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CHARTER
OF THE
LONG VALLEY CHARTER SCHOOL
A CALIFORNIA PUBLIC CHARTER SCHOOL

~~Whereas the Governing Board of the Fort Sage Unified School District received a valid charter petition on November 18, 2009 submitted pursuant to Education Code Section 47605, and~~

~~Whereas the Governing Board of the Fort Sage Unified School District, after holding a public hearing on December 16, 2009 and considering the level of parent and staff support, has determined that the applicants have assembled and presented a valid and meritorious charter petition for renewal of the Long Valley Charter School charter;~~

~~Resolved that the Governing Board of the Fort Sage Unified School District hereby approves and grants this charter petition renewal by a vote of ___ to ___ on January 20, 2010 for a period of five years beginning July 1, 2010.~~

~~Be it further resolved that this charter constitutes a binding contract upon the Fort Sage Unified School District and Long Valley Charter School.~~

~~Witnessed:~~

~~_____~~

~~President
Board of Trustees
Fort Sage Unified School District~~

TABLE OF CONTENTS

AFFIRMATIONS/ASSURANCES	3
I. Educational Program.....	6
II. Measurable Student Outcomes	16
III. Assessment Methods and the Use and Reporting of Data	18
IV. Governance Structure.....	20
V. Employee Qualifications.....	23
VI. Health and Safety Procedures	24
VII. Racial and Ethnic Balance	25
VIII. Admission Requirements	26
IX. Annual Financial Audits	27
X. Suspension or Expulsion Procedures	28
XI. Employee Retirement System.....	29
XII. Attendance Alternatives.....	30
XIII. Employee Rights.....	31
XIV. Dispute Resolution Process.....	32
XV. Public School Employer	34
XVI. School Closure	35
XVII. Financial Planning, Reporting, and Accountability	37
XVIII. Miscellaneous Provisions.....	41

AFFIRMATIONS/ASSURANCES

Long Valley Charter School (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)]
- Shall be deemed the exclusive public school employer of the employees of Long Valley Charter School for purposes of the Educational Employment Relations Act. [Ref. Education Code Section 47605(b)(5)(O)]
- Shall be non-sectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. Education Code Section 47605(d)(1)]
- Shall not charge tuition. [Ref. Education Code Section 47605(d)(1)]
- Shall admit all students who wish to attend Long Valley 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 Sections 47605(d)(2) and 51747.3, admission to the Charter School shall not be determined according to the place of residence of the student or his or her parents within the State. Preference in the public random drawing shall be given as required by Education Code Section 47605(d)(2)(B). 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)]
- 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)]
- 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.
- 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)]

- 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(1)]
- Shall at all times maintain all necessary and appropriate insurance coverage.
- 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)]
- Will follow any and all other federal, state, and local laws and regulations that apply to Long Valley Charter School including but not limited to:
 - Long Valley Charter School shall maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection.
 - Long Valley Charter School shall on a regular basis consult with its parents and teachers regarding the Charter School's education programs.
 - Long Valley Charter School shall comply with any jurisdictional limitations to locations of its facilities.
 - Long Valley Charter School shall comply with all laws establishing the minimum and maximum age for public school enrollment.
 - Long Valley Charter School shall comply with all applicable portions of the No Child Left Behind Act.
 - Long Valley Charter School shall comply with the Public Records Act.
 - Long Valley Charter School shall comply with the Family Educational Rights and Privacy Act.
 - Long Valley Charter School shall comply with the Ralph M. Brown Act.
 - Long Valley Charter School shall meet or exceed the legally required minimum number of school days.

- Long Valley Charter School shall comply with all laws related to independent study in charter schools including but not limited to Education Code Sections 47612.5 and 51745, *et seq.*

I. Educational Program

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

~~*Each semester as high school students enroll in the Independent Study program, their education facilitator meets with the student and parent to inform them about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Parents are informed that the Charter School is accredited by the Western Association of Schools and Colleges.*~~

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

Introduction

For the last five years, Long Valley Charter School has maintained an API exceeding 700. In three of those five years, the API has been 740 and above. LVCS has also met AYP for the last three years by encouraging all of our Second through Eleventh Grade students to participate in the State required standardized testing. By offering tutoring for CAHSEE test preparation, the CAHSEE passing rate has increased. In addition, a number of our students have had the honor of having works published by Creative Communications. Several of our high school students enter colleges and universities upon graduation each year.

Further, regarding the financial condition of Long Valley Charter School, with each audit the Charter School has complied with all state and federal laws and regulations and has continuously maintained adequate reserves.

Each semester as high school students enroll in the Independent Study program, their education facilitator meets with the student and parent to inform them about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Parents are informed that the Charter School is accredited by the Western Association of Schools and Colleges.

Mission Statement. The mission of Long Valley Charter School is to equip rural students with the educational skills necessary in the 21st century – the ability to read, write, speak, and calculate with clarity and precision, and the ability to participate intelligently and responsibly in a global society. Long Valley Charter School offers alternative choices through site-based

learning, independent study and distance learning, to enable students to acquire the knowledge necessary to make a difference in their lives. Long Valley Charter School provides a diverse, student-centered environment in which all students are held to high academic and behavioral standards. Students work in collaborative relationships, both within and outside the Charter School, and perform service to the community.

Our philosophy at Long Valley Charter School is: *“smart is not something you are, but something you get by working hard; knowledge is constructed.”* This principle is based on the *Efficacy Approach*, which believes that all people have the ability, but not everyone knows how to get smarter. The first step is to believe you can get smarter, because if you believe you can, you will work hard. We help our students work hard, keep focused, stay committed, and develop alternative strategies when they encounter obstacles. If they don’t learn the way we teach, we teach the way they learn.

People don’t get smarter unless they are given the opportunity to challenge themselves in an area slightly beyond their current abilities and knowledge. This challenge area is beyond the “comfort zone” and before the area where the student becomes frustrated by too much challenge. Our responsibility is to supply opportunities for children to progressively increase their abilities through providing the challenges and knowledge necessary to succeed in life.

Students to be Served. Long Valley Charter School admission is open to any resident of California, grade levels K-8 for site-based study and any resident of Lassen County or adjacent counties, grade levels K-12 for Independent Study. The Charter School began with its site-based program serving grades K-6, then evolved to include serving grades 7 and 8. Current enrollment at Long Valley Charter School ([at the end of the 2010-11 academic year](#)) for the Site-based program is ~~407~~110 students, and for the independent study program is ~~465~~340 students. [Long Valley Charter School plans to grow its enrollment over its charter term as follows:](#)

[2011-12: 525 total students](#)

[2012-13: 550 total students](#)

[2013-14: 575 total students](#)

[2014-15: 600 total students](#)

Long Valley Charter School operates in compliance with Education Code Section 47610(c), which requires the Charter School to comply with the minimum age for public school attendance and Title 5 California Code of Regulations Section 11960 which establishes the maximum age for public school attendance.

Overall Program Goals and Base for the Vision. Long Valley Charter School’s goal is to develop students who are competent, self-motivated, life long learners. Students shall possess skills, habits and attitudes to be successful throughout life. By providing a vehicle for meaningful parental involvement, we bridge the gap between school and home. Parents are the essential link in improving education. Students observe first hand their parents and teachers working together to make a difference. Long Valley Charter School identifies an educated person as one who possesses the following:

- Knowledge of and ability to demonstrate solid skills in reading, writing, and speaking.
- A core of knowledge which includes cultural, mathematical and scientific literacy.
- Ability to:
 - Think logically, critically, and creatively
 - Understand technology and its uses, and the ability to use technology as a tool
 - Find, select, evaluate, organize, and use information from various sources
 - Accept challenges and utilize opportunities
 - Develop comprehensive communication skills
- Knowledge of pertinent health issues and the development of physical fitness.

The personal qualities we will help students develop are:

- Cooperation, responsibility, confidence and productivity
- Concentration and perseverance
- Curious and inquisitive minds
- Honesty and courage (Trustworthiness)
- Respect and empathy for others and their views
- The ability to negotiate, compromise, and assist in finding group consensus (Fairness)
- The ability to appreciate, respect, and enjoy the visual and performing arts.

Families choose the Long Valley Charter School for a variety of reasons, which include:

- Enhanced educational opportunities
 - Emphasis on technology as a tool
 - Expanded cultural exposure through visual and performing arts
 - Community Outreach program
- Community involvement
- A cooperative, cohesive teaching environment
- Multi-age groupings to allow students to progress at their ability level
- Desire to have more control over the educational process
- Lack of challenge in the previous school experience
- Family philosophy, personal beliefs, and values

The Charter School consults with parents and teachers on a regular basis regarding the Charter School's education programs as required by the Charter Schools Act. Students that are not meeting the desired pupil outcomes are offered formal support programs such as Response to Intervention services, Title I services, and informal support programs such as after school tutoring.

Teaching Methodology: How Learning Best Occurs.

