

WINTON CHARTER HIGH SCHOOL

PRESENTED FOR
SPONSORSHIP CONSIDERATION
TO

**THE GOVERNING BOARD
OF THE
MERCED UNION
HIGH SCHOOL DISTRICT**

Prepared in compliance with terms, conditions, and requirements of EC 47605 and related statutes and as amended – The Charter Schools Act.

June 10, 2015

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Winton Charter High School: Assurances and Affirmations

The Winton Charter High School (The Charter School) shall:

1. Be non-sectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. Education Code Section 47605(d)(1)]
2. Not charge tuition. EC 47605(d)(1)
3. Not discriminate against any student on the basis of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code.
4. Admit all pupils who wish to attend the Charter School, EC 47605(d)(2)(A)
5. Determine attendance by a public random drawing, if the number of pupils who wish to attend the Charter School exceeds the school capacity, and preference shall be extended to pupils who currently attend the Charter School and pupils who reside in the MUHSD. EC 47605(d)(2)(B)
6. 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 MUHSD of the pupil's last known address within 30 days, and shall, upon request, provide that school MUHSD with a copy of the cumulative record of the pupil, including a transcript of grades or report card and health information. [Ref. California Education Code Section 47605(d)(3)]
7. Meet all statewide standards and conduct the pupil assessments required pursuant to Educ. Code sections 60605 and 60851 and any other statewide standards authorized in statute or pupil assessments applicable to pupils in non-charter public schools. EC 47605(c)(1)
8. Consult, on a regular basis, with its parents and teachers regarding the Charter School's education programs. [Ref. California Education Code Section 47605(c)]

NOTE: This charter contains specific "MUHSD Required Language" (DRL), where appropriate and consistent with State and Federal law, including the Assurances and Affirmations above. The DRL should be highlighted in gray within each element or section. The charter includes a consolidated addendum of the DRL. This intentional redundancy facilitates efficient charter petition review while ensuring ready access to the DRL for any given section of the charter.

The Charter School will also follow any and all federal, state, and local laws and regulations that apply to the Charter School, including but not limited to:

9. The Charter School shall meet or exceed the legally required minimum of school days. [Ref. Title 5 California Code of Regulations Section 11960]
10. The Charter School shall meet all statewide standards and conduct the student assessments required, pursuant to Education Code Sections 60605 and 60851, and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools. [Ref. Education Code Section 47605(c)(1)] Winton Educational Foundation Public Schools shall be deemed the exclusive public school employer of the employees of the Charter School for purposes of the Educational Employment Relations Act. [Ref. Education Code Section 47605(b)(5)(O)]
11. The Charter School shall admit all students who wish to attend the Charter School, and who submit a timely application; unless the Charter School receives a greater number of applications than there are spaces for students, in which case each application will be given equal chance of admission through a public random drawing process. Except as required by Education Code Section 47605(d)(2), admission to the Charter School shall not be determined according to the place of residence of the student or his or her parents within the State. Preference in the public random drawing shall be given as required by Education Code Section 47605(d)(2)(B). In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the Charter School in accordance with Education Code Section 47605(d)(2)(C).
12. Not enroll pupils over nineteen (19) years of age unless continuously enrolled in public school and making satisfactory progress toward high school diploma requirements.
13. Not require any child to attend the Charter School nor any employee to work at the charter school.
14. The Charter School shall adhere to all provisions of federal law related to students with disabilities including, but not limited to, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990 and the Individuals with Disabilities in Education Improvement Act of 2004.
15. The Charter School shall meet all requirements for employment set forth in applicable provisions of law, including, but not limited to credentials, as necessary. [Ref. Title 5 California Code of Regulations Section 11967.5.1(f)(5)(C)]
16. The Charter School shall ensure that teachers in the Charter School hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools are required to hold. As allowed by statute, flexibility will be given to noncore, non college preparatory teachers. [Ref. California Education Code Section 47605(l)]
17. The Charter School shall at all times maintain all necessary and appropriate insurance coverage.

18. The Charter School shall maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection. [Ref. California Education Code Section 47612.5(a)]
19. The Charter School shall comply with any jurisdictional limitations to locations of its facilities. [Ref. California Education Code Section 47605-47605.1]
20. The Charter School shall comply with all laws establishing the minimum and maximum age for public school enrollment. [Ref. California Education Code Section 47612(b), 47610]
21. The Charter School shall comply with all applicable portions of the Elementary and Secondary Education Act.
22. The Charter School shall comply with the Public Records Act.
23. The Charter School shall comply with the Family Educational Rights and Privacy Act.
24. The Charter School shall comply with the Ralph M. Brown Act.
25. The Charter School shall comply with the Political Reform Act.
26. 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, the Equal Educational Opportunities Act of 1974.

The Charter School shall follow any and all other federal, state, and local laws and regulations that pertain to the petitioner or the operation of the Charter School

June 10, 2015

Juan M. Martinez, PhD
President,
Winton Educational Foundation

DATE

INTRODUCTION

The Winton Educational Foundation hereby respectfully submits this charter petition on behalf of Winton Charter High School (“the Charter School”) to the Merced Union High School District for sponsorship consideration.

The Winton Educational Foundation was founded in 2012 by experienced educators and entrepreneurs to enrich students’ lives and to improve the education outcome of the Winton high school student population. The Winton Educational Foundation is a non-profit 501(c)(3) public benefit corporation with a vision that “every student is prepared to earn a college degree”. The Winton Educational Foundation’s mission is to open and operate a small, high-quality charter school in the low-income, rural community of Winton in order to:

- Increase the academic performance and education outcome of underserved students
- Develop effective educators
- Share successful practices with forward-thinking educators, and
- Catalyze change in public school

The Charter Schools Act of 1992 states that:

It is the intent of the Legislature...to provide opportunities for teachers, parents, pupils, and community members to establish and maintain schools that operate independently from the existing school MUHSD structure, as a method to accomplish all of the following:

(a) Improve pupil learning.

(b) Increase learning opportunities for all pupils, with special emphasis on expanded learning experiences for pupils who are identified as academically low achieving.

(c) Encourage the use of different and innovative teaching methods.

(d) Create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site.

(e) Provide parents and pupils with expanded choices in the types of educational opportunities that are available within the public school system.

(f) 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.

(g) Provide vigorous competition within the public school system to stimulate continual improvements in all public schools.

- California Education Code Section 47601(a)-(g)

The proposed Charter High School plans to make important contributions to the legislative goals outlined above. By granting this charter petition, the Merced Union High School District will help fulfill the intent of the Charter School Act of 1992, while providing students in the county an education option.

Element 1: 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.

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

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.

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

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)(ii)

GENERAL INFORMATION

- The contact person for the Charter School is Dr. Juan M. Martinez
- The contact address for the Charter School is: 6584 N. Winton Way, Winton, CA 95388
- The contact phone number for the Charter School is (209) 676-0855.
- The proposed address for the first year of the Winton Charter High School is 6765 N. Winton Way, Winton, CA 95388
- The term of this charter shall be from July 1, 2017 to June 30, 2022
- The number of students in the first year of the charter will be 200.
- The grade level of the students in the first year of the charter will be 9th Grade. The School will ultimately grow one grade level per year to a 9-12 high school. See table below.

Grade Level	2017-18	2018-19	2019-20	2020-21	2021-22
9	200	200	200	200	200
10		200	200	200	200
11			200	200	200
12				200	200
Total	200	400	600	800	800

- The scheduled opening date of Charter School is August 13th, 2017.
- The admission requirements include Completion of a Student Interest Form for each child who is interested in attending the Charter School.
- The enrollment capacity after 4 years is projected at 800.
- If space available, traveling students will have the option to attend.
- The type of instructional calendar will be a modified traditional calendar.

ACADEMIC CALENDAR AND SCHEDULES

The Charter School shall offer, at a minimum, the number of minutes of instruction set forth in California Education Code § 47612.5, and the number of school days required by Cal. Admin. Code, title. 5, § 11960.

Instructional Academic Calendar

Complete Schedule by Grade

	WRT	CPU	BIO	ENG 9	ALG 2	SPA
	SPA	WRT	CPU	BIO	ENG 9	ALG 2

9 th Grade	A Day	B Day	A Day	B Day	A Day	B Day
	Per. 1	Per. 1	Per. 2	Per. 2	Per. 3	Per. 3
	ENG9	ALG1	SPA	WRT	CPU	BIO
	ALG2 S	ENG9	WRT	SPA	BIO	CPU
	CPU	BIO	ENG9	ALG2	SPA	WRT

Key	Instructional Minutes Per Period		
	Per. 1 Reg/Min	Per. 2 Reg/Min	Per. 3 Reg/Min
Biology	131/60	116/60	131/60
Computer Literacy	131/60	116/60	131/60
Composition	131/60	116/60	131/60
Spanish 1	131/60	116/60	131/60
Algebra 2	131/60	116/60	131/60
English 9	131/60	116/60	131/60
Algebra 1	131/60	116/60	131/60

LOCAL CONTROL AND ACCOUNTABILITY PLAN

The Charter School acknowledges and agrees that it must comply with all applicable laws and regulations related to AB 97 (Local Control Funding Formula), as they may be amended from time to time, which include the requirement that Charter School submit a Local Control and Accountability Plan (LCAP) to the Charter Schools Division and the Merced County Superintendent of Schools on or before July 1, 2016. In accordance with California Education Code §§ 47604.33 and 47606.5, Charter School shall annually update its goals and annual actions to achieve those goals identified in the charter pursuant to Education Code § 47605(b)(5)(A)(ii), using the Local Control and Accountability Plan template to be adopted by the State Board of Education. Charter School shall submit its annual update to the Charter Schools Division on or before July 1 of each applicable year, beginning in 2016. The Charter School shall comply with all requirements of Education Code § 47606.5, including but not limited to the requirement that the Charter School “shall consult with teachers, principals, administrators, other school personnel, parents, and pupils in developing the annual update.” § 47606.5(e).

STUDENT POPULATION TO BE SERVED

Student Characteristics	Year 1	Year 2	Year 3	Year 4	Year 5	
Student Enrollment	200	400	600	800	800	
Student ADA	190	380	522	665	665	
Grades	9	9-10	9-11	9-12	9-12	
% Free/Reduced Lunch	93	93	93	93	93	
% of ELL/LEP Students	46	46	46	46	46	
Avg. # of Students Per Class	25	25	25	25	25	
Number of classrooms	8	16	22	28	28	

Projections of who we will serve

According to demographic data compiled by the California Department of Education (“CDE”), the MUHSD enrolled 10039 students in 2013-14. Of these students;

- White-Not Hispanic constitute 18.0%
- Hispanics constitute 67%
- African Americans constitute 3.9%
- American Indians 0.4%
- Asians 10.4%
- Filipinos .09%
- Pacific Islander .001%

The Charter School seeks to enroll a diverse population of students that reflects the demographics of the Winton Elementary School District, specifically the Winton Middle School, whose demographics are as followed: Total Winton Middle School student population: 577 students

- Hispanics constitute 500 or 86.6%
- White constitute 37 or 6.4%
- Asian constitute 25 or 4.3%
- African American constitute 5 or .8%

Winton Charter High School’s educational program is based on the instructional needs of our target student profile. The Winton Charter High School will target the Winton high school student population, including, but not limited to:

- Students who are not currently successful in their current core academic subjects;
- Students whose academic or English language learning needs necessitate a small school environment with personalized attention;
- Students whose academic or English language learning needs are not being met in a traditional school environment; and
- Students whose diversity represents their respective communities.

In education, one size does not fit all and the Winton Educational Foundation is dedicated to providing students and families throughout the California Central Valley with a small rural community school option that can meet their unique education needs.

COMMUNITY NEED FOR A CHARTER SCHOOL

The Charter School provides a safe, high performing alternative for families in the Winton area. The planned academic success will strive to outperform the present neighboring schools. The School is poised to establish its success record with a strong leader and a committed group of educators. The community of Winton and a large number of its high school student population has been neglected by the Merced Union High School District through lack of community and academic support related activities

sponsored by the district. We will not go into the details of the neglect, since they only add to the unquestionable fact that a community of a population of over 11,000 deserves its own high school.

The Advisory Board of the Winton Educational Foundation is acutely aware of the history of charter schools in Merced County. As such, the founders are also sensitive of that fact that many Latino high school students and parents in the district may be skeptical of a charter school in the town of Winton. The Winton Elementary School District would have been the best option to undertake this high school project. However, the school board opted not to pursue this option, and the alternative is to plan for this charter school project through a community based organization and the Winton community as the organizers.

The need for the Winton high school student population to really enjoy the “High School Experience” is to have its own high school. The involvement, the opportunities and the community pride that a local high school offers is invaluable. At the present time, even though the nearby Atwater High School offers an excellent overall academic and extracurricular program, it is not being taken advantage by the Winton high school student population.

