

Olive Grove Charter School Charter

Introduction

This charter petition proposes the establishment of the Olive Grove Charter School. Under the new charter, the school will continue most operations of a predecessor charter school, the Olive Grove Home Study Charter School. Olive Grove Home Study Charter School was a dependent school governed by the Board of Trustees of the Los Olivos School District. The new charter petition proposes to operate Olive Grove Charter School as a California nonprofit public benefit corporation.

Olive Grove Charter School anticipates retaining staff from the predecessor charter school and hiring additional new staff to operate the school to perform functions previously performed by the staff of Los Olivos School District staff. This includes a director and additional administrative staff. As the budget permits, this may also include additional instructional staff.

Under its previous charter, the Olive Grove Home Study Charter School functioned with four meeting spaces within Santa Barbara County and one additional facility in San Luis Obispo County. The previous charter school will continue to operate at the existing Los Olivos site, which serves about 35 students, and the proposed new charter school will operate the remaining existing sites, which collectively serve about 300 students. At these sites, Olive Grove Charter School anticipates preserving the educational program as it currently functions and making updates to the program, such as increased use of technology to enhance its educational offerings. The school anticipates that most students enrolled in the predecessor school will enroll in the new school.

Background: California Charter Schools

In 1992, the state legislature created charter schools to introduce, develop and encourage instructional innovation. Charter schools afford the community and pupils the opportunity to develop approaches outside the traditional classroom environment and were designed to provide teachers, parents, pupils, and community members with a vehicle to expand parental choice in educational options. California Education Code 47601 states that charter schools are intended to accomplish the following:

- Improve pupil learning.
- Increase learning opportunities for all pupils, with special emphasis on expanded learning experiences for pupils who are identified as academically low achieving.
- Encourage the use of different and innovative teaching methods.

- Create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site.
- Provide parents and pupils with expanded choices in the types of educational opportunities that are available within the public school system.
- Hold the schools established under this part accountable for meeting measurable pupil outcomes and provide the schools with a method to change from rule-based to performance-based accountability systems.
- Provide vigorous competition within the public school system to stimulate continual improvements in all public schools.

The Charter Schools Act of 1992, as subsequently amended, established sixteen required elements to be included in a charter petition. The sixteen required elements are as follows:

1. A description of the educational program.
2. Measurable pupil outcomes.
3. Methods to assess pupil progress.
4. Governance structure.
5. Employee qualifications.
6. Health and safety procedures.
7. Racial and ethnic balance.
8. Admission requirements.
9. Financial and program audits.
10. Pupil suspension and expulsion.
11. Retirement systems for staff.
12. Attendance alternatives.
13. Employee rights.
14. Dispute resolution process, oversight, reporting, and renewal.
15. Labor relations.
16. School closure procedures.

This charter for the establishment of Olive Grove Charter School is respectfully submitted to the Board of Education of the Cuyama School District.

Legal Affirmations and Assurances

The Olive Grove Charter School (“Olive Grove,” the “Charter School,” or OGCS”) shall follow any and all federal, state, and local laws and regulations that apply to the Charter School, including but not limited to the following:

1. 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. (Ed. Code § 47605(c)(1).)
2. 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. (Ed. Code § 47605(b)(5)(O).)
3. The Charter School shall be non-sectarian in its programs, admissions policies, employment practices, and all other operations. (Ed. Code § 47605(d)(1).)
4. The Charter School shall not charge tuition. (Ed. Code § 47605(d)(1).)
5. The Charter School shall admit all students who wish to attend the Charter School, and who submit a timely application; unless the Charter School receives a greater number of applications than there are spaces for students, in which case each application will be given equal chance of admission through a public random drawing process subject to legally required or allowable preferences as set forth below. Except as required by Education Code Section 47605(d)(2), admission to the Charter School shall not be determined according to the place of residence of the student or his or her parents within the State. Preference in the public random drawing shall be given as required by Education Code Section 47605(d)(2)(13). 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). (Ed. Code § 47605(d)(2)(A)-(B).)
6. The Charter School shall not discriminate on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics). (Ed. Code § 47605(d)(1).)
7. The Charter School shall adhere to all provisions of federal law related to students with disabilities including, but not limited to, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990 and the Individuals with Disabilities Education Act.
8. The Charter School shall meet all requirements for employment set forth in applicable provisions of law, including, but not limited to credentials, as necessary. (Title 5, California Code of Regulations (“5 C.C.R.”), §§ 11967.5.1(f)(5)(C).)
9. The Charter School shall ensure that teachers in the Charter School hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which teachers in other public schools are required to hold. (Ed. Code § 47605(l).)

10. The Charter School shall, for each fiscal year, offer at a minimum, the number of minutes of instruction per grade level as required by Education Code Section 47612.5(a)(1)(A)-(D).
11. 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. (Ed. Code § 47605(d)(3).)
12. The Charter School shall maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection. (Ed. Code § 47612.5(a).)
13. The Charter School shall on a regular basis consult with its parents and teachers regarding the Charter School's education programs. (Ed. Code § 47605(c).)
14. The Charter School shall comply with any jurisdictional limitations to locations of its facilities. (Ed. Code § 47605-47605.1.)
15. The Charter School shall comply with all laws establishing the minimum and maximum age for public school enrollment. (Ed. Code § 47612(b), 47610.)
16. The Charter School shall meet or exceed the legally required minimum of schooldays. (5 C.C.R. § 11960.)
17. The Charter School shall adhere to all applicable provisions of federal law relating to students who are English learners, including Title VI of the Civil Rights Act of 1964 and the Equal Educational Opportunities Act of 1974.
18. The Charter School shall follow any and all other federal, state, and local laws and regulations.

School Locations

This charter authorizes the operation of the Olive Grove Charter School, which may operate throughout Santa Barbara County and contiguous counties in multiple site locations. Sites that are presently anticipated include the following:

- Santa Barbara site, located within the general area of the city of Santa Barbara.
- Lompoc site, located within the general area of the city of Lompoc.
- Santa Maria site, located within the general area of the city of Santa Maria.
- Morro Bay site, located within the general area of the city of San Luis Obispo.

ELEMENT 1: DESCRIPTION OF THE EDUCATIONAL PROGRAM

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 that program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners. A description, for the charter school, of annual goals, for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals.

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.

---California Education Code Section 47605 (b) (5) (A)

Olive Grove Charter School Mission Statement:

“Olive Grove Produces IDEAL Students”:

- I = Informed Critical Thinkers
- D = Dedicated and Responsible Citizens
- E = Effective Communicators
- A = Able Technology Users
- L = Learners, Motivated and Self-Directed

The mission of the Olive Grove Charter School is to plan, monitor, and assist in the education of students K-12 in a home or blended school learning environment enabling them to speak, read, write, use technology, and calculate effectively to become self-motivated, competent, and life-long learners. The Olive Grove Charter School will provide students with the necessary resources to achieve success and meet state standards in core academic subjects appropriate to their level. Additionally, students will become career/college ready upon completion of the

program. This will be achieved in a collaborative effort with parents as primary deliverers of the educational program, certificated teachers and the community.

We the Community and Staff of Olive Grove Charter School Believe:

- Every student can learn and be successful.
- Every student can benefit from participating in a balanced curriculum of academics, technological application, arts, and physical education.
- Education is a shared responsibility requiring the active collaboration of all stakeholders.
- A successful learning environment is dependent upon respect, integrity, and equity.
- A safe and clean environment is essential for effective learning.
- Continuous fiscal solvency is critical to the success of the school.

We Care About Our Children

The Olive Grove Charter School functions with four meeting spaces within Santa Barbara County and one additional facility in San Luis Obispo County. The charter school provides a voluntary alternative public educational choice for families of students in grades K-12 who choose to educate their students in a home or blended environment with the parents as the primary deliverers of the educational program. The Olive Grove Charter School enrolls a diverse population of students who understand and value the school's mission and are committed to the school's operational philosophy.

The charter school provides guidance, support, assistance, and resource materials to enable parents to succeed in meeting the individual academic needs of their students. The charter school provides an alternative means for the delivery of a challenging comprehensive education program to students whose learning styles or family choice makes a non-traditional school environment preferable.

Through its predecessor charter school, the Olive Grove Home Study Charter School has successfully served students and families for the past twelve years. The program has grown from a few dozen students to over three hundred and fifty. The charter school is structured to meet the unique and changing needs of our families and their students in a flexible and creative manner. Within this supportive framework, we provide a quality, structured program and provide guidance and supervision from certificated teachers. Parents and students are provided the opportunity to work with a variety of educational programs that best suit each student's needs. Students who complete high school graduation requirements will receive a high school

diploma. Our goal is that each student will be able to speak, read, write, calculate, use technology, and become a self-motivated, competent, life-long learner.

Students to be Served

Olive Grove Charter School will serve students in grades K-12 seeking an alternative educational option. The School expects to serve a population similar to that of its predecessor charter school. The ethnic profile of the Olive Grove Charter School's predecessor is approximately 51% White, 40% Hispanic or Latino, 6% two or more races, 2% African American, and <1% others. Additionally, approximately 10% of students in Olive Grove Home Study Charter School are classified as English Language Learners, and about 5% qualify for the federal Free and Reduced Meal program. The school had an API score of 780 in 2012 and 741 in 2013. Approximately 49% of students scored Proficient in English and 37% scored Proficient in Mathematics on the 2012-13 CSTs. Proficiency rates are substantially higher among students who have attended the school for two or more years. The school's achievement rates are impacted by the portion of students who try out the program for a short term to see if it is a fit. The school does not typically see the large gains in proficiency among these students as it does with students who stay enrolled in the program.

Olive Grove Charter School seeks to continue to serve families and students who see benefit in the option the school provides. This includes families and students with a wide range of needs. At the K-8 level, the population is more heavily comprised of families wanting to educate their students using a home school model but with a strong connection to a supportive independent study teacher who is highly responsive to the student's and the family's needs. At the 9-12 level, the population is more heavily comprised of students who feel more suited to alternatives to the traditional school setting or who, for a multitude of reasons, benefit from a blended independent study model. This includes youths needing flexible schedules and students who have had challenging and even damaging social experiences at previous educational settings.

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

OGCS views the following skills and qualities as important for an educated person in the 21st century:

- Proficient skills and content knowledge in English, mathematics, social studies, and science
- Proficient 21st century skills embedded in Common Core: communication, collaboration, creativity, and critical thinking

- Proficiency in basic technology applications
- Readiness to succeed in chosen college and/or career paths

OGCS' educational program will enable pupils to employ the above skills as self-motivated, competent, life-long learners.

How Learning Best Occurs

OGCS's design reflects as a set of beliefs about how learning best occurs. The educational design and philosophy are consistent with the school's vision, mission, and target population and are grounded in research on best practices in education. Learning occurs best when the following conditions exist:

- Students have flexibility to personalize their learning path
- Students' relationship with teachers is supportive and nurturing
- Teachers facilitate customized and individualized learning plans according to each student's learning needs and learning style, including connecting learning to the student's individual interests
- Teachers approach learning with an open-ended, problem-solving mindset
- Students have access to an array of learning supports and supplemental resources

Curriculum and Instruction

The purpose of OGCS is to plan, monitor, and guide the education of students K-12 in an independent learning environment, enabling them to become self-motivated, competent, life-long learners. Students will be taught core academic skills and knowledge in the subject areas of language arts and mathematics (California Common Core State Standards), science (Next Generation Science Standards), social studies (California content standards), personal development in the arts, and physical education.