Our primary consideration will always be the education and welfare of all of our students. Students who attend Long Valley Charter School will be held to high academic and behavioral standards, and they must understand, accept, and be prepared to adapt to change. We also believe that providing students and parents with timely information regarding progress is a key to motivating achievement. By combining the three strategies above we will encourage students in the development of the habits of life-long learning.

Long Valley Charter School provides two separate learning options for our students: a rigorous, site-based classroom program (K-8) of instruction in standards-based learning that allows the school the freedom to innovate and evolve, and a non-classroom based independent study program (K-12) that is also standards-based and is combined with flexibility in the methods, materials, and scheduling of that learning. These two programs allow Long Valley Charter School to deliver a quality educational model that is driven by the needs of our students and is constantly reviewed and improved through the analysis of assessment data.

On-Site Program K-8

Instructional Delivery – Long Valley Charter School will involve all students in challenging learning experiences by implementing these practices:

- Standards-Based Instruction – LVCS utilizes state-adopted texts and materials in core subjects.
- Recognizing Individual Learning Styles – LVCS teachers incorporate teaching strategies to bring all students more equally into the learning process by recognizing that differences in learning styles affect how students learn.
- Learning Through Active Student Engagement – LVCS students participate in cooperative groups, project-based instruction, and inquiry learning that ensures they are actively engaged in their learning.
- Response to Intervention Program (RTI) – All LVCS students are provided access to core curriculum at their learning ability in order to allow them to successfully improve and achieve grade level standards in the general education setting.
- Student Goal Plan – Together with their teacher, LVCS students and parents will develop a SGP that includes short and long-term goals for student achievement.
- Special Education – LVCS will serve students with special needs, including challenges in the acquisition of English language skills, and will do so in compliance with all state and federal laws applicable to charter schools.

Independent Study Program K-12

The Long Valley Charter School Independent Study Program (K-12) is one that emphasizes personalized learning. Personalized learning is an approach to education that tailors learning according to the individual needs of each student. LVCS’s personalized learning system is a unique, blended classroom and non-classroom model that meets the needs and interests of each individual student, honoring and recognizing the unique gifts, skills, passions, and attributes of each child. At LVCS, the intent is to engage each child in the learning process in the most productive and meaningful way to optimize each child's learning potential and success. Parent and student choice, in the context of accountability to meet or exceed state curriculum standards, is respected. Instructors become personal and professional guides in the educational journey of each child, partnering with parents to grow together in that process. An ongoing dialogue is established that focuses on the elements and flow of learning itself, exploring ways to improve each child’s skills and knowledge, discussing what works for each individual, monitoring and adjusting for the success of the pupil. The goal is to help each child become a self-motivated,

independent learner, able to use different sources of information, problem-solve, organize time and effort, complete tasks set by themselves or others, and view the community and world as their learning space. We support a collaborative relationship between parent, student, teacher, and school in creating an optimal learning process. We also support a variety of learning choices and opportunities, both within and beyond the classroom, to address each student's individual learning needs and optimize each student's learning potential.

Students who attend Long Valley Charter School's Independent Study program come from varied backgrounds. We have students who come from highly motivated homes where parents are doing much of the direct instruction for their student, as well as students who have a wide range of talents and skills who are searching for a different way to get their education for either social or academic reasons. We also enroll high-risk students who struggle to succeed in one or more skill areas and/or may have other issues that have hindered their progress in other programs. As a public school, we are here to serve all students from all sets of circumstances, and to create a personalized learning program that will ultimately help them to be successful in meeting their full academic and social potentials.

- Our school provides a wide variety of elementary and secondary curriculum choices, as well as attention to individual learning styles, technology learning access, and different learning environments and opportunities.
- Parents are strongly encouraged and supported to be actively involved in their child's education and to take personal responsibility for ensuring that their children are learning successfully.
- We combine multiple assessment levels of student achievement. Certificated teachers facilitate and oversee student progress toward meeting state academic standards through the regular recording of detailed learning records, attaining extensive work portfolios, and conducting state mandated testing programs.

Snapshot of Program

At the time of enrollment, a credentialed teacher works with the family to conduct a pre-enrollment interview and define Independent Study requirements along with the student's educational goals. Curriculum options are discussed, including computer-based or more traditional methods. For high school students, graduation requirements and college or vocational goals are reviewed. A plan is then established that integrates California State content standards with the desired methods and approaches to learning.

Resources are checked out to the student and must be returned at the end of each school year. LVCS also has materials available in a library to augment the curriculum. Teacher-led classes are also offered to students on a weekly basis. Recent courses include snowboarding, digital painting, video game design, creative writing, digital photography, science labs, and various tutoring classes. These class offerings will continue to evolve as student interest and participation changes. Yet another option for our high school students is the opportunity to take college courses while still in high school. We currently have partnerships with Lassen Community College and Barstow Community College.

Following enrollment, the teacher will meet regularly to assign and evaluate student work, monitor attendance, and document student progress toward course completion. Our school feels these regular meetings are necessary to maintain the same standards, ethics, and quality control as other schools in the traditional setting. Samples in each of the core subjects of student work are submitted to the charter school each assignment period. Student work samples might include written work, video-taped performances, photo journals, etc. Progress is also recorded by semester report cards. Outcomes are also measured by the administration of state assessment tests.

Our charter school is a California public school and a state-certified diploma will be issued upon completion of graduation requirements. College preparatory and general courses are available. LVCS is fully accredited by The Western Association of Schools and Colleges (WASC).

Each curriculum area is evaluated and modified to meet the needs of the students on an adopted cycle. Current core programs include:

- Reading
 - Houghton Mifflin Literature (K-6)
 - [Prentice Hall Literature \(7-812\)](#)
 - [AGS Literature \(9-12\)](#)
 - [Glencoe Reader's Choice \(9-12\)](#)

 - Accelerated Reader (Renaissance Learning) (1-812)
 - Read Naturally
 - Teacher Developed Units

- Language Arts
 - Houghton Mifflin Language (K-68)
 - Prentice Hall Language (7-812)
 - Developmental Morphology (K)
 - Step Up to Writing (2-8)
 - Vocabulary and Literacy Skills (Renaissance Learning) (1-812)
 - The WRITE Institute
 - Teacher Developed Units

- Mathematics
 - [EnVision Math \(Scott-Foresman\) \(K-6\)](#)
 - [Progress in Math \(Sadler-Oxford\) \(K-6\)](#)
 - [McDougall Littell \(7-8\)](#)
 - [Prentice Hall \(7-12\)](#)
 - [AGS \(9-12\)](#)
 - Math Facts in a Flash (Renaissance Learning) (1-8)
 - Accelerated Math (Renaissance Learning) (1-8)
 - Teacher Developed Units
 - Touch Math

- Science
 - Houghton Mifflin (K-6)
 - [Glencoe \(7-812\)](#)
 - [Holt \(9-12\)](#)
 - [AGS \(9-12\)](#)
 - Teacher Developed Units
 - Accelerated Reader literature selections

- Social Sciences
 - [Houghton Mifflin \(K-8\)](#)
 - [History Alive \(7-8\)](#)
 - [AGS \(9-12\)](#)
 - [Globe Feron \(9-12\)](#)
 - [Glencoe \(9-12\)](#)
 - Whispers of the First Californians
 - Whispers of the Mission Trails
 - Accelerated Reader literature selections
 - Teacher Developed Units

Community Service Goals. Long Valley Charter School site based and Independent Study students have the opportunity to design and implement community service projects annually, documenting their work in a portfolio and presenting it for display to the public in a community exhibition.

Site-Based Educational Objectives. Our purpose is to create a place where learning is viewed as a life long quest, where program objectives evolve with the needs of the students. We strive to:

- Provide multi-age settings to encourage the development of pro-social attitudes of tolerance and responsibility
- Teach students to effectively utilize technology to expand learning opportunities
- Provide parents and students an expanded choice of educational opportunities
- Create opportunities for all members of the Charter School to assume leadership roles and accept responsibility for the learning of all students
- Provide and implement innovative teaching methods in an environment conducive to learning
- Inspire active learning
- Provide support for family based instruction

~~**Independent Study Educational Objectives.** Long Valley Charter School supports and facilitates independent study for families interested in this type of an alternative educational program pursuant to Education Code Sections 47612.5(b) and 51745-51749.3, and the regulations specified in Title 5, California Code of Regulations, Sections 11700-11710, through:~~

- ~~• Providing support for family based instruction~~

- ~~Lesson planning and consultation~~
- ~~Sharing Long Valley Charter School resources after school hours~~
- ~~Sharing Community Outreach programs and assemblies~~
- ~~Participation in extracurricular activities at Long Valley Charter School~~

Community Outreach Program. The Community Outreach Program is designed to bring a wide variety of educational information to our students through multiple methods. Long Valley Charter School utilizes the community as a learning resource at the Charter School through visiting experts, field studies, mentors, and possibly student internships. The Community Outreach Committee developed partnerships with community colleges, universities, professional and humanities groups, and performing and visual arts groups to expose the students to career opportunities and cultural enrichment. Our purpose is to give our children the opportunity to dream about the multiple possibilities for their future.

