARNERS NEEDS

TFSCS will adhere to all State and Federal Law as relates to English Learners. Students whose home language is not English (*the Home Language Survey is on the Confidential Registration Application*) and entering a California Public School for the first time must take the CELDT (California English Learners Development Test) within 30 calendar days after they start school. *Extra teaching time* is provided for English Learners using the English Learner Handbooks (each grade level has one) and the Extra Support teacher handbooks for teaching and re-teaching.

These resources books are part such programs as Houghton Mifflin. Other materials are used as well. The CELDT is used once each succeeding year to evaluate English Learners (EL's). Assessment for language acquisition levels is largely done on the basis of observation and assessing children's language production. Teachers are close observers to evaluate how well EL students are progressing in English.

Professional development is held with a focus on EL. Staff seminars are attended, such as "A Focused Approach to FrontLoading English Language Instruction.

Classes are structured on a Mainstream English model and uses specially designed materials from state approved programs and other English Learner programs to teach English Learners (EL). Programs such as Houghton Mifflin *curriculum provides research based resources that meet the criteria of the No Child Left Behind Act and the Reading First Legislation for English Learners*. This curriculum is intertwined with an English Language Learner's component and teacher guidelines, which guide the teacher with appropriate EL activities.

It is the goal of TFSCS to move English Learners toward proficiency in English. EL's are taught using the California Standards for English Language Development. The annual growth target is set at gaining one proficiency level annually using the CELDT levels until an EL student reaches English language proficiency. Once they reach English language proficiency they are expected to remain at that level until they are redesignated or show proficiency to move to the next level based on test results of CELDT.

The student Progress Report includes English Language Development (ELD) Scores which indicate limited-English proficient student's achievement towards the state ELD standards in reading, writing, listening and speaking. Quarterly assessments are done to determine the student's level of progress at each of the levels below:

Beginning, Early Intermediate, Intermediate or Early Advanced. Students who are redesignated are monitored according to ELA/ELD standards for the State of California and/or Federal Statutes and Charter School law.

Student portfolios are maintained and utilized to track student progress, along with other means of assessment, such as Teacher observation, Daily Work, tests, and home assignments.

Under the "Guidelines for Reclassification of English Learners, Assessment of English Language Proficiency, it is noted that the CELDT (California English Language Development Test) is the primary criterion. *According to California State Guidelines*, TFSCS reviews test results for reclassifying students whose overall proficiency level is *Early Advanced* or higher and; Listening/speaking is *Intermediate or higher*, Reading is *Intermediate or higher*, and Writing is *Intermediate or higher*.

CST (California Standards Test) ELA (English Language Arts) is only administered to grades 2 through 11. A student's score on the English-Language Arts (ELA) section of the California Standards Test (CST) in the range from the beginning of Basic level up to the midpoint of the Basic level suggests that the pupil may be sufficiently prepared to participate effectively in the

curriculum and should be considered for reclassification. We may select a cut-score in this range and pupils with scores above the cut-point selected by TFSCS are considered for reclassification. Students who score below the cut-point, an attempt is made to determine whether factors other than English language proficiency are responsible for low performance on the ELA CST and a determination is made if it is reasonable to reclassify the student.

Students whose overall proficiency level is in the upper end of Intermediate may also be considered for reclassification if additional measures determine the likelihood that a student is proficient in English. The most recently available test data is utilized.

The above classification levels are the same as the initial identification levels specified by the California Department of Education (CDE).

Teacher Evaluation: Teachers are evaluated on student academic performance; and a student may be reclassified even though he / she incur deficits in motivation and academic success unrelated to English.

PARENT ELEMENT: *Parents / guardians are encouraged to participate in the reclassification process. Personal meetings are always encouraged at TFSCS.* We will give parents support in the reclassification process. For our pupils in 1st and 2nd grades, our decision to reclassify is based on the CELDT results, teacher evaluation, parent consultation and other available assessment results. It is recommended that Kindergarteners who have been identified as EL's probably should not be reclassified. Client (pupil) performance will be monitored for two years after reclassification in accordance with existing California regulations and the federal No Child Left Behind.

Students Achieving Below Grade Level

All students are screened at the beginning of the year and middle of the school year to determine reading and math levels. Students at risk of developing reading difficulty or math deficiencies receive supplemental or intensive services in addition to core instruction. Supplemental instruction is provided in individual or small groups for 20 – 40 minutes 3 - 5 times per week. Supplemental instruction provides explicit instruction in phonemic awareness, comprehension, fluency, phonics, vocabulary, problem solving, numeracy, and basic skills (computation, multi-digit multiplication with regrouping, converting numbers to percentages and solving equations).

Student progress is monitored using student data on a monthly basis for a minimum of 2 months to determine the effectiveness of the intervention or whether additional support is necessary. Instruction is differentiated by varying time, content and degree of scaffolding—based on student's needs.

School-wide structures (core instruction) will be the first step in meeting the needs of students performing below or above grade level, but additional supports will be introduced for any student who:

- Is performing more than one level below or more than one level above his/her actual grade level in language arts and/or mathematics
- Earning below 70% in one or more core subjects and therefore in danger of failing the grade
- Earning below 2 on rubrics of core content learning standards
- Is not on track to make at least one grade level of growth in reading, writing, and math
- Does meet the criteria above but has persistent challenges with the school's academic or behavioral expectations

A student study team ("SST") process will be the process by which students are identified for additional supports and individualized plans are created for each student based on their educational needs. The SST will include additional instructional supports, a timeline for implementation, goals for the student, and means for assessment. All SSTs will be communicated with parents, students, teacher(s) Site Administrators. The SST is a systematic, individual, solution-oriented approach to assist students with factors that are interfering with academic success. The SST clarifies problems and concerns, develops strategies and organizes resources, provides a system for school accountability, and serves to assist and counsel the parent, teacher and student.

Teachers are trained by professionals with proven track records of using research-based interventions and strategies. Teachers and support staff are taught how to monitor student progress, differentiate instruction, provide explicit teaching in reading and mathematics, utilize culturally relevant instructional strategies and other strategies to meet the needs of struggling students.

Serving Academically High-Achieving Pupils –

While we anticipate that most students' needs will be met by the wide variety of school-wide supports already in place, TFSCS is committed to working with students who are performing above grade level to help them achieve at expected levels.

High-achieving students will be referred for a SST if they meet the following criteria:

1. Performing more than one level above his/her actual grade level
2. Earning 4 on rubrics of content learning standards in core content learning

It is important to continually strive to push our students toward success. For students achieving above grade level, an SST format will be used to document goals and objectives to accelerate our gifted and high achieving students. While the SST process for student achieving above grade level will be similar to students receiving remediation support, the strategies will be specific to the needs of high achieving/gifted students.

Strategies –

Our student supports allow us to customize instruction for the needs of individual students by placing high achieving students in a differentiated instruction or appropriate flexible ability

group which will accelerate the pace and amount of instruction the student receives. In addition, we will customize a student's individual work folder with assignments and materials that accelerate their learning and address the goals and objectives in the SST. In addition, during, before and after school, an individual program will be assembled for high achieving students to accelerate their learning, as well as customizing homework to meet student SST objectives, and communicating progress with students, teachers, and parents.

Serving Students with Disabilities

Overview

Today's Fresh Start 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").

TFSCS shall be categorized as a local educational agency in a special education local plan area ("SELPA") in accordance with Education Code Section 47641(a) and thus is solely responsible for the identification, assessment, IEP development and IEP implementation for special education students.

TFSCS is a member of the Southwest SELPA and shall comply with its local plan, policies, and procedures.

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. Any student, who has an objectively identified disability which substantially limits a major life activity including but not limited to learning, is eligible for accommodation by the Charter School.

A 504 team will be assembled by the Principal 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 are selected and administered to ensure that when a test is administered to a student with impaired sensory, manual or speaking skills, the test results accurately reflect the student's aptitude or achievement level, or whatever factor the test purports to measure, rather than reflecting the student's impaired sensory, manual or speaking skills.

The final determination of whether the student will or will not be identified as a person with a disability is made by the 504 team in writing and notice is given in writing to the 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 ("FAPE"). In developing the 504 Plan, the 504 team shall consider all relevant information utilized during the evaluation of the student, drawing upon a variety of sources, including, but not limited to, assessments conducted by the School's professional staff.

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

All 504 team participants, parents, guardians, teachers and any other participants in the student's education, including substitutes and tutors, must have a copy of each student's 504 Plan. The Principal or designee 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.

SPECIAL EDUCATION

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The federal laws that may be most relevant to special education in charter schools is as below.

The federal laws (and regulations) that have most relevance for implementing special education are the Individuals with Disabilities Education Act (IDEA); the Elementary and Secondary Education Act (ESEA), recently reauthorized as the No Child Left Behind Act (NCLB); Section 504 of the Rehabilitation Act of 1973 (504); the Americans with Disabilities Act (ADA); and the

Family Education Rights and Privacy Act (FERPA). TFSCS follows state and federal statutes as relates to charter schools and charter school law.

The definition of the least restrictive environment is as below:

LRE: (Least Restrictive Environment) The IDEA defines the least restrictive environment (LRE) as follows: “To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are not disabled, and special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.” [PL 108-446 Sec. 612(a)(5)]

Search and Serve

Deleted: TFSCS is a member of the SouthWest SELPA and therefore, will cooperate and utilize its services.¶

Students suspected of a disability cannot be assessed unless parent permission is obtained unless otherwise authorized under the law. The school’s counselor will then identify any students in need of a pre-referral intervention plan, and work with the administrative staff and faculty to establish a an appropriate intervention plan/ILP for that student. The student’s need for special education can be screened from already available data (e.g., ILP’s, school tests, teacher observation, grades, etc.) regarding the student’s progress or lack of progress within the general program.

A SST Team composed of the student requiring intensive intervention services, that student’s parent or guardian, the general education teacher, and/or the person responsible for Section 504 will be responsible for identifying the student’s needs and developing an intervention plan to enable that student to be successful, including the appropriate individual tutoring schedule and classroom modifications, strategies, and techniques to enhance that student’s ability to be successful. If the SST Team finds that the intervention plan is not sufficient to meet the student’s needs, they will recommend that TFSCS refer that student for a formal special education assessment. TFSCS may also choose to refer a student for services through the provisions of a Section 504 Plan, if appropriate. Parents will be informed via the Site Administrator that special education and related services are provided at no cost to them.

Referral for Assessment

The referral process is a formal, ongoing review of information related to students who are suspected of having disabilities and show potential signs of needing special education and related services. TFSCS’s referral for assessment process will include examining student screening information and making a decision about whether or not to conduct a formal educational assessment. The parent of any student suspected of needing or qualifying for special education services may also make a referral for an evaluation. Any such referrals will be responded to in writing by the Site Administrator or his/her designee within 15 days with an assessment plan.

If TFSCS concludes that an assessment is appropriate, the parent will receive an Assessment Plan. Assessments will be done only upon receipt of written parent consent.

Assessment

The School Psychologist or Administrative Designee will be responsible for gathering information to determine the student's disability, eligibility for services, and determining the nature and extent of required services. The types of assessments that may be used for determining eligibility for specialized instruction and services will include:

- Individual testing
- Observations
- Interviews
- Review of school records, reports, and work samples
- Parent input

TFSCS will follow the following assessment guidelines:

- Parents or guardians of any student referred for assessment must give their written consent for the school to administer the assessment.
- The student must be evaluated in all areas related to his/her suspected disability.
- Multiple assessments will be delivered by a qualified professional to measure the student's strengths and needs.
- Assessments will be delivered without cultural, racial or gender bias.
- Assessments will be delivered in the student's primary language, unless a qualified interpreter is provided.
- Assessments will be adapted as necessary for students with impaired sensory, physical or speaking skills.
- A multidisciplinary team will be assembled to assess the student, including a teacher knowledgeable in the disability. The Administrative Designee will be responsible for scheduling, coordinating and facilitating the IEP meeting. Educators qualified to interpret test results will present the assessment data at the IEP meeting.

Development and Implementation of IEP

Every child who is assessed by the school and qualifying for special education services under the IDEIA will have an IEP that documents assessment results and determines eligibility for special education services. If the student is eligible for services, TFSCS will collaborate with the Southwest SELPA to provide those services according to the student's IEP, which will specify the instruction and services the student shall receive. Students at TFSCS who have IEP's will be served in the Least Restrictive Environment (LRE).