Since most of the founders live in the Winton community, they are very familiar with the needs of the young people in Winton. This charter petition is an excellent option for most the Winton high school students. Upon endorsement from the local Merced Union High School District, the planning stage of the approved curriculum, facilities, instructional strategies and hiring of personnel will commence. The starting date has been moved to the fall of 2017 to accommodate construction plans while a transitional educational facility is being used for the first year.

The Winton community and its high school student population deserves a high school that will meet the academic, vocational and personal development needs of the students in order to learn of options and choices available to them after they complete high school. The advantage to choose an educated career path on to become a productive, contributing citizen, is not fully being utilized by the Winton high school students. For many reasons, most students do not continue their post secondary education and when they do chances are they will not return to the Winton community. A high school in Winton, not only will provide an excellent education option, but will bring an economic boost to the local economy, which presently does not have a fast food restaurant, a bank, a police station and a major retail store. Is this a good start? We are confident that the Winton Charter High School will lead to revive a community that is vibrant and in need of support.

THE SCHOOL'S MISSION

The Charter School's mission is to provide all students with an exceptional education that will allow them to excel inside and outside the classroom. The Charter School seeks to achieve this mission by offering students a rigorous core curriculum, an outstanding staff, high standards and expectations, extended instructional hours, and personalized learning opportunities. The Charter School will strive to ensure that students are prepared for college and for the 21st century world and workplace by helping them develop important basic skills, thinking skills, and life skills.

THE EDUCATED PERSON IN THE 21ST CENTURY

Winton Educational Foundation recognizes that to be an Educated Person in the 21st century, our students need to have a foundation of knowledge and skills to access this world of ideas, as well as the ability to analyze information, ask good questions and innovate new ideas, and express themselves thoughtfully. They must also have habits of mind that include self-motivation, intellectual curiosity, analytic ability, creative thinking, moral reasoning, self-confidence, and empathic action. Thus equipped, students will excel in college and become engaged and empowered citizens in their community and beyond.

HOW LEARNING BEST OCCURS

Winton Charter High School's education program is designed to give students the content knowledge and habits of mind necessary to face the challenges of the 21st century. The California Common Core State Standards ("CA CCSS") drive the instruction of, The Charter School by providing the road map of what students need to know. Students will have the skills and habits of mind to graduate from the Charter School with the A-G approved coursework in order to gain admission to a postsecondary school of their choice.

In order to prepare students to succeed in college, Winton Charter High School's educational program has drawn on the Center for Educational Policy Research's study *Standards for Success* (2003). This research gathered information about the required skills to succeed in college from more than 400 staff and faculty members at research universities. The authors of this research believe college students need "critical thinking, analytic thinking and problem solving; an inquisitive nature and interest in taking advantage of what a research university has to offer; the willingness to accept critical feedback and to adjust based on such feedback; openness to possible failures from time to time; and the ability and desire to cope with frustrating and ambiguous learning tasks." Winton Educational Foundation has interwoven these habits into its core curriculum, which the Charter School follows. With the adoption of the CA CCSS, the Charter School program will be more tightly aligned to our college readiness goal.

THE EDUCATED PERSON IN THE 21ST CENTURY

Additionally, Winton Charter High School will build a College Preparatory culture. Beginning in the 9th grade, through the Ninth Grade Academy, students are informed and inspired to succeed in high school and attend college. The teachers and principal proudly will share their college going experiences, diplomas and challenges. At Winton Charter High School students will be given the will, the skills and the habits of mind to attend college and succeed in life by becoming self-motivated, competent and life-long learners.

School Culture

The Charter School will be a place where students will feel the rigorous caring of every adult on campus from the office manager to the principal. Students will know they have a team of advocates who will hold them to high expectations, but support them when they fall short. They will be there when they try again. The Charter School will use technology to empower students, and also recognize that some students are digital natives whose skills may quickly surpass those of some adults in the building. The Charter School will cultivate a culture that embraces this type of engagement and harnesses students' natural curiosity about technology to create a dynamic environment in the Charter School.

“Make Sense of Problems and Persevere in Solving Them”
-CCSS Mathematics Practice Standards”

The CCSS identify changes in how students will need to approach understanding mathematics and problem solving. At Winton Charter High School it is the belief that resiliency referenced in this math practice standard applies to all aspects of schooling. Our students need to be resilient and tenacious about learning, whether they're attacking a challenging math problem, reading a complicated text or solving a coding problem. Using the seven “C's” of resiliency identified by Dr. Ginsburg at the University of Pennsylvania School of Medicine, the Charter School will focus on building and celebrating resilient learners through a comprehensive system of events, rituals and structures.

Competence: The feeling of knowing that you can handle a situation effectively and build on one's experiences.

- Identifying individual strengths in their Personalized Learning Plans
- Allowing children to make decisions about choices in their books and projects
- Creating challenging problems that students work together to solve

Confidence: Believing in your own ability to tackle new challenges, and recover when facing difficult situations.

- Providing students with data aligned with their goals

- Honoring students' accomplishments both behavioral and academic as often as possible at school and in the community
- Privately acknowledging students in the classroom when students demonstrate a growth mindset or perform well

Connection: Building close ties to others to create a solid sense of security and independent thought.

- Creating small schools and classes to allow connections with students and adults
- Using the Responsive Classroom program which teaches C.A.R.E.S. (Cooperation, Assertiveness, Responsibility, Empathy, Self-Control) so students have words to explain their feelings
- Providing conflict resolution training to help students solve conflicts

Character: Building an understanding of right and wrong and instilling the capacity to follow a moral compass.

- Holding Morning Meetings to create a climate of trust
- Providing explicit instruction about behavior through C.A.R.E.S.
- Using restorative justice techniques to provide avenues for problem solving and community re-entry

Contribution: Helping you realize that the world is a better place because you participate positively in it and affect others, which in turn feels good.

- Teaching about the needs of others in the community
- Giving each student opportunities to contribute to the school community
- Creating small class sizes so students can build significant relationships with at least one adult

Coping: Managing one's stress by learning methods to both engage and disengage at times, instead of reacting off the cuff.

- Utilizing a full-time counselor to support students with coping
- Building relationships and strong communication with families through Saturday School and Student Led Conferences
- Providing explicit instruction on managing stress through exercise and nutrition

Control: Realizing that you can control the outcomes of your decisions and by demonstrating responsibility, you increase your own sense of agency.

- Having students complete reflection forms when they make poor decisions
- Offering a full time counselor for students
- Conducting Morning Meetings to discuss challenges for the classrooms

Social-Emotional and Behavioral RTI (Response to Intervention)

Winton Educational Foundation believes strongly that public education must be committed to addressing the holistic well-being of students. Some of the most at-risk students are those who experience challenges in multiple domains. It is our intention to provide the opportunity for students to have access to coordinated and integrated care.

These at-risk students are those for whom mental health and/or environmental circumstance create barriers to their academic success. Students living in disadvantaged neighborhoods are often disproportionately impacted by trauma and chronic stress, experiencing repeated exposure to gang activity, crime and community and interpersonal violence. Youth who experience trauma are often unable to process information, distinguish between threatening and non-threatening situations, form trusting relationships, and modulate their emotions, all of which can have a negative impact on their academic achievement and may increase their referral rates to special education services. Students from disadvantaged neighborhoods are referred more frequently to the highest level of intervention, and that trauma-informed care is a crucial component to preventing and addressing academic, behavioral and emotional challenges.

The Winton High School's multi-tiered, trauma-informed approach to supporting students' mental health and behavioral needs will ensure that these challenges are identified early and often. By proactively and consistently analyzing data that indicate students' level of engagement and success, including academic assessment data, attendance, and disciplinary data, the Charter School community will make certain that each youth receives an appropriate level of interventions articulated above, the Charter School will provide the following behavioral/social emotional support to students.

- **Tier One, Behavioral/Social Emotional:** The Winton Educational Foundation and the Winton Charter High School are committed to creating a safe, active, and accessible learning environment for all students. This will include the clear articulation of school-wide behavioral expectations and the use of positive behavioral supports for all students. To support the healthy social emotional development of our student body, the Charter School plans to utilize the Responsive Classroom along with other social emotional learning program, such as "Positive Action", as well as an anti-bullying program such as "Olweus Bullying Prevention". In addition, the Charter School will focus on building the trauma competency of all teachers in order to meet the needs of the Charter School's most struggling students in an inclusive setting. As a Tier One Strategy, the charter school will also integrate Restorative Practices for restoring when harm has been done. Restorative practices build individual and community capacity to resolve conflict, to deepen empathy and to heal.
- **Tier Two, Behavioral/Social Emotional:** The Charter School Leader will work to develop thresholds for the initiation of tier two services, considering data including office discipline referrals, teacher referrals, and attendance. In addition, individual students will be identified for tier two supports through Grade Level Team (GLT) meetings. For students who are experiencing behavioral challenges, the GLT will work to create a individualized Behavior Map and/or behavior contract. Behavioral goals will be developed and assessed over time to determine if students are ready to return to tier one levels of support, or if they may be candidates for tier three services. For students who are experiencing social emotional challenges, the GLT may refer them to participate in group counseling, such as Cognitive Behavioral Intervention for Trauma in

Schools(CBITS) AND Aggression Replacement Therapy(ART), targeting the specific risk-factors revealed through assessment data. Each student's progress will be assessed at the end of the intervention cycle to determine readings to return to tier one level of support, or whether students may be in need of intensive, tier three services. Parents are important partners in the Tier Two behavioral and social emotional support. Parents will be required to volunteer an average of 50 hours per year to the Charter School.

- **Tier Three, Behavioral/Social Emotional:** These services include Functional Behavioral Analysis(FBA), the development of a Behavior Intervention Plan (BIP), and mental health case management, including referrals for and initiation of individual and/or family therapy. FBAs identify antecedents to problem behaviors, the purpose or function of the problem behavior, possible replacement behaviors that could be taught to the student and strategies for ensuring that desirable behaviors are reinforced and problem behaviors are not. The process culminates in the development of a BIP that is carried out and closely monitored by the team. It is our aim to have a Spanish-speaking, on site mental health provider who will be able to work with individual students and families in need of mental health support, while other students may be referred to quality mental health providers within the community. Again, parents are important partners in the Tier Three behavioral and social emotional supports.

THE CHARTER SCHOOL'S PROGRAM DESIGN ELEMENTS

- ***Community***

Winton Charter High School will be small with approximately 200 students per grade level. The schools will be broken into divisions and small classes to create a community where each student is known personally.

- *Small Schools:* Students are more likely to succeed in small schools, where teachers and the principal know each family well. Students and their needs are not lost in the crowd. Target enrollment for the Winton Charter High School is between 600 and 800 students at full capacity.
- *Small Class Sizes:* In smaller classes, teachers can give each individual student the time and individual attention necessary to realize his or her personal academic goals.
- *Advisory Groups:* Beginning in the 9th grade, each student is assigned to an advisory group of approximately 25 students that meets on a regular basis with an adult advisor. The advisor acts as a bridge between the Charter School and the students' other communities (e.g. family, work, clubs, social service agencies). Ideally, the same group stays together for several years, sometimes through graduation, and provides a support structure for students.

- ***Learning Time***

Winton Charter High School will provide 15% more learning time for students than traditional public schools, and will use time more effectively during the year and day to maximize in-depth learning.

- *Longer School Day:* Students learn more when they are given more time to learn each day. With more time, teachers can create more effective projects to build higher order thinking skills. Winton Charter High School will have, on average, a 7.5 hour school day for grades 9-12. In other words, the students will receive about one hour more instruction each day than students in traditional public schools.
- *Longer School Year:* Winton Charter High School will provide approximately 186 to 190 days of instruction, which is about 11 more days than traditional public schools. Some of these additional days are on Saturday, when families can attend class with their children.
- *Modified Traditional Calendar:* The Charter School uses a modified traditional calendar (shorter summer recess) to decrease the loss of learning during extended recesses. The School starts earlier than traditional calendars, includes a Fall Break and runs later into the summer.