The Community Outreach Committee invites Independent Study students and students from Fort Sage School District (the “District”) to share events with Long Valley Charter School. Long Valley Charter School has cooperative ventures with the other schools in the District such as Outdoor Education Camp, Lit Jam and Lit Fest that enhance opportunities for all families in our community.

Student Goal Plan. All students deserve the opportunity to develop interests, uncover hidden talents, experience satisfaction and accomplishments. Each student enrolled in the Charter School has an opportunity to develop a Student Goal Plan (SGP). This is an individually defined program created by the teacher, the parent and student, to set achievement goals for academic progress. The SGP is closely tied to measurable student outcomes and assessment procedures, and is periodically reviewed by the student, teacher, and parents. Students and parents receive assessment reports throughout the year, which indicate the students’ progress toward the goals outlined in their SGP. Students also receive report cards appropriate for their grade level. Students in the grades K-3 site-based program receive Standards Based Report Cards. Students in the grades 4-8 site-based program receive report cards with traditional letter grades and the report card system is evolving to the Standards Based Report Cards. Independent study students receive grade appropriate report cards with traditional marks.

Staff Enrichment Program. Each member of the teaching staff at Long Valley Charter School provides and participates in the staff enrichment program. Each teacher chooses projects that mutually benefit the Charter School staff. These projects may be an innovative teaching method, program or concept. Upon approval of the project by the Advisory Council, the Enrichment Teacher receives training, which they share with the rest of the staff through in-service. The Enrichment Teacher is responsible for providing staff support for this project throughout the year. The purpose of the Staff Enrichment Program is to improve the quality of education, build a cooperative, cohesive staff, promote shared responsibilities, and facilitate open communication among our educators.

Transferability and Eligibility of Courses. When an independent study program high school student and his or her parents have the first meeting with their Education Facilitator, they are informed of the California high school graduation requirements and the courses required by the

California State University system. Students are enrolled in the courses required for their individual goals that meet California high school graduation requirements. Parents and students are informed that some high schools may not consider all courses transferable and that the Charter School is accredited with the Western Association of Schools and Colleges. The California State University system has accepted courses creditable under the “A” to “G” admissions criteria to meet college entrance requirements.

Serving Academically Low-Achieving Students

The Charter School offers tutoring in the basic subjects for low performing student Independent Study during traditional school hours. We are using Scantron to establish base-line performance in the areas of reading, math and language arts for our Independent Study students only to help identify students’ needs and to show student growth. It will also show us which students have advanced skills in these areas. Site-based students are assessed with DIBELS and the Scholastic Test of Achievement in Reading to establish both base-line and growth scores for reading. All students use the Accelerated Reader on-line reading assessment program. Site-based students are assessed with the Accelerated Math on-line program. All students are assessed in basic math skills using Math Facts in a Flash.

Site-based students who perform low in the area of reading are offered Title 1 teacher assistance as well as reading interventions in small group settings allowing for intensive reading instruction for an additional twenty minutes a day Monday through Thursday.

Serving Academically High-Achieving Students

Advanced Independent Study high school students may enroll in Barstow Community College on-line course work beginning in grade 9 based on STAR scores, report cards, and teacher observation or on campus at Lassen Community College to take course work for high school credit and if their parents choose to pay the tuition, students may earn their AA by the time they graduate from high school. We also offer several visual and performing arts options such as music, dance, and art for our students through private vendors.

Serving English Learners

Overview

The Charter School will meet all applicable legal requirements for English Learners (“EL”) as it pertains to annual notification to parents, student identification, placement, program options, EL and core content instruction, teacher qualifications and training, re-classification to fluent English proficient status, monitoring and evaluating program effectiveness, and standardized testing requirements. The Charter School will implement policies to assure proper placement, evaluation, and communication regarding ELs and the rights of students and parents.

Home Language Survey

The Charter School will administer the home language survey upon a student’s initial enrollment into the Charter School (on enrollment forms).

CELDT Testing

All students who indicate that their home language is other than English will be CELDT tested within thirty days of initial enrollment¹ and at least annually thereafter between July 1 and October 31st until re-designated as fluent English proficient.

The Charter School will notify all parents of its responsibility for CELDT testing and of CELDT results within thirty days of receiving results from publisher. The CELDT shall be used to fulfill the requirements under the No Child Left Behind Act for annual English proficiency testing.

Reclassification Procedures

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

- Assessment of language proficiency using an objective assessment instrument including, but not limited to, the California English Language Development Test or CELDT.
- Participation of the pupil's classroom teachers and any other certificated staff with direct responsibility for teaching or placement decisions of the pupil to evaluate the pupil's curriculum mastery.
- Parental opinion and consultation, achieved through notice to parents or guardians of the language reclassification and placement including a description of the reclassification process and the parents opportunity to participate, and encouragement of the participation of parents or guardians in the reclassification procedure including seeking their opinion and consultation during the reclassification process.
- Comparison of the pupil's performance in basic skills against an empirically established range of performance and basic skills based upon the performance of English proficient pupils of the same age that demonstrate to others that the pupil is sufficiently proficient in English to participate effectively in a curriculum designed for pupils of the same age whose native language is English.
- The Student Oral Language Observation Matrix will be used by teachers to measure progress regarding comprehension, fluency, vocabulary, pronunciation, and grammar usage.

Strategies for English Learner Instruction and Intervention

¹ The thirty-day requirement applies to students who are entering a California public school for the first time or for students who have not yet been CELDT tested. All other students who have indicated a home language other than English will continue with annual CELDT testing based upon the date last tested at the prior school of enrollment.

All LVCS current teachers have completed ELD course work or testing (SDAIE) to be able to instruct English Learners. Most of our curriculum includes ELD materials.

Serving Students with Disabilities

Overview

The Long Valley 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 (“IDEIA”).

The Charter School shall be categorized as a public school of the County in accordance with Education Code Section 47641(b).

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

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

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 Executive Education Director 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 IDEIA but found ineligible for special education instruction or related services under the IDEIA, 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 IDEIA, a referral for assessment under the IDEIA 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 site administrator will ensure that teachers include 504 Plans with lesson plans for short-term substitutes and that he/she review the 504 Plan with a long-term substitute. A copy of the 504 Plan shall be maintained in the student's file. Each student's 504 Plan will be reviewed at least once per year to determine the appropriateness of the Plan, needed modifications to the plan, and continued eligibility.

The Charter School continues to function as a "public school of the County Office of Education" for purposes of providing special education and related services pursuant to Education Code Section 47641(b).

The Charter School and County annually, in good faith negotiate, and enter into a written agreement to more clearly specify the desired mix of special education funding and services to be provided. The Charter School enjoys reasonable flexibility to decide whether to receive services, funding, or some combination of both pursuant to Education Code Section 47646(b).

The Charter School and the County work in good faith to document the specific terms of this relationship in an annual agreement or memorandum of understanding.

The Charter School shall have the right to pursue independent local education agency (LEA) and/or special education local plan area (SELPA) status pursuant to Education Code Section 47641(a), ~~and the District shall not hinder, or otherwise impede the efforts of the Charter School to do so.~~ In the event that the Charter School opts not to establish independent LEA and/or SELPA status, it shall remain an arm of the County for special education purposes as required by Education Code Section 47641(b), and/or shall continue to receive funding and services pursuant to the terms of this section and its annual agreement.

II. Measurable Student Outcomes

Governing Law: The measurable pupil outcomes identified for use by the charter school. "Pupil outcomes," for purposes of this part, means the extent to which all pupils of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school's educational program. Education Code Section 47605(b)(5)(B).

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

Long Valley Charter School provides teachers, parents, and students specific grade level standards at the beginning of each school year. Student outcomes align with the California State content and performance standards, pursuant to Educational Code 47605(c)(1). Long Valley Charter School students participate in all state-mandated testing programs.

Students will continue to demonstrate increased skills and understanding of core subjects including:

- Language Arts
 - Reading, oral and written language
 - Literature from various time periods and cultures
- Mathematics
 - Developing the ability to reason logically and understand and apply mathematical concepts and processes, including those within arithmetic, algebra, geometry, and other mathematical subjects the staff and school board consider appropriate.
 - Comprehensive understanding of how math is applied to the real world in technology today.
- Science
 - Utilizing 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.
 - Comprehensive understanding of how science is applied to the real world in technology today.
- Social Sciences
 - Civic, historical, and geographical knowledge in order to serve as citizens in today's world of diverse cultures.

Students will also continue to demonstrate the skills that Long Valley Charter School has determined are necessary to become a life long learner, including:

- Technology as a resource to increase knowledge
- Increased awareness of their environment and community

- An appreciation of visual and performing arts

Finally, it is the Charter School's goal that LVCS will meet or exceed its Academic Performance Index (API) growth targets both school wide and in reportable subgroups.