Olive Grove Charter School provides students with the resources necessary to achieve goals and meet State Standards in all subjects appropriate to their level. OGCS teachers have made curriculum adaptations to teach to Common Core standards, including emphasizing higher level thinking skills, prioritizing problems with depth over breadth, using inquiry, and providing increased opportunities to communicate, including speaking with teachers, family, community members, and peers. Teachers' adaptations have extended to revising pacing plans and/or rewriting courses.

OGCS plans to increase the use of technology as a tool to expand learning options and supports. New platforms are available to enhance communication and engagement. For example, there are tools to record speaking and listening that can be applied in dynamic contexts for learning.

Students achieve in a collaborative effort with parents as primary deliverers of the educational program, certificated teachers as supervisors of the educational program, and the community as a resource for the educational program. Parents are required to monitor learning daily and sign an affidavit on a regular basis to certify that they have monitored their child's learning daily. For all students in grades K-12, parents sign weekly personalized learning plans that record student progress.

Each student's set of circumstances and abilities are unique. We understand that students learn best when they are motivated, involved, and appropriately challenged. We individualize each student's educational program to his or her interests and ability levels to ensure that each student learns at his or her own optimal rate and level. The student needs across the school sites can vary and for this reason it may sometimes be necessary to structure learning supports differently at different sites.

OGSC teachers customize each student's learning program beginning with an intake assessment in English-Language Arts and Mathematics. At present, OGCS uses Renaissance Learning's Star assessments, which are aligned with Common Core State Standards. They use the results to identify student needs (for example, whether students need remedial help with fractions and decimals as they begin high school math courses). Teachers also examine the student's report card and/or cumulative record. Teachers review with students and parents the curricular options and determine any adjustments to the "default" curriculum that will be made to customize learning. Throughout the year, teachers monitor progress on assessments and adjust students' programs accordingly.

Students learn using textbooks and supplementary materials, field trips, small group support classes, audio and visual technology (including computer based courses), and large group programs. For many students, learning will take place primarily in the home but will also occur at the school site and within the community. Students will have required weekly contact with the certificated teacher assigned to supervise and monitor student assignments and progress. Teachers are also available for assistance during school hours. For some core high school courses, on-site support classes are offered and/or required, with sessions one to two times weekly, depending on the course and the content area. OGCS makes available numerous online platforms and teaches students to use resources to support student learning, including Moodle, ALEKS, SBCEO Portal and Khan Academy.

At grades K-5, and in most cases at grades 6-8, OGCS is structured as a home school program where teachers support parents to provide instruction in the home. At present, OGCS uses the *Open Court* program in English-Language Arts published by McGraw Hill, which embeds options to provide additional challenge for high achieving students, to provide additional instruction and practice where students need it, and to provide access and instruction for English Learners. OGCS is currently piloting a Common Core-aligned math program, *GO Math!*, a K-8 Houghton Mifflin Harcourt curriculum. Social Studies courses utilize Harcourt curriculum (K-5) and McDougal Littell (6-8). Harcourt Science is used for K-5 and Holt Science for grades 6-8. OGCS teachers draw on numerous options to meet students' needs, for example, resources for extra math practice or to develop skills in reading comprehension, grammar, handwriting, and so on. Students, teachers, and parents review embedded assessments at weekly meetings. Teachers create weekly calendars with assignments, classes, and dates pre-filled out for student and parent utilization during the week.

At grades 9-12, and in some cases at grades 6-8, OGCS is structured as an independent study program, where students have increased responsibility to complete the learning program by drawing on the various learning support resources as needed. These resources include help from parents, help from teachers, supplemental resources, online and text-based resources, and on-site learning labs and tutoring. High school math and English courses typically have weekly on-site support classes. UC A-G approved science courses have a required lab component.

Students can take foreign language through community college, and OGCS intends to add its own foreign language offerings. Grade 9-12 students have options to earn vocational educational credits through an OCCS program, through an OGCS service-learning program, and through enrolling in Regional Occupational Program courses.

Plan for Academically Low-Achieving Students

OGCS serves, in part, students who have not experienced success in previous educational settings, especially among high school students. OGCS is designed with the requisites of this population of students in mind. Teachers assess students' needs on entry to the program and monitor progress throughout the year, working with students and parents to determine the resources and strategies that are most effective with each individual student. Supports for students may include one or more of the following interventions:

- Instructional activities and/or materials modified to accommodate different academic needs
- Instructional activities and/or materials modified to incorporate students' interests
- Additional help from teachers by virtual means or in person

- Structured labs and small group instruction for extra practice and skills remediation
- Supplemental instruction, including targeted academic interventions to raise skills to grade level
- Student Success Team meetings with school personnel and the parent or guardian for students still not achieving at grade-level standards to review the above strategies and plan for new ones

Students who are struggling may be required to participate in supplemental instruction or remedial coursework. For example, students who do not pass trial CAHSEE tests may be required to take a CAHSEE preparatory course. OGCS teachers set up expectations with parents that they will need to assist with intervention if their students do not meet expected outcomes. Teachers indicate lack of progress to parents and provide specific steps to take to address the issues. Above all, OGCS teachers continue to problem-solve and make adjustments to promote student success.

Plan for Academically High-Achieving Students

OGCS also serves many high-achieving students. OGCS' program is well suited to their needs because of the extent to which the curriculum can be customized to provide academic acceleration and a higher level of cognitive challenge. Cognitive challenge may be provided by assigning more difficult or complex work or even through whole courses. Students can also take courses at local community colleges. Some students are interested in OGCS because they can accelerate their work and complete their courses in less time than they would take in a traditional site-based school program, since they don't lose time waiting for other students or due to the school day schedule: they work more efficiently. This allows them to pursue outside interests more intensely.

Plan for English Learners

English Language Learners (ELL) will have full access to OGCS' educational program. We believe that our ELL students are best served through a Sheltered English Immersion program utilizing SDAIE (Specially Designed Academic Instruction in English) methods for English language development to assist students in successfully achieving English language proficiency at the fastest possible rate. In addition to our SDAIE approach, we will offer ELL students supplemental English instruction as needed that focuses exclusively on English language development skills. OGCS hires CLAD certified, highly qualified teachers and will work with other ELL specialists and bilingual instructional aides as appropriate. Our goal is to ensure a quality ELL instructional program that enables OGCS' ELL students to attain English

proficiency, achievement in all academic subject areas, and to have full access to the range of educational opportunities that OGCS envisions for all of its students.

OGCS will meet all applicable legal requirements pertaining to the identification, assessment and service of EL student. OGCS will identify, serve and monitor the progress of EL students to ensure that they have full access to OGCS educational programs and that they make appropriate progress toward English proficiency.

OGCS will administer the home language survey as part of the enrollment process. All students who indicate that their home language is not English will be assessed using the California English Language Development Test (CELDT) within thirty days of initial enrollment and at least annually thereafter between July 1 and October 31 until re-designated as fluent English proficient.

OGCS 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. OGCS will use annual CELDT and SBAC data, teacher observations, and parent consultation to identify EL students, to determine their English Language Development (ELD) levels, and to reclassify EL students as English proficient when appropriate.

OGCS will ensure that EL students have full access to their grade level curriculum by drawing on a range of strategies:

- Explicitly teach key vocabulary
- Embed hands-on activities
- Make literacy fun through engaging learning activities
- Use of technology, such as drop-in captions on Moodle videos
- Provide instructional material that includes scaffolding for EL students
- Provide instructional material at or near student's reading level in native language and/or their reading level in English
- Emphasize literacy strategies such as anticipatory pre-reading of text, structured study of text, clarification of difficult words, and extra reading practice
- Provide instructional support in the home language or in accessible English for students with the lowest ELD levels, as is feasible

To help EL students attain English proficiency, OGCS will use the following practices.

- Provide formal English Language Development instruction as needed

- Provide teachers and educational facilitators with professional development on using ELD standards as well as best practices in second language acquisition so they become skilled in strategies to meet the needs of EL students
- Align instructional materials and curriculum for ELs with ELD standards
- Monitor the progress of EL students

Teachers instructing EL students will hold a CLAD credential or a California Commission on Teacher Credentialing (“CCTC”) recognized equivalent.

Reclassification procedures utilize multiple criteria to determine whether to classify a student as proficient in English. The guiding consideration is whether the student’s performance in basic skills is comparable to that of English proficient students of the same age, such that the student is sufficiently proficient in English to participate effectively in a curriculum designed for students of the same age whose native language is English, including, but not limited to, the following:

- Assessment of language proficiency using an objective assessment instrument including, but not limited to the CELDT and the SBAC in English/Language Arts
- Teacher evaluation
- Parental opinion and consultation

Once an EL student is reclassified as English proficient, OGCS will continue to monitor the student’s progress for at least two years using CST scores and OGCS assessments.

Plan for Special Education

As a public school, OGCS has an important obligation to serve students with exceptional needs. OGCS will adhere to all laws and/or consent decrees, as applicable, affecting individuals with exceptional needs, including all provisions of the Individual with Disabilities Education Improvement Act (IDEA), its amendments, Section 504 of the Rehabilitation Act, the Americans with Disabilities Act, Office for Civil Rights mandates, and AB 602. All students will be given equal access to the school regardless of disabilities, and OGCS will not discriminate against any student nor deny admissions to any student based on his/her disabilities or lack of availability of special education services. All students with disabilities will be accorded a Free, Appropriate Public Education. Section 504 services required by OGCS students will be the responsibility of the school.

Under applicable state and federal law, a charter school has various options on how to deliver special education and related services, including (1) as an arm of the charter-granting agency and (2) as an independent local education agency (LEA). Unless the District prefers that the school

pursue the LEA option, the school anticipates functioning as an arm of the District for purposes of special education. The school shall also retain the right to pursue independent LEA status pursuant to Education Code Section 47641(a). In the event that the school opts not to establish independent LEA status, it shall remain an arm of the District for special education purposes as required by Education Code Section 47641(b), and shall continue to receive funding and services pursuant to the terms of this section and any related annual agreements.

During any year in which OGCS functions as a “public school of the District,” the District shall provide the school with funding and/or services reasonably necessary to ensure that all students with exceptional needs who attend the school are provided a free and appropriate education, pursuant to Education Code Section 47646(b). OGCS and the District shall annually and in good faith negotiate and enter into a written agreement to more clearly identify the specific desired mix of special education funding and services to be provided. This memorandum of understanding will detail the roles and responsibilities of the school and of the District with respect to referral, assessment, instruction and due process, allocation of actual and excess costs, and the charter’s fair share of any encroachment on general funds. The school shall enjoy reasonable flexibility to decide whether to receive services, funding, or some combination of both pursuant to Education Code Section 47646(b). The school understands that it is required to contribute an equitable share of its charter block grant funding to support District-wide special education instruction and service costs.

During any year which OGCS functions as a “public school of the District,” the District shall determine how the special education and related services are to be provided and will consider input from school staff as to how service provision can best support the mission and approaches of the school. OGCS will comply with District policy and practice with respect to the provision of special education and related services. OGCS will support the District’s implementation of special education.