9th Grade (Freshman) Academy

9th Grade Academy's Mission Statement: The mission of the 9th grade academy is to educate and prepare 9th grade students for a successful transition into high school. The academy will provide a supportive environment, will promote individual responsibility and will assist in developing the skills necessary for success in high school and ultimately college and career readiness. Winton Charter High School will create the 9th Grade Academy based upon the school's specific needs and capabilities. The benefits for both students and staff are the following:

Students

- Increased Academic Achievement
- Reduced Isolation
- Enhanced Sense of Community
- Increased promotion rate to 10th grade
- Improved Student Behavior
- Improved Student-Teacher Relationship
- Increased Graduation Rates

Staff:

- Shared Vision
- Collective Responsibility for Student Success
- Common Planning Time with Team
- Enhanced Communication with Parents
- Opportunities for Interdisciplinary Lessons
- Curriculum Development Opportunities
- Greater Morale for New Education Initiatives
- Exclusive Guidance Counselor

Expected Outcomes:

- Improved Academic Performance
- Improved School Attendance
- Decreased Discipline Referrals

Teaching Methods

All educators at Winton Charter High School will use a variety of pedagogical strategies to ensure all students learn and grow continuously. Strategies are selected based on the teacher's knowledge of how students best learn different topics, and are usually used in combination. Winton Charter High School will create Instructional Guidelines (PACING GUIDES) in math, language arts, science and humanities (i.e. the interdisciplinary study of social sciences, literature, and art), that spell out the frequency and purpose for each type of instruction. These instructional strategies are well-aligned to the deep understanding required by the California Common Core State Standards and the academic content and performance standards. The Instructional Guidelines will be revised annually as more is learned about effectively implementing the CA CCSS. These guidelines, as well as the purchased curriculum materials, provide the structure for a standards-based curriculum. The educators will also be trained to adapt these methods in ways that maximize personalized experiences each student receives. The major strategies used include:

- ***Explicit Instruction:*** in this traditional form of teaching, the teacher presents the lesson, which includes: a purpose; specific instructions; modeling; guided practice; and checking for understanding. At the conclusion, students individually demonstrate their new skills or knowledge.
- ***Massed and Distributed Practice:*** this retention strategy provides students with many opportunities to practice new skills upon initial learning. Practice is then distributed over the course of many months to increase the retention of previously learned skills and knowledge.
- ***Problem Solving:*** this method provides students with a step-by-step process for determining the solution.
- ***Inquiry:*** in this process, students are presented with a problem or question, and formulate and test theories to work towards a solution.
- ***Culturally Appropriate Curriculum and Instruction:*** A multicultural curriculum and culturally sensitive pedagogy will enable students to appreciate and respect their own and each others' heritages and to develop an understanding of multiple perspectives.
- ***Flexible Supports:*** Many supports will be provided within the classroom, the Charter School and community. For example, pedagogical support might include literacy support, tutoring across subject areas, and second language learning supports.

- *Diagnostic Assessment:* Teachers will use a wide range of diagnostic assessments to evaluate how students are learning as well as what they are learning. These assessments will inform decisions about the curriculum and teaching strategies as well as individual supports for students. Once each term the teacher, parents and students will discuss the student's learning strengths and weaknesses, and set goals for the next semester. An instructional rubric will be developed to assess the learning.
- *Authentic Experiences:* At Winton Charter High School, students will learn literacy skills through authentic reading and writing experiences, including shared reading, guided reading, independent reading, shared writing, interactive writing, writing workshops and independent writing. At the charter school, students focus on "reading to learn," through reciprocal teaching, literature circles, and the use of both non-fiction books and classical literature. Students also learn by applying the scientific method to hands-on experiments and by interacting with others on community issues.
- *Distance Learning:* In grades 11 and 12, students may elect to take some specialized coursework on-line, through colleges and universities.

Curriculum

The Winton Charter High School will use a combination of adopted programs and curriculum developed in-house to meet state standards and build basic skills, higher-order thinking skills, and life-skills. The curriculum will be clearly articulated as a 9-12 system and based on the CA CCSS. All elements of the curriculum are research-based and have been proven effective in schools. The specific CA CCSS curriculum materials will be determined through an organization- wide adoption process.

- *Language Arts:* Students communicate ideas clearly and effectively in various modes of expression appropriate to audience and purpose. This may be through oral reports and debates, written letters and essays. Through the examination of various texts, students demonstrate critical reading and active listening skills in order to comprehend, interpret and evaluate ideas. Students write extensively in both expository and creative forms.

When students are learning to read, instruction will focus on phonemic awareness, phonics instruction, fluency, and text comprehension. Writing is integrated into the learning process. In preparation for the change to the California Common Core State Standards for English Language Arts & Literacy ("CA CCSS for ELA/Literacy as well as preparing them for college, students write in every subject with writing instruction embedded into feedback, as well as explicit writing instruction.

Grades 9 -12 use California's Recommended Literature list, as well as texts referenced in the CA CCSS for ELA/Literacy for the core of its English Language Arts program. This may be supplemented with real life readings such as editorials, non-fiction texts and additional resources such as Write Source.

- ***Social Science:*** The history and social studies curriculum ensures that students are historically literate (including culture, geography, politics, economics, and ethics) and become active, informed citizens (including U.S. policy and effective research techniques). Students apply historical, political, philosophical, geographical, economic and sociological knowledge to local and global situations in order to comprehend contexts and events, predict and evaluate the outcomes of human actions, and act responsibly as world citizens. Students learn to apply chronological, thematic and integrative thinking, develop and test hypotheses about cause and effect, gather evidence to support conclusions, use methods of historiography, conduct in-depth and relevant research, critically examine sources, and synthesize ideas. Materials at both the elementary and secondary level include primary sources, historical literature, History Alive! Interact and a variety of non-fiction texts as recommended by the CA CCSS.

Throughout the 9-12 instructional program, social science and language arts are interwoven. The stories and facts in history are the vehicles for instructing students to read and write.

- ***Mathematics:*** Students apply mathematical concepts and processes, including number systems, operations, graphics and logic, in order to problem-solve within and outside of mathematics. Students demonstrate facility with the language of mathematics and express generalizations discovered through investigation. Students are expected to be competent in symbolic reasoning and in constructing logical arguments.

A balanced approach provides both the conceptual understanding of math and the skills to solve problems. By providing extensive math time in secondary schools, our state adopted math materials, Harcourt Brace, Prentice Hall and California Preparatory Mathematics can be interwoven with other real-life problems. These materials will also change or be updated with the realignment with the CA CCSS: Mathematics.

A key tool in mathematics instruction is the standards-based software program Edusoft. Edusoft creates scores and reports standards-based assessments. Winton Educational Foundation uses these assessments as both benchmark exams and formative assessments. The Edusoft reports in all subjects inform the teacher on whether the students have mastered a standard or need further instruction. Winton Educational Foundation is currently in the process of reviewing several vendors for CA CCSS aligned questions to create CA CCSS aligned assessment.

- **Science:** Students demonstrate understanding of scientific concepts and ideas through real-world applications. The Next Generation Science Standards are the basis for content and scientific thinking. Students utilize scientific research and inquiry methods to conduct investigations and problem-solve. They apply conceptual knowledge and processes from the major branches of science (biology, chemistry, the earth sciences and physics) in order to further the study of science and relate the study of science to other disciplines. Additionally, the instruction aligns with the technical writing and reading standards outline in the CA CCSS. The Charter School will use a variety of curriculum materials and the state adopted textbooks may be supplemented with AIMS, FOSS, scientific readings and local scientific resources such as guest speakers, field trips, and presentations.
- **Spanish/Second Language:** Students work with the fundamentals of language structure, pronunciations, grammar, vocabulary, idioms and phrases in Spanish to develop competency in oral and written Spanish. Students work with Spanish texts to develop an understanding and appreciation of the various Spanish-speaking cultures. Although the Charter School primarily offers Spanish as a foreign language, the school encourage 9th through 12th grade students to take advantage of core academic courses taught in Spanish on- line or at local colleges to receive instruction in other languages.

Other subjects essential to a healthy and balanced life are also covered in a variety of ways:

- **Visual and Performing Arts:** Appreciation and participation in the arts are essential to each student's development. At the elementary level, arts are integrated into thematic units to inspire students, help ideas come to life by using multiple intelligences, and ensure cultural literacy. Visiting artists and parent docents also provide special programs in the arts. The Charter School will offer some on- campus electives in visual and performing arts and establish partnerships with local arts organizations and colleges to provide additional programs for students.
- **Health:** Students develop an understanding of the importance of health and nutrition through classroom instruction, selected special programs, collaborations with local health agencies, and thematic units. Health instruction follows the California Health Framework. Data from the California Healthy Kids survey or our own internal surveys will inform additional needed interventions

Early College Model

The Winton Charter High School will follow the Early College High School Model, which is recognized by the California Department of Education as an important option for removing major barriers for “young people who are underrepresented in postsecondary education.” The California Department of Education partners with the Chancellor's Office for the California Community Colleges to support the Early College High School

(ECHS) Initiative of the Foundation for California Community Colleges.

An Early College High School, aims to blend high school and college into a coherent educational program, making it possible for all students to earn two years of college credit at the same time they are earning a high school diploma (within four to five years of entering ninth grade). (AB 967 and California Education Code 48800 – 48802 provides for high school students to concurrently enroll in high school and college courses.) College classes may be provided online, on the Charter School’s campus, or on a local college campus. The courses may be taught by a college instructor or an employee of the Charter School who has been qualified by a local college.

Alignment with California state standards and UC A-G requirements

All secondary courses that are tested through California’s Standardized Testing and Reporting (“STAR”) program are offered as high school courses, ensuring that all students master the CA CCSS. With the change to the CA CCSS, these will be realigned. For non- tested courses, Winton Educational Foundation schools work to earn recognition through California’s UC Doorways program to ensure that all courses meet the level of rigor for college preparatory work.

Sample Scope and Sequence

A – G Reqm’t	9 th Grade		10 th Grade		11 th Grade		12 th Grade	
	S1	S2	S1	S2	S1	S2	S1	S2
A: Social Science			World History	World History	US History	US History	Econ	<i>US Gov.</i>
B: English	English 1	English 1	English 2	English 2	English 3	English 3	**ERCW Expos. Read/Writ	<i>**CC English IA</i>
C: Math*	Geometry	Geometry	Alg 2	Alg 2	Pre-Calculus	Pre-Calculus	<i>**Statistics or Calculus</i>	<i>**Statistics or Calculus</i>
D: Lab Science	Physics	Physics	Biology	Biology	Chemistry	Chemistry		<i>**Biology</i>
E: Foreign Language	Spanish or ASL	Spanish or ASL	Spanish or ASL	Spanish or ASL				
F: Art			Art 1	Art 1	CC Drama			
G: Electives	English Comp	English Comp				<i>Psych</i>	<i>**CC Anthro</i>	<i>**CC AA Lit</i>
Winton Charter Add'l (non-core)	<i>Tech</i>	<i>Tech</i>					Internship	Internship
	Advisory	Advisory	Advisory	Advisory	Advisory	Advisory	Advisory	Advisory

*** Students are assumed to pass have passed Algebra in the 8th grade**

**** Courses in italics can be Community College or University classe**

Course Descriptions

- **World History**

Throughout this course, students will examine the themes of identity, community, and interactions—how people identify themselves, organize into communities, and interact with each other and other communities to resolve conflict. Students will examine the rise of democratic ideas in theory and reality, and trace the development of democracy over time. We will also examine the formation of nations and the conflicts that have since arisen—imperialism, World War I, World War II, and the drive for independence. Students will see how history shapes current conflicts and global issues as they trace issues of imperialism through the 20th century and up until today.

- **U.S. History**

This is a one-year required 11th grade class that must be passed to qualify for graduation. Students will examine the major turning points in American history in the 20th century. They will review the nation's beginnings, democratic ideals, and industrial transformation. They will cover a series of thematic units: the Progressive Era, the Jazz Age, the Great Depression, World War I, World War II, the Cold War, Civil Rights Movement, the Vietnam Era, and contemporary American society.

- **Economics**

This course involves the study of economics in a changing American society. Problems of unemployment, inflation, automation, government spending, and international trade will be explored. Students will learn about capitalism, socialism and communism. The course will also cover poverty, monetary policy, amendments, fiscal policies and the balanced budget.

- **U.S. Government**

This course is designed for seniors to provide an understanding of the functions of federal, state and local government. Major emphasis is placed on the US Constitution and its influence at all governmental levels and the rights and the responsibilities of the American citizenship.

- **English 1**

English 1 is a literature-based course that will cover reading, writing, listening and speaking in accordance to the California State standards. Students will read texts covering five genres: short story, poetry, fiction, non-fiction, and drama. The literature will be historically and culturally significant. Students will read six novels and will respond to the literature in a variety ways including essay writing, character analysis, dramatic simulations, and oral debates. Throughout the year, students will work on the following skills: vocabulary development, directed reading and writing, literary analysis, and language mechanics. They will complete a variety of writing activities including: narrative, expository, persuasive, and interpretive

essays. These activities will help them to develop research and organizational skills and all essays will follow MLA style guidelines.