Each student who has an IEP will have an IEP team that oversees the implementation and progress of the IEP. The IEP team at TFSCS will consist of the following individuals:

- The parent or guardian of the student for whom the IEP was developed
- Administrator/Administrative Designee
- A General Education teacher who is familiar with the curriculum appropriate to that student
- Special education professionals qualified to interpret assessment results
- A school district of residence, as appropriate

Others familiar with the student may be invited as needed. TFSCS views the parent as a key stakeholder in these meetings and will make every effort to accommodate parents' schedules and needs so that they will be able to participate effectively on the IEP team. The school will provide an interpreter if necessary to ensure that all parents and/or guardians understand and can participate in the IEP process. If a parent cannot attend the IEP meeting, the school will ensure his/her participation using other methods, such as conferencing by telephone or meeting at the parent's home. A copy of the IEP will be given to the parent.

Upon the parent or guardian's written consent, the IEP will be implemented by TFSCS. The IEP will include all required components and be written on the Southwest SELPA forms. Some of the elements the IEP will consist of:

- The rationale for placement decisions
- The services the student will receive and the means for delivering those services
- A description of when services will begin, how often the student will receive them, who will provide them, and where they will be delivered
- Annual goals and short-term objectives focusing on the student's current level of performance
- A description of how the student's progress will be measured and monitored
- Transition goals for work-related skills IEP meetings will be held according to the following schedule:
- Yearly to review the student's progress and make any necessary changes
- Every three years to review the results of a mandatory comprehensive reevaluation of the student's progress
- After the student has received a formal assessment or reassessment
- When a parent or teacher feels that the student has determined significant educational growth or a lack of anticipated progress
- When an Individual Transition Plan is (ITP) required at the appropriate age
- When a special education student has been suspended, especially if they demonstrate a pattern of misbehavior, to determine if changes to the IEP are required to address the misbehavior
- Prior to the expulsion of a student with an IEP, to determine if the student's misconduct was a manifestation of his/her disability

IEP Review

The IEP team will formally review the student's IEP at least once a year to determine how the IEP is meeting his/her needs. In accordance with IDEA regulations, the IEP team will also conduct a formal review of the IEP once every three years, in which the student is reassessed and the IEP is reviewed as part of an overall comprehensive reevaluation of the student's progress. If a parent or faculty member feels the student's educational needs are not being met, he/she may request a reassessment or a review of the IEP by the IEP team at any time during the year via written notice to the school. Once the request is received, TFSCS will have thirty days, not including school vacations greater than five days, to hold the IEP meeting.

Parents will be informed four times a year (which is the same frequency as progress is reported to all students and parents) of the student's progress toward meeting annual goals and whether

the student is expected to meet his/her annual goals. The Goals and Objectives section of the IEP will be an attachment to the general progress report. This will serve to document the method by which the student's progress toward achieving the annual goal is measured, the student's progress during the relevant period, the extent to which it is anticipated the student will achieve the annual goal prior to the next annual review, and where needed, the reasons the student did not meet the goal.

Reporting

TFSCS will collect and maintain the following information on disabled students as required by IDEIA:

- A calculation of all school-age students with disabilities being provided special education services by age, grade, category of disability and the number of students with disabilities who are English Language Learners
- The number of students provided with test modifications and the types and the number of students exempted from TFSCS assessments
- The settings in which students with disabilities receive their services, specifically including the portion of the school day they receive services with non-disabled peers and time away from the regular classroom
- The number of students with disabilities suspended "in-school" and out of school, organized by disability and length of suspensions
- The basis of exit from TFSCS of students with disabilities (i.e., attainment of diploma and type, declassified, moved, etc.)

All necessary procedures and practices to ensure confidentiality and accurate/timely reporting will be the responsibility of the Administrative Designee, as supervised by the Site Administrator. The Administrative Designee will ensure that a central file with all the special education evaluation material and IEP's is maintained and that this file is locked and confidential, in accordance with IDEIA guidelines. The Site Administrator or Administrative Designee will oversee access to these records, and will be responsible for ensuring that all providers responsible for the implementation of a student's IEP will have access to a copy of the IEP and will be informed of their specific responsibilities in implementing the IEP.

Least Restrictive Environment

Students in need of special education and related services receive those services in the least restrictive environment. Qualified special education service providers deliver individual and/or small group instruction in the general education classroom (inclusion/push-in) or in a pull-out setting for students with more intensive needs. Students requiring more restrictive environments including special day class, non-public school, or state hospital schools participate in SELPA classes/programs that provide a free and appropriate public educational program (FAPE) in the least restrictive environment for that student.

Instructional Schedule and Calendar

BELL SCHEDULE *(Please See Addendum B)*

Kindergarten through 8th grades will meet the minimum required instructional minutes required by law. An example of the TFSCS Bell Schedule is attached and may be changed each year.

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School Calendar *(Please See Addendum C)*

Extended and Intervention Programs

I. After School Program

After School Programs are offered throughout the year, as funds are available. After School Programs may be held after-school, periodic Saturdays and during the summer. Our programs will provide enrichment and intervention academies which will offer extended learning opportunities and cultural experiences. Students who have been identified as requiring special assistance in reading/language arts or math will be expected to attend.

I. Community Service

Community service is an essential component of the curriculum and school philosophy. The promotion of social, political, and moral understanding and respect for others is fundamental to a student's maturity. Students need to be made aware of problems and needs outside of their personal world. Exposure to such issues will help students to become contributing member's, of their community. Community service activities may include, but are not limited to:

- A) Visiting the elderly and sick in convalescent homes
- B) Neighborhood beautification
- C) Collecting food and clothes for the local needy population
- D) Performing in informational health programs for the community. Our goal is to put on a Health Fair.

II. Technology

Technology is an integral part of the TFSCS curriculum. All students have access to technology via computers, printers, and video. Students are expected to demonstrate skills in data and information retrieval, use of various software, internet, e-mail competence. These skills are acquired through the use of educational games and drills, and technology is infused into actual core subject matter.

III. Civics and Government Studies

Each grade level will focus on community and government structures. Concepts such as community involvement, social justice, and government participation is the central focus of this

program. Government and community leaders will be involved in this program by sharing their experiences with the students. Students will experience the law making process by visiting local, state, and federal government offices and bodies.

IV. Human Development

The human development curriculum will encompass several broad areas, including conflict resolution, stress management, hygiene, nutrition, AIDS awareness, the human body and its systems, decision-making, families, dealing with loss, child abuse and neglect, drug awareness and abuse. These topics are addressed by classroom teachers and specialists via lessons, activities, discussions, simulations, and role-playing.

V. Character Development

We may hold a yearly Science Fair. Our environmental program teaches children the value of respect. Our program will build on the science core to not only teach what and how living things work, but how important it is to respect each living organism. Partnerships provide field trips to educate the students with a hands-on approach. Utilizing the Gardening Project through business collaborations with companies such as Home Depot, we may provide an on-site horticultural experience for each classroom. This experience will not only teach about science, but also institutes responsibility, pride and ownership in each student. Personal responsibility and achievements will build self-esteem and lay out the course for excellence in other academic areas.

VII. Physical Education

The physical education program provides a balance between physical fitness and body development. There are units on dance, gymnastics, basic body conditioning, body health and nutrition. Traditional sports with parent participation may be offered in an effort to teach skills, sportsmanship, participation and team competition.

VIII. Arts

The arts, including visual, performing, and musical are a central part of each student's education. The arts are taught during the school week, and will focus on the academics of art as well as hands on development.

COMMUNITY AND BUSINESS COLLABORATIONS

TFSCS will continue to build strong ties to local community organizations and businesses. A school-site resource team will be designed to provide a networking system for school and partnership collaborative meetings. These meetings will provide a communication and support network to align services with identified student needs. Parents and community members will have representation on the design of the collaborative team as part of the planning process. This representation will offer insight and resource information beneficial to enhancing the learning environment, which will foster a holistic approach to the development of the whole child. These

partnerships will serve as a connection between classroom learning and real-life situations, enabling students to gain a broader awareness of and appreciation for cultural diversity and heritage. The partnerships may provide the following extended learning opportunities based on grade levels: virtual reality experiences via distance learning activities and; health and human services; career-to-work programs; mentoring and tutorial intervention programs; and professional development for teachers, staff and parents.

In pursuit of even stronger partnerships, we will strengthen our relationship with local Universities and colleges to focus on mentoring for students and providing business strategies and advice.

In addition to the strong emphasis on the core subjects, students are involved in hands on learning. This extension of learning may be provided by Junior Achievement which educates and inspires school children to value free enterprise, and to understand business and economics to improve the quality of their lives. Seven program themes are used to teach students to assume roles as individuals, consumers, and workers in an expanding cultural environment that extends from the self and family to global relations. Junior Achievement's Elementary School Program includes:

- Ourselves – Kindergarten
- Our Families – 1st Grade
- Our Communities – 2nd Grade
- Our City – 3rd Grade
- Our Region – 4th Grade
- Our Nation – 5th Grade

Junior Achievement's unique delivery system provides the training, materials, and support necessary to ensure a positive experience for the students/teacher and volunteer.

TFSCS has actively developed collaborations with a wide range of organizations and individuals such as outside educators, student teachers, docents, and staff from local businesses and agencies. TFSCS takes full advantage of existing programs for students at local libraries, mentoring programs with businesses in the community and other non profits, which have already been established that are age appropriate for students. The Los Angeles County Museum of Science, Los Angeles County Museum of Art, Getty Center, Philharmonic, City of Los Angeles Cultural Affairs Programs for Latinos and African Americans and Civic Light Opera all have student oriented programs which can be utilized by TFSCS.. The Museum of Contemporary Art offers an in-depth program that teaches art and culture to elementary students through the Contemporary Art Start Program. The Dorothy Chandler Music Center, Disney Concert Hall, Los Angeles Opera Association, The African American Museum, and Los Angeles Philharmonic all have music programs in which students can be involved.

TFSCS immerses students in the rich multicultural and historical institutions of Los Angeles through regular visits to The Latino Museum of History, Art and Culture, Japanese American National Museum, El Pueblo Historic Park, and Chinese Cultural Center, which all offer wonderful educational opportunities. A sense of civic duty is enhanced by actual experiences with local government and history will come alive through the amazing educational possibilities

local organizations provide. City Hall, The Central Library, Olvera Street, and the County Hall of Administration will all be integrated throughout the history and social studies curriculum.

STAFF AND PROFESSIONAL DEVELOPMENT

Staff development built on respect, adequate time, and true collaboration benefits the whole community. The commitment to staff development is a key to success and must be executed with quality and detail. An annual one-week or two-week professional development for faculty will be held prior to the opening of each new school year. Faculty retreats are held prior to school opening as funds allow. The faculty, staff and parents are engaged in comprehensive hands-on training sessions on reform models, research strategies and methods expected for instructional delivery implementation. Resource materials are provided for teachers to develop their professional libraries. Faculty and staff are oriented to the overall mission and vision of the academy and receive information on the founding organization. Curriculum training provides professional development on the implementation of the curriculum. An Educational Consultant will be used to provide on sites professional development. Teachers may be required to “sit under” a staff teacher for two weeks prior to beginning classroom instruction.

The Staff Development Plan provides for training sessions, conference attendance and professional development opportunities for continued competence of the instructional staff to assure the quality and nature of the instructional program in the alignment with student outcomes and goals.

Ongoing Staff Development is incorporated into the school year to include, but not limited to:

- Classroom Management Techniques
- Annual Reading Conference
- Staff training prior to school opening
- Regular teacher training sessions by an educational consultant to include teaching strategies on adapting teaching methods to individual students
- Publisher training
- Individual instructional strategies
- Intervention strategies to bridge the gap, including head sets, practice drills, visual and auditory techniques to discover how each child learns best and therefore capture that child’s interest and inspiring life long learning

It is a priority of TFSCS to offer the staff opportunities to collaborate with leading experts in the field of education. This collaboration will afford the staff access to leading research to prepare students for the increasing challenges of the competitive marketplace and the global society of the 21st Century. Staff Development Partnerships are developed to provide enhanced and in-depth training in reform and research strategies to improve student achievement.

Staff has been trained to administer the CELDT (California English Learners Development Test) for English Learners.

ELEMENT B - MEASURABLE PUPIL OUTCOMES

The Charter School shall meet all statewide standards and conduct the student assessments required, pursuant to Education Code Sections 60605 and 60851, and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools.