The school plans to implement a “student success team” (SST) model to strategize ways to meet student needs within the regular instructional setting. Students who are not demonstrating success in academic classes will be referred to the SST process. The team will implement and monitor the success of varied strategies within the general education setting before initiating special education assessment.

The school will participate actively and as appropriate in planning and conducting the IEP team meetings and processes. The school will implement all special education and related services called for by the IEP in partnership with the District and/or SELPA.

A copy of each IEP shall be maintained at the school site. Service providers from other agencies who provide instruction or a related service to the individual shall be provided a copy of the IEP.

All IEPs shall be maintained in accordance with state and federal student record confidentiality laws.

As with any other public school, OGCS is fully responsible for educating special education students and will work with the District to ensure that this responsibility is met. In the event of a due process claim to enforce provisions of applicable special education law, OGCS is committed to working in cooperation with the District to the maximum extent permitted under law to respond to and defend the school and the District in the process.

Course Transferability

OGCS will pursue WASC accreditation during the first year of operation to ensure that our courses are transferable to other public high schools. OGCS has maintained WASC accreditation since its inception, and this history should make it straightforward to achieve WASC accreditation as a new school. We also dialogue regularly with other local school districts to demonstrate the academic transferability of our school's academic courses to their other neighboring public schools. Parents are notified of the status of transferability of credits through such means as pre-enrollment conferences and information sessions, during parent conferences, in the Parent and Student Handbook, by letter, and on our school website.

College Entrance Requirements

OGCS students who would like to pursue admittance into the University of California or California State University campuses will have access to courses expected to meet the University of California's "A-G" requirements. The courses were approved as OGCS courses, so obtaining approval should be straightforward. Parents and students will be notified each year of both the prospective course eligibility for the UC/CSU and the courses as they are approved in the Parent and Student Handbook. We will also form ongoing relationships and engage in continuous dialogue with other colleges, community colleges, and universities that are not part of the California state system regarding their college entrance requirements, and we will inform parents of the transferability of our courses to these other higher education institutions through the means described above.

ANNUAL GOALS AND ANNUAL ACTIONS FOR STATE PRIORITIES

Description of Goal	Applicable Pupil Subgroups (Identify applicable subgroups (as defined in EC 52052) or indicate "all" for all pupils.)	Year 1 Objectives: 2015-2016	Actions and Services	Related State and Local Priorities
1. Ensure opportunities for all students to excel and become college and career ready.	All Students	Teachers will be trained in Common Core State Standards. Teachers will implement Common Core mathematics curriculum. Teachers will implement Common Core aligned English Language Arts curriculum. Establish a benchmark of student academic progress on CAASPP. Establish a baseline of CAHSEE results to measure student progress towards college and career readiness.	<p>Provide professional development of teachers in implementing Common Core State Standards.</p> <p>Pilot state approved Common Core Curriculum for math in Kindergarten through Eighth grades.</p> <p>Pilot state approved Common Core Curriculum for English Language Arts in Kindergarten through Eighth grades.</p> <p>Administer CAASPP Smarter Balanced test to all students grades 3-11 as prescribed and analyze results.</p> <p>Administer the CAHSEE to all eligible students and analyze results.</p> <p>Align High School curriculum to Common Core State Standards.</p>	Priority 1: Basic Priority 2: Implementation of State Standards Priority 7: Course Access
2. Ensure opportunities for students to become digitally literate	All Students	25% of K-8 course offerings will include a digital component. 50% of 9-12 course offerings will include a digital	<p>Develop an Olive Grove School Technology Strategic Plan and review annually.</p> <p>Upgrade and purchase computers</p>	Priority 1: Basic Priority 2: Implementation of State Standards Priority 7:

citizens.		component (Moodle, online discussions and/or chat rooms).	<p>for all sites.</p> <p>Maintenance of hardware and software as related to technology.</p> <p>Develop and implement courses with digital components to offer students at all sites.</p> <p>Provide professional development in digital technology for teachers who need additional support.</p> <p>Evaluate and assess a digital literacy curriculum to be implemented.</p>	Course Access
3. Provide time for professional development and collaboration to review student performance data.	All Students	10% of professional development time will be allocated towards collaboration and reviewing student data.	<p>Hold site director and school wide staff meetings once monthly.</p> <p>Professional Learning Communities meet once monthly for collaboration and to review student performance data.</p> <p>Site level meetings held once monthly.</p>	Priority 4: Pupil Achievement Priority 8: Other Pupil Outcomes
Description of Goal	Applicable Pupil Subgroups (Identify applicable subgroups (as defined in EC 52052) or indicate "all" for all pupils.)	Year 1 Objectives: 2015-2016	Actions and Services	Related State and Local Priorities
4. Monitor student progress	All Students	85% of 10th grade students will pass the	Administer and Analyze the results of the CAHSEE.	Priority 4: Pupil Achievement

towards college and career readiness.		<p>CAHSEE.</p> <p>90% of 11-12th grade students will pass the CAHSEE.</p> <p>15% of students will meet the A-G course requirements upon graduation.</p> <p>Establish baseline data for % of high school student earning Ds and Fs in academic courses.</p>	<p>Provide support classes and test-prep materials for the CAHSEE.</p> <p>Increase support classes for A-G college preparatory classes in English, math, science, and social science. Cost indicated is for illustrative purposes-- one class, one subject, five sites, one school year, average teacher salary range.</p> <p>Monitor student progress in A-G courses.</p> <p>Administer school benchmark assessments twice annually.</p>	t Priority 8: Other Pupil Outcomes
5. Provide quality	All Students	70% of teacher-authored courses will be	Develop and submit A-G courses for approval.	Priority 1: Basic Priority 2:
Description of Goal	Applicable Pupil Subgroups (Identify applicable subgroups (as defined in EC 52052) or indicate "all" for all pupils.)	Year 1 Objectives: 2015-2016	Actions and Services	Related State and Local Priorities
core courses and improve		designed to address CCSS and to increase student engagement with	Align core classes to Common Core State Standards.	Implementat ion of State Standards Priority 7:

existing college preparatory courses.		the course material. Courses in all core academic areas will be submitted for A-G approval.	Maintain support classes for core subjects in English, math and science.	Course Access
6. Provide opportunities to increase student engagement and parental involvement.	All Students	<p>Establish the benchmark of the level of parental involvement based upon the LCAP survey of stakeholders. Establish the benchmark level of student engagement based on the California Healthy Kids Survey results, when available.</p> <p>Establish policies on suspension and expulsion. Establish baseline data for high school graduation rate and contributing factors.</p>	Elect a parent representative to the school's governing board	<p>Priority 3: Parent Involvement</p> <p>Priority 5: Pupil Engagement</p> <p>Priority 6: School Climate</p>
			Increase parent communication through web-based application.	
			Administer and analyze the results of the Parent Survey.	
			Increase parent involvement opportunities for engagement through parent nights and site/school newsletters.	
Description of Goal	Applicable Pupil Subgroups (Identify applicable subgroups (as defined in EC 52052) or indicate "all" for all pupils.)	Year 1 Objectives: 2015-2016	Actions and Services	Related State and Local Priorities
			Administer and analyze results of the California Healthy Kids Survey on the required timeline.	

			Annual budget to be reviewed by stakeholders	
7 . Increase the number of English Learner students who advance in English Proficiency or are Re-designated English fluent (R-FEP).	English Learner Students	10% of English Learner students will increase one level of proficiency in English as measured by the CELDT or Re-designated English Fluent (R-FEP).	Establish an English Learner (EL) team to assess student progress and to write ELD goals for English Learners.	Priority 4: Pupil Achievement
			Professional Development in English Language instruction for English Learners provided to teachers and EL team.	
			Investigate an English Language Development curriculum to be implemented.	
			Incorporate Academic Vocabulary lessons into weekly assignments.	
			Administer CELDT and analyze data to determine student language proficiency.	

ELEMENT 2. MEASURABLE PUPIL OUTCOMES

The measurable pupil outcomes identified for use by the charter school. “Pupil outcomes,” for purpose of this part, means that 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. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both schoolwide and for all groups of pupils served by the charter school, as that term is defined in subparagraph (B) of paragraph (3) of subdivision (a) of Section 47607. The pupil outcomes shall align with the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school.

Olive Grove Home Study Charter School holds the following pupil outcome goals for students upon graduating or exiting our school:

1. CORE ACADEMIC SKILLS. Appropriate age or grade-level mastery of:

- History/Social Studies: Students will understand and apply civic, historical, and geographical knowledge in order to serve as citizens in today's world of diverse cultures.
- Mathematics: Students will develop abilities to reason logically and to understand and apply mathematical processes and concepts, including those within arithmetic, algebra, geometry, and other mathematical subjects which the staff and school's governing board deem appropriate.
- Language Arts: Students will demonstrate strong reading, writing, listening, speaking, and presentation skills in multiple forms of expression (e.g., written, oral, multimedia), with communication skills appropriate to the setting and audience. They will comprehend and critically interpret multiple forms of expression, including literature from various time periods and cultures.
- Science: Students will successfully utilize scientific research and inquiry methods to understand and apply the major concepts underlying various branches of science, which may include physics, chemistry, biology, ecology, astronomy, and earth sciences.

Embedded in the above core subject areas and/or through stand-alone coursework, students will develop other critical skills such as:

- Critical thinking skills: problem-solving, analyzing, and research and inquiry
- The ability to effectively use current technology
- Creative expression through various forms of the arts
- The development of physical fitness
- Lifelong learning skills, including study skills and habits, the ability to plan, initiate, and complete a project, and the ability to reflect on and evaluate one's own and others' learning

2. PERSONAL/INTERPERSONAL SKILLS.

- Students will develop a positive self-image, including self-esteem and self-confidence.
- Students will respect the rights of others.
- Students will be able to meet challenges and accept responsibility that is essential to personal and social development.

- Students will become self-motivated, competent, and lifelong learners.

3. “LIFE” SKILLS. Students will develop skills necessary for a healthy adult life, including:

- Job readiness and career development skills (e.g., developing resumes, interview skills)
- Higher education continuance skills (e.g., college applications, financial aid forms)

The above pupil outcomes are addressed in the Individualized Learning Plan (ILP) developed for each student at Olive Grove Charter School. Goals for each student are cooperatively determined and then translated into measurable outcomes. The measurement of these outcomes determines the extent to which each student has progressed toward the attainment of the ILP goals. Emphasis will be placed on the ability of students to demonstrate integration of knowledge across major subject areas.

In addition to attaining specific content area and grade/skill-level standards, students will also demonstrate their overall progress toward graduation readiness through a series of “benchmark” performances at various points throughout their experience at the Olive Grove Charter School.