- **English 2**

This course is for tenth grade students who have successfully completed English 1. Students will read a variety of genres (non-fiction, fiction, short stories, poetry, and drama), and will analyze texts within a historical/cultural context. Students will be required to use close-reading and critical thinking skills in order to engage in an in-depth analysis of the 6 texts they will be studying. They will engage in a thematic study of literature that will required them to compare and contrast texts, as well as make connections between the literature and corresponding historical contexts. Activities in each unit will help students develop their reading, writing, and oral skills. Students will complete a variety of writing activities, including interpretive, narrative, persuasive, and descriptive writing that demonstrate critical thinking, organization, and drafting strategies. In addition, students will increase their vocabulary, further their knowledge and application of English mechanics, and learn important research skills that will be required of them in advanced English courses. This course is intended to help students meet the state language arts content and performance standards, as well as prepares them for the rigor of college courses.

- **English 3**

This course is designed for eleventh grade students who have successfully completed English 1 and English 2. The course focuses on reading, writing, listening and speaking in accordance with the California State Standards. Students study a variety of genres including non-fiction, novels, short stories, poetry, and drama. The course is linked with the United States History course and the literature read is tied to the events studied in that course. Students engage in a thematic study of literature that requires them to compare and contrast texts, as well as make connections between the literature and corresponding historical contexts. Students complete a variety of writing activities, including interpretive, narrative, persuasive, and descriptive writing that demonstrate critical thinking, organization, and drafting strategies. In addition, students will increase their vocabulary, further their knowledge and application of English mechanics, and learn important research skills that will be required of them in advanced English courses.

- **English 4**

This course is designed for twelfth grade students who have successfully completed English 1, English 2 and English 3. This course focuses on reading, writing, listening and speaking in accordance with the California State Standards. Students study a variety of genres including non-fiction, novels, short stories, poetry and drama. The course is linked with Economics/Government courses and the literature tied to the events studied in those courses. Students engage in thematic study of literature and corresponding historical contexts. Students complete a variety of writing activities, that complement the eleventh grade work, including interpretive, narrative, persuasive and descriptive writing that demonstrates critical thinking, organization and drafting strategies. In addition, students will increase their vocabulary, further their knowledge and application of English mechanics, and learn important research skills that will be required of them in advanced English courses.

- **Geometry**

The main purpose of the geometry curriculum is to develop geometric skills and concepts and the ability to construct formal logical arguments and proofs in a geometric setting. Although the curriculum is weighted heavily in favor of plane (synthetic) Euclidean geometry, there is room for placing special emphasis on coordinated geometry and its transformations.

- **Algebra 2**

This is a one-year course that expands on the basic algebraic concepts involved in solving equations and inequalities, factoring polynomials, graphs, exponents, and solving quadratic equations. In addition, it examines quadratic, logarithmic, and exponential functions, the application of functions to real world problems, conic sections, probability, trigonometric functions, and complex numbers.

- **Pre-Calculus**

This one-year course gives students a foundation in polynomial, rational, exponential, and trigonometric functions and teaches them to apply mathematical principles to a variety of problems. Students learn to use data points and a problem statement to solve a particular problem. Graphical tools help them interpret the results and present them in both mathematical models and verbal descriptions.

- **Statistics**

This course is an introduction to the study of probability, interpretation of data, and fundamental statistical problem solving. Topics include data collection and description, methods of descriptive and inferential statistics, hypothesis testing, correlation and regression, the analysis of variance and contingency tables.

- **Physics**

This course focuses on physics as a basis for the sciences as it is physics that attempts to explain natural phenomena using scientific inquiry. We will study five specific natural phenomena: motion and forces; conservation of energy and momentum; heat and thermodynamics; waves; electric and magnetic phenomena. The lab work will provide students with opportunities to apply conceptual understandings and provide a foundation for laboratory techniques.

- **Biology**

This is an introductory and comprehensive biology class. Students will study cell biology, genetics, evolution, ecology and physiology through lecture, discussion, readings, projects, simulations and laboratory activities.

- **Chemistry**

This one-year course will tie modern chemistry concepts and skills to mathematics. Students will study and analyze math concepts through scientific investigation and experimentation to further develop their understanding of these two major areas of science.

- **Spanish**

This is an introductory course for students learning a foreign language. It is intended to develop limited facility in each of the major communication skills: listening, reading, speaking, and writing. Major emphasis is on development of the ability to speak fluently with accurate pronunciation and intonation, while fostering an appreciation of the culture.

- **Art 1**

In Art 1, students will learn specific artistic techniques that reflect different historical and cultural styles. They will be exposed to a variety of artists, art forms, and genres and will gain an appreciation for art and will learn the language to describe, critique, and respond to different works of art. The students will have the opportunity to produce artwork that shows individual creativity and growth.

- **English Composition**

This course is frequently taught as a companion course to English Language Arts. Currently no composition courses in Winton Educational Foundation have received a-g approval although other schools in California have earned this recognition. The course is designed to give students additional practice in writing- largely in the form of expository writing. Literary analysis and creative writing are reserved for the English literature courses.

- **Psychology**

This is an introductory, year-long course in Psychology that is UC approved.

- **Technology**

Winton Charter High School requires two semesters (10 units) of technology coursework that includes Computer Literacy, Computer Science, or Intro to MS Office.

- **Advisory**

This is a mandatory course that all students take every year. An assigned advisor works on academic preparation and planning, social and emotional development, and college and career advising. The purpose of Advisory is to help personalize instruction as well as to build meaningful relationships, focus on academic improvement, and to help students prepare for college. This course does not meet University of California a-g requirements and is worth 5 credits per semester (equivalent to one semester of instruction).

INFORMING PARENTS ABOUT THE TRANSFERABILITY OF COURSES TO OTHER PUBLIC HIGH SCHOOLS AND THE ELIGIBILITY OF COURSES TO MEET COLLEGE ENTRANCE REQUIREMENTS

Parents will receive a student and family handbook (in both English and Spanish) at the beginning of each school year that describes the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements.

The Charter School's current plans and expectations regarding course transferability and eligibility for college entrance requirements are described below.

The Charter School will seek to earn accreditation by the Western Association of Schools and Colleges (WASC) and to ensure that every student has the opportunity to graduate with University of California/California State University (UC/CSU) approved coursework. With WASC accreditation and UC/CSU course approval, students' coursework is recognized by other schools and out of state universities and colleges and by the admissions committees of the UC/CSU system.

- The secondary curriculum will develop both a foundation of basic skills and cultivate higher-order thinking skills; it will be simultaneously rigorous and relevant to students.

The educational program emphasizes interdisciplinary thinking among subject areas.

Upon completion of the graduation requirements, students will have met the University of California system A-G subject requirements and course requirements (See below).

- Pass portfolio and exhibition reviews (See below).
- Passing of the California High School Exit Exam
- College readiness and acceptance at a four-year college or university (See below).

High School Graduation Requirements: Prescribed Course of Study

Students may fulfill course requirements through coursework at the Charter School or through approved on-line coursework or approved coursework at a local college or community college. Students wishing to earn a high school diploma from the Charter School shall successfully complete course work within a course of study in alignment with the UC/CSU a-g program and earn a designated number of credits.

As an early college high school, students at the Charter School must have at least 240 instructional minutes on an average day Ed Code (46146.5)* provided by teachers at the school site. In most cases, these courses will include core classes of English, Math, History, Science, and Language classes. In some cases, students may take high school courses to meet high school graduation requirements, either electives that the school is unable to offer or courses needed for recovery. Typically these courses are in addition to the core offerings that generate the 240 minimum instructional minutes. All courses must meet A-G approval or be IGTSE transferrable to count towards graduation from Winton Charter High School.

It will always be the preference that students recover classes they may not have passed by taking the course with one of our instructors who can provide oversight and support. However, from time to time, rapid recovery is desirable and students may participate in recovery classes with partners such as Advanced Academics, NovaNet or CyberHigh. In these courses, students are supervised by individuals with success in encouraging and motivating students to stay on track and realize their college goals. In most cases, students are limited to no more than one class period for on-line credit recovery. Costs for enrolling in these courses are paid for by the Charter School on behalf of students.

“Waiver of High School Graduation Requirements

Graduation requirements are established with the expectation that all students will complete them as listed. It is recognized, however, that in special cases individual students may have reason to request a waiver of one or more required courses in order to accomplish specific academic goals not possible within the required program.

An individual student may be granted an exemption from any course requirement provided there is a direct relationship between his/her inability* to meet the requirement and the student’s ability, including: limited course offerings, late transfer into the school, accommodations or modifications associated with IEPs or 504s, etc. Waiver of graduation requirements is determined by the Director of Secondary Programs, but shall not alter the total credit requirements established by the Winton Educational Foundation Board of Directors.”

*If students are taking classes in a public community college, CSU or UC in their 11th or 12th grade year, they are only required to have 180 instructional minutes.

A-G Approved Courses by Subject	Credits Required	Comments
A. History/Social Sciences	30	1 year of World History, 1 year of US History, 1 semester each of US Government & Economics.
B. English	40	Emphasis in Literature & Composition.
C. Mathematics	20	Courses must be taken in grades 9-12 and should include at least Geometry and Algebra 2; 3 years recommended
D. Laboratory Science	20	In at least two areas: physical and biological science; 3 years recommended
E. World Languages	20	Courses must be taken in grades 9-12. Twenty credits must be earned in the same language.
F. Visual & Performing Art	10	The 10 credits must be in the same form of art.
G. Electives	50-70*	Courses can be additional years in any of the A-G courses listed above or labs which extend the A-G courses. Courses such as PE, academic literacy, etc. do not satisfy this requirement.
Advisory (non-core)	20-40*	Students must enroll in and pass advisory every year. Schools will vary in offering half or full courses
Technology (non-core)	10	May waive by exam or juried assessment; if waived, credits substituted by another college preparatory elective.
Total	240	All students must earn a C- or better for credit.

*Schools that opt for less advisory time will include more academic electives.

High School Graduation Requirements: Additional Requirements

Students wishing to earn a high school diploma from the Charter School, in addition to the prescribed course of study as detailed above must also complete the following:

Requirement	Comments
Exhibitions	Students must successfully complete an exhibition in each grade level: 9, 10, 11 and 12 (Students can continue to re-do exhibitions until they pass, as it is a pre-condition for graduation)
College Credits	Students must take at least 5 college courses, 15 college credits which will be financed by Winton Educational Foundation. College units may be equivalent to 50 or more high school credits and may be used to satisfy the academic elective or A-G requirements above. This may be waived by schools due to school financial constraints as needed, however students must still meet the academic elective requirement above. (This is a pre-condition for graduating. Families are aware that these are our graduation requirements before entering)
College Entrance Exams	Students must apply for and take the prescribed college-board entrance examinations. Winton Educational Foundation will cover all costs of these exams, either through grants from the testing institutions or other fundraising. (Students are required to take college entrance exams but they are not required to pass).
College Applications	Students must apply to at least three (3) 4-year colleges or universities (in addition to or instead of community colleges). In most cases, students are able to apply to schools that will waive application fees. In cases where this is not possible Winton Educational Foundation will financially assist students in meeting this obligation. (This is required for graduation).
College Financial Aid	Students must apply to at least one (1) scholarship and/or complete the FAFSA. (This is required for graduation).

NOTE: There is an advisory program and counselor support that helps students reach these requirements.

Portfolio and Exhibition Requirements

Students must complete an exhibition in each grade level: 9, 10, 11 and 12. Students will also be expected to present and defend a number of their portfolios before a panel of judges including teachers and outside assessors.

College Readiness and Acceptance to a Four-Year University

In addition to providing support for students to develop a college-going identity, The Charter School also utilizes a myriad of tools for providing support to students who may fail to meet academic milestones while in high school. The school proactively will seek to reduce failure in high school through a robust middle school instructional program that provides students with intervention in mathematics and English prior to beginning high school. Additionally, in high school the academic counselor works to track all students who are falling behind in course work and then leverages support systems such as study hall and advisory to assist students in developing the skills that are required to meet A-G expectations. Unfortunately, students still fail the occasional class. Credit recovery options include re-taking the course at the Charter School, taking the class from an on-line or external provider, summer school and on occasion college replacement courses.

Very few students will transfer to Winton Charter High School after the conclusion of their 10th grade year. Families who wish to transfer meet with the academic counselor to determine the student's course requirements and to identify a trajectory for graduation.

Assessment

At Winton Charter High School, assessment is a critical tool for observing individual student progress, determining the efficacy of individual teachers, and evaluating the success of the program as a whole. Multiple assessments are used because no single assessment provides sufficient information on students' learning regarding all three outcomes. Winton Charter High students will be assessed through:

- All standardized and standards-based tests required for traditional public schools that are mandated in the California Education Code (including, but not limited to, Smarter Balance Assessment Consortium assessment, CELDT and Physical Fitness Test)¹;
- Other nationally recognized norm-referenced and/or developmentally based tests (e.g. Developmental Reading Assessment, Scholastic Reading Inventory (SRI), Scholastic Aptitude Test (SAT) and/or American College Test (ACT))
- Specialized assessments developed by Winton Educational Foundation for all areas of the academic core (e.g. project rubrics, Winton Educational Foundation Writing Assessment);
- Day-to-day assessments related to specific content or skills (running record for language arts; Edusoft assessments; math computation quizzes, unit tests);
- Qualitative observations of the process of learning (teachers' anecdotal notes, a child's reflection log, internship mentor reports); and
- Examination of final grade level projects, Exhibitions, are designed by each school to reflect a deep exploration of a key grade level standard- for example a Physics standard, character analysis, media literacy- which include independent research, preparation of a presentation and delivery of that presentation to an audience of external evaluators.