In order to best serve our students and community, Long Valley Charter School will continue to examine and refine its list of student outcomes over time to reflect the Charter School's mission and any changes to state or local standards that support this mission. Long Valley Charter School will submit to the ~~District Board~~California Department of Education ("CDE") a description of any changes to the above student outcomes.

III. Assessment Methods and the Use and Reporting of Data

Governing Law: The method by which pupil progress in meeting those pupil outcomes is to be measured. Education Code Section 47605(b)(5)(C).

Long Valley Charter School meets all statewide standards and conducts the pupil assessments required pursuant to Education Code Section 60605 and 60851 and any other statewide standards authorized in statute or pupil assessments applicable to pupils in non-charter public schools.

All Long Valley Charter School students will continue to demonstrate growth appropriate for each student as outlined in their individual Student Growth Plan in all of the core academic areas. Non-special needs and non-English Learner students will continue to demonstrate growth before promotion to the next grade. Academic growth is determined through the use of multiple measures, as described below. Academic growth for special needs and EL students is defined appropriately according to their Individualized Education Plans and/or English proficiency levels.

Long Valley Charter School students are assessed in each of the core academic skill areas by a combination of ongoing “authentic” assessments. These assessments include the following measurement tools:

- Statewide assessment testing through the STAR (Standardized Testing and Reporting) program
- School adopted benchmark curriculum assessments (including STAR Reading, Early STAR Literacy, and Accelerated Math)
- The students’ personal Student Goal Plan
- Samples of student work (writing, projects, etc.)
- Self-evaluation by the student
- Demonstration of student’s skills and knowledge through performance based instruction
- Observation and evaluation by teachers

The results of these assessments are shared regularly with parents through the following means:

- Conferences and Student Goal Plan reviews
- Progress reports and report cards
- Student testing and class/homework
- Publication of a SARC annually-?
- Disclosing API each school year
- Disclosing AYP each school year
- Disclosing the overall attendance rate
- Disclosing expected school-wide learning results

Charter School Evaluation and Review. Each year, Long Valley Charter School will conduct a program evaluation to determine the effectiveness of all aspects of the program by evaluating measurable student growth. The Education Director or designee will make the resulting reports available to the Advisory Council and the ~~sponsoring district~~authorizer.

The Education Director or designee of Long Valley Charter School shall make an annual presentation as desired by ~~to the District Board~~CDE, on the results of the evaluations which will assess all aspects of the Charter, including but not limited to: program content, management, budget, and future plans. The assessment may be accomplished by, but is not limited to, the following methods: analyzing the charter/parent evaluation, discussing the Charter School with the Charter Staff, and evaluating measurable student growth.

IV. Governance Structure

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

The Long Valley Charter School is operated as a California Nonprofit Public Benefit Corporation pursuant to California law. The Charter School is governed pursuant to the bylaws adopted by the incorporators, as subsequently amended pursuant to the amendment process specified in the bylaws, attached hereto as Attachment A.

The Long Valley Charter School governing structure is addressed in Figure 1 below. Long Valley Charter School is governed by the Long Valley Charter School Board of Directors, which will include not less than five members. Directors will be elected according to the Long Valley Charter School Election Policy. The Directors' major roles and responsibilities include:

- Establishing, approving, and supervising all major educational and operational policies
- Approving all major contracts
- Reviewing and approving the Charter School's annual budget
- Approving changes to the budget greater than 5% of the total annual ADA
- Overseeing the Charter School's financial affairs
- Selecting and evaluating the top administrative staff
- Approving Charter amendments by a 2/3 majority

The Board of Directors shall accept, consider, and be responsive to input from all stakeholders. The Board of Directors facilitates the identification of problems and the consensus building needed to identify and implement solutions that will help to maintain a successful school. Consensus is defined as agreement to a solution by all those involved, agreement means that the participants can live with a solution, even though some may not like it. On major issues the Charter School will survey parents and staff to determine if the solutions have their support. When solutions are outside of the authority of this charter, the Board of Directors will inform the ~~Fort Sage Unified School District Board of Trustees~~CDE. Unless the ~~Board of Directors~~CDE or ~~State Board of Education ("SBE")~~ vetoes the solution within sixty days after it first appears on a Board of Trustees agenda and is presented by the Education Director, or designee, at a Board meeting, the solution will become a part of this charter and will be reflected as an amendment that will be attached at the end of this charter in sequence as "Amendment 1, Amendment 2, etc." If the issue requires immediate attention, the Long Valley Charter School would like a determination by the next regularly scheduled board meeting.

Long Valley Charter School's Board of Directors may initiate and carry on any program, activity, or may otherwise act in any manner which is not in conflict with or inconsistent with, or preempted by, any law and which is not in conflict with the purposes for which charter schools are established.

The Board of Directors may execute any powers delegated by law to it and shall discharge any duty imposed by law upon it and may delegate to an officer or employee of the Charter School

any of those powers or duties. The Board of Directors, however, retains ultimate responsibility over the performance of those powers or duties so delegated.

Stakeholders of the Long Valley Charter School are elected to the Board of Directors in accordance with the Long Valley Charter School Election Policy. The stakeholders are defined as parents of students enrolled at Long Valley Charter School and staff members.

The Charter School bylaws permit one representative of the ~~Fort Sage Unified School District Board of Trustees~~authorizer, at its election, to sit on the Long Valley Charter School Board of Directors. ~~To prevent any real or perceived conflict of interest, the District representative shall not be a District staff member or a County staff member employed at Fort Sage Unified School District, nor shall he or she be a member of the District or County Board.~~This representative is to sit on the Board of Directors as a ~~non~~voting member to facilitate communications and mutual understanding between Long Valley Charter School and ~~Fort Sage Unified School District~~the SBE and CDE.

The Education Director hired by the Long Valley Charter School Board of Directors is provided with an applicable job description and a contract approved by the Charter School Board of Directors. The Education Director implements the established direction and outcomes of the Charter School program in order to achieve the Charter School's goals and objectives and to further the Charter School's philosophy. The Education Director is responsible for:

- Recommendations for hiring and termination of certificated staff pursuant to Charter School personnel policy and subject to the Board of Directors approval
- Supervising and evaluating all certificated staff members of the Charter School
- Presenting an annual report of programs to the ~~District Board~~CDE and the Charter School Board of Directors
- Liaison between the Board of Directors and the ~~District Board~~SBE/CDE
- Liaison between the Board of Directors and the Advisory Council
- Liaison between the Charter School and the community

The Financial Director hired by the Long Valley Charter School Board of Directors is provided with an applicable job description and contract approved by the Charter School Board of Directors. The Financial Directory is responsible for:

- Budget preparation and presentation to the Board of Directors
- Overseeing all daily and fiscal operations of the Charter School
- Presenting an annual financial report to the ~~District Board~~CDE and the Charter School Board of Directors
- Supervising and evaluating all classified staff members of the Charter School
- Liaison between the Board of Directors and the ~~District~~SBE/CDE Board
- Liaison between the Board of Directors and the Advisory Council
- Liaison between the Charter School and the community

The Long Valley Charter School formed an Advisory Council composed of equal members of staff, and parent/community members. The staff members consist of the Education Director,

representatives of certificated and classified staff. School-wide problems are identified by means of a suggestion box or by stakeholders. The Advisory Council is the forum where these problems are first publicly discussed. The Advisory Council works to create solutions that are acceptable until consensus is reached, or all objections have been addressed. This Council has the opportunity to make educational and operational recommendations to the Long Valley Charter School Board of Directors and the Education Director. It works with parents to develop parental involvement strategies and policies, and to submit the policies to the Board of Directors for approval.

In addition to the governance structure illustrated in Figure 1, Long Valley Charter School incorporated a Community Advisory Board as a resource for the School Board and the Executive Education Director. The Community Advisory Board is comprised of qualified interested community members such as business owners, community leaders, politicians, and members of the professional community.

Figure 1: Governance Structure

Local Education Agency Fort Sage Unified School District <u>State Board of Education</u>			
LVCS Board of Directors			
LVCS Advisory Council		Education Director	Financial Director
Technology Committee	Visual & Performing Arts Committee	FSUSD Business Office/LCOE Business Office	LVCS Staff
Library Committee	Community Outreach Committee		

The Long Valley Charter School is non-sectarian in its programs, admissions policies, employment practices, and all other operations, does not charge tuition, and does not discriminate on 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).

V. Employee Qualifications

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

The Long Valley Charter School retains or employs teaching staff who hold appropriate California teaching certificates, permits, or other documents issued by the Commission on Teacher Credentialing. These teachers teach the core academic classes of mathematics, language arts, science, and history/social studies. Core teachers are responsible for overseeing the students' academic progress, and for monitoring grading.

The Long Valley Charter School also employs or retains non-certificated instructional support staff, in any case where a prospective employee has an appropriate mix of subject matter expertise, professional experience, and the demonstrated capacity to work successfully in an instructional support capacity.