TFSCS shall pursue the following pupil outcomes as measured by the following methods of measurement:

	<u>Outcome</u>	<u>Methods of Measurement</u>
<u>1</u>	<u>Meet or exceed API growth Target both school wide and by reportable subgroups.</u>	<u>Academic Performance Reports</u>
<u>2</u>	<u>Reach an API score of 700 in two years</u>	<u>Academic Performance Reports</u>
<u>3</u>	<u>Meet or exceed the base API of the comparison schools that students of TFSCS otherwise would attend (a minimum of 5% of TFSCS population) by overall school and reportable subgroups.</u>	<u>Academic Performance Reports</u>
<u>4</u>	<u>Meet Adequate Yearly Progress</u>	<u>Adequate Yearly Progress Report</u>
<u>5</u>	<u>Meet or exceed the grade-level proficiency rate of comparison schools that students of TFSCS otherwise would attend (a minimum of 5% of TFSCS population) for English Language Arts, Mathematics, by overall grade level and reportable subgroups.</u>	<u>CST data</u>

TFSCS has adopted a Student Achievement Plan, which is attached and incorporated into this charter as Addendum H. The student achievement plan shall be updated annually based upon analysis of current scores.

Deleted: Student goals are determined by research findings and what we want students to know by the end of each grade level. The goals are aligned with state student learning standards. What we want students to be upon completion of each grade level (sequence of skill):¶
 ¶
 <#>Effective communicators (oral and written)¶
 <#>Problem solvers¶
 <#>Critical thinkers¶
 <#>Bi-literate (Spanish Speaking Students)¶
 <#>Computer literate¶
 <#>Responsible citizens¶
 <#>Standardized Test Scores will improve annually¶
 ¶
 TFSCS will meet statewide performance standards per the Charter Schools Act, section 47605 (c) (1) and are contained in the educational program which are age or grade-level appropriate and will include mastery of curriculum standards which include curriculum imbedded assessments of the state approved program, which includes all program aspects.¶
 ¶
 <#>Core Academic Skills and Non-Academic Skills¶
 ¶
 <#>Life-Long Learning Skills: Students will develop skills, which will enable them to pursue their own path of learning throughout their adult lives including study skills, ability to plan, initiate, and complete a project and ability to reflect on and evaluate one's own and other's learning¶
 ¶
 <#>"Life" Skills: Students will develop skills necessary for a healthy adult life, including: job readiness and career development skills and higher education continuance skills, conflict resolution using non-violent techniques and other non-academic skills including leadership and citizenship.¶
 ¶
 <#>History/Social Studies: Students will understand and apply civic, historical, and geographical knowledge in order to serve as citizens in today's world of diverse cultures¶
 <#>Mathematics: Students will develop abilities to reason logically and to understand and apply mathematical processes and concepts, including those within arithmetic, algebra, geometry, and other mathematical subjects which the staff and school governing board deem appropriate. ¶
 <#>English/Language Arts: Students will demonstrate strong reading writing, listening, speaking and presentation skills in multiple forms of expression (e.g. written, oral, telephone conferencing) with communication skills appropriate to the setting and audience. They wi... [1]

ELEMENT C

METHODS TO ASSESS PUPIL PROGRESS TOWARD OUTCOMES

Student achievement in developing grade level content mastery in specific knowledge and critical thinking skills are assessed using a variety of assessment measures. Such assessments are necessary to map the schools strengths and weaknesses and to hold students, parents and teachers accountable. TFSCS has clearly defined what students should know in each subject in each grade level. These are the California State Standards which are posted in each classroom according to the grade level. TFSCS has clearly defined what students should know in each subject in each grade level using California Standards. These measurable student outcomes are based on a comprehensive monitoring and assessment structure that includes data from statewide accountability measures at the performance level appropriate for the grade.

The formal assessment program is aligned with the State Testing and Reporting System (STAR) utilizing multi-measure for evaluating student success. State tools, CAT-6 standardized test serve as benchmarks in measuring grade level achievement of student learning standards. Weekly assessment using computerized assessment programs such as Edusoft may be utilized. Results of assessment data is analyzed and disaggregated by groups of students in order to determine strengths and areas for improvement. Performance Assignments (curriculum embedded) and Student Product Rubrics are used to measure on-going progress of students' mastery of skills and standards. Authentic assessment processes form the basis of our evaluation program to measure student outcome goals.

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All instructional programs and educational plans are reviewed and analyzed to identify needs in order to meet educational goals and student outcomes. On-going assessment of grade level core/basic skills are conducted bi-annually through pre/post assessment.

ASSESSMENT SCHEDULE

ASSESSMENT FRAMEWORK	DESCRIPTION OF ASSESSMENT TOOL	DATE
ANNUAL	REQUIRED CALIFORNIA STATE TESTING & REPORTING SYSTEM	MAY
	EXIT INTERVIEWS	JUNE
	PERFORMANCE ASSIGNMENT	MARCH/APRIL
BI-ANNUAL	ASSESSMENT (PRE/POST)	SEPT/JAN
ON-GOING	PARENT CONFERENCES	SEPTEMBER -JUNE
ON-GOING	PORTFOLIOS, TEACHER MADE ASSESSMENTS IMBEDDED IN PROGRAM, UNIT TESTS, ALL ALIGNED WITH STATE STANDARDS	SEPTEMBER TO JUNE
QUARTERLY	PROGRESS REPORTS ARE ALIGNED WITH STATE STANDARDS (MANDATORY PARENT CONFERENCES)	DECEMBER* MARCH* JUNE

[A sample progress report format for each grade level is attached as Addendum I.](#)

TFSCS will track and analyze factors, which influence academic achievement and growth.

Measurable Outcomes	Expected Outcomes	Assessment Tools
Student Conduct	Average daily attendance goal of minimum 95%	Student Records
	Tardiness will decrease each year by 3% or more	
	Suspensions/expulsions will decrease each year by 3% or more	
	Mediation referrals will decrease each year by 5%	
Parent Involvement	75% or more will attend on-going parent teacher conferences during the year	Sign-In Sheets
	75% or more will attend at least two parent involvement events during the academic year	
	Participation of parents with children in special events/programs will increase 5% each year until 90% are involved	
	Parent Site Involvement will increase by 5% each year	
Teacher Involvement	School Site Administrators will gather critical information about school to establish level of teacher commitment	80% is required
	Professional Development	
State-mandated standardized tests	CAT-6 California Standards Test	Student test scores will be individually analyzed and will be disaggregated to determine proficiency in all academic clusters. Personal focus will be directed to each student to ensure upward progress toward proficiency using running records, computerized mapping and pacing plans.
Grade-level competency and continuing higher levels of proficiency	California standards based curriculum	Student test scores will be individually analyzed and will be disaggregated to determine proficiency in all academic clusters. Personal focus will be directed to each student to ensure upward progress toward proficiency using running records, computerized mapping and pacing plans.
Teacher Performance	Knowledge of curriculum	Comparison of Student designated test scores
	Competence in pedagogy	Annual Site Administrator/Peer/Self Evaluations
	Professional Attitude	Parent/Student Surveys
	Effective teaching strategies	Adherence to terms of contract
Financial Solvency	Effective classroom management	By Observation
	Maintain positive net asset balance	Annual Audit Forecast Budget

ELEMENT D

SCHOOL GOVERNANCE

TFSCS is governed by the Board of Directors with the overall responsibility for the educational and fiscal oversight of the school, approving all major educational and operational policies, approving all major contracts, annual budgets, and evaluating the Superintendent /Administrator. The board also helps ensure effective organizational planning by approving long-range goals and annual objectives, monitoring the general policies such as health and safety, use and maintenance of facilities, and overseeing that school resources are managed effectively.

- The authorized number of Directors shall be 5 until changed by amendment of the Bylaws. Four of the initial Directors will serve a three year term and one will serve a two year term. The terms of the board members will be staggered. The initial Board of Directors will be comprised of at least one parent.

CALIFORNIA NONPROFIT PUBLIC BENEFIT CORPORATION

TFSCS will exist as a legally and operationally independent nonprofit entity. As such, TFSCS is incorporated as an independent California Nonprofit Public Benefit Corporation with its own Board of Directors. The affairs of the non-profit corporation is managed and its powers exercised under the Board's ultimate jurisdiction.

TFSCS will be governed pursuant to the Articles of Incorporation (Section I) and Bylaws adopted by the incorporators and subject to the limitations of the California Nonprofit Public Benefit Corporation Law. (Section H) TFSCS will comply with all laws relating to public agencies in general, and all federal laws and regulations and state codes as it pertains to charter schools including following the Ralph M. Brown Act. TFSCS agrees to follow all applicable California public benefit corporation laws. TFSCS shall be solely responsible for the legal obligation and financial debts of the charter school.

Public Operating Site Administrators

TFSCS is nonsectarian in its programs, admission policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against any student on the basis of ethnicity, national origin, gender, disability, or sexual orientation.

BUSINESS AND OPERATIONS MANAGEMENT

TFSCS may contract from time to time with outside vendors, to the extent possible to provide necessary non and education related services. This will enable the staff to focus their energies in areas of their expertise, allowing sufficient time for reflection on instructional and curricular issues. There is an on site business department and outside contractors provide services such as budgeting/forecasting, accounts set-up (insurance/benefits/attendance tracking), payroll, compliance/required reporting, service vendor contract negotiations and management. The

accounting system adopted by TFSCS will adhere to Generally Accepted Accounting Principles (GAAP) and will provide adequate internal controls. Annual audit is performed by an outside, independent Certified Public Accountant.

Supervisory Oversight

The Charter shall be overseen by the State Board of Education (“SBE”) and the California Department of Education as its agent (collectively the “Authorizer”). ~~The Authorizer~~ may charge for actual costs of supervisory oversight of TFSCS not to exceed 1 percent of the revenue of the charter school.

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PARENT / STUDENT INVOLVEMENT PLAN

One of the primary predictors of student success is parent involvement. Parents are encouraged and expected to participate in the educational process of their child(ren). Parents participate in school governance, as well as support students’ educational development.

TFSCS has convened a Parent School Site Council. In addition to issues regarding parent/teacher/student relations, the Parent School Site Council will develop family events, support groups, and interest groups.

Every parent and student at TFSCS is requested to sign a non-binding parent/student compact. Parents, as partners, agree to sign a compact, confirming the commitment they will make to enhance the academic success of their child, which includes:

- Volunteering at the school campus either in the classroom or after school and weekend beautification.
- Working with the child at home with homework, projects, etc.
- Maintaining positive and effective communication with the teacher and staff.
- Ensuring that their child attends school on a regular basis and on time.
- Enforcing the school Code on Conduct with their child (i.e. wearing appropriate clothing).
- Attending at least two parent workshops during the school year.

Students are also expected to sign the compact accepting personal responsibility for the ongoing improvement of their academic performance. The student agrees to:

- Attend school on a regular basis and on time.
- Complete homework assignments thoroughly and in a timely manner.
- Participate in support programs (mentoring) as needed and funds are available.
- Complete community service hours.
- Follow the school Code of Conduct, including wearing appropriate clothing at all times while in school or attending school functions.
- Bring supplies and be prepared to learn.

Additional activities for parent involvement include, but not limited to:

MEETINGS at the individual classroom level (Back To School Night and Open House).

Classroom teachers will meet with the parents to discuss grade level goals, expectations, classroom rules, and assessment tools. Examples during these meetings will be presented to the parent (i.e. through slides, displays of work, portfolios, etc.). Preferably, these meetings will take place in the evening or at a time that is convenient for the majority of families. Parents are notified in advance to ensure their participation. Special meetings are offered at least twice a year or more frequently. TFSCS further encourages parent involvement, e.g. math and literacy family nights, back to school nights, family dinners, class visits and performing arts program events.

- **INDIVIDUAL PARENT-TEACHER CONFERENCES.** Mandatory conferences will be held twice a year (once a semester) with each individual parent to inform them of the educational progress of their child. During these meetings, teachers will offer advice on how the parent can assist their child at home. Other parent teacher conferences will be held as needed.
- **PARENT TRAINING.** Sessions will be tailored to increase everybody's knowledge of problems or issues of common interest (e.g., literacy, books for young children, children's diet, child development, helping children improved study skills, the effects of transience on student achievement, family health, etc.). Parenting Skills Classes are being planned now.
- **HANDS-ON WORKSHOPS.** "Learning by doing" meetings will help parents and staff members acquire techniques with a strong educational potential, such as working with paper (origami) making puppets, working with the shadow theater, using technology, and so on.
- **CULTURAL HOLIDAYS AND CELEBRATIONS.** Activities where children, their families, and members of the community come together to celebrate either by dancing, participation in a program, etc. Sometimes the whole school may be involved and other times just a particular class/grade level.
- **COMMUNITY EVENTS.** The school will host events relevant to the community at large, such as career day, health fairs, and arts events.