¹ The growing emphasis on norm-reference tests is much debated. Educationally, standardized tests are only a single indicator of mastery in basic skills; however, they are regarded by employers and policymakers as broadly meaningful. Winton Educational Foundation believes that students should be prepared to be successful on the tests that they are held accountable for; these tests are often the key to future opportunity.

Technology as a Tool

At Winton Charter High School, technology will be used as a tool for research, communication, and production—just as it is in everyday life. The school will have 5 to 10 computers in a classroom with Internet access, a computer lab or access to banks of laptop computers 100 laptop computers will be available for student use in school or available for checkout by students. Students will exercise their higher-order thinking skills through simulations and presentations, their communication and production skills through electronic mail and publishing, and their research skills through use of electronic references, including the Internet. Students are required to take a computer course as part of their graduation requirements. This class not only prepares students to succeed in the 21st century, but prepares them for the CCSS on-line assessments.

This technology will support students in performing authentic tasks, in addition to helping students define their goals, making decisions and evaluating their progress. The computers will be helpful in implementing project –based work and cooperative learning experiences and approaches and supporting the role of the teachers from a dispenser of information to a role of facilitator. The most common-and in fact, nearly universal teacher-reported effect on students was increase in motivation. Through the 9th grade academy, the students will be encouraged to take full advantage of this empowering tool to prepare for the next three years of schooling.

A related technology effect, stressed by many teachers was enhancement of student self-esteem, both in increased competency in mastering technology based tasks and cultural values, in addition to a student's sense of self-worth. The Winton Charter High School, through its 9th Grade Academy, will inject in students the pride of being able to accomplish more complex tasks, more collaboration with peers, increased use of outside resources and technical skills learned to succeed in high school. We hope that the specific technology tools will likely change the opportunity for the better to be able to enter the world of work.

ANNUAL GOALS AND ACTIONS IN THE STATE PRIORITIES

CHARTER SCHOOL ANNUAL GOALS AND ACTIONS TO ACHIEVE STATE PRIORITIES	
State Priority #1. The degree to which teachers are appropriately assigned (E.C. §44258.9) and fully credentialed, and every pupil has sufficient access to standards-aligned instructional materials (E.C. § 60119), and school facilities are maintained in good repair (E.C. §17002(d))	
ANNUAL GOALS TO ACHIEVE PRIORITY #1	ACTIONS TO ACHIEVE ANNUAL GOALS
The Charter School’s teachers will be appropriately assigned and fully credentialed. Every pupil will have sufficient access to standards-aligned instructional materials. School facilities will be maintained in good repair.	On an annual basis, Winton Educational Foundation’s credentials team will evaluate whether all the Charter School’s teachers are appropriately assigned and fully credentialed, and will take action if they are not. Each year, the Charter School will report on whether every pupil will have sufficient access to standards-aligned instructional materials. On an ongoing basis, facility maintenance needs will be assessed and resolved.
State Priority #2. Implementation of California Common Core State Standards and California English Language Development standards, including how EL students will be enabled to gain academic content knowledge and English language proficiency	
ANNUAL GOALS TO ACHIEVE PRIORITY #2	ACTIONS TO ACHIEVE ANNUAL GOALS
The Charter School will adopt the California Common Core State Standards, and will include how EL students will be enabled to gain academic content knowledge and English language proficiency.	The Charter School will proceed with its California Common Core State Standards implementation plan, which includes revising curriculum, professional development, and assessments to align with the California Common Core State Standards. Specialized professional development will be provided to teachers to differentiate for the needs of English Learners. The Charter School will teach the California English Development Standards and provide support to teachers.

Winton Charter High School Appeal Petition

State Priority #3. Parental involvement, including efforts to seek parent input for making decisions for schools, and how the school will promote parent participation	
ANNUAL GOALS TO ACHIEVE PRIORITY #3	ACTIONS TO ACHIEVE ANNUAL GOALS
The Charter School will promote parental involvement.	The Charter School will provide parents with opportunities to get involved, such as Student Led Conferences, volunteer opportunities, membership on the Advisory School Council (ASC), regular family meetings, and school and staff evaluations.
te Priority #4. Pupil achievement, as measured by all of the following, as applicable: A. Statewide assessments (STAR, or any subsequent assessment as certified by SBE) B. The Academic Performance Index (API) C. Percentage of pupils who have successfully completed courses that satisfy UC/CSU entrance requirements, or career technical education D. Percentage of ELs who make progress toward English language proficiency as measured by the CELDT E. EL reclassification rate F. Percentage of pupils who have passed an AP exam with a score of 3 or higher Percentage of pupils who participate in and demonstrate college preparedness pursuant to the Early Assessment Program (E.C. §99300 <i>et seq.</i>) or any subsequent assessment of college preparedness	
ANNUAL GOALS TO ACHIEVE PRIORITY #4	ACTIONS TO ACHIEVE ANNUAL GOALS
The Charter School will provide students with an exceptional education. _____	The Charter School will track pupil achievement, as measured above, as applicable, on an annual basis. The data will be used to adapt targets and improve instruction.
State Priority #5. Pupil engagement, as measured by all of the following, as applicable: A. School attendance rates B. Chronic absenteeism rates C. Middle school dropout rates (EC §52052.1(a)(3)) D. High school dropout rates E. High school graduation rates	
ANNUAL GOALS TO ACHIEVE PRIORITY #5	ACTIONS TO ACHIEVE ANNUAL GOALS
The Charter School will cultivate an environment that promotes pupil engagement.	The Charter School will track pupil engagement, as measured above, on an annual basis. The data and information gathered from our annual student survey will also inform school leaders.

<p>State Priority #6. School climate, as measured by all of the following, as applicable: A. Pupil suspension rates B. Pupil expulsion rates Other local measures, including surveys of pupils, parents, and teachers on the sense of safety and school connectedness</p>	
<p>ANNUAL GOALS TO ACHIEVE PRIORITY #6</p>	<p>ACTIONS TO ACHIEVE ANNUAL GOALS</p>
<p>The Charter School will provide a positive school climate.</p>	<p>The Charter School will track the progress of school climate, as measured above. The data and information gathered from our annual student survey will also inform school leaders.</p>
<p>State Priority #7. The extent to which pupils have access to, and are enrolled in, a broad course of study, including programs and services developed and provided to unduplicated students (classified as EL, FRPM-eligible, or foster youth; E.C. §42238.02) and students with exceptional needs.</p> <p>“Broad course of study” includes the following, as applicable: Grades 9-12: English, social sciences, foreign language(s), physical education, science, mathematics, visual and performing arts, applied arts, and career technical education. (E.C. §51220(a)-(i))</p>	
<p>ANNUAL GOALS TO ACHIEVE PRIORITY #7</p>	<p>ACTIONS TO ACHIEVE ANNUAL GOALS</p>
<p>The Charter School will provide pupils with the opportunity to have access to and enroll in a broad course of study.</p>	<p>Through course offerings and enrichment afterschool, along with access to and scheduling which allows for participation in community college courses, students will be provided with a broad course of study.</p>
<p>State Priority #8. Pupil outcomes, if available, in the subject areas described above in #7, as applicable.</p>	
<p>ANNUAL GOALS TO ACHIEVE PRIORITY #8</p>	<p>ACTIONS TO ACHIEVE ANNUAL GOALS</p>
<p>The Charter School will track pupil outcomes in a broad course of study.</p>	<p>The Charter School will track participation in afterschool programs, grades in community college courses, in addition to Winton Educational Foundation course grades. That data will be used to make changes to course offerings and enrichment opportunities as necessary</p>

MEETING THE NEEDS OF ALL STUDENTS

SUPPORT FOR ENGLISH LEARNERS

English Learner Instruction

The Charter School is required to timely identify potential English Learners (ELs) and provide them with an effective English language acquisition program that affords meaningful access to the Charter School's academic core curriculum. Instructional plans for English Learners must be (1) based on sound educational theory; (2) adequately supported with trained teachers and appropriate materials and resources; and (3) periodically evaluated to make sure the program is successful and modified when the program is not successful.

On an annual basis (on or about October 1), [Charter School] shall submit a certification to the Merced Union High School District that certifies that Charter School will either adopt and implement the County's English Learner Master Plan *or* implement Charter School's own English Learner Master Plan. If the Charter School chooses to implement its own EL plan, the instructional plan shall include, but is not limited to, the following:

- How English Learners' needs will be identified
- What services will be offered
- How, where, and by whom the services will be provided
- How the Charter School will evaluate its EL program each year, and
- how the results of this evaluation will be used to improve the program, including the provision of EL services

The Charter School shall provide to the CSD an annual report of its EL program assessment. Upon request, [Charter School] shall provide a copy of its current EL Master Plan to the CSD.

The Charter School will administer the CELDT annually in accordance with federal and state requirements.

The Charter School shall ensure that it will provide parent outreach services and meaningfully inform parents with limited English proficiency of important information regarding school matters to the same extent as other parents.

Winton Charter High School is committed to the success of its English Learner population, and supports will be offered both within academic classes and in supplemental settings for students who need additional support for English learning. The Charter School will meet all applicable legal requirements for English Learners (EL) as it pertains to annual notification to parents, students identification, placement, program options, EL and core content instruction, teacher qualifications and training, re-classification to fluent English proficient status, monitoring and evaluating program effectiveness, and standardized testing requirement. The Charter School will implement policies to assure proper placement, evaluation, and communication regarding ELs and

the rights of students and parents. The School will began work on the implementing the Charter School English Learners Master Plan through professional development, accountability and analysis of data.

The Charter School's program for English Learners is research-based, supported by budget resources, aligned with the English Language Development Standards and professional development and will be evaluated regularly for efficiency and needed improvements. The tenants of the program include these guiding principles²:

- The priority for instruction is language learning and exploration.
- Using our RtI program, students will be grouped by proficiency level, as determined by multiple sources such as CELDT results, Developmental Reading Assessment, Winton Educational Foundation Writing Assessment and oral language samples.
- Language tasks should be relevant to students and applicable to the real world.
- Provides a systematic method for language instruction based on the ELD standards to address gaps in language proficiency.

Learners who have not yet met the Intermediate level of English acquisition will require a specialized set of supports. These students will have supplemental instruction which focuses on the CCSS-aligned English Language Development Standards.

Common Core English Language Arts

Specific strategies will be used to support English Learners as they tackle the CCSS in Language Arts.³ The School will provide instruction in units of study to assist students in building vocabulary. Different sources on one topic help build context and accelerate vocabulary acquisition. To support writing, students will be exposed to different types of writing, assignments will be meaningful to the student and assessment will focus on content and not only mechanics. Speaking and listening for English learners will require instructional strategies such as academic discourse, Think-Pair-Share and extensive collaboration. Finally, the School will leverage technology by providing differentiated on- line books.

² Rethinking English Language Instruction: An Architectural Approach: Susana Dutro and Carrol Moran (2002)

³ Language Demands and Opportunities in Relation to Next Generation Science Standards for ELLs: Helen Quinn, Okhee Lee, and Guadalupe Valdes;
Mathematics, the Common Core, and Language: Judit Moschkovich;
Realizing Opportunities for ELLs in the Common Core English Language Arts and Disciplinary Literacy Standards: George Bunch
Amanda Kibler, and Susan Pimentel (the articles can be found here: <http://ell.stanford.edu/papers/practice>)

Math

During mathematics instruction, the overall focus will be on the mathematical thinking and not the accuracy in language. This oral discourse will take place during Number Talks and Student Led Solutions. Mathematical vocabulary will be taught within the context and not in isolation. Finally, the software used in our blended

learning program allows students to manipulate models and hear feedback orally in a differentiated way.

Science

Science instruction will involve extensive models and diagrams. This strategy will allow learners to describe functions and relationships before acquiring the technical vocabulary. Additionally, English Learners will have extensive academic discourse to build their ability to reason orally before moving onto written. Finally, examples of journal, reports and other written assignments along with opportunities to revise language will support learners as they master the Next Generation Science Standards.

Social Studies

Although the California Social Science Standards have not been changed, the School will build the competence of students in anticipation of a rigorous set of expectations aligned with the Common Core State Standards. This preparation includes practice with academic discourse, units of study, extensive use of maps and graphic organizers.