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

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

The Education Director must hold an Administrative Services Credential. A masters degree is preferred.

The position:

The Education Director will be directly responsible to the Board of Directors and will supervise all education programs in accordance with Board policies. The Education director will implement the established direction and outcome of the education program in order to achieve the Charter's goals and objectives and to further the Charter School's philosophy. Although the Education Director may delegate appropriate powers and duties so that operational decisions can be made at various administrative levels, she/he is responsible for the execution of these powers and duties and will establish administrative regulations as needed to manage the school.

Responsible to: Long Valley Charter School Board of Directors

Qualifications:

1. Proven record of successful elementary school administrative experience as a superintendent, or site administrator (i.e. principal, vice principal).
2. Appropriate administrative credential, a Master's degree preferable.

3. Must have the knowledge and understanding of how to integrate and manage particular facets of school operation; including academics, and curriculum, extra-curricular, personnel, and legislative process, with an awareness of the contribution of all employees to the success of the school.
4. Knowledge of the latest curriculum, teaching and management techniques, with a focus on achieving basic and advanced academic performance.
5. Ability to develop and maintain cooperative working relationships with the entire community, including staff, students, parents, Board of Directors, Fort Sage Unified School district, and the business and non-profit community.
6. The proven ability to select, train, supervise and evaluate education staff, and a commitment to continued staff development as a means to improve the school's program.
7. Ability to manage educational changes and be responsive to community needs.
8. Excellent communication skills, both oral and written, and a record of effective communication with staff, families and Board members.
9. A firm commitment to quality education and creative approaches to program management, development and implementation.
10. A commitment to Long Valley's charter and to working collaboratively with staff, parents, and Board members to make the best policy decisions possible for the school and its students.

Job Description:

1. Duties related to the Board

The Education Director

- Advises the Board on the need for new and/or revised policies and makes policy recommendations based on data and input from staff, advisory council, and other resources.
- Submits recommendations to the board relative to all matters requiring Board action, together with the materials needed for informed decisions five days prior to regular board meetings and as timely as possible prior to special board meetings.
- Reports monthly on all school programs.
- Conducts special studies requested by the Board.
- Secures legal opinions when requested.
- Submits staff communications to the Board or to the Board committees at regular Board meetings, with or without recommendations.
- Liaison between the Board of Directors and the Advisory Council.

2. Duties related to Staff:

The Education Director:

- Coordinates the work of all educators (independent study and site) and volunteer staff.
- Selects and recommends to the Board the best-qualified and most competent candidates for employment, in accordance with nondiscrimination policy and affirmative action plans.
- Advises the Board regarding the leave, classification, resignation, promotion, suspension, or dismissal of school employees, pursuant to charter school personnel policy and subject to the approval of the Board of directors.
- Supervises and evaluates each certified staff member identifying appropriate opportunities for continued professional development.
- Maintains appropriate channels of communication with the school and ensures that certificated staff is informed about relevant federal, state, and county laws, district policies, regulations and procedures, and matters related to the improvement and welfare of the school.

3. Duties related to Students and the Educational Program

The Education Director:

- Enforces compulsory attendance laws.
- Continuously observes the instructional program in the school and provides the Board with regular evaluations of school programs and student progress.
- Together with certified staff, studies the curriculum and makes recommendations to the Board regarding courses of study, major changes in textbooks and time schedules, and potentially sound innovative programs.
- Apprises the Board of contemporary educational practices and related legislative issues, which she/he discovers by reading, attending professional conferences, and visiting other school systems.
- Assists and supports the teachers in modifying student behavior.
- Under appropriate circumstances, recommends a student's suspension or expulsion to the Board.

4. Duties related to Non-instructional Operations

The Education Director:

- Maintains and updates adequate census and scholastic, property records, and personnel records.
- Makes recommendation to the Board regarding maintenance, safety, improvement and/or expansion of school facilities, sites, equipment, and transportation services.
- Development and implementation of approved school policy.
- Develops instructions and regulations governing the use and care of school properties for school purposes.
- Liaison between the Board of Directors and the District Board in education matters.

5. Duties related to the Community

The Education Director:

- Represents and advocates for the Board in relationships with city, county, state, and federal governments, private agencies, and the school community.
- Sees that the community is informed about school matters through appropriate informational materials.
- Participates in appropriate community organizations and functions to obtain support for the attainment of school goals.
- Hears complaints against the school and resolves controversies between employees or between employees and students and/or their parents/guardians.

The Charter School will either employ a Financial Director, or will hire a third party contractor to perform the services described below, at the LVCS Board's discretion. The Financial Director must hold a baccalaureate degree in business or a related field.

The position:

The Financial Director/Business Advisor will be directly responsible to the Governing Board and will supervise all school financial operations in accordance with Board policies. The Financial Director/Business Advisor will act as co-director and controller of all financial activities. The Financial Director/Business Advisor will implement the established direction and outcomes of the school finances in order to achieve the Charter's goals and objectives and to further the school's philosophy. This position is a confidential position.

Responsible to: Long Valley Charter School Board of Directors

Qualifications:

1. Experience in Business, Accounting, or management related field.
2. Experience in school fiscal management
3. Advanced skills in basic office procedures and the operation of common office equipment, machines, and computer software.
4. Excellent oral and written communication skills and a record of effective communications with staff, families, and Governing Board members.
5. Ability to develop and maintain cooperative working relationships with the entire community including staff, students, parents, Governing Board members, Fort Sage Unified School District and the business and non-profit community.
6. A commitment to Long Valley's Charter and to working collaboratively with staff, parents and Board members to make the best financial decisions possible for the school and its students. This candidate must be dedicated to becoming familiar with Charter School Law and working within the Charter School system.

7. This position requires a positive, pleasant, approachable personality that must promote a friendly office environment. The candidate must work cooperatively with the Education Director, staff and community.
8. Entrepreneurial ability to manage changes and be responsive to community needs.

Job Description:

1. Duties related to the Board

The Financial Director/Business Advisor

- Advises the Board on the need for new and/or revised financial policies and makes policy recommendations based on data and input from staff, advisory council, Lassen County Office of Education. And other resources.
- Submits to the Board recommendations relative to all financial matters requiring Board action, together with the materials needed for informed decisions.
- Reports monthly on all school financial operations.
- Conducts special studies requested by the Board.
- Secures legal opinions when requested.

2. Duties related to Staff:

The Financial Director/Business Advisor

Analyzes, organizes, and performs payroll operations and procedures. Such as:

- Coordinates activities of workers engaged in recording hours of work, processing time records, compiling payroll statistics, maintaining payroll control records, and calculating payrolls.
- Reviews, or directs the review of, personnel records to determine names, rates and pay, and occupations of newly hired workers, and changes in wage rates and occupations of employees in payroll.
- Records new or changed pay rates in payroll register or computer files.
- Reviews and approves payroll deductions.
- Interprets company policies and government regulations affecting payroll procedures.
- Reviews payroll to ensure accuracy.
- Answers employee's questions and records employee enrollment in benefit programs.
- Distributes information on and explains benefits programs such as retirement, pension, health, life, disability, and worker's compensation plans to employees and dependents.
- Investigates and resolves questions regarding delivery and payment for services by contacting health care professionals and other service providers, benefit plan providers, and employees.
- Verifies benefits enrollment forms.
- Reviews reports from plan providers to verify accuracy and resolve differences.
- Maintains file of enrollment forms and other documentation.

- Sends enrollment information and payment to benefit plan providers and other plan providers and employees.
- Calculates amount of employee's paycheck deduction for benefits, submits to payroll, and resolves discrepancies.
- Produces reports for benefit deductions.

Compiles and maintains personnel records by performing the following duties:

- Records employee information such as personal data, compensation, benefits, tax data, attendance, performance reviews, or evaluations, and termination date and reason.
- Informs employees on Worker's Compensation claims.
- Processes employment applications and assists in other employment activities such as fingerprinting, and background checks.
- Updates employee files to document personnel actions and to provide information for payroll and other issues.
- Examines employee files to answer inquires and provides information to authorized persons.
- Computes wages and records data for use in payroll processing.
- Compiles and maintains records for in employee benefits administration.
- Prepares and files reports of accidents and injuries at establishment.
- Provides information to applicants regarding application process, employment policies, organization, and open positions.
- Instructs applicants on completing employment applications, reviews applications for completeness, and obtains additional information from applicants such as work experience, education, training, skills and references.
- Acknowledges applications and notifies applicants of job opening status.
- Administers and scores proficiency tests given to applicants.
- Compiles and files data related to applicants and open positions.
- Prepares and posts job openings internally.
- Places advertisements for open positions with agencies and media.

Advises the Board regarding the leave, classification, resignation, promotion, suspension, or dismissal of school employees, pursuant to charter school personnel policy and subject to the Board of Directors' approval. Assigns financial and secretarial personnel within the school in accordance with Board policy. Supervising and evaluating of staff members under their supervision and identifies appropriate opportunities for continued professional development.