ELEMENT E

EMPLOYEE QUALIFICATIONS

TFSCS will not discriminate against any employee on the basis of race, color, creed, age, sex, national origin, disability, sexual orientation, or marital status. We are happy to report that at this time our teachers are of many cultural backgrounds, Hispanic, Caucasian, Phillipino, African-American and Asian. We welcome all nationalities and invite them.

TFSCS adheres to the existing state of California laws regarding fingerprinting and TB testing of employees. TFSCS adheres to school policy pertaining to the safety and health of all employees and students. Prior to the first day of work for every employee, TFSCS processes all background checks through LIVESCAN, administered by the Department of Justice.

Teachers meet the requirements for employment as stipulated by the California Education Code section 47605(1). Primary teachers of core, college preparatory subjects (i.e. English language arts, math, science, history/social science, and special education) holds a Commission on Teacher Credentialing credential, certificate, permit, or other document they would be required to hold according to their professional position with TFSCS.

All employees must furnish or be able to provide:

- Tuberculosis (TB) testing.
- Fingerprinting and the service fee to the Department of Justice for criminal record check. Applicants will be required to provide a full disclosure regarding prior criminal record.
- Documents establishing legal status.

All personnel must commit to the mission and vision of TFSCS. Employee's job descriptions and work schedules are reviewed and modified as necessary to meet the needs of the school and its students. The job descriptions are based on the duties and work basis as outlined in the charter.

Superintendent/Administrator

The Superintendent/Administrator is responsible for the overall fiscal, business and academic decisions for TFSCS School. The Superintendent/Administrator reports directly to the Board of Directors. The Administrator must have a Master's and / or Doctorate degree with five or more years of experience in school administration with knowledge of school finance, budget, program and school law.

Site Administrator

The Site Administrator is selected by the Superintendent/Administrator on an application and interview basis. Selection of the Site Administrator is based on proven experience in educational leadership, demonstrated ability in program design and/or development, entrepreneurial, and commitment to educational reform. The Site Administrator must have demonstrated sensitivity to developing a learning environment that supports cultural diversity in a multi-ethnic student population. The Site Administrator is held directly accountable for student progress and the

educational program and hold a bachelor's degree in Education and / or a higher degree and have knowledge and a background of experience in curriculum and instruction. The Site Administrator is directly responsible to the Administrator.

Teachers

The Site Administrators, Superintendent/Administrator and/or Superintendent/Administrator's designee or other specified personnel, through an application and interview process, select all teachers. Selection is based on teaching experience, the necessity of having a California Credential, the degree of subject matter expertise, and their ability to demonstrate classroom instructional capabilities and pertinent credential.

Teachers are responsible for providing quality instruction of subject matter in a self contained classroom setting, where appropriate, including math, language arts, science, social studies, art, music, physical education, character education, and computer skills. Teachers are required to use a variety of teaching methods and strategies to engage students with different learning styles, abilities, and maturity levels. Additional responsibilities include helping develop students' learning skills study skills, problem solving skills, critical thinking and social skills, collaborating with Administration, paraprofessionals, education coordinators, tutors and other personnel who are an integral part of the student's achievement.

Duties and Responsibilities

- Participate in in-depth training and in-services of school curriculum
- Provide quality, enriched, and powerful, creative curriculum, which is focused and California Standards based to high achievement to the best of student capabilities
- Provide and maintain an effective classroom environment that reflects and facilitates the academic program
- Continually evaluate classroom performance to meet the needs of each and every individual student
- Monitor student's academic progress using various assessment tools including rubrics, benchmarks, technology resource based assessments, work sampling (portfolios), tests, and quizzes, computerized assessment programs such as EduSoft, and other resources suitable to the inevitable students' progress toward achieving grade level competency
- Maintain running records of assessments, technology based monitoring of daily, weekly, monthly, trimester progress
- Actively strive for continuous and open communication with Administration, parents and community
- Participate in faculty meetings, school committees, common planning, weekly early professional development
- Participate in Individual Education Plan meetings when applicable
- Continue to work on professional development

| The fundamental requirements for proficient teaching are relatively clear:

a broad grounding in the liberal arts and sciences; knowledge of the subjects to be taught and of the skills to be developed, and of the curricular arrangements and materials that organize and embody that content; knowledge of general and subject-specific methods for teaching and for

evaluating student learning; knowledge of students and human development; skills in effectively teaching students from racially, ethnically, and socioeconomically diverse backgrounds; and the skills, capacities and dispositions to employ such knowledge wisely in the interest of students. Teachers are committed to students and their learning. They know the subjects they teach and how to teach those subjects to students. They are responsible for managing and monitoring student learning. They think systematically about their practice and learn from experience and they are members of learning communities. Teachers will meet the regulation requirements of the NCLB (No Child Left Behind) Federal and State Requirements.

Other Certificated Staff

Day-to-day substitutes are established and qualified substitutes are maintained. All substitute teachers hold California Teaching Credentials qualifying them to teach the grade / class for which they are substituting.

Office Personnel

Office Personnel is selected by the Superintendent/Administrator on an application and interview basis. Selection is based on the ability to perform the job duties for that position. Office personnel duties may include, but not limited to:

- Answering telephones.
- Filing reports.
- Enrolling students.
- Managing/monitoring office operations.
- Ordering and purchasing office and classroom supplies and vendor management.
- Developing and implementing clerical and administrative procedures for daily school operations.
- Preparing correspondence, reports, bulletins, files, forms, memorandums, and performing other clerical and administrative duties as assigned.
- Bilingual translation and communication with parents and community.

Qualifications are based on the ability to perform the prescribed duties; high school education, previous office and clerical experience of at least one year, bilingual in English and Spanish, telephone etiquette, computer skills, and general overall knowledge of handling parents and others with whom they may come into contact.

Classified Staff

Classified and other personnel are selected by the Site Administrator and/or Administrator on an application and interview basis. Selection is based on the ability to perform the job duties for that position. Classified personnel perform duties suitable for their job positions.

Minimally, TFSCS classroom helpers may hold a Teaching Credential, or Children's Center Permit, and / or college credits and / or required to have at least one year experience working with young children ages 5-12. TFSCS will adhere to all requirements for Paraprofessionals as set forth in the No Child Left Behind Regulations, as they are applicable to TFSCS. A Paraprofessional must have at least 60 units from a Regionally Accredited Institution.

Evaluations

Teacher Evaluations are performed twice a year. Performance measures are used to evaluate all teaching personnel.

| The Site Administrator is evaluated by the Superintendent/Administrator on an annual basis.

- Overall successful school academic program and achievement of educational goals.
- High parental and community involvement.
- Completion of required job duties.
- Creation of a school atmosphere of enthusiasm, warmth, and cooperation among all parties.

Teachers are evaluated by the Site Administrator, Lead Teacher and/or Superintendent/Administrator:

- Student progress as referenced from assessment measures.
- Effectiveness of teaching strategies as evaluated by the Site Administrator and/or lead/mentor teacher, through classroom visitations.
- Performance of job duties.
- Knowledge of curriculum.

Classified and other personnel are evaluated by the Site Administrator and/or Administrator based upon completion of assigned job duties and regular, punctual attendance.

Good performance, which includes, good classroom management, student assessment results, lesson plan preparedness is acknowledged and honored at a yearly end-of-the-year luncheon. Poor performance, inability to establish student rapport and classroom management after a full opportunity to demonstrate capability, including, voice tones and clearly established good classroom techniques may result in probationary status. Teachers are evaluated on the basis of their continual capability to teach the students with clear progress in assessments, along with their ability to establish rapport with the students, parents, administration and co-workers. Permanent / tenure status will not be offered for the next five years. Teachers will receive professional development training and peer mentoring. Progress of probationary employees will be reviewed after 60 days, after 120 days, and after 180 days.

If an employee disagrees with an evaluation, a written objection may be appended to the review. Employees always have the right to engage in the Due Process and Process for Resolving Complaints/Grievances.

Recruitment

A contract agreement, if needed, will be entered into with a Human Relations Company for staff recruitment. TFSCS utilizes all means of conventional recruitment available, newspaper advertisement, media, internet, and referrals from staff and parents.

ELEMENT F

HEALTH AND SAFETY PROCEDURES

TFSCS has adopted and implements a comprehensive set of health, safety, and risk management policies. These policies are developed in consultation with the school's insurance carriers and at a minimum will address the following topics:

- A requirement that all enrolling students and staff provide records documenting immunizations to the extent required for enrollment in non-charter public schools. Records of student immunizations shall be maintained, and staff shall honor [Education Code](#) requirements for periodic mandatory Tuberculosis (TB) tests.
- Policies and procedures for response to natural disasters, emergencies, including fire and earthquakes.
- A policy requiring that instructional and administrative staff receive training in emergency response, including appropriate "first responder" training or its equivalent (CPR).
- Policies relating to the administration of prescription drugs and other medicines.
- A policy that the school locations are housed in facilities that have received state Fire Marshal or local approval and that have been granted a school Certificate of Occupancy by the local department of Building and Safety. Periodic fire inspections will be undertaken, as necessary, to ensure such safety standards are met.
- A policy establishing that the school functions as a drug, alcohol, and tobacco free workplace.
- A requirement that each employee of the school submit to a criminal background check and furnish a criminal record summary as required by Education Code Section 44237.
- A policy for reporting child abuse, acts of violence, and other improprieties as mandated by federal, state, and local agencies. This policy will be in TFSCS, Inc. employee handbook.
- Compliance with all health and safety laws and regulations that apply to charter public schools, including those required by CAL/OSHA, the California Health and Safety Code, and EPA.

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These policies are incorporated as appropriate into the school's student and staff handbooks and are reviewed on an ongoing basis in the school's staff development efforts and governing board policies.

Title IV of the Safe and Drug –Free Schools and Communities Act imposes certain legal mandates upon schools to ensure that campuses are kept safe and are tobacco, drug, and alcohol free. The purpose of Title IV is to enable local educational agencies to implement programs to prevent violence in schools and the illegal use of tobacco, drugs, and alcohol, and to seek parent and community involvement in such programs in order to provide a safe learning environment for students to achieve academic success. TFSCS will comply with all legal mandates outlined in Title IV.

FIRE DRILLS

Fire drills are held at least twice a semester. Office personnel will maintain a record of fire drills held and total required time for complete evacuation. When the fire drill signal sounds, teachers lead the students in their room along the route indicated on the evacuation map posted in every classroom for that purpose. Before leaving the room, teachers will see that all windows and doors are closed and that they have their class attendance roster with them. Students who are not in a class room at the time the fire drill signal is given will attach themselves to the nearest teacher exiting the building for purposes of getting to the designated evacuation site.

Once at the designated evacuation site, teachers and other staff will ensure that all students find their respective teachers. Teachers will then take roll to ensure that all students are accounted for. The names of any missing students will be given to the office personnel and the administrative staff. An individual will be assigned the task of finding any missing students. Students will remain with their teachers at the designated evacuation site until the administrative staff gives the “all clear” signal.

DISASTER DRILLS (i.e. earthquake)

Disaster drills are conducted at least three times school year. Students are made familiar with the “duck and cover” routine. A disaster drill commencing with the “duck and cover” routine will be initiated by an announcement over the intercom. Staff and students will hear “This is an emergency drill. Duck and cover.” During the “duck and cover” routine in the classroom, teachers will turn off the lights and have students get under a desk or table or against the wall away from the windows. Students must remain quiet and orderly so they will be able to hear additional instructions when given. All drills are concluded with an “all clear” announcement on the intercom, or a visible signal from the administrative staff.

In the case of a real earthquake, everyone must engage in the “duck and cover” routine immediately and remain in position until the teacher determines that it is safe to leave the building. If remaining in the room becomes dangerous, or when the shaking stops, teachers will proceed with their students to the evacuation site or another safety zone. If students are on the playground or other outdoor area when a disaster drill is called or during an actual earthquake, students are to drop immediately to the ground, away from trees and power lines, and cover their heads with their hands. They are to remain in that position until given additional instructions.

In the case of disasters other than earthquake, the administrative staff will contact each room, advise staff of potential dangers, and give further directions or orders. Teachers and students will remain in their classrooms until instructions are received for an all clear or an evacuation. For safety purposes, no one is to leave the rooms. If there has been a chemical spill, the teacher must make sure that all doors, windows, and vents remain closed. The school site maintenance staff will turn off the gas. All unassigned staff will report to the office for assignments such as searching offices, bathrooms, and all other common areas, including outdoor facilities.