- Home Language Survey

The Charter School will administer the home language survey upon a student's initial enrollment into the Charter School (on enrollment forms). Spanish-speaking students in the country less than twelve months will be given the state's Designated Primary Language Test (currently the Standards-Based Tests in Spanish) to determine the student's academic proficiency when tested in his/her home language of Spanish. Students who take the Standards-based Tests in Spanish (STS) are required to also take the Smarter Balanced Assessment Consortium (SBAC) CCSS assessments and/or California Modified Assessment (CMA) appropriate to their grade level.

- CELDT Testing

All students who indicate that their home language is other than English will be California English Language Development Test ("CELDT") tested or tested with any new English Language Development test adopted by California within thirty days of initial enrollment⁴ and at least annually thereafter between July 1 and October 31st

⁴ ~~The thirty-day requirement applies to students who are entering a California public school for the first time or for students who have not yet been CELDT tested. All other students who have indicated a home language other than English will continue with annual CELDT testing based upon the date last tested at the prior school of enrollment.~~

until re-designated as fluent English proficient.

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

Reclassification Procedures

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

- Assessment of English language proficiency using an objective assessment instrument including, the CELDT.
- Participation of the pupil's classroom teachers and any other certificated staff with direct responsibility for teaching or placement decisions of the pupil to evaluate the pupil's mastery and progress on the California or Common Core Standards.
- Parental opinion and consultation, achieved through notice to parents or guardians of the language reclassification and placement including a description of the reclassification process and the parents opportunity to participate, and encouragement of the participation of parents or guardians in the reclassification procedure including seeking their opinion and consultation during the reclassification process.
- Comparison of the pupil's performance in basic skills against an empirically established range of performance and basic skills (i.e. performance on the SBAC CCSS assessments and CMA) based upon the performance of English proficient pupils of the same age that demonstrate to others that the pupil is sufficiently proficient in English to participate effectively in a curriculum designed for pupils of the same age whose native language is English.
- The Student Oral Language Observation Matrix may be used by teachers to measure progress regarding comprehension, fluency, vocabulary, pronunciation, and grammar usage.

Strategies for English Learner Instruction and Intervention

To meet the needs of English learners, Winton Educational Foundation has added a number of bilingual teaching strategies to its core program, including Specially Designed Academic Instruction in English (SDAIE). Specifically, those strategies include :

- realia (real objects and materials)
- manipulatives (drawings, posters, brainstorming-clusters, graphs, tables, maps, props, multimedia presentations, storyboards, storymaps)
- visuals (study-prints, text book illustrations, overheads-projected prints, reproductions of paintings and documents)
- graphic organizers (matrices, Venn diagrams and webs)
- planned opportunities for interaction between all individuals in the classrooms (creating a skit and acting it out, cooperative learning, collaborative groups and student-generated writing based on personal experience)

Learners who have not yet met the Intermediate level of English acquisition will require a specialized set of supports. These students will have supplemental instruction which focuses on the CCSS-aligned English Language Development Standards. Additionally, our students newest to English who will simultaneously be learning English while learning to read and write will have extensive oral language experiences to assist in development of both skills.

All teachers will be given professional development in teaching English Learners during summer training and one-on-one coaching with instructional coaches in their appropriate content areas, including having the opportunity to participate in Guided Language Acquisition Development (GLAD) training. The newly adopted English Language Development Standards will be mapped to Winton Charter High School's Instructional Guidelines. The mapping of the previous English Language Development Standards to Winton Charter High School's Instructional Guidelines are included in the student's Language Development Standards. This document will be updated as necessary to align with CA CCSS. Our data portal also includes extensive analysis about our English Learners progress based on the CELDT. This analysis not only provides the teachers and school leaders information to guide instruction and program, but is a key part of our RtI program.

Ongoing Assessment of EL Students

The Charter School's use of achievement data will also drive the instruction and professional development as it relates to English Learners. All teachers will analyze the SBAC CCSS assessments and Winton Educational Foundation benchmark achievement data by this subgroup at least twice a year, and continue to assess the students through teacher-designed assessments and the school's benchmark assessments. Any students not making progress or mastering standards will be included in the Response to Intervention analysis. Supports may include after school tutoring, time with a reading intervention specialist or in classroom support based on their language needs.

Monitoring and Evaluation of Program Effectiveness

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

- Adhere to School-adopted academic benchmarks by language proficiency level and years in program to determine adequate yearly progress.

- Monitoring of teacher qualifications and the use of appropriate instructional strategies based on program design.
- Monitoring of student identification and placement.
- Monitoring of parental program choice options.
- Monitoring of availability of adequate resources.
- RFEP students will be monitored through our RtI process that involves monitoring of students on academics and analyzed on variables such as designation. Those needing additional support will receive it through interventions such as READ 180, after school tutoring, during school remediation or classroom based instruction.

SUPPORT FOR ALL STUDENTS

Highly Qualified Teachers

At the center of the educational program are the teachers. The faculty will consist of well-prepared and certified teachers. All core teachers and paraprofessionals will meet the requirements of the Elementary and Secondary Education Act. Professional development and teacher collaboration will be scheduled on a regular and on-going basis to support teachers throughout their career. In establishing a professional teaching environment, Winton Educational Foundation will ensure collaborative planning time for teachers to design student focused curriculum, pedagogy and assessment through which students can make connections, deepen their understanding of concepts and achieve at high levels.

The professional needs of teachers are different every year and for every educator. Teachers receive personalized training through coaching, professional videos on our training site, the Purple Planet and whole staff meetings. These school wide trainings take place on Friday afternoons when students are dismissed early. Sample topics of whole staff meetings are listed below:

- Using a sense of equity
- Differentiated instruction
- Writing across the Curriculum
- Meeting the needs of English Learners

In addition, all staff members receive mandatory safety training on child abuse response and prevention, blood-borne pathogen exposure, and sexual harassment. Winton Educational Foundation uses SafeSchools' comprehensive training program. In addition, the Winton Educational Foundation provides the Charter School with resources and guidance about conducting and tracking safety drills, CPR/First-Aid training, and customizing a comprehensive school safety plan.

Personalized Learning Plans

The Charter School will create and maintain a Personalized Learning Plan (PLP) for each student. The PLP will provide the teacher, parents and student with a common understanding of the student’s learning style and objectives; all parties may then act based on that understanding. During Student-Led Conferences, the teacher, parent and student will discuss the student’s learning strengths and weaknesses, and set goals for the next semester. By working closely with each student and family to develop an appropriate PLP, the Charter School will be able to respond to the needs of every individual student, including those who are achieving above or below expected levels. This allows all students to receive the appropriate interventions, if needed, provided by the Charter School through its system of instruction and support, including in- school, after- school, specialized classroom instruction, or positive behavior supports. The Charter School’s high standards for learning, comprehensive interventions, and rigorous caring provided to all students can be personalized in the PLP. In addition to other supports, the PLP guides the Charter School in providing appropriate general education strategies to ensure the progress of students with unique learning needs, including students eligible for Special Education service, others served by 504 plans as required by law, English Learners, Homeless or Foster Youth, and students achieving substantially above or below grade level expectation.

SUPPORT FOR ACADEMICALLY LOW-ACHIEVING STUDENTS

Winton Charter High School sets high expectations for *all* students and is committed to working with students who are not meeting outcomes to help them achieve at expected levels. Students who perform below the acceptable level may receive a mix of intervention services, including: in-class individual targeted instruction by classroom teachers; in-class small- group guided learning by classroom teachers; before- or after-school instructional support provided by non-classroom educators in a one-on-one setting or in small groups; participation in a specialized support class taught by a literacy specialist or other educator. Instructional materials selected for intervention services are grounded in proven best practices, may be designed by the educator, or may be a research-based program such as READ 180.

Students targeted for additional instructional support or intervention will include, but are not limited to, students who, through universal screening or other assessment, meet the following criteria:

Assessment	Criteria For Additional Intervention
SBAC CCSSCCSS assessments, CMA, California Alternative Performance Assessment (CAPA) or STS, CA CCSS Assessment – ELA or Math	Far Below Basic, Below Basic, Basic
DRA	Not at grade level
Parent Recommendation	Any
Teacher Recommendation	Any

The Charter School will utilize the Response to Intervention framework (RtI) of tiered intervention to ensure that students below grade level, or students achieving below expected levels of performance, receive additional instruction or intervention to ensure progress towards expected levels. Through the systematic RtI process, schools are universal in assessing students' academic, behavioral and socio-emotional development needs, and proactive in providing students with appropriate timely, targeted and effective research-based interventions such as classroom differentiation, specific interventions. Systematic progress monitoring of results of instruction or intervention guides decision-making about the intervention's success and additional services, including special education services. Off-the-shelf programs such as READ 180 or Seeing Stars are all vetted for research-based effectiveness before using with students.

The Charter School strives to offer a comprehensive approach to assessing, supporting and monitoring the progress of all students towards grade level and College Readiness outcomes. The RtI framework encourages an inclusive, flexible learning environment, encompassing and extending the school's data driven, student-focused approach to instruction. The educators are encouraged to deepen coordination of instruction across all learning environments, including our grade level or core classrooms, intervention programs, specialized educational services and non-academic services. The RtI team, an intervention teacher, an educational specialist and classroom teachers, meet on a monthly basis to monitor the progress of students and identify needed interventions. Students will receive Tier 2 interventions until they make progress.

SUPPORT FOR ACADEMICALLY HIGH-ACHIEVING STUDENTS

Because the Charter School's Instructional Guidelines are designed to differentiate and individualize instruction for students at different levels, students achieving above grade level can be effectively served at the Charter School.⁵ For instance, the instruction during language arts allows students to be reading at their own instructional level. One student reading at grade level can sit next to another student doing the same activity at three grade levels higher. Specific instructional strategies include high level questioning, academic discourse, self-monitoring and Socratic seminars. Small class sizes and looping also aid in differentiation of instruction because classroom teachers understand each individual student's needs. The variety of instructional techniques and materials provided in the Charter School's program are cited as important features by the National Association for Gifted Children in the Gifted Educational Program Standards. Finally, any student achieving above grade level can be accelerated to a higher grade level at the discretion of the parent and principal.

Students in grades 9-12 achieving above grade level may also have the opportunity to take additional college courses and access internship opportunities commensurate with their skills and abilities.

STUDENTS WITH DISABILITIES

Overview

FEDERAL LAW COMPLIANCE

Charter School shall adhere to all provisions of federal law related to students with disabilities including, but not limited to, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, and the Individuals with Disabilities Education Improvement Act of 2004.

The Charter School will be its own local educational agency (“LEA”) and will apply directly for membership in a Special Education Local Plan Area (“SELPA”) in conformity with Education Code Section 47641(a).

In the event the Charter School seeks membership in a different state-approved SELPA, the Charter School will provide notice to the County, the SELPA, and the California Department of Education before June 30th of the year before services are to commence.

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

The Charter School recognizes its legal responsibility to ensure that no qualified person with a disability shall, on the basis of disability, be excluded from participation, be denied the benefits of, or otherwise be subjected to discrimination under any program of the Charter School. Any student, who has an objectively identified disability which substantially limits a major life activity including but not limited to learning, is eligible for accommodation by the Charter School.

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

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

The final determination of whether the student will or will not be identified as a person with a disability is made by the 504 team in writing and notice is given in writing to the parent or guardian of the student in their primary language along with the procedural safeguards available to them. If during the evaluation, the 504 team obtains information indicating possible eligibility of the student for special education per the IDEIA, a referral for assessment under the IDEIA will be made by the 504 team.

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

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

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

⁵ Gifted Education Program Standards, National Association for Gifted Children.

- **End of Year Suspension.**

MUHSD ID, CSIS ID, last name, first name, date of birth, gender, grade, date of suspension, number of days suspended, and reason for suspension.

- **STAR – Preliminary and Final. The usual file including MUHSD ID.**

Services for Students with Disabilities

In accordance with state and federal law, each student eligible under IDEA will be provided a free appropriate education in the least restrictive environment. No student shall be denied admission to the Charter School because he or she is in need of special education services. Winton Educational Foundation is dedicated to ensuring that identified special education students shall be enrolled in the general education classroom setting along with their non-disabled peers and shall have access to participate in extra-curricular activities the same as their non-disabled peers.

Winton Charter High School's education program is characterized by inclusive systems which will support students with special education needs. The decisions regarding specialized academic services each student will receive are the responsibility of the Individualized Education Team, which includes the involvement of parents in decision-making and developing the written Individualized Education Plan (IEP).

In the IEP process, general education teachers, specialists, students, and parents work together to share information and create the Individualized Education Plan that addresses the student's unique learning needs and specific requirements related to a student's disability. The IEP may include specialized academic instruction, classroom accommodations for a student or specific supports which will enable a student to progress towards learning or behavioral goals in the least restrictive environment.