Maintains appropriate channels of communication within the school and ensures that staff is informs about relevant federal, state, and county laws, district policies, regulations and procedures, and matters related to the improvement and welfare of the school.

3. Duties related to Students and the Educational Program

The Financial Director/Business Advisor:

- Enforces compulsory attendance laws.
- Propose, implement, and monitor new lunch system and accounts for school-wide lunch program.

4. Duties related to Financial Operations

The Financial Director/Business Advisor:

- Seeks and identifies sources of income and funding, including grant writing.
- Familiarizes self with Charter School laws and finances, acknowledging that they may be different from standard educational code and finance.
- Maintains and updates adequate census and scholastic, business and property records, and personnel records.
- Submits to the Board periodic financial and budgetary reports, which identify the school's outstanding obligations.
- Annual budget preparation and presentation to the Board of Directors.
- Facilitates and administers proper budget controls and analysis of expenditures.
- Independently prepares a variety of complex fiscal and financial reports that require the compiling and computation of data from a variety of records and/or sources for the Board and for the State.
- Completes and/or monitors federal and state applications for funding.
- Maintains all categorical program budgets and reporting status of the same to the Board of Directors and staff to guard against overspending or excessive carryover of such funds and accounts.
- Monitors all revenue and expenditures within all funds and accounts.
- Develops and maintains confidential budgetary information pertaining to negotiations.
- Monitors processing of accounts payable, accounts receivable, and purchase orders.
- Acts as liaison to the district auditor.
- Responsible for monitoring of attendance accounting reports.
- Maintains copies of attending waivers & monitors their progress.
- Is the acting secretary to the Board of Trustees & fills in at board meetings in the absence of the Secretary.
- Presents financial reports to the Board of Trustees as required.
- Monitors all bids.
- Overseeing all daily and fiscal operations of the school.
- Approves all expenditures in accordance with Board policy and within Board approved appropriation limits.
- Presenting an annual report to the District Board and the Charter School Board.
- Makes recommendation to the Board regarding maintenance, safety, improvement and/or expansion of school facilities, sites, equipment, and transportation services.
- Development and implementation of approved school financial policy.
- Develops instructions and regulations governing the use and care of school properties for school purposes.

- Apprises the Board of contemporary financial practices and related legislative issues, which he/she discovers by reading, attending professional conferences, and visiting other school systems.
- Liaison between the Board of directors and the District Board.
- Performs other related duties as assigned.

5. Duties related to the Community

The Financial Director/Business Advisor:

- Represents and advocates for the Board in relationships with city, county, state, and federal governments, private agencies, and the school community.
- Sees that the community is informed about school matters through appropriate informational materials.
- Participates in appropriate community organizations and functions to obtain support for the attainment of school goals.

Persons employed in teaching positions must hold a valid California teaching credential.

Teacher Criteria:

Teachers must demonstrate experience/expertise in:

- 1) Communicating effectively and positively with students, staff, administration, and community.
- 2) Working collaboratively and flexibly with a team, (i.e. sharing materials and ideas, planning units, and contributing to school-wide programs and activities).
- 3) Providing an educational program and integrating curricula for students in their classroom.
- 4) Implementing standards, outcomes, and authentic tasks.
- 5) Growing as a teacher, as reflected in satisfactory teacher evaluations, including areas of recommendation.
- 6) Working to meet the needs of children who are educationally handicapped, unmotivated, and at risk.
- 7) Using educationally appropriate materials and strategies, including the use of math manipulatives and cooperative grouping strategies.
- 8) Demonstrating the use of successful and positive discipline strategies.

Qualifications:

The applicant should:

- 1) Possess an appropriate credential or license.
- 2) Be certified in CPR and first aid.
- 3) Have good physical and mental health.
- 4) Be dependable, cooperative and maintain professional appearance and behavior.
- 5) Respect all issues of confidentiality.

- 6) Have a high level of expertise in elementary education as documented through performance evaluations, recognition from peers or recognition from experts.
- 7) Have enthusiasm for teaching and professional learning as demonstrated through participation in recent in-services, college courses, and other professional activities.
- 8) Demonstrate a positive attitude and energy toward school goals.
- 9) Have the ability to plan integrated instructional units with other classroom teachers and the teachers of special needs children.
- 10) Have an in-depth knowledge of and successful application of current teaching/learning theory to improve the success of children.
- 11) Have a high degree of interest and/or depth of knowledge in pursuing the use of technology as an instructional tool.
- 12) Demonstrate enthusiasm and excitement of teaching and learning with willingness to work collaboratively with students, staff, administration and community.
- 13) Have a willingness to work with parents, students, community members and business groups.
- 14) Believe and have worked to implement an educational philosophy that supports high success for all students.
- 15) Have a willingness to cooperate and contribute to positive decision making and problem solving in the school culture.
- 16) Knowledge of the latest curriculum, teaching and management techniques, with a focus on achieving basic and advanced academic performance.
- 17) A firm commitment to quality education and creative approaches to program implementation.
- 18) A commitment to Long Valley's charter and to working collaboratively with staff, parents, and Board members to make the best policy decisions possible for the school and its students.

Performance Responsibilities:

- 1) To create a classroom environment that is safe and educationally appropriate, where all students can accomplish a high level of learning and success.
- 2) To help students develop an awareness of themselves and their capabilities.
- 3) To develop lesson plans and instructional materials to ensure a balanced and complete program. Such plans to be submitted to the administrator each Friday.
- 4) To instruct students in citizenship, communication skills and development of work habits.
- 5) To work collaboratively and cooperatively with staff members, parents, students, and administrators to best meet the needs of students and develop an atmosphere of trust.
- 6) To communicate regularly with students, parents, staff, and administrator.
- 7) To establish and maintain standards of student behavior needed to achieve a functional learning atmosphere.
- 8) To develop and implement standards, policies, and/or guidelines for the school.
- 9) To recognize the positive public relations value of your program and to work with others to promote the positive efforts of students.

- 10) To demonstrate and model to students and community the natural use of technology as a tool in providing learning opportunities for students and in conducting the business of our school.
- 11) To recognize the need to function as a team and possess a willingness to be flexible and creative.
- 12) To seek ways to provide support and enhance student learning, and the instructional processes in the school, through the use of community experts and professional contributors
- 13) To collaborate and contribute toward the development of assessments to evaluate the growth and success of student, teacher, and school goals.

Persons employed as paraprofessionals or paraeducators must be highly qualified by holding an associate degree or passing of the CODESP and receiving a certificate as a highly qualified paraprofessional/paraeducator.

VI. Health and Safety Procedures

Governing Law: The procedures the school will follow to ensure the health and safety of pupils and staff. These procedures shall include the requirement that each employee of the school furnish the school with a criminal record summary as described in Section 44237. Education Code Section 47605(b)(5)(F).

Long Valley Charter School adopted and implemented a comprehensive set of health, safety, and risk management policies, which are attached hereto as Attachment B. It is our intent to operate a safe, risk free school to protect students and staff alike. The policies were developed in consultation with the Charter School's insurance carriers address the following issues:

- A requirement that all enrolling students and staff provide records documenting immunizations to the extent required for enrollment in non-charter public schools.
- A requirement that each employee and contractor of the Charter School submit to a criminal background check and furnish a criminal record summary as required by Education Code Sections 44237 and 45125.1.
- A Policy requiring tuberculosis testing for employees.
- Policies and procedures for responding to emergencies and natural disasters.
- Policies and procedures for contacting parents or guardians in case of an emergency.
- Policies relating to the prevention of exposure to blood borne pathogens and communicable diseases.
- A policy relating to the administration of medication in school. ~~We have a procedure that but not a Board Policy.~~
- A policy requiring that instructional staff receive training in emergency response, including "first responder" training or an equivalent.
- A policy establishing that Long Valley Charter School operates as a drug, alcohol, and tobacco free workplace. ~~I cannot find this policy as a Board Policy. It is in our Employee Handbook.~~
- A policy for the prevention of sexual harassment.
- A policy for detecting and reporting child abuse and neglect. ~~In Employee Handbook.~~
- A policy for facility safety, including seismic safety.
- A policy requiring the completion of the California School Immunization Record including proof of examination for tuberculosis to determine if immunization requirements have been met, using the "California "Immunization Requirements for Grades K-12." The Charter School will participate in the annual vision, hearing, ~~and scoliosis, and diabetes~~ screening provided by the Lassen County Office of Education. Students will be screened for vision, hearing and scoliosis. The Charter School will adhere to Education Code Section 49450, et seq., as applicable to the grade levels served by the Charter School.
- Diabetes: The Charter School will provide an information sheet regarding type 2 diabetes to the parent or guardian of incoming 7th grade students, pursuant to Education Code Section 49452.7. The information sheet shall include, but shall not be limited to, all of the following: (1) A description of type 2 diabetes; (2) A description of the risk factors and warning signs associated with type 2 diabetes; (3) A recommendation that students displaying or possibly suffering from risk factors or warning signs associated with type 2

diabetes should be screened for type 2 diabetes; (4) A description of treatments and prevention of methods of type 2 diabetes; and (5) A description of the different types of diabetes screening tests available.