OGCS also has schoolwide pupil outcomes that align with the eight state priorities. OGCS holds the following goals:

- 85% of 10th grade students will pass the CAHSEE (schoolwide and numerically significant subgroups)
- 90% of 11-12th grade students will pass the CAHSEE (schoolwide and numerically significant subgroups)
- 15% of students will meet the A-G course requirements upon graduation (schoolwide and numerically significant subgroups)
- 10% of English Learner students will increase one level of proficiency in English as measured by the CELDT or Re- designated English Fluent (R-FEP) (English learner students)

OGCS will set goals for proficiency in California Common Core State Standards, Next Generation Science Standards, and content standards in Social Studies as assessment data becomes available for new CAASPP assessments. Proficiency in these areas will be indicated by CAASPP scores, benchmark test scores, summative assessments (exams, performance assessments, etc.), grades, and teacher observation. Proficiency in non-core student outcome areas will be indicated by school-level assessments. In order to best serve our students and community, the Olive Grove Charter School will continue to examine and refine its list of student outcomes and instructional programs over time to reflect the school’s mission and any changes to state or local standards that support such mission.

OGCS shall meet all statewide standards and conduct the pupil assessments required pursuant to Sections 60605 and 60851 and any other statewide standards authorized in statute or pupil assessments applicable to pupils in non-charter public schools. The school will be held accountable according to state and federal law, including AYP and API targets, in the same manner as other California public schools.

ELEMENT 3. METHODS TO ASSESS PUPIL PROGRESS

The method by which pupil progress in meeting those pupil outcomes is to be measured. To the extent practicable, the method for measuring pupil outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card.

---California Education Code Section 47605 (b) (5) (C)

Olive Grove Charter School will administer all state tests as mandated by charter law, including the California Assessment of Student Performance and Progress (CAASPP), Smarter Balanced Assessment Consortium (SBAC), California High School Exit Exam (CAHSEE), and California English Language Development Test (CELDT). In addition, OGCS students will be assessed in each of the core academic skill areas by a combination of ongoing assessments. These assessments will be aligned to curriculum and statewide standards and will include, but not be limited to:

- Publisher/teacher/parent/student-designed tests
- Projects and reports
- Curriculum-imbedded assessments
- Electronic recordings
- Demonstrations (presentations) of mastery
- Pupil grades and transcripts of record to be prepared at the end of each semester

In addition, parents will provide daily work and test scores to the supervising teacher for assessment purposes, along with an ongoing dialogue regarding student progress.

Following is a chart outlining each of our pupil outcomes and the specific assessment measures to evaluate student progress toward achieving them:

Methods to Assess Progress Toward Pupil Outcomes

Outcome	Assessment
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Proficiency in English/ language arts and, for English learner students, in English Language Development	<ul style="list-style-type: none"> • California state tests (SBAC, CAHSEE, CELDT) • School-designed tests, quizzes, and homework assignments • Projects, reports, and demonstrations
Proficiency in history-social science	<ul style="list-style-type: none"> • California state tests, if available • School-designed tests, quizzes, and homework assignments • Projects, reports, and demonstrations
Proficiency in mathematics	<ul style="list-style-type: none"> • California state tests (SBAC, CAHSEE) • School-designed tests, quizzes, and homework assignments • Projects, reports, and demonstrations
Proficiency in science	<ul style="list-style-type: none"> • California state tests, if available • School-designed tests, quizzes, and homework assignments • Projects, reports, and demonstrations
Personal/Interpersonal skills	<ul style="list-style-type: none"> • Teacher observations/narratives • Parent observations/narratives • Student self-evaluations
“Life” skills	<ul style="list-style-type: none"> • Projects • Presentations • Teacher and parent observations/narratives • Student self-evaluations

Assessment for special education students will be defined and monitored appropriately according to the goals outlined in their Individualized Education Plans (IEPs).

The methods for measuring pupil outcomes are consistent with the way the school will report information on its school accountability report card. Numerous assessments are listed here that are not reported on the school accountability report card but which the school will use to gain a fuller picture of student achievement.

ELEMENT 4. GOVERNANCE

The governance structure of the school, including but not limited to, the process to be followed by the school to ensure parental involvement.

---California Education Code Sections 47605(b)(5)(D)

The Olive Grove Charter School is operated by Olive Grove Charter Schools, Inc., a nonprofit public benefit corporation formed and organized in accordance with the California Nonprofit Public Benefit Corporations Law, and is governed by its Board of Directors (“Board”). (*See* Articles of Incorporation.) Olive Grove Charter Schools, Inc. intends to operate as a 501(c) (3) and is in the process of applying for tax-exempt status from the Internal Revenue Service and the California Franchise Tax Board.

The Charter School will operate autonomously from the District with the exception of supervisory oversight as required by statute and other contracted services as may be negotiated between the District and the Charter School.

The Board holds ultimate authority for the Charter School’s operations and activities. The Board shall conduct and direct the affairs of the Charter School to fulfill and exercise its powers, subject to the limitations of the California Corporations Code, the Articles of Incorporation, the Board-adopted Bylaws (which may be amended from time to time pursuant to the process set forth therein), the OGCS Charter, Charter School policies, and other applicable provisions of federal and state law. The powers of the Board are described in the Bylaws. (*See* Draft OGCS Bylaws.)

As set forth in the Bylaws, the Board shall be composed of at least three (3) and no more than seven (7) members. In accordance with Education Code Section 47604(b), the authority that grants the charter to be operated by a nonprofit public benefit corporation shall be entitled to a representative on the Board of Directors of the nonprofit public benefit corporation. (*See* Draft OGCS Bylaws.)

The following individuals have been appointed as the Charter School’s initial Board of Directors in accordance with the provisions set forth in the Bylaws:

Jim Burke
Rick Rochelle
Karl Hatch

In addition to the powers enumerated in the Bylaws, the Board of Directors is responsible for the operation and fiscal affairs of the Charter School including but not limited to:

- Fiscal management of the Charter School, including approval and monitoring of the Charter School’s annual budget.
- Development, amendment and adherence to the general policies and Bylaws of the Charter School.

- Operation of the Charter School in accordance with the OGCS Charter, the Bylaws, any MOU between the Charter School and the District, and the law.
- Determining graduation requirements.
- Hiring and evaluation of the Charter School's Director.
- Final approval of hiring recommendations made by the Director.
- Communication, negotiation, and collaboration with the charter authorizer.
- Evaluation of Charter School programs.
- Overseeing the school's educational program and operations.
- Approving all major contracts.
- Approving the school's annual budget and overseeing the school's fiscal affairs.
- Participation in independent fiscal and programmatic audits.
- Long-term strategic planning.
- Receiving reports from and providing recommendations to the Director.

Board members are required, during their three-year terms, to meet the standards laid out in the Bylaws, any policies adopted by the Board related to Board expectations, and any Board-adopted conflict of interest policy.

As set forth in the Bylaws, all meetings of the Board and shall be called, held, and conducted in accordance with the provisions of the Brown Act, including, but not limited to, those related to notice, agenda preparation and posting, and reporting.

In accordance with the Bylaws, the Board shall participate in training, which shall include, at a minimum, training in conflict of interest, and Brown Act training, and effective charter school governance.

Parent Participation in Governance of Charter School

As the Charter School is being established to serve the needs of the students, the Board believes that it is imperative that they shall value the active involvement of families are actively involved. We will encourage the participation of parents in Olive Grove Charter School's Advisory Council, which will be established to facilitate communication between all members of the OGCS community and to help meet the goals and objectives of the Charter School.

Parents of OGCS students also have other opportunities for parent involvement, including:

- Parents participate in the annual development of their child's Individualized Learning Plan (ILP).
- Parents have daily access to their students' teachers via phone and email.

- Parents have the opportunity to serve on, as well as elect a representative as a member of, the Board of Directors.
- Parents are encouraged to attend all teacher-student meetings, as well as school activities and events.
- Parents will be involved in the development of the Charter School's LCAP each year.

ELEMENT 5. EMPLOYEE QUALIFICATIONS

The qualifications to be met by individuals to be employed by the school.

--- California Education Code 47605(b)(5)(E)

General Assurances

OGCS will recruit professional, effective and qualified personnel for all administrative, instructional, instructional support, and non-instructional support positions. All employees will demonstrate OGCS values and a belief in the mission, program design, instructional philosophy, and curriculum outlined in this Charter.

In accordance with Education Code 47605.6(e)(1), OGCS shall be nonsectarian in its employment practices and all other operations. The Charter School shall not discriminate against any individual (employee or pupil) on the basis of the characteristics listed in Section 220 (actual or perceived disability, gender, nationality, race, 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).

OGCS seeks to hire employees that possess the personal characteristics, knowledge base, and/or relevant experience with regard to the responsibilities and qualifications identified in the posted job description as determined by the Charter School. All employees must comply with employee processing policies and procedures (including, but not limited to: fingerprinting and criminal background checks as set forth in Education Code sections 44237 and 45125.1, proof of identity, right to work in the United States, and TB screening).

In addition to certificated core subject teaching staff, OGCS may employ non-certificated, non-core instructional staff, clerical and other classified staff, and a Charter School Director. It is recognized that the uniqueness of the OGCS program requires that employees have a certain combination of skills and qualities that will maximize success for all students and families served

by the Charter School. The Charter School Principal will recommend new staff for the Charter School to the Board. The Board shall make all final hiring decisions.

Core Academic Teachers

OGCS core, college preparatory teachers include those teachers teaching grades K-12 in the core areas of English/language arts, history/social science, science, and mathematics. Teachers of core, college preparatory courses at OGCS shall be required to hold a Commission on Teacher Credentialing (“CTC”) certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold in accordance with Education Code Section 47605(1). These documents shall be maintained on file at the Charter School and shall be subject to periodic inspection by the chartering authority upon request. The Charter School’s core academic teachers shall meet or exceed all “highly qualified requirements” under the No Child Left Behind Act (“NCLB”). OGCS core academic teachers will be responsible for overseeing students' academic progress and for monitoring grading and matriculation decisions as specified in the Charter School's operational policies.

Requirements and other qualifications for teachers of core academic subjects are as follows:

- A bachelor’s degree
- State credential or Intern Certificate/Credential for no more than three years while actively working toward completion of their State credential
- Demonstrated core academic subject matter competence, as required
- CLAD or BCLAD certification, or CTC equivalent
- Previous independent study/home school education experience is desirable, but not mandatory for employment.

Non-Certificated Instructional Staff

It is the intent of the Legislature that charter schools be given flexibility with regard to non-core, non-college preparatory courses. Accordingly, the Olive Grove Charter School may also contract with or employ qualified non-certificated instructors in such areas as the arts, physical education, and other subjects not deemed to be "core academic subjects" as defined above. The Charter School’s teachers shall meet or exceed “highly qualified requirements” as required of charter schools under the No Child Left Behind Act (“NCLB”) in areas named in NCLB. For non-core, non-college preparatory courses, this means an undergraduate degree and subject matter competence; the credential requirement is only applicable as may be required under California law for charter schools.

Requirements and other qualifications for non-core, non-college preparatory teachers are as follows:

- Previous independent study/home school education experience is desirable, but not mandatory for employment.
- Fulfillment of “highly qualified requirements” as may be required of charter schools under the No Child Left Behind Act (“NCLB”) for the particular position.

Clerical and Other Classified Staff

Qualifications for clerical staff and other classified staff will include, but not be limited to, demonstrated experience or expertise in the work tasks or issues required of them. The best-qualified applicants for positions will always be selected. Requirements and other qualifications for clerical and other classified staff are as follows:

Operations Manager Requirements and Qualifications

The Operations Manager is responsible for overall clerical and office activities, as well as other administrative duties to assist with the operation of the school. The Operations Manager will report to the Director, and will work with students, parents, and staff.