Teachers will stay with their classes for the duration of the emergency. In the event of an earthquake or other national disaster, all school employees are immediately designated “Civil

Defense Worker” and are not allowed to leave school until they are given official clearance to do so by the administrative staff.

BOMB THREATS

The person receiving the call or letter will note the following:

- the time of day
- wording of the message
- listening for background noises which may help in determining a location for the caller, and quality of the voice to try to determine if it is a young child or an adult.
- This person will delay the caller as long as possible to get the person to stay on the phone and try to get the specific location of the bomb, while they alert another adult to the crisis.
- That adult will immediately notify the telephone company to trace the call and immediately thereafter, notify the police using 911.

Based on the information at hand, the administrative staff will make a decision whether an immediate evacuation is warranted. If so, the evacuation code word “safe school drill” will be given over the intercom and evacuation procedures will be followed. The office personnel will coordinate information requests to and/or from law enforcement, the telephone company, and parents.

If an immediate evacuation is not warranted, the administrative staff will notify teachers to inspect their room for any suspicious materials or unknown packages, without alarming students. All unassigned staff will report to the office for assignments such as searching offices, bathrooms, and all other common areas, including outdoor facilities.

EVACUATION PLAN

A disaster of a significant nature may require the evacuation of the school. Immediately upon notification by outside authorities that the school must evacuate, the administrative staff will verify the name and position of the person placing the alert. Once the source is confirmed, the administrative staff will give the evacuation code word “safe school drill”. Teachers will proceed with their students to the nearest school exit indicated on the evacuation map posted for this purpose. Before leaving the room, teachers will make sure they have their class attendance roster with them. Students who are not in a classroom at the time the intercom signal is given will attach themselves to the nearest teacher exiting the building for purposes of getting to the designated evacuation site.

Prior to evacuation, offices, bathroom, and all other common areas, including outdoor facilities will be searched by unassigned staff members designated by the administrative staff.

Once at the designated evacuation site, teachers and other staff will ensure that all students find their respective teachers. Teachers will then take roll to ensure that all students are accounted for. The names of any missing students will be given to the office personnel, administrative staff and an individual will be assigned the task of finding any missing students. Teachers will work together to take care of students with injuries, respiratory problems, or other medical conditions.

Teachers will stay with their classes for the duration of the emergency. In the event of an evacuation, all school employees are immediately designated “Civil Defense Workers” and are not allowed to leave school until they are given clearance to do so by the administrative staff.

Students will remain with their teachers at the designated evacuation site until the administrative staff gives the “all clear” signal. In the event students cannot return to the school site, the administrative staff will notify parents and/or the media as to where students can be picked up. The office personnel will sign out students as they are being picked up by a parent or other adult listed on the emergency information card. Parents will be asked to remain in a designated area, and students will be escorted to the designated area for release.

ELEMENT G

MEANS TO ACHIEVE A REFLECTIVE RACIAL AND ETHNIC BALANCE

TFCS will make every effort to recruit students of various racial and ethnic groups (*regardless of immigration status*) so as to achieve a balance that is reflective of the general population residing within the territorial jurisdiction of Los Angeles County. Recruitment efforts will include, but not necessarily limited to:

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- An enrollment process that is scheduled to include a timeline that allows for a broad-based recruiting process. Starting from March until when school starts in September or until we have achieved the number of students we have projected to start with, whichever occurs first. The development of promotional and informational material (i.e. a school brochure, flyers, website, and advertisements for local media) that is easily transmittable to all of the various racial and ethnic groups represented in the County. The development of promotional and informational materials in languages other than English to appeal to limited English proficient populations.
- The distribution of promotional and informational materials to a broad variety of community groups, agencies, neighborhood youth organizations, social service providers, churches, grocery stores, public libraries, and legislators that serve the various racial, ethnic, and interest groups represented in the County. We will utilize the radio media and flyers prior to enrollment and during summer months.
- Outreach meetings in several areas to reach prospective students and parents. Outreach meetings may be held in collaboration with other community meetings in Culver City, Los Angeles, and Hawthorne during the year and summer months.
- Hosting open houses, orientations, and school tours on a regularly scheduled basis, as available. Such as, prior to the end of the school year, and 4 to 6 weeks after the beginning of the school year and during the school year quarterly, along with conferences to present student progress reports. Publicizing the instructional program.

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ELEMENT H

ADMISSIONS REQUIREMENTS

Interested parents of prospective students are required to adhere to the application and admission requirements and are strongly encouraged to visit the school and meet with a staff member to learn more about Today’s Fresh Start Charter School’s goals and philosophy. A designated staff member will explain the program model to prospective parents, provide a tour of selected classrooms and deliver an overall orientation of expectations. Once a student has been enrolled in Today’s Fresh Start Charter School, a parent and /or guardian will be encouraged to sign a Parent Compact.

- (1) Work with staff to provide an optimal learning environment at home and school
- (2) Contribute a minimum of 40 hours per school year in a volunteer capacity

The intent of the Parent Contract is to create a strong relationship between families of TFSCS students and school personnel. Parents of students enrolled in Today’s Fresh Start Charter School will be encouraged to consider the benefits of strong parental support to their children’s education. Opportunities to meet the commitments of the Parent Compact will be to provide for varying parent

Admission to TFSCS is open to any resident of the state of California. TFSCS will not charge students tuition and will not discriminate against any student on the basis of ethnicity, national origin, gender, disability, or sexual orientation, race, color, creed, or immigration status or religion or any characteristic described in Education Code Section 220. Admission to TFSCS will not be determined according to the place of residence of the student, or of the student’s parent or guardian, within California.

If the number of students applying for admission exceeds TFSCS capacity attendance, except for existing students of the charter school, new enrollees will be determined by a public random drawing. Preference in the public random drawing is, extended in the following order:

- 1) students currently attending TFSCS;
- 2) siblings of TFSCS students; and
- 3) Students who reside in Los Angeles County

Each student will be assigned a number, drawn randomly from a box in public at a published date, time, and location. Grades will be filled in the random order drawn. Once grades are filled, applications will continue to be drawn in a public random drawing to develop a wait list for each grade level.The parent and the student will be advised of their acceptance prior to school starting date.

TFSCS adheres to all laws establishing minimum age for public school attendance, and any student over 19 years of age who is admitted shall be continuously enrolled in public school and making satisfactory progress towards high school diploma requirements.

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Confidentiality of Records

TFSCS adheres to all procedures related to confidentiality and privacy records. In the event that a child enters upon transfer from an existing district school, the child's records (cumulative, bilingual, etc.) will be requested from the respective district. Upon exit, the child's cumulative record is exchanged with the district upon request.

TFSCS agrees to adhere to applicable state and federal laws governing the privacy and confidentiality of pupil records. Our applications are clearly marked "CONFIDENTIAL."

Transportation

Transportation is the parental responsibility for families who choose to attend. TFSCS will not provide transportation for students from home or school to school to home, except in instances of compliance with the American with Disabilities Act. For extracurricular activities, such as field trips, transportation will be contracted for transportation with either LACOE or a licensed contractor.

ELEMENT I

FINANCIAL (and Programmatic) AUDIT

An annual independent financial 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 and the audit will employ generally accepted accounting principles applicable to the school. The audit shall be conducted in accordance with Education Code Section 47605(m) and 41020, applicable provisions within the California Code of Regulations governing audits of charter schools as published in the State Controllers K-12 Audit Guide.

An audit committee will select an independent auditor through a request for proposal format. The auditor will have, at a minimum, a CPA and educational institution audit experience and 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 as required by Education Code Section 47605(m) by the 15th of December of each year. The Principal, along with the audit committee, will review any audit exceptions or deficiencies and report to the Charter School Board of Directors with recommendations on how to resolve them. The Board will submit a report to the State Board of Education describing how the exceptions and deficiencies have been or will be resolved to the satisfaction of the State Board of Education along with an anticipated timeline for the same.

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

Audit appeals or requests for summary review to the Education Audit Appeals Panel shall be pursued in accordance with Education Code Section 41344.

As per Education Code Section 47604.3 A charter school shall promptly respond to all reasonable inquiries, including, but not limited to, inquiries regarding its financial records, from its chartering authority, the county office of education that has jurisdiction over the school's chartering authority, or from the Superintendent of Public Instruction and shall consult with the chartering authority, the county office of education, or the Superintendent of Public Instruction regarding any inquiries.

District Impact Statement

Currently TFSCS maintains sites within the boundaries of the Los Angeles Unified School District and the Compton Unified School District.

Deleted: Each fiscal year an independent auditor will conduct an audit of the financial affairs of TFSCS to verify the accuracy of the school's financial statements, attendance and enrollment, accounting practices, and review the school's internal controls. TFSCS will retain auditors to conduct independent financial audits, which will employ generally accepted auditing principles and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Controller General of the United States. All auditors report directly to the TFSCS Board of Directors. ¶
¶ The Board of Directors along with the Administrator will select the auditor and the auditor will have a minimum of five years experience in performing financial audits for schools. ¶
¶ To the extent required under applicable federal laws for audits of the major federal programs, the audit scope expands to be in compliance with the requirements described in the U.S. Office of Management and Budget (OMB) Circular A-133, audits of states, local governments, and nonprofit organizations. Should OMB Circular A-133 be rescinded, audits of the major federal programs will be conducted in compliance with standards and provisions approved by OMB. ¶
¶ The financial audits are conducted by a qualified Certified Public Accountant and will be submitted to LACOE no later than December 1st, following the close of the prior fiscal year. The audits assure that the school's funds are being handled responsibly and that its financial statements conform to the Government Auditing Standards. Audit exceptions and deficiencies shall be resolved in conference with the auditor to the satisfaction of the auditing agency. TFSCS agrees to resolve outstanding issues from the audit prior to the completion of the auditor's final report. ¶

ELEMENT J

Procedures by which students may be suspended or expelled (Education Code Section 47605 (b) (5) (J))

TFSCS has developed a comprehensive set of discipline policies that assures a safe and study oriented learning environment. The school policies frame a set of Student Behavior Expectations, Parental/Guardian Obligations and General School Rules. To know and to obey these discipline policies is the duty of each student, parent/guardian and school personnel. School staff reviews the discipline policies and procedures with students and parents prior to a student's admission to TFSCS. Violations of these rules will be punished and might lead to serious consequences such as suspension and referral to district school of residence (involuntary transfer)

TFSCS personalizes discipline with a consistent, predictable, fair and productive structure and imposes suspensions or involuntary transfers only when other means of correction fail to bring about proper conduct. Students who do not adhere to their responsibilities and who violate school rules may expect consequences for their behavior.

Suspension Policy/Procedures

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. When the Policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction. This policy shall serve as the Charter School's policy and procedures for student suspension and expulsion and it may be amended from time to time without the need to amend the charter so long as the amendments comport with legal requirements. Charter School staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This Policy and its Procedures will be printed and distributed as part of the Student Handbook and will clearly describe discipline expectations. Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of or willfully causing the infliction of physical pain on a student. For purposes of the Policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to school property.

The Charter School administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline policies and procedures. The notice shall state that these Policy and Administrative Procedures are available on request at the Superintendent/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 (“IDEIA”) 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 regular 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.

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 anytime 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 of violence upon the person of another, except self-defense.
- c) Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind.
- d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 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.
- g) Stole or attempted to steal school property or private property.
- 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 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.
- l) Knowingly received stolen school property or private property.
- 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) Committed or attempted to commit a sexual assault as defined in Penal code 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code 243.4.
- o) 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.
- p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- q) 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.
- r) Made terrorist threats against school officials and/or school property. For purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person

threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property, or the personal property of the person threatened or his or her immediate family.

- s) 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.
- t) Caused, attempted to cause, threaten 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.
- u) Intentionally harassed, threatened or intimidated 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 student rights by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- v) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, as defined in subdivisions (f) and (g) of Section 32261 of the Education Code, directed specifically toward a pupil or school personnel.
- w) 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).
- x) Possessed, sold, or otherwise furnished any, knife, unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Superintendent/Administrator or designee's concurrence.

2. Non- Discretionary Suspension Offenses: Students must be suspended and recommended for expulsion for any of the following acts when it is determined the pupil:

- a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Superintendent/Administrator or designee's concurrence.

3. Discretionary Expellable Offenses: Students may be expelled 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 of violence upon the person of another, except self-defense.
- c) Unlawfully possessed, used, sold 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.
- g) Stole or attempted to steal school property or private property.
- 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.
- l) Knowingly received stolen school property or private property.

- 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) Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.
- o) 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.
- p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- q) 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.
- r) Made terrorist threats against school officials and/or school property. For purposes of this section, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family’s safety, or for the protection of school property, or the personal property of the person threatened or his or her immediate family.
- s) 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.