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

VII. Racial and Ethnic Balance

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

Long Valley Charter School does not discriminate against any student or employee 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). Each student who attends Long Valley Charter School does so on a voluntary basis, and the program appeals to all people. The Long Valley Charter School implemented a student and employee recruitment strategy that included, but is not limited to the following elements to ensure a racial and ethnic balance that is reflective of the general population residing within the territorial jurisdiction of the District:

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

The outreach plan will be regularly reviewed and revised as necessary to ensure racial and ethnic balance.

VIII. Admission Requirements

Governing Law: Admission requirements, if applicable. Education Code Section 47605(b)(5)(H).

Students are considered for admission without regard to ethnicity, national origin, gender, disability, religion, or achievement level or any other characteristic described in Education Code Section 220. Admission to the site based school is open to any resident of California. Independent study students must be residents of Lassen County or adjacent counties. Prospective students and their parents or guardians receive material regarding the Charter School's instructional and operational philosophy, and student-related policies. Upon enrollment, students and parents are required to agree to comply with rules and regulations of the student/parent handbook, and commit to attend school everyday.

In the event there are more applicants than capacity, attendance, except for existing pupils, will be determined by public random drawing. The following priorities will be utilized in the event of a random public drawing: Long Valley Charter School adopted and maintains policies granting admissions preference to families

1. Students who live in the previously established attendance area of Long Valley Charter School;
2. Siblings of existing students who reside within the District;
3. Siblings of existing students who reside outside the District
4. the Children of staff members who reside within the District;
5. Children of staff members who reside outside of the District
6. and those Students on the previous year's wait list who reside within the District;
7. Students on the previous year's wait list who reside outside of the District
8. All other District residents
9. All other applicants

~~Subsequent preference is given to students who live in District boundaries.~~ The student enrollment capacity level is set by the Long Valley Charter School Board of Directors. Students who do not achieve enrollment through the public random drawing are placed on a waiting list for enrollment, in the order in which their names were drawn in the public random drawing. They will be contacted in accordance with their number on the list, as vacancies in their appropriate grade levels become available. The Charter School's Admissions and Attendance Polices are attached hereto as Attachment D.

The Long Valley Charter School requests parents or guardians to participate at the Charter School by volunteering. Participation activities will be outlined in the Parent Student Handbook.

IX. Annual Financial Audits

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

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

The Board of Directors 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 to the ~~District, the County Superintendent of Schools, the State Controller,~~ and to the CDE by the 15th of December of each year. The Educational Director and the Finance Director will review any audit exceptions or deficiencies and report to the Charter School Board of Directors with recommendations on how to resolve them. The Board will submit a report to the ~~District-SBE/CDE~~ describing how the exceptions and deficiencies have been or will be resolved to the satisfaction of the ~~District-SBE~~ along with an anticipated timeline for the same. Audit appeals or requests for summary review shall be submitted to the Education Audit Appeals Panel (“EAAP”) in accordance with applicable law.

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

X. Suspension or Expulsion Procedures

Governing Law: The procedures by which pupils can be suspended or expelled.” Education Code Section 47605(b)(5)(J).

~~The Long Valley Charter School developed and maintains a complete set of student discipline policies, which comply with state and federal due process requirements for both general and special education students, and which are attached hereto as Attachment E. These policies are included in, and distributed as part of the Charter School handbook, and clearly outline the Charter School’s expectations regarding attendance, mutual respect, violence, safety issues, work habits, and substance abuse policy. Each student and his or her parent or guardian will be required to sign an agreement that he or she has reviewed and understands the Charter School’s policies upon enrollment.~~

~~Long Valley Charter School shall notify the Fort Sage Unified School District of any expulsions.~~

~~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 this Policy and Procedures are available on request at the Education Director’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 general education students except when federal and state law mandates additional or different procedures. The Charter School will follow all applicable federal and state laws including but not limited to the California Education Code, when imposing any form of discipline on a student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a~~

suspected disability or who is otherwise qualified for such services or protections in according due process to such students.

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 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 student had obtained written permission to possess the item from a certificated school employee, with the Education Director or designee's concurrence.

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

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

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

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 Education Director or the Education Director'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 Education Director or designee.

The conference may be omitted if the Education Director 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 Education Director or Education Director'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 Education Director or designee upon either of the following: 1) the pupil's presence will be disruptive to the education process; or 2) the pupil poses a threat or danger to others. Upon either determination, the pupil's suspension will be extended pending the results of an expulsion hearing.

D. Authority to Expel

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

J. Disciplinary Records

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

K. No Right to Appeal

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

L. Expelled Pupils/Alternative Education

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

M. Rehabilitation Plans

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

N. Readmission

The decision to readmit a pupil or to admit a previously expelled pupil from another school district or charter school shall be in the sole discretion of the Board following a meeting with the

Education Director 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 Education Director 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 Education Director 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.

XI. Employee Retirement System

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

Certificated Employees may participate in the State Teachers' Retirement System ("STRS"). All other employees may participate in and federal Social Security, or other retirement systems depending on each individual's eligibility, choice, and current law. The Financial Director or designee is responsible for ensuring that appropriate arrangements for retirement coverage have been made for all employees.

XII. Attendance Alternatives

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

Enrollment at the Long Valley Charter School is entirely voluntary on the part of the students who attend. The traditional program of ~~Fort Sage Unified School District~~ local school districts continues to be an option for all students who choose not to enroll in the Charter School.

On admissions forms, ~~T~~the Charter School will inform the parent or guardian of each pupil enrolled in the Charter School that the pupils have no right to admission in a particular school of any local education agency (or program of any local education agency) as a consequence of enrollment in the Charter School, except to the extent that such a right is extended by the local education agency.

XIII. Employee Rights

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

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

All employees of the Charter School will be considered the exclusive employees of the Charter School and not of the District, unless otherwise mutually agreed in writing. Sick or vacation leave or years of service credit at the District or any other school district will not be transferred to the Charter School. Employment by the Charter School provides no rights of employment at any other entity, including any rights in the case of closure of the Charter School.

XIV. Dispute Resolution Process

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

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

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

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

Disputes between the Charter School and the Charter-Granting Agency. In the event that the Charter School or granting agency has disputes regarding the terms of this charter or any other issue regarding the Charter School and grantor’s relationship, both parties agree to follow the process outlined below. The “oversight reporting and revocation procedure” set forth below is specifically exempted from this mediation procedure.

In the event of a dispute between the Charter School and the grantor, the staff and members of Board of Directors of the Charter School and ~~District~~ the SBE administration agree to first frame the issue in written format, and refer the issue to the superintendent of the granting agency and education director or designee of the Charter School. In the event that the grantor believes that the dispute relates to an issue that could lead to the revocation of the charter, the Charter School requests that this shall be specifically noted in the written dispute statement. The Charter School agrees that these dispute resolution procedures cannot be utilized to impede or prevent the ~~District-SBE~~ from proceeding toward revocation or non-renewal which shall be done in accordance with Education Code Section 47607.

The Education Director, or designee, and ~~Superintendent~~ representatives of the SBE shall informally meet and confer in a timely fashion to attempt to resolve the dispute. In the event that this informal meeting fails to resolve the dispute, both parties shall identify two ~~Governing Board members~~ representatives from of their respective boards who shall jointly meet with the ~~Superintendent representative~~ of the ~~District or County~~ SBE and Education Director or designee of the Charter School and attempt to resolve the dispute.

If this joint meeting fails to resolve the dispute, the ~~Superintendent-SBE representative~~ and Education Director, or designee, shall meet to jointly identify a neutral, third party mediator whose expense shall be shared equally by both parties. The format of the mediation session shall be developed jointly by the ~~Superintendent-SBE representative~~ and Education Director or designee. If mediation does not resolve the dispute either party may pursue any other remedy available under the law. All procedures in this section may be revised upon mutual written

agreement of the ~~District~~-SBE and the Charter School. The cost of mediation shall be equally split between the ~~District~~-SBE and the Charter School.

Long Valley Charter School recognizes that the State Board of Education may choose to resolve a dispute directly instead of pursuing the dispute resolution process specified in this charter, provided that it first hold a public hearing to consider arguments for and against the direct resolution of the dispute instead of pursuing the dispute resolution process specified in the charter. If the substance of a dispute is a matter that could result in the taking of appropriate action, including, but not limited to, revocation of the charter in accordance with Education Code Section 47604.5, the matter will be addressed at the State Board of Education's discretion in accordance with that provision of law and any regulations pertaining thereto.