- A.A. degree or equivalent work experience
- Three or more years in administrative support position
- Proficiency with Microsoft Office
- Strong organizational, time management, and multi-tasking skills
- Strong interpersonal and communication skills
- Experience in office management
- Ability to work independently as well as with a team
- Previous independent studies/ home school education experience is desirable, but not mandatory for employment.

Charter School Director

The Charter School Director shall be responsible for the management and day-to-day operations of the Charter School’s program. The role and responsibilities of the Director are described in greater detail below:

- The Director will be the leader of OGCS.

- The Director will ensure that the curriculum is implemented in order to maximize student-learning experiences.
- The Director will report directly to the Board of Directors, and s/he is responsible for the orderly operation of OGCS and the supervision of all employees in the Charter School.

In addition to those duties assigned by the Board, the Director shall be responsible for the following:

- Supervision and evaluation of teachers and staff;
- Communication and reporting to the Board of Directors;
- Overseeing school finances and maintaining up-to-date financial records, annual budget, and LCFF documents to ensure financial solvency;
- Development and implementation of the Olive Grove Charter School LCAP.
- Encouraging and supporting teacher professional development by participating in and developing professional development opportunities as needed.
- Interviewing and recommending employee hiring, promotion, discipline, and/or dismissal.
- Ensuring compliance with all applicable state and federal laws and working to secure grants.
- Communicating with parents and recruiting new families and students.
- Taking steps to ensure the full and regular participation by students and families in the Charter School's program in accordance with policies established by the Board of Directors.
- Completing and submitting required documents as requested or required by the Charter and/or Board of Directors and/or the Charter authorizer.
- Ensuring that appropriate evaluation and assessment tools are used for both students and staff.
- Establishing and maintaining a system to handle organizational tasks such as student records, teacher records, teacher credentialing information, contemporaneous attendance logs, purchasing, budgets, and timetables.
- Hiring qualified substitute teachers as needed.
- Ensuring the security of Charter School facilities.
- Promoting OGCS in the community, promoting positive public relations, and interacting effectively with media.
- Serving as the Charter School representative and liaison with the District.
- Providing all necessary financial reports as required for proper attendance reporting.
- Developing the Charter School's annual SARC report.
- Presenting the Charter School's independent fiscal audit to the Board of Directors and, after review by the Board of Directors, presenting the audit to the District Board of

Education, the County Superintendent of Schools, the State Controller, and the California Department of Education.

- Managing student discipline, and as necessary, participating in the suspension and expulsion process.
- Participating in IEP meetings, as necessary.

Requirements and other qualifications for the position of Charter School Director are as follows:

- Effective communication and community-building skills
- Demonstrated management and leadership skills
- Demonstrated understanding of instruction, curriculum and assessment in an independent study setting
- Working knowledge of special education processes and requirements
- Working knowledge of budgets
- Working knowledge of personnel procedures
- Working knowledge of independent study procedures, regulations and law
- Bachelor's degree
- Three or more years teaching experience
- Three or more years experience in school administration (preferred)
- Demonstrated understanding of student performance assessment and data analysis (preferred)
- Effective communication and community-building skills
- Curriculum development and independent/home study program development
- Experience in performance assessment

Staffing Plan

Olive Grove Charter School will hire one director and 15 FTE certificated teachers. Additionally, OGCS will hire four non-certificated employees: operations manager, administrative assistant/student services, student data specialist, and a student support secretary.

Hiring Process

As a public charter school, OGCS intends to attract educators and staff interested in working in an innovative, collaborative, alternative educational environment. The Charter School's Board will develop policies and procedures for hiring Charter School staff that may include, as appropriate: a resume screen; interview with a hiring committee; demonstration lesson (for instructional staff), and reference checks.

Professional Development

OGCS will provide opportunities and encourage all staff members to participate in relevant professional development opportunities, including (but not limited to) SBCEO countywide professional development and professional organization memberships, conferences, and trainings. OGCS believes that all teachers have a professional obligation to continue to further their pedagogic skills.

ELEMENT 6. HEALTH AND SAFETY PROCEDURES

The procedures that 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 record summary as described in Section 44237. The procedures shall also address safe housing and employee clearance for tuberculosis.

- - - California Education Code Section 47605(b)(5)(F)

The Olive Grove Charter School's Board shall adopt and implement all District comprehensive policies and procedures related to health, safety and risk-management issues. These policies will be incorporated as appropriate into the Charter School's student and staff handbooks and will be reviewed on an ongoing basis.

In addition, The Charter School's will follow the health and safety procedures described below:

Fingerprinting/Background Check

Employees of the Charter School will be required to submit to a criminal background check and furnish a criminal record summary as required by Education Code sections 44237 and 45125.1. New employees not possessing a valid California Teaching Credential must submit two sets of fingerprints to the California Department of Justice for the purpose of obtaining a criminal record summary. The Charter School Director shall monitor compliance with this policy and report to the Board on a periodic basis. The Board President or other designee shall monitor the fingerprinting and background clearance of the Director. Volunteers who will volunteer outside of the direct supervision of a credentialed employee shall be fingerprinted and receive background clearance prior to volunteering without the direct supervision of a credentialed employee.

TB Testing

The Charter School requires immunization as a condition of school attendance to the same extent as would apply if the pupils attended a non-charter public school. The Charter School requires its employees to be examined for tuberculosis in the manner described in Education Code 49406. All staff and enrolling students will provide records documenting immunizations to the extent required by law. Records of student immunizations will be maintained, and staff will observe County requirements for period Mantoux Tuberculosis (TB) test. The Charter School will follow the requirement of Education Code section 49406 in requiring tuberculosis testing.

Vision/Hearing/Scoliosis

The Charter School shall adhere to Education Code section 49450 *et seq.* regarding vision/hearing/scoliosis screening as applicable to the grade levels served by the Charter School.

Medication in School

The Charter School will adhere to Education Code section 49423 and all other applicable provisions of law regarding administration of medication, including, but not limited to injectable medications, in school and will abide by all directives and advisories issued by the California Department of Education.

Immunizations

All students and staff will be required to provide records documenting immunizations as is required at public schools pursuant to Health and Safety Code sections 120325-120375, and Title 17, California Code of Regulations sections 6000-6075.

Role of Staff as Mandated Child Abuse Reporters

All non-certificated and certificated staff will be mandated child abuse reporters and will follow all applicable reporting laws.

Emergency Preparedness

The Charter School shall adhere to an Emergency Preparedness Handbook drafted specifically to address emergency preparedness issues that may arise at the Charter School site(s). These handbooks shall include but not be limited to the following responses: OSHA policy compliance, fire, flood, earthquake, terrorist threats, and hostage situations, and shall include an evacuation plan, and general school safety, injury and illness prevention. The Charter School shall provide a copy of the Emergency Preparedness Handbook to the District.

Staff shall be trained on emergency and appropriate first aid response.

Blood-borne Pathogens

The Charter School shall meet state and federal standards for dealing with blood-borne pathogens and other potentially infectious materials in the workplace. Whenever exposed to blood or other bodily fluids through injury or accident, staff and students shall follow the latest medical protocol for disinfecting procedures.

Drug Free/Alcohol Free/Smoke Free Environment

The Charter School shall maintain a drug-, alcohol-, and smoke-free environment at all Charter School sites.

Facility Safety

The facilities to be utilized by the Charter School shall be in compliance with applicable State and local building codes in accordance with Education Code Section 47610. The Charter School agrees to test sprinkler systems, fire extinguishers, and fire alarms annually at its facilities to ensure that they are maintained in an operable condition at all times. The Charter School shall conduct fire and other safety drills periodically and in conjunction with the District if located at District facilities.

FERPA

The School, its employees and officers, will comply with the Family Educational Rights and Privacy Act (FERPA) at all times.

Student Records

The Charter School will establish and adhere to procedures related to confidentiality and privacy of student records. The Charter School will keep student records in a locked file cabinet to which only designated staff will have keys, in accordance with policies to be adopted by the school's governing board. Student special education files will be kept in separate locked cabinets to which only staff designated to have access shall have keys. Electronic student information systems will use password protected accounts to ensure the same limits on access to student files. In the event that a student enters the school upon transfer from an existing district school, the student's records will be requested from the respective district.

Comprehensive Sexual Harassment Policies and Procedures

The Charter School is committed to providing a school that is free from sexual harassment, as well as any harassment based upon such factors as race, religion, creed, color, national origin, ancestry, age, medical condition, marital status, sexual orientation, or disability. The Charter School will develop a comprehensive policy to prevent and immediately remediate any concerns about sexual discrimination or harassment at the School (including employee to employee, employee to student, and student to employee misconduct). Misconduct of this nature is very serious and will be addressed in accordance with The Charter School policy.

ELEMENT 7. RACIAL AND ETHNIC BALANCE

The means by which the school will achieve racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district (county) to which the charter petition is submitted

--- California Education Code Section 47605(B)(5)(H)

All students who enroll in the Charter School will do so on a voluntary basis. The Olive Grove Charter School shall be non-sectarian in its programs, admission policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against any pupil on the basis of ethnicity, national origin, or disability.

The Olive Grove Charter School is committed to serving all students who desire to be home schooled or participate in an independent study program and will follow the admission requirements for the Olive Grove Charter School (*See* Element 8 Admission Requirements,

below.) Methods of achieving racial and ethnic balance will be implemented through a multi-strategy approach.

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

- An enrollment process that is scheduled and adopted to include a timeline that allows for a broad-based recruiting and application process.
- The development of promotional and informational material that appeals to all of the various racial and ethnic groups represented in the District.
- The distribution of promotional and informational materials to a broad variety of community groups and agencies that serve the various racial, ethnic, and interest groups represented in the District.
- Outreach meetings in several areas of the District to reach prospective students and parents.
- Outreach meetings with local high school counselors.

ELEMENT 8. ADMISSIONS REQUIREMENTS

Admission requirement if applicable.

---California Education Code Section 47605(b)(5)(H)

OGCS will be nonsectarian in its programs, admission policies, and all other operations, and will not charge tuition nor discriminate against any student based upon any of the characteristics listed in Education Code Section 220.

OGCS shall admit all pupils who reside in the State of California who wish to attend the Charter School subject to the provisions set forth below. No test or assessment shall be administered to students prior to acceptance and enrollment into the school. OGCS will comply with all laws establishing minimum and maximum age for public school attendance in charter schools.

Admission preference will be given to students who have been previously enrolled in, or those with siblings attending, the Olive Grove Charter School.

The Olive Grove Charter School will enroll a diverse student population who understand and value the OGCS mission and are committed to the OGCS operational philosophy. Prospective students and their parents or guardians will be briefed regarding the Charter School's instructional philosophy and will be given a copy or summary of the Charter School's guidelines.