The professional development of all Winton Educational Foundation teachers focuses on differentiating the curriculum, employing varied instructional strategies, and utilizing technologies or other resources to ensure that each and every child in the classroom has access to learning, regardless of disability or need. Multiple measures assess student's progress towards their IEP goals, grade level outcomes based on the CA CCSS, or Winton Educational Foundation College Readiness outcomes.

Winton Educational Foundation is charged with ensuring that all students, including students with disabilities, are progressing towards grade level mastery of California Content and California Common Core State Standards and will attain College Readiness. Post-Secondary Transition planning assessments and activities will be aligned with the Charter School's College Guidance activities to ensure successful transition to college, other continued learning, as well as to develop the life and job skills that will lead to meaningful work and independence.

Winton Charter High School's educational program includes systems of intervention, including After School Program, as well as differentiated instructional strategies to meet the diverse learning needs of all students. All incoming students participate in assessments in the areas of English Language Arts and Mathematics to assist in identification of student learning needs and provision of appropriate instructional supports for all students, including EL, Disadvantaged, 504, or IEP. Other measures used to assist with creating teacher interventions or differentiating instruction for all students include:

- SBAC CCSS assessments
- Smarter Balance Consortium assessments
- California Modified Assessment (CMA)
- CAHSEE
- California Alternate Performance Assessment (CAPA)
- CELDT
- Curriculum-based Benchmark Assessments
- Teacher observation and interview

The identification process for students who would be eligible for special education services under IDEA begins when students have been accepted through the enrollment lottery and enrolled in the Charter School. Through the process of "Child Find", each school fulfills the obligation of locating, evaluating, and identifying children with disabilities who may be in need of special education. The Student Success Team serves parents, students and staff to address student needs and to initiate the referral process, if appropriate, for special education or other services.

Specialized Academic Instruction will be provided by the Education Specialist (Mild/Moderate or Moderate/Severe) as determined in an eligible student's Individualized Education Program. Co-Teaching models ensure the integration of supports and services within the general education setting. To support inclusive classroom practices, flexible learning options or environments, such as a Learning Center, will be provided as needed for students with specific accommodations or modifications to their learning program as included in their individual IEP. Learning Centers will also provide the structured setting as required for some students in the IEP and will ensure provision of a continuum of services, including students with moderate/severe disabilities. These options may also serve general education students with intensive academic or behavioral support needs as determined through the Charter School's RtI system.

LEA Member in MUHSD Charter SELPA

The Charter School shall participate as an LEA member of the MERCED UNION HIGH SCHOOL DISTRICT SELPA for the purposes of special education, unless otherwise indicated.

Unless operated pursuant to a MUHSD-operated Program, or unless operated pursuant to membership in the Charter-operated Program of the SELPA, the Charter School shall assume full responsibility for the provision of special education and related services to eligible students as an LEA member of the Merced Union High School District Charter SELPA (MUHSD Charter SELPA). The Charter School shall assume responsibility for the general education contribution which may be necessary for the provision of special education services to identified students and shall meet the annual Maintenance of Effort Requirement.

LEA Assurances As required of LEA members within the MUHSD Charter SELPA, the Charter School provides the following assurances:

- Free Appropriate Public Education (FAPE)-The Charter School will assure that a free appropriate public education shall be provided to all enrolled students including children with disabilities who have been suspended or expelled from school.
- Child Find-The Charter School will assure that all students with disabilities are identified.
- Full Educational Opportunity-The Charter School will assure that all students with disabilities have access to the full range of programs available to non-disabled students.
- Least Restrictive Environment (LRE)-The Charter School will assure that students with disabilities are educated with students who are not disabled to the maximum extent appropriate. This will be addressed through the use of supplementary aids, supports and services in the general education environment.
- Individualized Education Program (IEP)-The Charter School will assure that an Individualized Education Plan is developed, reviewed and revised for each child who is eligible.
- Assessments-The Charter School will assure that an IEP review shall be conducted on an annual basis at a minimum. In addition, a reassessment shall be conducted at least once every three years and more often if conditions warrant or if requested by the student's parents or teacher, to determine continued eligibility and needs.
- Confidentiality and Procedural Safeguards-The Charter School will assure that the confidentiality of identifiable data shall be protected at collection, storage, disclosure

and destruction. In addition, students and their parents shall be provided with safeguards through the identification, evaluation and placement process and provisions for a Free Appropriate Public Education.

- **Personnel Standards**-The Charter School will assure that good faith efforts will be made to attract, recruit and hire appropriately trained and credentialed personnel to provide special education services to eligible children with disabilities.
- **State Assessments**-The Charter School will assure that students with disabilities are included in State assessment programs with appropriate accommodations and modifications when necessary and appropriate.

The Charter School shall comply with all requirements of the Federal Individuals with Disabilities in Education Act (IDEA), State laws and the MUHSD Charter SELPA Local Plan, and perform all corrective actions deemed necessary by Winton Educational Foundation, the MUHSD Charter SELPA and or CDE. The Winton Educational Foundation Director of Special Education will involve the school team in the development of the budget, hiring necessary staff, contracting for appropriate services and documenting the qualifications and competency of school leadership to meet the special education compliance and quality requirements. A Program Specialist shall be assigned to support the Charter School and to provide coaching support to the site special education to ensure that all requirements of IDEA are met, and each child is well served. In addition, the Charter School will adhere to the terms, conditions and requirements of any other court orders imposed upon Merced Union High School District pertaining to special education.

A comprehensive year-long Winton Educational Foundation Special Education Professional Development plan shall be developed with site team input to provide continuous learning opportunities and support to special education staff, as well as to build the capacity of the site team in meeting compliance with state and federal statutes, reporting requirements and use of instructional data for decision-making. In addition to Induction Program for Education Specialist Credential, professional development will be provided about promising practices that support the specialized learning needs of special education students in the least restrictive environment, including: universal design for learning, models of collaboration and the unique specialized learning needs of the secondary learner. Each staff member's Professional Learning Plan (PLP) will reflect our Winton Educational Foundation shared responsibility for student progress and site special education needs, as well as differentiated opportunities to address each staff individual professional development needs. Professional development opportunities will include those offered in collaboration with other Winton Educational Foundation schools, the Charter SELPA, or Diagnostic Center.

A Typical Day

At 7:50, you arrive at your school. You immediately go meet with your Biology teacher to get some help on a difficult problem on last night's homework. Once you have gotten your answer, you leave to go kick the soccer ball around before school begins.

At 8:10am the bell rings and it is time for the all school morning assembly. You immediately line up with your advisory classmates. Your principal introduces a Winton resident who now attends UCLA. You listen while he gives a quick summary of what you need to do to succeed in college. You begin thinking about what classes you'll take at the community college next year to strengthen your college interest. As you walk into the school your advisory teacher shakes your hand and reminds you to get ready to work hard and get smart.

As you arrive in your first class at 8:30, you are happy to see a math "Do Now" on the white board. You immediately begin solving the review problem and the word problem while the teacher collects homework and takes attendance. After you finish, you review the College Objectives on the board to see what you will be learning today to help you succeed in college.

It is time for your favorite subject – algebra. After reviewing the Do Now from the morning, the teacher puts an equation on the board and has every partner group convert it to a graph. Your group has worked together before, so there is not much disagreement. When the group gets stuck, the teacher comes over and completes a similar problem on the white board. The group then solves the problem and comes out with the same answer. Each group justifies its answer. The double block of learning time allows you and your classmates to wrestle with learning topics before the teacher tells you what to do. Problem-solving, group thinking exercises and discovery based learning are essential aspects to your day.

At 10:30, you go to your second class of the day - Spanish 1. After some quick Practice with the teacher on subject-verb agreement, you then work quickly through your independent practice. After you have checked your answers, you pull out your writing folder and start working on your research paper in Spanish. When you get stuck on how to organize your notes, you sign up for a conference with the teacher.

During lunch, from 12:30 to 1:00, you eat lunch with your friends and head off to Service Club, one of the many activities and organizations offered to students at the Charter School. The group decides on the next community service project to complete.

Immediately after lunch, you go to your quite advisory class, from 1:00 to 1:30. You've been working with your advisor and the other students in the class for a while now- it's like a family. In advisory you might spend time on learning more about college and how to prepare for it, checking in on how you are doing in classes, discussing issues related to growing up or bonding and making relationships with your advisory group. This week, everyone is planning their course requests for next year - it's nice to have plan this with your advisor who knows your strengths and areas for growth.

At 1:34 pm, your English Language Arts class starts. You move to class and immediately meet with your study group of students who are reading the same leveled book as you, *The Crucible*. Today the teacher is asking for evidence that the main character made the right decision. You scour the text and politely disagree with someone in your group as your quote contradicts her opinion. Once you have received your next assignment, you move onto the computers. You sign in and continue working on a small research paper online. You scroll through a number of online references as you look for reliable sources. How to properly cite a website.

You begin your one-on-one conference and learn meeting with your English teacher. Her help in organizing notes and pointing for specific places to include evidence is helpful.

At 3:45pm, you pack up your backpack and walk to the extended learning program for some extra help in biology. After eating a snack, you begin working with your tutor. When you both get stuck, you get permission to walk back to your classroom and ask the teacher.

At 5:00, you head home to finish up any remaining homework, enjoy some family time and get a good night's sleep to be prepared for the next school day when you'll have the remaining classes in your schedule - Biology, Technology and Composition.

Element 2: Measurable Pupil Outcomes

Element 3: Method by which Pupil Progress Toward Outcomes will be Measured

The measurable pupil outcomes identified for use by the charter school. "Pupil outcomes," for purposes of this part, means the extent to which all pupils of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school's educational program. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both school wide 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.

- *California Education Code Section 47605(b) (5) (B)*

A Winton Charter High School education provides students with access to opportunities for success in future endeavors – in higher education, work, and citizenship. Through personalized learning experiences, students master *basic skills*, acquire the *thinking skills* needed for the rigorous work of the real world, and develop productive *life skills*. Winton Charter High School's educational program is designed to help all of its students to develop the following measurable pupil outcomes:

To establish a foundation for success, Winton Charter High School ensures students will develop:

- *Basic Skills:* Master at least grade level competency in the four core subjects: mathematics, science, social studies, and language arts (including reading, writing, listening and speaking);
- *Thinking Skills:* Be able to apply classroom learning to their real world experiences in a relevant and valuable way, using higher-order thinking skills (including critical thinking, creativity, decision-making, problem solving, reasoning, knowing how to learn); and
- *Life Skills:* Have developed personal qualities of individual responsibility, intellectual curiosity, sociability, self-management, confidence, and integrity.

Winton Educational Foundation sets high standards for all students, based on CA CCSS, Newmann's Standards for Authentic Instruction and Assessment⁶, and the Secretary's Commission on Achieving Necessary Skills (SCANS)⁷. In addition, each student has a Personal Learning Plan (PLP), developed in collaboration with his/her teacher and parent(s) that outlines the student's specific learning goals each semester. Students will participate in the legally required statewide assessments pursuant to Education Code Section 47605(c). Through these assessments, Winton Charter High School shall demonstrate student mastery of state standards.

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)

Winton Charter High School's academic program is standards-based and data driven. The California state content and performance standards, the CA Common Core State Standards, and multiple sources of data form the basis of the Charter School's teachings. Performance assessments will be evaluated with the use of common benchmarks and rubrics and will be analyzed on a regular basis to help drive the Charter School's educational program. The rubrics will be used to inform students and parents about the standards for student work. Both teachers and students will use the rubric to score the work and make improvements. Rubrics used throughout the year will show growth over time

⁶ Student Engagement and Achievement in American Secondary Schools. Newmann, Fred M., Ed. Teachers College Press, 1234 Amsterdam Avenue, New York, NY 10027 (paperback: ISBN-0-8077-3182-X, \$17.95; hardcover: ISBN-0-8077-3183-8, \$38).1992

⁷ Based on important workplace skills as determined by the U.S. Department of Labor Secretary's Commission on Achieving Necessary Skills (SCANS), *Learning a Living: A Blueprint for High Performance*. April, 1992.