Oversight Reporting and Revocation. The ~~Fort Sage Unified School District~~SBE/CDE may inspect or observe any part of the Charter School at any time. While not legally required, the Charter School asks, but recognizes it cannot compel, reasonable notice prior to any observation or inspection.

This charter may be revoked or non-renewed by the authority that granted the charter, ~~the District Board of Trustees~~, pursuant to Education Code Section 47607.

If the ~~Governing Board of the District~~SBE believes it has cause to revoke this charter, the ~~board~~ SBE agrees to notify the Board of Directors of the School in writing, noting the specific reasons for which the charter may be revoked, and grant the School reasonable time to respond to the notice and take appropriate corrective action.

XV. Public School Employer

Governing Law: A declaration of whether or not the charter school shall be deemed the exclusive public school employer of the employees of the charter school for purposes of the Educational Employment Relations Act (Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code). Education Code Section 47605(b)(5)(O).

The Charter School shall be deemed the exclusive public school employer of the employees of the Charter School for the purposes of the Educational Employment Relations Act (“EERA”). The Charter School recognizes the employees’ rights under the EERA provisions to organize for collective bargaining.

XVI. Closure

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

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

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

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

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

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

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

As soon as reasonably practical, the Charter School will prepare final financial records. The Charter School will also have an independent audit completed within six months after closure.

The Charter School will pay for the final audit. The audit will be prepared by a qualified Certified Public Accountant selected by the Charter School and will be provided to the ~~District~~ SBE/CDE promptly upon its completion. The final audit will include an accounting of all financial assets, including cash and accounts receivable and an inventory of property, equipment, and other items of material value, an accounting of the liabilities, including accounts payable and any reduction in apportionments as a result of audit findings or other investigations, loans, and unpaid staff compensation, and an assessment of the disposition of any restricted funds received by or due to the Charter School.

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

On closure of the Charter School, all assets of the Charter School, including but not limited to all leaseholds, personal property, intellectual property and all ADA apportionments and other revenues generated by students attending the Charter School, remain the sole property of the Charter School and shall be distributed in accordance with the Articles of Incorporation upon the dissolution of the non-profit public benefit corporation to another California public educational entity. Any assets acquired from the ~~District-SBE/CDE~~ or ~~SBE/CDE District~~ property will be promptly returned upon Charter School closure to the ~~SBE/CDE District~~. The distribution shall include return of any grant funds and restricted categorical funds to their source in accordance with the terms of the grant or state and federal law, as appropriate, which may include submission of final expenditure reports for entitlement grants and the filing of any required Final Expenditure Reports and Final Performance Reports, as well as the return of any donated materials and property in accordance with any conditions established when the donation of such materials or property was accepted.

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

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

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

XVII. Financial Planning, Reporting, And Accountability

Budgets and Financial Plan

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

A multi-year financial plan for the Charter School is attached. This plan is based on the best data available to the developers at the time the plan was assembled. Attached as Appendix A, please find the following documents:

1. A projected annual budget
2. An interim financial report as of October 31

Financial and Programmatic Reporting

Budget and Financial Reporting Schedule

The Charter School will annually prepare and submit to the ~~District~~CDE:

- On or before July 1st, a final budget
- On or before December 15th, an interim financial report which reflects changes to the final budget through October 31st. Additionally, on December 15, a copy of the Charter School's annual, independent financial audit report for the preceding fiscal year shall be delivered to ~~the District~~, State Controller and, State Department of Education ~~and County Superintendent of Schools~~
- On or before March 15th, a second interim financial report which reflects changes to the final budget through January 31st
- On or before September 15th, a final unaudited financial report for the prior full fiscal year

Attendance Accounting

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

Reporting

The Charter School will provide reporting to the ~~District~~CDE as required by law and as requested by the ~~District~~CDE including but not limited to the following: California Basic Educational Data System (CBEDS), actual Average Daily Attendance reports, all financial

reports required by Education Code Sections 47604.33 and 47605(m) (as stated above) and the School Accountability Report Card (SARC).

The Charter School agrees to and submits to the right of the ~~District SBE/CDE~~ to make random visits and inspections in order to carry out its statutorily required oversight.

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

Insurance

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

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

Insurance Certificates

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

Administrative Services

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

Long Valley Charter School will do its own accounting and be its own fiscal agent and may contract for management, educational and other services. Any services provided by the District to the Charter School shall be contracted on a fee for services basis, to be addressed in a memorandum of understanding.

~~A fiscal reconciliation plus or minus will come within 90 days of the close of the District's fiscal year. The Charter School will bear the cost of an audit at the close of each school year.~~

Facilities

Governing Law: The facilities to be utilized by the school. The description of facilities to be used by the charter school shall specify where the school intends to locate. Education Code Section 47605(G); A petition for the establishment of a charter school shall identify a single charter school that will operate within the geographic boundaries of that school district. Education Code Section 47605(a)(1)

School Location

The Long Valley Charter School ~~has leased~~ ~~was granted~~ the use of the property, facility, educational materials and equipment, and furnishings known as Long Valley School that is located on parcel AP#141-060-35-11 at 436-965 Susan Drive, Doyle, California 96109 ~~from Fort Sage Unified School District~~. Long Valley Charter School is the sole occupant of the facility and grounds unless a mutually agreeable arrangement is made with Fort Sage Unified School District. All property currently on the premises or encumbered by Long Valley School purchasing procedures purchased with District funds remains the property of the District and remains on the Long Valley Charter School site. All property currently on the premises or encumbered by Long Valley School purchasing procedures purchased with site funds remains the property of the School and remains on the Long Valley Charter School site. Long Valley Charter School also currently operates two independent study offices for teachers to meet with students/families in our independent study program. The existing resource center locations are as follows:

Doyle: 436-965 Susan Drive, Doyle, California 96109

~~Our Susanville: office is located at 900 Main Street, Susanville, CA, 96130 and our Aturas office is located at 1205 West 3rd Street, Alturas, CA 96101.~~

Portola: 280 E. Sierra Ave., Portola, CA 96122

Cottonwood: 3308 Main Street, Cottonwood, CA 96022

Redding: 1615 Continental Street, Redding, CA 96001 (pending approval of the charter material revision)

Impact on Charter Authorizer

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

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

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

Further, the Charter School and the ~~District-SBE~~ have entered into a memorandum of understanding which provides for indemnification of the ~~District-SBE~~ by the Charter School. Insurance amounts are described above and will be updated as needed by recommendation of the insurance company for schools of similar size, location, and type of program. The ~~District-SBE~~ shall be named an additional insured on the general liability insurance of the Charter School.

The corporate bylaws of the Charter School provide for indemnification of its Board of Directors, officers, agents, and employees, and the Charter School will purchase general liability insurance, Directors and Officers insurance, and fidelity bonding to secure against financial risks.

XVIII. Miscellaneous Provisions

Term. The term of this charter shall begin July 1, 2010 and expire five years thereafter, or on June 30, 2015, with option for renewal.

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

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

Severability. The terms of this charter contract are severable. If any term or provision of this charter is deemed invalid or unenforceable, the remainder of this charter shall remain in effect, unless mutually agreed otherwise by the ~~Fort Sage Unified School District~~SBE and the Governing Board of the Charter School. The ~~district~~SBE/CDE and the school agree to meet to discuss and resolve any issues or differences relating to invalidated provisions in a timely, good faith fashion.

Communications. All official communications between Long Valley Charter School and ~~Fort Sage Unified School District~~the State Board of Education or California Department of Education will be sent via First Class Mail or other appropriate means to the following addresses:

Long Valley Charter School
Department of Education
P.O. Box 7
Doyle, CA 96109

~~Fort Sage Unified School District~~California
~~P.O. Box 35~~Charter Schools Division
~~Herlong, CA 96113~~1430 N Street
~~1430 N Street~~Sacramento, CA 95814

Business Agreement. The Long Valley Charter School and ~~Fort Sage Unified School District~~SBE will engage and develop a mutually agreeable Memorandum of Understanding outlining the following provisions. The ~~Fort Sage Unified School District~~SBE will receive ~~31%~~31% of all ~~general-purpose entitlement and categorical block grant funds for all~~general-purpose entitlement and categorical block grant funds for all Long Valley Charter School ~~site based students residing within the District's boundaries~~revenue. The District will receive ~~1% of all general-purpose entitlement and categorical block grant funds for all Long Valley Charter School Independent Study students and site based students who reside outside of the district's boundaries.~~1% of all general-purpose entitlement and categorical block grant funds for all Long Valley Charter School Independent Study students and site based students who reside outside of the district's boundaries. The Charter School will receive ~~the remaining~~the remaining general-purpose entitlement and charter block grant funds, 100% of applicable Lottery, Instructional Materials Funds, and other operational funding, as well as an equitable percentage of all applicable categorical funds outside the Charter School Block Grant, in addition to the State and Federal grants, special education and one time funding. ~~Funds coming to the District and not to a specific group (i.e., transportation, etc.) will be apportioned to Long Valley Charter School as they are to other schools in the District.~~