Admission to the Charter School will require an initial interview. Each child will be tested to determine his or her level of academic skills following enrollment. A home study instructional strategy is not necessarily appropriate for every student, because not all students possess the prerequisites necessary for success (i.e. self-discipline, diligence, motivation, and the ability to learn without the support of a structured classroom). Therefore, admission to the Olive Grove Charter School will require parents, as primary deliverers of the education program, to attend an informational meeting before enrolling. It is essential that parents or guardians or a responsible adult designee be available to instruct, facilitate, monitor, review, and hold the student accountable for his or her work on a daily basis. Therefore, parent or guardian participation and supervision of the student will be a determining factor for initial and continuing enrollment. The enrollment process will include an agreement signed by the parent, student, charter school teacher, and any person designated by the parent to teach their child. This agreement will include goals, objectives, guidelines, and reason(s) for dismissal to be followed for the time period specified in the contract.

Pursuant to Education Code section 51745, special education students who wish to enroll in the Charter School must have an IEP that clearly states that participation in an independent study (home study) program is an appropriate placement for that student (Ed. Code section 51745(c)).

If, prior to the beginning of a school year, the number of admissible applicants exceeds capacity, there shall be a random public drawing for new students with priority given to those already attending or those with siblings attending. At the conclusion of the public random drawing, all students who were not granted admission due to over-capacity shall be given the option to put their name on a wait list according to their draw in the lottery. This wait list will allow students the option of enrollment in the case of an opening during the current school year. In no circumstance will a wait list carry over to the following school year. Upon confirmation that a student has secured a spot at the Charter School, parents must complete and submit an application form.

Schedule for Application, Public Random Drawing (if needed), and Admissions

- November – January: Recruitment of students (via referrals, networking, and holding informational meetings)
- January – March: Send re-enrollment forms to existing students to identify open seats. Conduct public random drawing, if needed. Hold informational meetings
- March – May: Send acceptance letters and registration/enrollment packets to families of accepted students. Send wait list letters (if needed) to families of students not selected during public random drawing process.

ELEMENT 9. FINANCIAL AND PROGRAMMATIC AUDIT

The manner in which an annual, independent, financial audit shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the chartering authority.

---California Education Code Section 47605(b)(5)(I)

An annual fiscal audit of OGCS, required under the Charter Schools Act, will be conducted by an auditor with experience in education finance and will use generally accepted accounting principles. Unless otherwise agreed by the Charter School and the District, the Charter School will be responsible for contracting with the independent auditor, who shall be selected from the Certified Public Accountant's Directory published by the State Controller's Office. The audit shall be conducted in accordance with Education Code section 47605(m) and the applicable portions of Standards and Procedures for Audits of California K-12 LEAs as published in the California Code of Regulations. OGCS shall transmit a copy of its annual independent financial audit report for the preceding fiscal year to the District or designated staff and any other entities (such as the State Board of Education, the California Department of Education, the County Office of Education, or any other agency as the State Board of Education may direct) as required by law and by December 15 of each year. OGCS will resolve audit exceptions and deficiencies, if any, to the District's satisfaction and in a timely fashion. All exceptions and deficiencies and their remedies will be communicated to the District in a timely matter.

Any disputes regarding the resolution of audit exceptions and deficiencies may be referred to the Education Audit Appeal Panel (EAAP) appeal process as required by Education Code Section 41344.

ELEMENT 10. PUPIL SUSPENSION AND EXPULSION

The procedure by which pupils can be suspended or expelled.

---California Education Code Section 47605(b)(5)(J)

The Charter School shall adopt and implement the District's policies and procedures governing suspension and expulsion, including those related to the hearing process, and discipline, suspension, and expulsion of students with disabilities. In accordance with the law, students with disabilities will receive services to continue to participate in the general education curriculum, 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 to prevent recurring conduct and to support the student.

Students shall only be suspended or expelled for violations described in Education Code sections 48900-48901.5.

The Charter School will notify the District within two (2) school days of any expulsions to request evaluation of education alternatives for expelled students. OGCS will immediately forward to the District a student's expulsion paperwork, transcript, and current class enrollment, as well as other requested documentation.

The Charter School will account for suspended or expelled students in its average daily attendance accounting as provided by law. In accordance with Education Code section 47605(d)(3), upon expulsion of any student, 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.

The Director will serve as the administrator for the purposes of conducting an investigation, evaluating disciplinary incidents, and carrying out disciplinary procedures. Staff shall immediately report to the Director any offense which may be cause for suspension or expulsion.

The purpose of the school's policy on student conduct and discipline is to promote learning and protect the safety and well-being of all students. The Charter School will emphasize positive behavioral intervention. The Charter School will emphasize school connectedness and a supportive school culture grounded in school-wide norms that clearly communicate student expectations. When students experience challenges in meeting these expectations, the Charter School staff will work with the student, parent, and teacher to try strategies that may help the student change the behavior. Discipline includes but is not limited to advising and counseling students, conferring with parents/guardians, using alternative educational environments, suspension, and expulsion.

School staff shall enforce disciplinary rules and procedures fairly and consistently amongst all students and accord all students with similar rights to due process. The Charter School will ensure that students and parents/guardians are notified in writing of all discipline policies, rules, and procedures and, at least annually, be given an opportunity to provide input and feedback on discipline policies and procedures. The Director will conduct a process to review discipline policies and procedures annually, providing an opportunity for teachers, parents/guardians, and students to participate. Proposed policy changes will go to the full board for consideration.

A student identified as an individual with disabilities pursuant to the Individual with Disabilities Education Act is subject to the same grounds for suspension and expulsion and is accorded the

same due process procedures applicable to regular education students except to the extent that federal and state law or the student's Individualized Educational Plan (IEP) mandates additional or different procedures for that student. In the case of the suspension or expulsion of a student who has an IEP, or a student who has a 504 Plan, the school will meet within ten days of suspension to conduct a manifestation determination and to discuss alternative placement in conjunction with the District prior to recommending expulsion for a student with a 504 Plan. The Charter School's Director will convene a link determination meeting to ask the following two questions: A) Was the misconduct caused by, or directly and substantially related to, the student's disability? B) Was the misconduct a direct result of the Charter's failure to implement the 504 Plan? The Charter School will follow all federal and state law when imposing any form of discipline on a student identified as an individual with disabilities and according due process to such students.

Grounds for Suspension and Expulsion of Students

A student may be suspended or expelled for any of the acts enumerated in this section and related to school activity or school attendance that occur at any time:

- While on school grounds
- While going to or coming from school
- During the lunch period, whether on or off the school campus
- During, going to, or coming from a school-sponsored activity.

Discretionary Suspension

A student may be suspended for the following acts:

- Committed an obscene act or engaged in profanity or vulgarity.
- Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.

Discretionary Suspension and/or Expulsion

A student may be immediately suspended and/or recommended for expulsion for any of the following acts as enumerated in grounds for suspension or expulsion as specified in EC § 48900. The Principal and/or Director may use his or her discretion to provide alternatives to suspension

or expulsion that are age-appropriate and designed to address and correct the pupil's specific misbehavior as specified in Education Code section 48900.5:

- Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another.
- Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object, unless, in the case of possession of any object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the Director or the designee of the Director.
- Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, any controlled substance listed in Chapter 2 of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.
- Unlawfully offered, arranged, or negotiated to sell any controlled substance, alcoholic beverage, or intoxicant, or otherwise furnished to any person another liquid, substance, or material represented as a controlled substance, alcoholic beverage, or intoxicant.
- Committed or attempted to commit robbery or extortion.
- Caused or attempted to cause damage to school property or private property.
- Stole or attempted to steal school property or private property.
- Possessed or used tobacco, or any products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit use or possession by a pupil of his or her own prescription products.
- Committed an obscene act or engaged in habitual profanity or vulgarity.
- Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia as defined in Section 1104.5 of the Health and Safety Code
- Knowingly received stolen school property or private property.
- Possessed an imitation firearm.
- Committed or attempted to commit a sexual assault or committed a sexual battery.
- Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.
- Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- Engaged in, or attempted to engage in, hazing as defined in EC § 48900(q).
- Engaged in an act of bullying as defined in EC § 48900(r).
- Aided or abetted the infliction or attempted infliction of physical injury to another person (suspension only).
- Committed sexual harassment (grades 4-5), EC § 48900.2.

- Caused, attempted to cause, threatened to cause, or participated in the act of hate violence (grades 4-5), EC § 48900.3.
- Engaged in harassment, threats, or intimidation directed against school district personnel or pupils (grades 4-5), EC § 48900.4.
- Made terrorist threats against school officials, school property or both, EC § 48900.7.

Mandatory Expulsion

The Principal, or in the absence of the Principal, the Director shall recommend the expulsion of a student for any of the following acts, unless the Principal or Director determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct acts as specified in the EC § 48915:

- Causing serious physical injury to another person except in self-defense.
- Possession of any knife or other dangerous object of no reasonable use to the pupil.
- Unlawful possession of any controlled substance listed in the California Health and Safety Code, commencing at section 11053, except for either of the following:
 - The first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis.
 - The possession of over-the-counter medication for use by the pupil for medical purposes or medication prescribed for the pupil by a physician.
- Committing or attempting to commit a sexual assault or committing a sexual battery.
- Robbery or extortion.
- Assault or battery, as defined in Penal Code sections 240 and 242, upon any school employee.
- Violation of the Federal Guns Free Schools Act.

Suspension Authority

The Principal, or, in the absence of the Principal, the Director, shall make the decision to suspend. The Principal, or, in the absence of the Principal, the Director, shall lead an investigation of the infraction and examine the variables affecting the decision to suspend or expel. The student will be permitted (1) to provide evidence regarding an incident in a suspension or expulsion and (2) to contact his or her parent. The school may consider evidence at any point during the suspension and expulsion process. The school shall inform the parent in writing of the administrative decision within three days of the decision.

Suspension Procedure

Suspensions shall be initiated according to the following procedures:

Informal Conference.

Every effort will be made to hold an informal conference prior to the suspension conducted by the Director with the student, the parent, and whenever practicable, the teacher, supervisor, or school employee who referred the student to the Director. At the conference, the student will 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 the evidence in his or her defense. The conference may be omitted if the 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 school personnel. If a student is suspended without this conference, the parent/guardian shall be notified of the suspension, and a conference will be held as soon as possible.

Notice to Parents/Guardians

At the time of the suspension, a charter school employee shall make a reasonable effort to contact the parent/guardian by telephone or in person. If the parent cannot be reached immediately by telephone, staff will continue to follow up throughout the day or attempt to contact the parent in person, for example, when the parent picks the student up from school. In addition, a written notification will be sent home within three days. The written notice will specify the fact of the suspension, its duration and reasons therefor, and will inform the parent that if desired, a prompt meeting or hearing will be held at which the suspension may be discussed with school officials. If the parents request the meeting, the suspended student may also be present and shall be afforded an opportunity to present informal proof of his/her side of the suspension.

If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may add that state law requires the parent/guardian to respond to such requests without delay. The notice shall invite the parent/guardian to contact the school if he or she wishes to participate in the return to school after suspension and shall be welcomed to do so.

Length of Suspension

The length of suspension for students may not exceed a period of 10 consecutive school days. The total number of suspension days for the year is 20. If a student is recommended for a period of suspension exceeding 5 consecutive days, a second conference will be scheduled with the

parent/guardian to discuss the progress (movement toward meeting any outcomes identified in the suspension notice) of the suspension upon the completion of the fifth day of suspension. All arrangements will be made to provide the student with classroom material and current assignments to be completed at home during the length of the suspension.