- t) Caused, attempted to cause, threaten 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.
- u) Intentionally harassed, threatened or intimidated 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 student rights by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- v) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, as defined in subdivisions (f) and (g) of Section 32261 of the Education Code , directed specifically toward a pupil or school personnel.
- w) 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).

- x) Possessed, sold, or otherwise furnished any, knife, unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Superintendent/Administrator or designee's concurrence

4. Non -Discretionary Expellable Offenses: Students must be expelled for any of the following acts when it is determined pursuant to the procedures below that the pupil:

- a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Superintendent/Administrator or designee's concurrence.

If it is determined by the Governing Board that a student has brought a fire arm or destructive device, as defined in Section 921 of Title 18 of the United States Code, on to campus or to have possessed a firearm or dangerous device on campus, the student shall be expelled for one year, pursuant to the Federal Gun Free Schools Act of 1994.

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 Superintendent/Administrator or the Superintendent/Administrator’s designee with the student and his or her parent and, whenever practical, the teacher, supervisor or Charter School employee who referred the student to the Superintendent/Administrator or designee.

The conference may be omitted if the Superintendent/Administrator 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. This conference shall be held within two 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 Superintendent/Administrator or Superintendent/Administrator's designee, the pupil and the pupil's guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. This determination will be made by the Superintendent/Administrator 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

A student may be expelled either by the Charter School Board following a hearing before it or by the Charter School Board upon the recommendation of an Administrative Panel to be assigned by the Board as needed. The Administrative Panel should consist of at least three members who are certificated and neither a teacher of the pupil or a Board member of the Charter School's governing board. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense.

E. Expulsion Procedures

Students recommended for expulsion are entitled to a hearing to determine whether the student should be expelled. Unless postponed for good cause, the hearing shall be held within thirty (30) school days after the Superintendent/Administrator 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 ES 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 three (3) days prior to the 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 or the student's parent/guardian to appear in person or to employ and be represented by counsel or a non-attorney advisor;
- 6) The right to inspect and obtain copies of all documents to be used at the hearing;
- 7) The opportunity to confront and question all witnesses who testify at the hearing;

8) The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf including witnesses.

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

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

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive five days notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.

2. The Charter School must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.

3. At the discretion of the person or panel conducting the 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 person 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 person 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 person presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The person conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.

7. If one or both of the support persons is also a witness, the Charter School must present evidence that the witness' presence is both desired by the witness and will be helpful to the Charter School. The person presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or

influence the witness in any way. Nothing shall preclude the presiding officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.

8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.

9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in the 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, Panel or designee determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

If, due to a written request by the expelled pupil, the hearing is held at a public meeting, and the

charge is committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code Section 48900, a complaining witness shall have the right to have his or her testimony heard in a session closed to the public.

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

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

I. Written Notice to Expel

The Superintendent/Administrator or designee following a decision of the Board to expel shall send written notice of the decision to expel, including the Board's adopted findings of fact, to the student or parent/guardian. This notice shall also include the following: Notice of the specific offense committed by the student; and 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 Superintendent/Administrator or designee shall send a copy of the written notice of the decision to expel to the District. This notice shall include the following: a) The student's name 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 Authorizer the upon request.

K. No Right to Appeal

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

L. Expelled Pupils/Alternative Education

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 District of residence to assist with locating alternative placements during expulsion.

M. Rehabilitation Plans

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

N. Readmission

The decision to readmit a pupil or to admit a previously expelled pupil from another school district or charter school shall be in the sole discretion of the Board following a meeting with the Superintendent/Administrator or designee and the pupil and 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 Superintendent/Administrator or designee shall make a recommendation to the Board following the meeting regarding his or her determination. The pupil's readmission is also contingent upon the Charter School's capacity at the time the student seeks readmission.

O. Special Procedures for the Consideration of Suspension and Expulsion of Students with Disabilities

1. Notification of SELPA

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

2. Services During Suspension

Students suspended for more than ten (10) school days in a school year shall continue to receive services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP/504 Plan; and receive, as appropriate, a functional behavioral assessment or functional analysis, 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 or a functional analysis 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 result of the failure to implement the IEP/504 Plan, then the Charter School may apply the relevant disciplinary procedures to children with disabilities in the same manner and for the same duration as the procedures would be applied to students without disabilities.

4. Due Process Appeals

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

When an appeal relating to the placement of the student or the manifestation determination has been requested by either the parent or the Charter School, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the forty-five (45) day time period provided for in an interim alternative educational setting, whichever occurs first, unless the parent and the Charter School agree otherwise.

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 Superintendent/Administrator or designee may remove a student to an interim alternative educational setting for not more than forty-five (45) 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 USC 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 USC 1415(k)(7)(D), upon a person while at school, on school premises, or at a school function.

6. Interim Alternative Educational Setting

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

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

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

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

a) The parent/guardian has expressed concern in writing, or orally if the parent/guardian does not know how to write or has a disability that prevents a written statement, to Charter School supervisory or administrative personnel, or to one of the child’s teachers, that the student is in need of special education or related services.

b) The parent has requested an evaluation of the child.

c) The child’s teacher, or other Charter School personnel, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the director of special education or to other Charter School supervisory personnel.

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

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

The Charter School shall not be deemed to have knowledge of 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.

ELEMENT K

STAFF RETIREMENT SYSTEM

All staff retirement is funded through their participation in the Federal Social Security program.

Work Basis

The Superintendent/Administrator will work for the calendar year with appropriate vacation time. Teachers will work a minimum of a 180 day of instructional days plus professional development training. Administrative, classified, office and maintenance will work a calendar year of 12 months with appropriate vacation time.

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A student may be suspended from TFSCS for a maximum of 5 consecutive days if it has been determined by the evidence that a student has:¶
¶
1. Continued truancy or tardiness.¶
2. Disrupted classroom program.¶
3. Possession of any dangerous object of no reasonable use to the pupil.¶
4. Stole or attempted to steal school or private property.¶
5. Unlawfully possessing, using, selling or otherwise furnishing, or under the influence of any controlled substance listed in the health and Safety Code or any alcoholic beverage, tobacco, or any intoxicant.¶
6. Continued willful disobedience or open persistent defiance of the authority of the school personnel.¶
7. Deface school or personal property.¶
8. Committing or attempting to commit inappropriate sexual behavior on another child.¶
9. Fighting or in any way causing physical injury to or on another child or another person.¶
10. Using racial slurs/hate language/name calling.¶
11. Willful or negligent conduct likely to result in injury to another student, school employee or other person.¶
12. Bullying, harassment or hazing of pupils or school property (e.g. “I dare you.” “You better do this or that”; or “I’m gonna make you,” or, “You have to swallow this gold fish.”)¶
13. Forgery of notes, signatures, excuses, or other school documents by student.¶
14. Committing an obscene act, habitual profanity, vulgarity, using obscene language.¶
¶
Variables that affect the consequences for inappropriate behavior include but are not limited to: age of student, severity of act, and intent. Administrative judgment will be relied upon to determine the appropriate consequence to be applied.¶
¶
The bottom-line purpose of suspension procedures will be to ensure a safe and effective learning environment. Successful procedures will provide for due process for students and will be specific and concrete for parents and supported by the school community. While suspension is regarded as a last resort, unfortunately it has been necessary to maintain a safe learning environment.¶
¶
Prior to suspending a student for a period of five days or less, if circumstances permit, an informal conference will be held, and the student’s parent/guar (... [2]

Employee hours per week will be based on individual job positions. The standard week for administrative and operational staff and teachers is 40 hours per week. The standard week for teachers is 40 hours per week, including class instructional hours, parent conferences, meetings, and professional development and training. Teachers may work additional hours in 40-hour work week due to evening parent conferences and additional staff development.

Benefits

Personal leave days will be provided for each credentialed full-time employee to the extent of a maximum of 5 paid personal days per year (illness/personal necessity) if funds are available. Employee will earn personal days at the rate of one half day per month of paid work if funds are available. Any personal time at the end of each academic year must be taken or paid no roll over. Medical and benefits will be provided as per the adopted policy of The TFSCS Administration and are set forth in the current Employee Handbook.

Due Process

TFSCS has adopted due process procedures and guidelines included in the Employee Handbook that will be given to each staff member at the time of employment with a required signature showing acknowledgement of receipt.

Consequences for Unprofessional Conduct

1. Issuance of notice of unsatisfactory acts to remain in personnel file and can be forwarded upon request.
2. One day suspension without pay.
3. Five day suspension without pay
4. Dismissal.

ELEMENT L

ATTENDANCE ALTERNATIVES

TFSCS is a school of choice. **No student is required to attend, and no employee is required to work at the charter school.** LACOE students living within the attendance area of LACOE who do not desire to attend the charter school may attend another school in LACOE only if eligible. Students may attend district of residence schools or pursue an inter-district transfer in accordance with existing enrollment and transfer policies of the district or county of residence.

TFSCS shall inform parents that a pupil has no right to admission in a particular school of any LEA (or program of any LEA) as a consequence of enrollment in TFSCS, except to the extent that such a right is extended by the LEA.

ELEMENT M

DESCRIPTION OF EMPLOYEE RIGHTS

Job applicants for positions at TFSCS are considered through an open process, and if hired, may enter into a contractual agreement, if appropriate with the school. Any county union employee who is offered employment and chooses to work at TFSCS will have no return rights to LACOE.

ELEMENT N

DISPUTE RESOLUTION PROCESS, OVERSIGHT, REPORTING, AND RENEWAL

The intent of this dispute resolution process is to:

- Resolve disputes within TFSCS pursuant to the school's policies.
- Minimize the oversight burden of the Authorizer.
- Ensure a fair and timely resolution to disputes.
- Frame a charter renewal process and timeline so as to avoid disputes regarding renewal matters.

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Disputes Arising Within TFSCS

Disputes arising from within TFSCS, including all disputes among and between students, staff, parents, volunteers, advisors, partner organizations, and governing board members of the school, will be resolved pursuant to policies and processes developed by TFS. Complaints will be handled:

- 1.] Site Administrator
- 2.] if not settled, then handled by the Administrator
- 3.] and finally, if necessary given to the Board of Directors.

Pursuant to Education Code Section 47604.3 the Authorizer may investigate complaints and monitor TFSCS operations. TFSCS shall respond promptly to requests made by the Authorizer for operational and fiscal concerns.

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Disputes Between TFSCS and the Authorizer

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TFSCS understands and agrees that the Authorizer is not an LEA and therefore may choose to resolve a dispute directly instead of pursuing the dispute resolution proposed below by TFSC:

The staff and governing board members of TFSCS and Authorizer agree to attempt to resolve all disputes regarding this charter pursuant to the terms of this section.

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Any controversy, claim, or dispute arising out of or relating to the charter agreement shall be handled first through an informal process in accordance with the procedures set forth below.

(1) Any controversy, claim, or dispute arising out of or relating to the charter agreement, or the breach thereof, must be submitted in writing ("Written Notification"). The Written Notification must identify the nature of the dispute. The Written Notification may be tendered by personal delivery, by facsimile, by express, courier or by certified mail. The Written Notification shall be deemed received (a) if personally delivered, upon date of delivery to the address of the person to receive such notice if delivered by 5:00 p.m., or otherwise on the business day following personal delivery; (b) if by facsimile, upon electronic confirmation of

receipt; or (c) if by mail, two (2) business days after deposit in the U.S. Mail. Written Notifications shall be addressed as follows:

To Charter School: Administrator
Address: TFSCS
4514 Crenshaw Blvd.
Los Angeles, CA 90043

and/or

To Authorizer California Department of Education
Charter School's Division
Address: 1430 N Street, Room 5401
Sacramento, CA 95814-5901

Deleted: Superintendent
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Deleted: 9300 Imperial Highway
Downey, CA 90242

(2) A written response ("Written Response") shall be tendered to the other party within twenty (20) business days from the date of receipt of the Written Notification. The parties agree to schedule a conference to discuss and resolve the controversy, claim, or dispute at issue ("Issue Conference"). The Issue Conference shall take place within fifteen (15) business days from the date the Written Response is received by the other party. The Written Response may be tendered by personal delivery, by facsimile, or by certified mail. The Written Response shall be deemed received (a) if personally delivered, upon date of delivery to the address of the person to receive such notice if delivered by 5:00 p.m., or otherwise on the business day following personal delivery; (b) if by facsimile, upon electronic confirmation of receipt; or (c) if by mail, two (2) business days after deposit in the U.S. Mail. Each Party shall bear their own costs of dispute resolution up and through this step in the dispute resolution process.