Authority to Expel

The Director shall make any recommendation to expel to the Discipline Panel. The Discipline Panel will be made up of neutral individuals appointed by the Board of Directors to provide the student with a fair and impartial hearing. The school shall notify the parent in writing of the decision within three days. Directors may expel any student, based upon the recommendation of the Discipline Panel, found to have committed an expellable offense(s) listed above in the “Grounds for Suspension and Expulsion.”

Except for expulsions for offenses listed under Education Code Section 48915(c), a student may only be expelled upon the findings and recommendations of the Discipline Panel if the charter school Board of Directors finds that the student committed the expellable offense and that at least one of the following findings may be substantiated:

- a. That other means of correction are not feasible or have repeatedly failed to bring about proper conduct.
- b. That due to the nature of the violation, the presence of the student causes a continuing danger to the physical safety of the student or others.

Expulsion Procedure

Expulsions shall be initiated according to the following procedures:

Investigation

Disciplinary investigations will include information gathering such as, but not limited to, interviews, documents, and other material evidence related to the investigation. Evidence will be gathered in adherence to applicable California Education Code and may include, but not be limited to, witness statement, written statements, and physical evidence. Any evidence that is pertinent and gathered in accordance to State law will be considered. The student will be permitted (1) to provide evidence regarding an incident in a suspension or expulsion and (2) to contact his or her parent. The school may consider evidence at any point during the suspension and expulsion process.

Extension of Suspension Pending Expulsion

In the discretion of the Principal, or, in the absence of the Principal, the Director, the student's suspension may be extended pending expulsion. In this case, a meeting will be held within 5 school days of the student's suspension to extend the suspension. The student and his/her parent/guardian are invited to attend this meeting with the Principal, or, in the absence of the Principal, the Director, or his/her designee.

At this meeting, the offense and the repercussions are discussed. An extension of the suspension may be granted only if the Principal, or, in the absence of the Principal, the Director or his/her designee has determined, after the meeting, that the presence of the student at the School would cause a danger to persons or property or a threat of disrupting the instructional process. If the student has committed an offense that requires a mandatory expulsion recommendation, this fact is discussed at the meeting so that it is understood by all parties. The purpose of the meeting is to decide upon the extension of the suspension order.

Expulsion Hearing

Students recommended for expulsion are entitled to a hearing by the Discipline Panel to determine whether the student should be expelled. The hearing shall be held within thirty school days after the Principal or, in the absence of the Principal, the Director, determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred.

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian, and if a foster child, to his/her representative, at least ten calendar days before the date of the hearing. The notice shall include:

- a. The date, time, and place of the hearing;
- b. A statement of the specific facts, charges, and offense upon which the proposed expulsion is based;
- c. A copy of charter school's disciplinary policies which relate to the alleged violation;
- d. Notification of the student's or parent/guardian's obligation to provide information about the student's status in the charter school to any other district in which the student seeks enrollment;
- e. The opportunity for the student or the student's parent/guardian to appear in person or to employ and be represented by counsel;
- f. The right to inspect and obtain copies of all documents to be used at the hearing;
- g. The opportunity to confront and question all witnesses who testify at the hearing;
- h. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf including witnesses.

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.

Presentation of Evidence

While technical rules of evidence do not apply to an expulsion hearing, 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 Discipline Panel to expel must be supported by substantial evidence that the student committed any of the acts listed in “Grounds for Suspension and Expulsion” above.

Finding of facts shall be based solely on the evidence at the hearing. While no evidence shall be based solely on hearsay, sworn declarations may be admitted as testimony from witnesses whose disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

The decision of the Discipline Panel shall be in the form of a recommendation to the charter school Board of Directors, which will make a final determination regarding the expulsion.

Special Procedures for Expulsion Hearings Involving Sexual Assault or Battery Offenses

The Charter School may, upon finding a 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 which shall be examined only by the Discipline Panel. Copies of these sworn declarations, edited to delete the name and identity of the witness, shall be made available to the pupil.

Written Notice to Expel

Following a decision of the Discipline Panel to recommend expulsion, and approval of the expulsion recommendation by the Board of Directors, the Principal shall send written notice of the decision to expel to the student or parent/guardian. This notice shall include the following:

- The specific offense committed by the student for any of the acts listed in “Reasons for Suspension and/or Expulsion.”
- Notice of the student 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 reinstatement eligibility review date.
- Copy of the rehabilitation plan.
- The type of educational placement options during the period of expulsion.
- Expulsion Appeal procedures.

The Principal or designee shall send written notice of the decision to expel to the student's district of residence and the PUSD. This notice shall include the following:

- a. The student's name
- b. The specific offense committed by the student for any of the acts listed in "Grounds for Suspension or Expulsion" above
- c. The date of expulsion

If the Discipline Panel declines to recommend expulsion to the Board of Directors or the Board of Directors does not approve the expulsion decision, the student is reinstated and permitted to return to classroom programs.

Appeal of Expulsion

Expulsion of a student will be decided upon by the Charter School Board of Directors. An expulsion may be appealed by written notice to the school within five days of the decision to expel. The student will be considered suspended until a meeting is convened to hear the appeal, within ten working days at which time the parent(s) must attend to present their appeal. The appeal will be heard by a neutral third party appeal panel to ensure a fair and impartial decision. The Appeal Panel will consider the original expulsion proceedings and evidence and the parent's appeal and will make a decision within ten days of the appeal. The Appeal Panel will not hear new evidence during the consideration of the appeal. The decision of the Appeal Panel will be final.

Transfer

The school will work cooperatively with the district of residence, county, and/or private schools to assist with the appropriate educational placement of the student who has been expelled. Any incident of violent and/or serious student behavior shall be communicated to the district/school to which the student matriculates.

In accordance with Ed. Code 47605 (d)(3), if a pupil is expelled or leaves the charter school without graduating or completing the school year for any reason, the school shall notify the district of student's last known address within 30 days and shall, upon request, provide student

cumulative records and transcripts. The Director will designate administrative staff to carry out this notice.

If a student is under an expulsion order from another school district (LEA), all information, including the student's rehabilitation plan, must be provided to the Charter School Board of Directors for review. The Board of Directors will determine if enrollment will be granted.

The Charter School will account for suspended or expelled students in its average daily attendance accounting as provided by law.

Rehabilitation Plans

Pupils who are expelled from the Charter School shall be given a rehabilitation plan upon expulsion as developed by the charter school's governing 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.

Readmission

The Charter School's governing board shall adopt rules establishing a procedure for the filing and processing of requests for readmission and the process for the required review of all expelled pupils for readmission. Upon completion of the readmission process, the Charter School's governing board shall readmit the pupil; unless the Charter School's governing board makes a finding that the pupil has not met the conditions of the rehabilitation plan or continues to pose a danger to campus safety. A description of the procedure shall be made available to the pupil and the pupil's parent or guardian at the time the expulsion order is entered. All efforts will be made to accommodate returning students.

ELEMENT 11. RETIREMENT SYSTEMS FOR STAFF

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.

---California Education Code Section 47605(b)(5)(K)

Charter School staff will participate in the State Teachers' Retirement System, the Public Employees' Retirement System, and the federal Social Security system as appropriate. The Charter School will ensure that appropriate arrangements for the coverage have been made and

will make all employer contributions as required. The Charter School will also make contributions for workers' compensation insurance, unemployment insurance, and any other payroll obligations of an employer.

ELEMENT 12. ATTENDANCE ALTERNATIVE

The public school attendance alternative for pupil residing within the school district (county) who choose not to attend charter schools.

---California Education Code Section 47605(b)(5)(L)

The governing board of a school district shall not require any student to attend the Charter School. Students who do not attend the school may attend their local school or pursue an inter-district transfer in accordance with existing enrollment and transfer policies of their district or county of residence.

Parents or guardians of each student enrolled in the charter school will be informed upon enrollment and within the student/parent handbook that the student has no right to admission in a particular school 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.

Charter School enrollment will be voluntary and tuition-free. No student will be required to enroll in the Charter School. Parents and students who choose not to attend the Charter School may attend a public school within their district of residence or pursue an inter-district transfer in accordance with existing enrollment and transfer policies of their district or county of residence.

ELEMENT 13. EMPLOYEE RIGHTS

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 employment at a charter.

---California Education Code Section 47605(b)(5)(M)

Charter School staff are employees of the Charter School. No public school district employee shall be required to work at the Charter School. If a district wishes to offer its former employees return rights, it may do so, entirely at its own discretion in accordance with applicable bargaining agreements and policies.

OGCS employees shall all have the same rights, independent of where they previously were employed. There are no special rights for an employee who leaves a school district to join

OGCS. Sick and vacation leave or service credit earned during previous employment will not carry over, nor accrue to the Charter School.

ELEMENT 14. DISPUTE RESOLUTION PROCESS

The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter.

---California Education Code Section 47605(b)(5)(N)

OGCS is committed to working with the District in a spirit of cooperation.

The staff and Board of OGCS agree to attempt to resolve all disputes between the District and OGCS regarding this Charter pursuant to the terms of this Section. Both parties will refrain from public commentary regarding any disputes until the matter has progressed through the dispute resolution process, unless doing so would cause a breach of Brown Act.

Any controversy or claim arising out of or relating to the Charter, except any controversy or claim that in any way related to revocation of this charter, shall be handled first through an informal process in accordance with the procedures set forth below, until a resolution is reached. Once the District and OGCS have exhausted the procedures below, each may pursue a remedy as entitled to them by law. Notwithstanding the foregoing, if any such dispute concerns facts or circumstances that may be cause for revocation of the Charter, the District shall not be obligated by the terms of this Section as a precondition to revocation.

Disputes Arising between the Charter School and Charter-Granting Agency

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

The Principal and Superintendent or designee shall informally meet and confer in a timely fashion to attempt to resolve the dispute, not later than 5 business days from receipt of the dispute statement. In the event that this informal meeting fails to resolve the dispute, both parties shall identify two Board members from their respective boards who shall jointly meet with the Superintendent or designee and the Principal of the Charter School and attempt to resolve the dispute within 15 business days from receipt of the dispute statement.

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

Disputes Arising from within the School

Disputes arising from within the Charter School, including all disputes among and between students, staff, parents, volunteers, advisors, partner organizations, and Board members shall be resolved pursuant to internal dispute resolution policies and procedures adopted by the OGCS Board.

The District shall not intervene in any such internal disputes without the consent of the Charter School Board and shall refer any complaints or reports regarding such disputes to the Board or Principal for resolution pursuant to the Charter School's policies. The District agrees not to intervene or become involved in the dispute unless the dispute has given the District reasonable cause to believe that a violation of this Charter or related laws or agreements has occurred, or unless the Charter School Board has requested the District to intervene in the dispute.

Site Inspection

The District may inspect or observe any part of the Charter School at any time, but shall provide reasonable notice to the Principal prior to any observation or inspection unless such notice would prevent the performance of reasonable oversight functions. The District shall endeavor to provide such notice at least three working days prior to the inspection or observation unless the Charter School Board or Principal agrees otherwise.

ELEMENT 15. LABOR RELATIONS (COLLECTIVE BARGAINING)

A declaration whether or not 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 (Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 4 of Title 1 of the Government Code).

--- California Education Code Section 47605(b)(5)(O)

For the purposes of the Educational Employment Relations Act (“EERA”), Olive Grove Charter School is deemed the exclusive public school employer of the employees of the Charter School.

ELEMENT 16. SCHOOL CLOSURE PROCEDURES

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.

--- California Education Code Section 47604(b)(5)(P)

In the event that the Charter School closes and does not continue operating under this Charter or a different charter, the following procedures, as recommended by the California Department of Education (“CDE”), shall be utilized to ensure completion of a final audit of the Charter School to determine the disposition of all assets and liabilities of the Charter School, including plans for disposing any net assets and for the maintenance and transfer of pupil records. For six calendar months from the Closure Action or until budget allows, whichever comes first, sufficient staff, as deemed appropriate by the Olive Grove Charter School Board of Directors, will maintain employment to take care of all necessary tasks and procedures required for a smooth closing of the school and student transfers.

Documentation of Closure Decision

The decision to close the Charter School for any reason will be documented by an official action of the OGCS Board of Directors. The action will identify the reason for the Charter School’s closure (i.e. whether the Charter was revoked, not renewed, or the Charter School closed voluntarily) and the effective date of the closure, and will also identify an entity and/or person(s) responsible for closure-related activities.

Authorized Closure

If the school ceases operation, and the board determines that there is no successor charter school which can carry out the mission of the school, then the school shall designate an entity or individual to be responsible for conducting closure activities. The designated entity or individual shall be known as the Authorized Closer.

Notification to the CDE

The Authorized Closer shall commence closure proceedings by notifying in writing within 72 hours of the decision school staff, parents and guardians of pupils, the District, SBE, the County Office of Education, the SELPA in which the school participates, the retirement systems in which the school's employees participate, and the California Department of Education. Notification will be given to the Charter Schools Unit at the CDE and to the County Office of Education. The notice shall include the effective date of the closure ("Closure Date"), the party to contact for information related to the closure, the pupils' districts of residence and the manner in which parents and guardians may obtain copies of pupil records, including information on completed courses and credits that meet graduation requirements. The school shall provide the Authorized Closer with a list of pupils in each grade level and the classes they have completed, together with information on the pupils' districts of residence. Notification to the CDE will also include a description of the circumstances of the closure and the location of student and personnel records. The notification will include the following information:

1. School name, charter number, and CDS code;
2. Date of closure action;
3. Effective date of the closure, if different; and
4. Reason for the closure.

(Note: If the charter is revoked pursuant to Education Code section 47604.5 or revoked or not renewed pursuant to Education Code section 47607, the notice will clearly state that the Charter has been revoked or not renewed, as appropriate. If it is being closed for other reasons, the notice will specify the reason(s) and clarify that the charter school is being closed, but not revoked).

In addition to the four required items above, notification to parents, guardians, and students will also include:

1. Information on how to transfer the student to an appropriate school and a process for the transfer of all student records. The charter school will provide the District with original cumulative files pursuant to District policy for all students both active and inactive at the charter school. Parents will be provided with a copy of their child's cumulative records from the charter school.
2. A certified packet of student information that includes closure notice, a copy of their child's cumulative record which will include grade reports, discipline records, immunization records, completed coursework, credits that meet graduation requirements, a transcript, and State testing results.

Notification to Parents and Students

The OGCS Board of Directors will promptly notify parents and students of the Charter School, the State Board of Education, the County Office of Education, 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 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.

Notification to Receiving Districts

The charter school shall announce the closure to any school districts that may be responsible for providing education services to the former students of the charter school within 72 hours of the decision to Closure Action. This notice will include a list of returning students and their home schools. Charter school closures should occur at the end of an academic year if it is feasible to maintain a legally compliant program until then.

The charter school will update all student records in the California Longitudinal Pupil Achievement Data System (CALPADS) prior to closing.

In the event that any students reside outside the District, the Charter School will notify each school district that is responsible for providing education services so that the receiving district may assist in facilitating student transfers.

Student and School Records Retention and Transfer

The Charter School will facilitate the timely transfer of student records to each student's district of eligibility or school to which the student will transfer. All transfers of student records will be made in compliance with the Family Educational Rights and Privacy Act ("FERPA") 20 U.S.C. § 1232g. The Charter School will ask the District to store original records of the Charter School's students. All records of the Charter School shall be transferred to the District upon the Charter School's closure. The Charter School and the District will assist parents in the transfer of their students to other appropriate schools. In the event that the Charter School is unable to transfer student records for any reason, the Charter School will maintain them in a safe and secure location and will provide authorized District employees with access to these records. The Charter School will maintain all school records, including financial and attendance records, for a reasonable period after the Charter School closure.

Pupil records, including all state assessment results and special education records, shall be maintained and transferred to the custody of the Authorized Closer, except for records and/or assessment results that, under the provisions of the governing charter, are required to be transferred to a different entity. Personnel records shall be maintained and transferred in accordance with applicable law.

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.

Olive Grove Charter School will allow the District access, inspection and copying of all school records, including financial and attendance records, upon written request by the District.

Financial Close-Out

OGCS will have an independent audit completed within six months after the closure of the Charter School. This may coincide with the regular annual audit of OGCS. The purpose of the

audit is to determine the net assets or net liabilities of the Charter School. The final audit will include an accounting of all the Charter School's 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 cost of the audit will be considered a liability of the Charter School.

In addition to this final audit, the Charter School will also submit any required year-end financial reports to the CDE and the District in the form and time frame required, pursuant to Education Code section 47604.33. These reports will be submitted as soon as possible after the closure action, but no later than the required deadline for reporting for the fiscal year.

Dissolution of Assets

On closure of the Charter School, all assets of the Charter School, including, but not limited to, all leaseholds, personal property, intellectual property, and all ADA apportionments and other revenues generated by students attending the Charter School, remain the sole property of the nonprofit public benefit corporation and upon the dissolution of the nonprofit public benefit corporation shall be distributed in accordance with the Articles of Incorporation. 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.

Prior to the distribution of any remaining net assets of the school, the Authorized Closer shall:

- determine if there are any remaining proceeds of any Restricted Government Grant that have not been expended for the purposes set forth in the Restricted Government Grant, and shall return any such remaining proceeds to the applicable federal or California governmental agency; and
- dispose of, distribute, or otherwise utilize any proceeds of any grants or donations (whether in cash or in-kind [i.e., materials or property]) received by the school or the school corporation from any private foundation, any other entity exempt from tax under Section 501(c)(3) of the Internal Revenue Code, as amended, any other person, or the general public in accordance with the restrictions, if any, imposed by the grantor or donor on such grants or donations at the time received by the school or the school corporation.

For purposes of subparagraph (a) above, “Restricted Government Grant” means any grant or donation (in cash or in-kind [i.e., materials or property]) made by any federal or California governmental agency to the school or the school corporation, the grant instrument of which, or the applicable law governing, requires that, upon closure of the school or dissolution of the school corporation, any proceeds of such Restricted Government Grant that have not been expended for the purposes set forth in the grant instrument or in applicable law be returned to the granting or donating governmental agency. Any return of funds will include submission, if required, of final expenditure reports for entitlement grants and the filing of any required final expenditure reports or final performance reports. Any donated materials or property shall be returned in accordance with any conditions established when the donation of such materials or property was accepted.

The school shall use, but is not limited to, school reserves normally maintained for contingencies and emergencies to fund closure proceedings.

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

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

OGCS will utilize the Charter School’s reserve fund to undertake any expenses associated with the closure procedures identified above.

DISTRICT IMPACT STATEMENT

The governing board of a school district shall require that the petitioner or petitioners provide information regarding the proposed operation and potential effects of the school, including, but not limited to, the facilities to be utilized by the school, the manner in which administrative services of the school are to be provided, and potential civil liability effects, if any, upon the school and upon the school district. The petitioner or petitioners shall also be required to provide financial statements that include a proposed first-year operational budget, including start-up costs, and cash-flow and financial projections for the first three years of operation.

--- California Education Code Section 47605(g)

Facilities

The Charter School intends to operate at the following locations:

- Santa Barbara site, located at 800 North Milpas St., Suites D & E, Santa Barbara, CA 93103, or within the general area of the city of Santa Barbara.
- Lompoc site, located at 1015 North H St., Lompoc, CA 93436, or within the general area of the city of Lompoc.)
- Santa Maria site, located at 2880 Santa Maria Way, Suite C4, Santa Maria, CA 93455, or within the general area of the city of Santa Maria.
- Morro Bay site, located at 1130 Napa St., BLDG C, Classrooms 1 & 2, Morro Bay, CA 93442, or within the general area of the city of San Luis Obispo.

Administrative Services

OGCS will also be responsible for its own personnel salary and benefit plans, provisions and costs. OGCS intends to purchase administrative services from the District. In the event that any administrative services are to be provided by the District, the specific services and fees for such services will be set forth in a Memorandum of Understanding between OGCS and the District. Should OGCS not purchase administrative services from the District, OGCS will be responsible for providing, or, at its sole expense, contracting with a third party to provide, all of its own administrative services, including, but not limited to, payroll, accounting, and purchasing. OGCS will be responsible for its own personnel salary and benefit plans, provisions, and costs.

Potential Civil Liability Effects

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

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

requested protocol to ensure the District shall not be liable for the operation of the Charter School.

The corporate Bylaws of OGCS shall provide for indemnification of the OGCS Board, officers, agents, and employees, and OGCS will purchase general liability insurance, Board Members and Officer's insurance, and fidelity bonding to secure against financial risks. Insurance coverage may be made by a joint powers authority authorized to conduct business in the State of California and limits will be set at commercially reasonable levels. A copy of OGCS's Evidence of Insurance is attached at Appendix __. The District shall be named as an additional insured and OGCS will institute appropriate risk management practices, including screening of employees, adopting a conflicts of interest policy for Board members, establishing codes of conduct for students, and dispute resolution.

Financial Statements

The following documents for the Charter School are submitted with this petition:

- 3-year budget and cash flow statement.
- Budget assumptions

OGCS has chosen to be direct-funded pursuant to provisions of the California Education Code. Any funds due to the Charter School that flow through the District shall be forwarded to OGCS in a timely fashion. Following approval of this charter, OGCS anticipates that the Charter School and the District will negotiate in good faith to develop a Memorandum of Understanding that establishes the specific financial and service relationship between the two parties.

OGCS shall provide reports to the District as follows, and will provide additional fiscal reports as requested:

1. By July 1, a preliminary budget for the current fiscal year.
2. By September 15, a final unaudited report for the full prior year.
3. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31.
4. By December 15, a copy of the School's annual, independent financial audit report for the preceding fiscal year.
5. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31.

MISCELLANEOUS CLAUSES

Amendments

Any amendments to this charter shall only be made by the mutual agreement of the Charter School and District. Material revisions and amendments shall be made pursuant to the standards, criteria, and timelines in Education Code Section 47605.

Severability

The terms of this charter are severable. In the event that any of the provisions are determined to be unenforceable or invalid for any reason, the remainder of the charter shall remain in effect, unless mutually agreed otherwise by the Charter School and the District. The District and Charter School agree to meet to discuss and resolve any issues or differences relating to invalidated provisions in a timely, good faith fashion.