(3) If the parties cannot mutually agree to the resolution of any dispute, the parties will mutually choose a disinterested and independent arbiter to decide the dispute between the parties through submitting the dispute in writing and if the arbitrator requires a hearing, then the party requesting same shall bear the expense of the hearing to be held within five (5) days and decided within thirty (30) days with written findings by the arbiter.

Charter Petition Revocation

The charter granted pursuant to this Petition may be revoked by the Authorizer if the Authorizer finds that TFSCS did any of the following:

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- Committed a material violation of any of the conditions, standards, or procedures set forth in this Petition.
- Failed to pursue any of the student outcomes identified in this Petition.
- Failed to meet generally-accepted accounting principles, or engaged in fiscal mismanagement.
- Knowingly and willfully violated any provision of law.

Prior to revocation, the county will notify TFSCS of any violation (as set forth above) in writing, noting the specific reasons for which the charter may be revoked, and give the school a reasonable opportunity to cure the violation.

Terms and Renewal

This charter for TFSCS will be for no more than five years. The charter may be renewed for subsequent five-year terms. TFSCS and [the Authorizer](#) will establish a mutually agreeable timeline to complete the renewal process.

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Amendments and Severability

Any amendments to this charter will be made by the mutual agreement of the governing boards of TFSCS and [the Authorizer](#). Material revisions and amendments shall be made pursuant to the standards, criteria, and timelines in Education Code Section 47605.

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The terms of this charter contract are severable. In the event that any of the provisions are determined to be unenforceable or invalid for any reason, the remainder of the charter shall remain in effect, unless mutually agreed otherwise by [the Authorizer](#) and TFSCS. The county and school agree to meet to discuss and resolve any issues or differences relating to invalidated provisions in a timely, good faith fashion.

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Sponsoring Direct Services

[Any](#) charter-requested services from LACOE will be on a fee-for-service basis, [if TFSCS requests and LACOE agrees to provide such services](#). Mutually agreed upon fees must be in place prior to the charter-requested service. TFSCS may outsource many of the services not retained from LACOE.

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ELEMENT O

LABOR RELATIONS

TFSCS is the exclusive employer of the employees of the Charter School for purposes of the Educational Employment Relations Act (“EERA”) (Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 fo the Government Code as required by Education Code Section 47605(b)(5)(O). TFSCS recognizes the employees’ rights under the EERA provisions to organize for collective bargaining and shall abide by all provisions of the EERA.

Deleted: . All employees are individually contracted.

LIABILITY AND INDEMNITY

To the fullest extent of law, TFSCS will be deemed to be a “school district” for purposes of Section 41302.5 and Section 8 and 8.5 Article XVI of the California Constitution.

The Board, the school Administrator, and their respective representatives are solely responsible for all aspects of the day-to-day operations of TFSCS, including, but not limited to, making necessary provisions for accounting, budgeting, payroll, purchasing, liability, insurance, and the like. The Authorizer will not be liable for the debts or obligations of TFSCS.

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TFSCS will secure and maintain appropriate workers compensation, as well as liability coverage, bond coverage, and insurance coverage, providing for, among other things, insurance for operation and procedures, personal injury, and property, fire, and theft from an A-rated insurance company. TFSCS will hold harmless and indemnify the Board, school management, the Authorizer, and the CDE for every liability claim, or demand that may be made by reason of:

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- Any injury to person or property sustained by TFSCS’s officers or employees, or by any person, firm, or corporation employed directly or indirectly by the charter school.
- Any injury to person or property sustained by any person, firm or corporation caused by an act, neglect, default, or omission of TFSCS, its officers, employees, or agents.
- The furnishing or use of any copyrighted or un-copyrighted composition, or patented or unpatented invention.

TFSCS does hereby agree, at its own expense, to indemnify, defend, and hold the SBE and the CDE, its officers, employees, and agents harmless from and against any and all claims, liabilities, legal proceedings, settlements, or judgments brought by any person or entity whatsoever, arising from, or relating to the charter agreement and/or operation of the charter

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school. Today’ Fresh Start Charter further agrees to indemnify, defend, and hold SBE and the CDE, its officers, employees, and agents harmless from and against claims, liabilities, legal proceedings, settlements or judgments brought by any person or entity if such claims, liabilities, legal proceedings, settlements, or judgments arising from or relating to acts or omission of acts committed by TFSCS, Inc., its officers, employees, whether employed directly or indirectly, agents, or students.

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TFSCS at its own expense shall be responsible for defending any claims, liabilities, or legal

proceedings brought against the charter school. In addition TFSCS shall be solely responsible for satisfying any resulting settlements or judgments rendered as the result of such liability, claim, or demand, whether or not such liability, claim, or demand was actually or allegedly caused wholly or in part through the conduct of TFSCS, the Board of Directors or their officers and employees.

TFSCS is an incorporated non profit public entity acting as a separate legal entity. The charter school has complete liability for all actions of the school and its employees in the performance of their duties. TFSCS further indemnifies and holds harmless, the SBE and CDE of any present or future liability for the charter school's actions. In event that the charter school is dissolved, all remaining assets will be liquidated and all creditors will be paid first. Any capital assets owned by the charter school, such as facility or property, purchased in whole or in part with public funds will be distributed to a public agency organized for educational purposes at the discretion of the Board of Directors. Any remaining asset will convert to a nonprofit public entity at the discretion of the Board of Directors.

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In order to mitigate both the potential legal and fiscal liabilities of the charter school, TFSCS will have in force at all times prepaid liability. The CDE and SBE will be named as "other named insured."

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At minimum, coverage will include:

- Workers' Compensation as required by the Labor Code of the State of California and Employers' Liability.
- Comprehensive Bodily Injury and Property Damage Liability for the combined single limit coverage of not less than \$2,000,000 per single occurrence. The SBE and CDE will be named as "other named insurers." The policy will also provide specifically that any
- insurance carried by SBE and CDE, which may be applicable to any claims or loss, shall be
- deemed excess, and TFSCS insurance primary, despite any conflicting provisions in the charter school's policy. Coverage shall be maintained with no self-insured retention.
- Commercial Crime including Fidelity Bond coverage for blanket employee theft, disappearance, destruction, and dishonesty in the amount of at least \$15,000 per occurrence, with no self-insured retention.

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LACOE will continue to be furnished with current certificates of insurance signed by an authorized representative of the insurance carrier. Certificates are endorsed to say:

"The insurance afforded by this policy shall not be suspended, cancelled, reduced in coverage or limits or non-renewed except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the SBE and CDE."

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The Authorizer has the right to require complete certified copies of the required insurance policies.

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TFSCS may also purchase coverage for the following:

- Directors and Officers (D & O) for wrongful acts (including coverage for employment practices) of at least \$2,000,000 each claim with an extended reporting period of not less
- than one year following termination of the charter.

- Professional Liability (E & O) for defense and damages for errors and omissions with a
- limit of \$1,000,000 each incident if health care services such as medical, nursing and/or counseling are provided to students. The policy shall have an extended reporting period
- of not less than one year following termination of the charter endorsed into the policy.
- Business Automobile Liability covering owned, non-owned and hired vehicles with a combined single limit of at least \$1,000,000 if vehicles are used in the performance of TFSCS transactions.
- Commercial All Risk Property for buildings and contents for full replacement cost.
- Student Accident Insurance with a limit of not less than \$10,000 per accident.

BUSINESS MANAGEMENT

Direct Funding

TFSCS elects to receive direct funding from the State Fund to be deposited into its own account at the County Treasury. All revenue generated by TFSCS is deposited in the Los Angeles County Treasury. All payments are drawn on the County Treasury, which enables the County PBAS (Program Budgeting Accounting System) to account for all revenue and expenditures. Revolving accounts with a local financial institution are maintained for day-to-day expenditures from the General Fund and from Food Services (if applicable).

In consideration of the services rendered by TFSCS pursuant to this charter, the charter school receives full and equitable funding pursuant to the Charter School Funding Model for all funds included in the funding model. This includes, but is not limited to, revenue limit apportionment, categorical block grant, economic impact aid, and state lottery funds. TFSCS will receive revenue payments based on student attendance (ADA) records and eligibility requirements.

TFSCS applies directly for funds not included in the charter school categorical block grant, but for which charter schools can apply directly. This includes, but is not limited to, programs such as class size reduction, staff development buy-back, Title 1, deferred maintenance, and the After-School Learning and Safe Neighborhood Partnership Program.

Attendance Accounting

Attendance accounting procedures used by TFSCS satisfy requirements for [the Authorizer](#) and CDE.

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Daily attendance is recorded on attendance roll sheets by classroom teachers. Absence notes are required from parents upon absence of a child from school. School attendance is completed and submitted to [the Authorizer](#), reporting enrollment and attendance figures to [the Authorizer](#) on a monthly basis. TFSCS will comply with all laws establishing minimum age for public school attendance.

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TFSCS utilizes a school attendance accounting system which includes the following features:

- Demographic information regarding students
- State standardized test results
- Class attendance information
- Staff information
- School survey programs
- Student schedules
- Extract capabilities

- Transfer and cumulative record information

Food Service Program

It is TFSCS intent to provide students with lunch and snacks from an appropriate Food Service Company, if applicable.

Facilities

TFSCS sites are located within the jurisdictional boundaries of the Los Angeles County Office of Education with Administrative Offices located at 4514 Crenshaw Blvd., Los Angeles, CA 90043. All sites comply with all building code standards and regulations adopted by the local Departments of Building and Safety and local Fire Departments. All facilities will hold Certificate of Occupancy as determined by the local Department of Building and Safety.

4466 Crenshaw Blvd. – Los Angeles 90043
4476 Crenshaw Blvd. – Los Angeles 90043
4480 Crenshaw Blvd. - Los Angeles 90043
4508 Crenshaw Blvd. – Los Angeles 90043
6422 Crenshaw Blvd, - Los Angeles 90043
2255 West Adams Blvd., - Los Angeles 90043
2301 East Rosecrans Avenue, Compton

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Los Angeles 90043¶

If TFSCS is granted the use of county facilities, specific lease terms will be negotiated in an annual operating agreement between LACOE and TFSCS outlining responsibility of major maintenance services, routine maintenance work and operations services, including janitorial, grounds keeping, and utility costs.

ELEMENT P

PROCEDURES TO BE USED IF THE CHARTER SCHOOL CLOSES

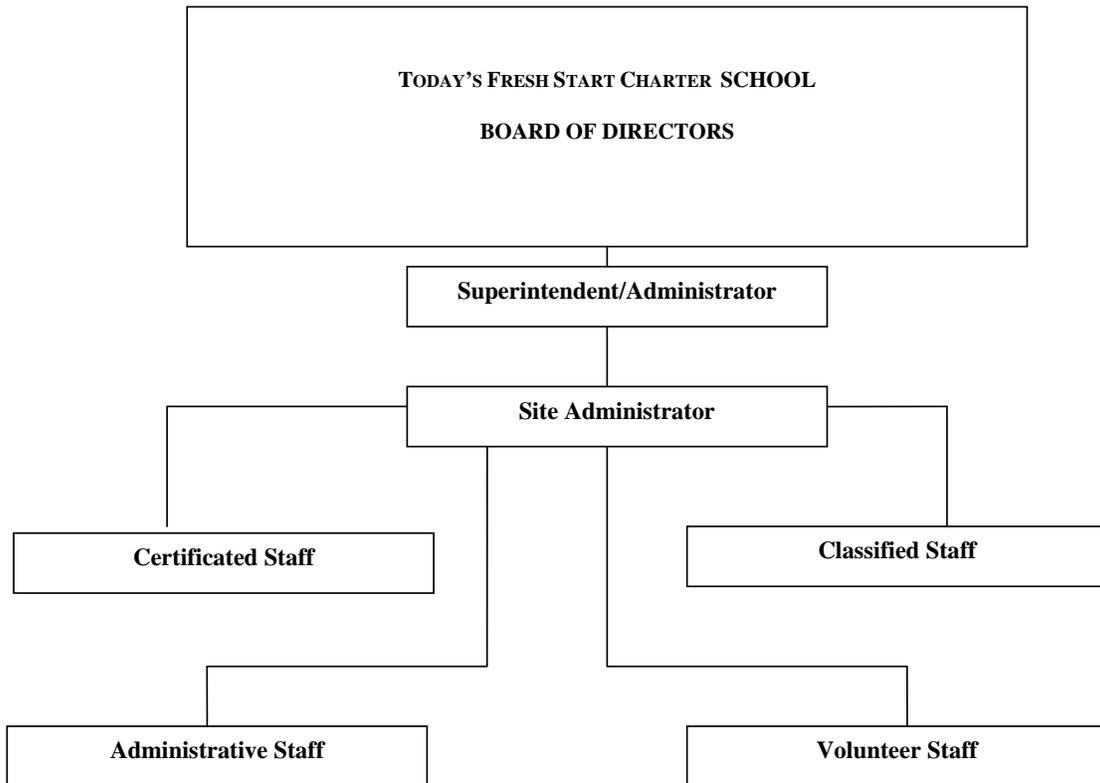
Based on AB1994, TFSCS will provide a description of the procedures to be used if the organization dissolves. The procedures shall ensure a final audit of the school to determine the disposition of all assets and liabilities of TFSCS, Inc, including plans for disposing of any net assets acquired with state funds and for the maintenance and transfer of pupil records. The procedures will include the following:

- The school Superintendent/Administrator will communicate in writing to TFSCS Board of Directors no later than 5 business days after a determination of voluntary closure or revocation.
- After notification, TFSCS Board of Directors will provide in writing, to all parents/guardian, teachers, administrators and consultants the date of school closure, information regarding alternative schools.
- Parents will be informed that all student records will be forwarded to LACOE or if LACOE will not accept them, at another location agreed upon with the Authorizer.
- Per our final audit in compliance with Generally Accepted Accounting Principles, a full disclosure will be provided to TFSCS Board of Directors to determine the disposition of assets and liabilities.
- Should the corporation have any assets at the time of closure, they will be given to another 501c.3 non-profit organization.
- A listing of all debts will be documented and made available to the Authorizer. All loans and obligations will be paid to the extent that cash is available.
- A full inventory will be kept of all purchases made with public funds and should dissolution occur, the property will be given to another 501c.3 non-profit corporation.
- Should dissolution occur, the Authorizer will be informed within 30 days prior to closing and all student records will be forwarded to LACOE or if LACOE will not accept them at another location agreed upon with the Authorizer.
- The Superintendent/Administrator will be on staff and responsible for closing all operations and answering parent questions up to 30 days after the announced day of closing, after which time no staff will be available.

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ORGANIZATION CHART



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Today's Fresh Start Charter School PARENT/STUDENT COMPACT

Parent Pledge

I understand that my child's studies are very important and my participation in activities at TFSCS is a critical component of my child's educational success. Therefore, I agree to carry out the following responsibilities to the best of my ability:

- I will attend at least two parent workshops during the school year.
- I will attend parent-teacher conferences as needed.
- I will help my child with homework and in home projects.
- I will attend festivals and forums with my child at least once a year (i.e. spelling bees, Math competition, etc.).
- I will provide a quiet place for my child to study.
- I will encourage my child to complete his or her homework and sign the completed work.
- I will ensure that my child attends school on a regular basis and on time.
- I will enforce the school code of conduct with my child, including promoting respect for teachers and all adults and students and replace any property damaged by my child.
- I will enroll my child in academic enrichment programs (tutoring, Reading Institute, etc.) if the teacher deems it necessary.
- I realize the importance of staying in TFSCS for a complete school year.
- I will respect the school environment, the school teachers and administration and all school staff.

Student Pledge

I know that going to school is very important. My parents and/or caregivers want me to try hard and do my best at TFSCS because this will help me become a lifelong learner with respect for all persons and environment. I agree to try and do the following things:

- I will do all the homework assigned to me the best I can and turn it in on time, neat, and organized.
- I will talk to my teachers if I have questions about my work.
- I will come dressed appropriately and on time.
- I will listen to the adults, who want to help me be a good person.
- I will serve my community.
- I will take care of my books and other materials the school lets me use and parents and/or caregivers will replace any books or school property that are lost, misused or damaged. I will bring my school supplies everyday and only the ones that are necessary and appropriate.

My-child and I have discussed the Parent/Student Commitment responsibilities. We understand that this commitment is binding to the extent that I/we will make every effort to comply and cooperate.

Student Signature Date

Parent/Guardian Signature Date

Parent/Guardian Signature Date

Student goals are determined by research findings and what we want students to know by the end of each grade level. The goals are aligned with state student learning standards. What we want students to be upon completion of each grade level (sequence of skill):

- Effective communicators (oral and written)
- Problem solvers
- Critical thinkers
- Bi-literate (Spanish Speaking Students)
- Computer literate
- Responsible citizens
- Standarized Test Scores will improve annually

TFSCS will meet statewide performance standards per the Charter Schools Act, section 47605 (c) (1) and are contained in the educational program which are age or grade-level appropriate and will include mastery of curriculum standards which include curriculum imbedded assessments of the state approved program, which includes all program aspects:

Core Academic Skills and Non-Academic Skills

Life-Long Learning Skills: Students will develop skills, which will enable them to pursue their own path of learning throughout their adult lives including study skills, ability to plan, initiate, and complete a project and ability to reflect on and evaluate one's own and other's learning

"Life" Skills: Students will develop skills necessary for a healthy adult life, including: job readiness and career development skills and higher education continuance skills, conflict resolution using non-violent techniques and other non-academic skills including leadership and citizenship.

History/Social Studies: Students will understand and apply civic, historical, and geographical knowledge in order to serve as citizens in today's world of diverse cultures

Mathematics: Students will develop abilities to reason logically and to understand and apply mathematical processes and concepts, including those within arithmetic, algebra, geometry, and other mathematical subjects which the staff and school governing board deem appropriate.

English/Language Arts: Students will demonstrate strong reading writing, listening, speaking and presentation skills in multiple forms of expression (e.g. written, oral, telephone conferencing) with communication skills appropriate to the setting and audience. They will comprehend and critically interpret multiple forms of expression, including literature from various time periods and cultures.

Science: Students will successfully utilize scientific research and inquiry methods to understand and apply the major concepts underlying various branches of science, which may include physics, chemistry, biology, ecology, astronomy, and earth sciences.

Social/Interpersonal Skills: Students will demonstrate *strong citizenship and leadership* skills by planning and implementing a project in service to the school and greater community; ability to engage in responsible and compassionate peer relationships

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Lisa Corr

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A student may be suspended from TFSCS for a maximum of 5 consecutive days if it has been determined by the evidence that a student has:

1. Continued truancy or tardiness.
2. Disrupted classroom program.
3. Possession of any dangerous object of no reasonable use to the pupil.
4. Stole or attempted to steal school or private property.
5. Unlawfully possessing, using, selling or otherwise furnishing, or under the influence of any controlled substance listed in the health and Safety Code or any alcoholic beverage, tobacco, or any intoxicant.
6. Continued willful disobedience or open persistent defiance of the authority of the school personnel.
7. Deface school or personal property.
8. Committing or attempting to commit inappropriate sexual behavior on another child.
9. Fighting or in any way causing physical injury to or on another child or another person.
10. Using racial slurs/hate language/name calling.
11. Willful or negligent conduct likely to result in injury to another student, school employee or other person.
12. Bullying, harassment or hazing of pupils or school property (e.g. "I dare you." "You better do this or that"; or ""I'm gonna make you," or, "You have to swallow this gold fish."
13. Forgery of notes, signatures, excuses, or other school documents by student.
14. Committing an obscene act, habitual profanity, vulgarity, using obscene language.

Variables that affect the consequences for inappropriate behavior include but are not limited to: age of student, severity of act, and intent. Administrative judgment will be relied upon to determine the appropriate consequence to be applied.

The bottom-line purpose of suspension procedures will be to ensure a safe and effective learning environment. Successful procedures will provide for due process for students and will be specific and concrete for parents and supported by the school community. While suspension is regarded as a last resort, unfortunately it has been necessary to maintain a safe learning environment.

Prior to suspending a student for a period of five days or less, if circumstances permit, an informal conference will be held, and the student's parent/guardian shall be given a written statement of the evidence justifying the reason for the suspension.

Jurisdiction

The governing board of Today's Fresh Start Charter School maintains jurisdiction over the discipline procedures of the charter school.

Who is Designated to Suspend?

The Superintendent/Administrator or designee is authorized to suspend any student who violates a school rule that warrants suspension. The Superintendent/Administrator or designee will determine if a student will be suspended from school. The Superintendent/Administrator or designee and staff will make every effort to work with the student and their family to determine effective methods of eliminating and/or reducing the negative behavior(s) of the student.

The Superintendent/Administrator or designee may suspend a student for up to 5 days. A student may be suspended for more than 5 consecutive days upon recommendation by the Superintendent/Administrator or designee and agreement by the parent/guardian. However, a student may not be suspended for more than 20 cumulative days in each school year unless the student transferred to TFSCS. Per the due process procedure a conference may be omitted prior to a suspension if the Superintendent/Administrator and/or his/her designee has determined that an "Emergency Situation" exists. An "Emergency Situation" in this case is defined as a situation determined by the Superintendent/Administrator and/or his/her designee to constitute a clear and present danger to the life, safety, or health of pupils or school personnel. If a pupil is suspended without a conference prior to suspension, both the student and parent/guardian shall be notified (by telephone) of the pupil's right to a conference and the student's right to return to school for the purpose of a conference.

Notice to Parents/Guardians

At the time of suspension, a school employee shall make a reasonable effort to contact the parent/guardian by telephone or in person to be followed up with written notification. The notice will state the specific evidence of the offense committed by the student. In addition, notice will also state the date and time the student may return to school. The schedule of a re-entry conference is included as well as informing the parents whether or not an *involuntary transfer* is recommended.

Length of the Suspension

The length of suspension for students may not exceed a period of 5 consecutive days. If a student is recommended and receives a suspension exceeding 5 consecutive days, a conference will be scheduled with the parent/guardian to inform them of the extended suspension. Arrangements will be made to provide students with classroom materials and current assignments to be completed at home during the length of an extended suspension.

Right to Appeal or Challenge

Short term suspensions may not be appealed or challenged unless challenged under the Family Education Rights to Privacy Act (FERPA). FERPA challenges are limited to the student's educational record regarding discipline procedures. Concerns under this part should be directed to the board of directors of TFSCS. If the parent/guardian is not satisfied with the decision of the board of directors, they may direct their concerns directly to the FERPA office: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue S.W. , Washington , D.C. , 20202-4605 ; 202-260-3887 (Voice) and 1-800-877-8339 TDD.

Due Process/Short Term Removal Procedures for Students with Disabilities

Students with disabilities and/or have an active IEP or 504 Plan will be subjected to the same due process as non-disabled students. If the IEP team or 504 team determines that a student needs an interim alternative placement, the procedures specified in the Southwest SELPA Procedure manual will be followed. A copy of the manual is maintained in the school office for review.

Involuntary Transfer

An *involuntary transfer* is the transfer of a student from Today's Fresh Start Charter School back to their district of residence. The purpose of an *involuntary transfer* is to ensure a safe and effective learning environment for all concerned. An *involuntary transfer* occurs when other means of correcting the student's behavior are not feasible or have repeatedly failed or due to the nature (severity) of the act/or the student poses a continued danger to his/her self and/or others. A student may be involuntarily transferred to his/her district of residence for committing any of the offenses that may lead to a suspension.

Due Process in the Cases of Involuntary Transfer to the District of Residence

Students may be recommended for an involuntary transfer by a Site Administrator and/or the Superintendent/Administrator if it has been determined that the student has committed an offense that warrants an involuntary transfer.

Notice to Parent/Guardian

When a student has violated a school rule, and is subject to an involuntary transfer, the parents will be formally notified. The notice to the parent/guardian will state the specific statements of facts, charges, and off the offense committed by the student, date, time and place of the conference and that an involuntary transfer is recommended. The parent/guardian will also be informed of the school of residence according to the last known address as determined by the District of Residence. The conference will be held as quickly as possible

Hearing Officer

Students recommended for involuntary transfer are entitled to a conference conducted by a Hearing Officer. The Hearing Officer will be a community member with knowledge of student discipline and attendance policies and procedures.

Appeal of Involuntary Transfer

The decision of the Hearing Officer to involuntarily transfer a student to his/her District of Residence is final. It may not be appealed.

Readmission

Students may not be re-admitted to Today's Fresh Start Charter School once they have been involuntarily transferred to their District of Residence.

Guns Free Act

Any student who has brought a weapon to school will be immediately involuntarily transferred to their District of Residence. In addition, TFSCS will recommend that the student be expelled from the District of Residence as a result of this offense. TFSCS will provide the District of Residence with all necessary evidence and pupil records to assist in the district's efforts to expel the pupil if they chose to follow through with the recommendation to expel.