The Charter School commits to pursuing the following pupil outcomes:

OUTCOMES AND METHODS OF MEASUREMENT ALIGNED TO STATE PRIORITIES

CHARTER SCHOOL OUTCOMES ALIGNED TO STATE PRIORITIES		
State Priority #1. The degree to which teachers are appropriately assigned (E.C. §44258.9) and fully credentialed, and every pupil has sufficient access to standards-aligned instructional materials (E.C. § 60119), and school facilities are maintained in good repair (E.C. §17002(d))		
ANNUAL GOALS TO ACHIEVE PRIORITY #1	ACTIONS TO ACHIEVE ANNUAL GOALS	MEASURABLE OUTCOMES AND METHODS OF MEASUREMENT
<p>The Charter School’s teachers will be appropriately assigned and fully credentialed.</p> <p>Every pupil will have sufficient access to standards-aligned instructional materials.</p> <p>School facilities will be maintained in good repair.</p>	<p>Winton Charter High School’s credentials team will evaluate whether all the Charter School’s teachers are appropriately assigned and fully credentialed, and will take action if they are not.</p> <p>The Charter School will report on whether every pupil will have sufficient access to standards-aligned instructional materials.</p> <p>On an ongoing basis, facility maintenance needs will be assessed and resolved</p>	<p>100% of teachers will be highly qualified per No Child Left Behind Act.</p> <p>100% of students will have access to standards aligned materials as measured by school inventory. This applies school wide and for all subgroups.</p> <p>100% of school facilities will be maintained and in good repair as measured by our facilities department.</p>
State Priority #2. Implementation of California Common Core State Standards and California English Language Development standards, including how EL students will be enabled to gain academic content knowledge and English language proficiency		
ANNUAL GOALS TO ACHIEVE PRIORITY #2	ACTIONS TO ACHIEVE ANNUAL GOALS	MEASURABLE OUTCOMES AND METHODS OF MEASUREMENT

<p>The Charter School will adopt the California Common Core State Standards and California English Language Development standards, and will include how EL students will be enabled to gain academic content knowledge and English language proficiency.</p>	<p>Winton Educational Foundation will proceed with its California Common Core State Standards implementation plan, which includes revising curriculum, professional development, and assessments to align with the California Common Core State Standards. Specialized professional development will be provided to teachers to differentiate for the needs of English Learners.</p>	<p>100% of teachers will attend professional development annually on California Common Core State Standards including specialized segments for teaching English Learners and will teach the California English Language Development standards..</p>
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State Priority #3. Parental involvement, including efforts to seek parent input for making decisions for schools, and how the school will promote parent participation

<p>ANNUAL GOALS TO ACHIEVE PRIORITY #3</p>	<p>ACTIONS TO ACHIEVE ANNUAL GOALS</p>	<p>MEASURABLE OUTCOMES AND METHODS OF MEASUREMENT</p>
<p>The Charter School will promote parental involvement.</p>	<p>The Charter School will provide parents with opportunities to get involved, such as Student Led Conferences, volunteer opportunities, membership on the Advisory School Council (ASC), regular family meetings, and school and staff evaluations.</p>	<p>90% of families will state that they are satisfied or very satisfied with their experience at the Charter School via the family survey distributed annually.</p>

State Priority #4. Pupil achievement, as measured by all of the following, as applicable:
A. Statewide assessments (SBAC CCSS or any subsequent assessment as certified by SBE) B. The Academic Performance Index (API) (or any subsequent measure of academic performance as certified by SBE)
C. Percentage of pupils who have successfully completed courses that satisfy UC/CSU entrance requirements, or career technical education
D. Percentage of ELs who make progress toward English language proficiency as measured

by the CELDT
E. EL reclassification rate
F. Percentage of pupils who have passed an AP exam with a score of 3 or higher
Percentage of pupils who participate in and demonstrate college preparedness pursuant to the Early Assessment Program (E.C. §99300 *et seq.*) or any subsequent assessment of college preparedness

ANNUAL GOALS TO ACHIEVE PRIORITY #4	ACTIONS TO ACHIEVE ANNUAL GOALS	MEASURABLE OUTCOMES AND METHODS OF MEASUREMENT
<p>The Charter School will provide students with an exceptional education.</p>	<p>Statewide assessments (STAR, or any subsequent assessment as certified by SBE)</p>	<p>Baseline 2017-2018 year 5% increase each year on students scoring proficient school wide and for each subgroup (or an aggregate of 26 percentage points over 5 years) until we reach 80% P/A is reached</p>
	<p>The Academic Performance Index (API) (or any subsequent measure of academic performance as certified by SBE)</p>	<p>Baseline 2017-2018 TBD beyond based on the structure of the API</p>
	<p>Percentage of pupils who have successfully completed courses that satisfy UC/CSU entrance requirements, or career technical education</p>	<p>100% each year school wide and for each subgroup</p>
	<p>Percentage of ELs who make progress toward English language proficiency as measured by the CELDT A. EL reclassification rate</p>	<p>42% 17-18 school year 47% 18-19 school year 52% 19-20 school year 55% 20-21 school year 60% 21-22 school year</p>
	<p>Percentage of pupils who have passed an AP exam with a score of 3 or higher</p>	<p>N/A</p>

	<p>Percentage of pupils who participate in and demonstrate college preparedness pursuant to the Early Assessment Program (E.C. §99300 <i>et seq.</i>) or any subsequent assessment of college preparedness</p>	<p>The School program includes community college classes and not AP classes.</p> <p>17-18 school year – N/A 18-19 school year–baseline 19-20 school year–increase 5% 20-21 school year–increase 5%</p>
<p>State Priority #5. Pupil engagement, as measured by all of the following, as applicable: A. School attendance rates B. Chronic absenteeism rates C. High school dropout rates D. High school graduation rates</p>		
<p>ANNUAL GOALS TO ACHIEVE PRIORITY #5</p>	<p>ACTIONS TO ACHIEVE ANNUAL GOALS</p>	<p>MEASURABLE OUTCOMES AND METHODS OF MEASUREMENT</p>
<p>The Charter School will cultivate an environment that promotes pupil engagement.</p>	<p>The Charter School will track pupil engagement, as measured above, on an annual basis. The data and information gathered from our annual student survey will also inform school leaders.</p>	<p>A. School attendance rates: Target is 95% attendance rate</p> <p>B. Chronic absenteeism rates: Reduce the % of students classified as chronic absentee by 1% a year until under 3% of population</p> <p>C. School dropout</p>

		<p>Target of 5% and a reduction each year of 1% until we reach 0%</p> <p>E. High school graduation rates: Target is 85% graduation rate, increasing by 2% each year</p> <p>Target of 8% of non- graduating seniors returning for a 5th year</p>
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State Priority #6. School climate, as measured by all of the following, as applicable:
 A. Pupil suspension rates
 B. Pupil expulsion rates
 Other local measures, including surveys of pupils, parents, and teachers on the sense of safety and school connectedness

ANNUAL GOALS TO ACHIEVE PRIORITY #6	ACTIONS TO ACHIEVE ANNUAL GOALS	MEASURABLE OUTCOMES AND METHODS OF MEASUREMENT
<p>The Charter School will provide a positive school climate and comply with the principals of the Discipline Foundation Policy.</p>	<p>The Charter School will track the progress of school climate, as measured above. The data and information gathered from our annual student survey will also inform school leaders.</p>	<p>A. Pupil suspension rates Reduce suspension rate by 25% each year, with end goal of school-wide suspension rates below 5%</p> <p>B. Pupil expulsion rates Target is zero expulsions</p> <p>C. Other local measures, including surveys of pupils, parents, and teachers on the sense of safety and school connectedness</p> <p>>80% of families will agree or strongly agree that students feel supported, respected, and that there is</p>

		a clear set of conduct and rules in place.
<p>State Priority #7. The extent to which pupils have access to, and are enrolled in, a broad course of study, including programs and services developed and provided to unduplicated students (classified as EL, FRPM-eligible, or foster youth; E.C. §42238.02) and students with exceptional needs.</p>		
<p>“Broad course of study” includes the following, as applicable: Grades 9-12: English, social sciences, foreign language(s), physical education, science, mathematics, visual and performing arts, applied arts, and career technical education. (E.C. §51220(a)-(i))</p>		
<p>ANNUAL GOALS TO ACHIEVE PRIORITY #7</p>	<p>ACTIONS TO ACHIEVE ANNUAL GOALS</p>	<p>MEASURABLE OUTCOMES AND METHODS OF MEASUREMENT</p>
<p>The Charter School will provide pupils with the opportunity to have access to and enroll in a broad course of study.</p>	<p>Through course offerings and enrichment afterschool, along with access to and scheduling which allows for participation in community college courses, students will be provided with a broad course of study.</p>	<p>Director of Secondary to annually review course offerings to ensure broad course of study is available.</p>
<p>State Priority #8. Pupil outcomes, if available, in the subject areas described above in #7, as applicable.</p>		
<p>ANNUAL GOALS TO ACHIEVE PRIORITY #8</p>	<p>ACTIONS TO ACHIEVE ANNUAL GOALS</p>	<p>MEASURABLE OUTCOMES AND METHODS OF MEASUREMENT</p>
<p>The Charter School will track pupil outcomes in a broad course of study.</p>	<p>The Charter School will track participation in afterschool programs, grades in community college courses, in addition to Winton Educational Foundation course grades. That data will be used to make changes to course offerings and enrichment opportunities as necessary.</p>	<p>80% of students receive a C or better in all courses. (5 percentage point increase annually until target is met)</p>

COLLECTING, ANALYZING, AND REPORTING DATA

Winton Educational Foundation will collect and analyze data on student achievement on a regular basis and will provide student achievement data to staff, parents and guardians, and the MUHSD:

- Staff will receive data on student achievement during staff meetings using the Data Portal and will use this data to help monitor and improve Winton Charter High School's education program;
- The Principal and other administrators will receive data on the Charter School's student achievement, attendance, and discipline using Winton Charter High School's Admin Data Portal and Principal Operational Dashboard;
 - Parents and guardians will receive data on student achievement when they meet with their child's teacher to develop, modify, or review their child's PLP; and
- The MUHSD will receive data on student achievement through School reports and/or presentations.

Winton Educational Foundation will use the State Standardized Testing Data and Reports to assist in identifying strengths and weaknesses at a student, classroom, grade level, school and organization. Additionally, the California Physical Fitness test will be administered and used to inform the school program. Every summer each school will have a staff retreat where the data will be analyzed. School wide plans for professional development will be based on these plans.

Winton Educational Foundation will use many in-house assessments which inform daily instruction. Three Winton Educational Foundation assessments provide the best benchmarks of a student's progress towards reaching the state standards.

Reading Assessment

In grades 9, the Developmental Reading Assessment (DRA) is used to benchmark students reading achievement at least three times a year. This assessment tool measures students' independent reading level and instructional path to help teachers guide students to the next reading level. It not only allows a teacher to listen for decoding, fluency and strategies, it also allows a teacher to measure comprehension. The DRA levels span from 1 to 70 to show incremental reading growth. Winton Educational Foundation has set benchmarks for every grade level. Each teacher has similar weekly assessments that she/he uses in the classroom for instruction.

Winton Charter High School Writing Assessment

Two times a year every student in the Charter School takes a writing assessment. The prompts change and are aligned with the genres specific to the CA CCSS grade level

standards. The papers are scored with other Winton Educational Foundation staff including teachers and instructional coaches to ensure validity of scores. The rubric for scoring is aligned with the writing rubric used by the state, as well as the sample papers provided in the CA CCSS standards. Benchmarks are set for every grade level. These scores are analyzed two times a year.

Winton Charter High School Math Assessment

Every student takes a Winton Charter High School math assessment based on the specific grade level standards. The assessments include both computation and a problem solving section. The computation is scored with Edusoft software. The problem solving is scored with Winton Educational Foundation teachers. A task analysis is done of every paper, so that teachers can identify standards that need to be re-taught. After every administration of the benchmark exams, the student data is analyzed at several levels – classroom, grade level, school and Winton Educational Foundation.

If any student is not making sufficient progress to meet the benchmarks created by the Winton Educational Foundation, teachers, parents or administrators begin a Student Success Team. From this meeting an action plan is created to support the student.

Annually, the status of the Charter School will be reported using a School Health Dashboard. This tool allows Winton Charter High School's Senior Leadership Team to evaluate the school on more than one facet. At the beginning of the year, the dashboard will help the Senior Leadership Team identify schools that require more focused attention and support. On an on-going basis, this dashboard will also be used to monitor progress of schools on a monthly basis. Specifically, the dashboard reports on:

- Student achievement: Academic Performance Index⁸, course grades, behavior, and internal benchmark scores;
 - Affiliation: results on the staff, parent, and student surveys, teacher retention; and
 - Financial: actual versus budget and forecast; average daily attendance.

Measurable Goals of the Educational Program

Charter School shall meet all statewide content and performance standards and targets. Cal. Ed. Code §§47605(c)(1), 60605.

Charter School shall comply with all applicable laws and regulations related to AB 97 (Local Control Funding Formula), as they may be amended from time to time, including all requirements pertaining to pupil outcomes.

Standardized Testing

⁸ Until the state creates a new Academic Performance Index based on the CCSS assessments, the School will use the % of students proficient as a benchmark for progress.

Charter School agrees to comply with and adhere to the State requirements for participation and administration of all state mandated tests. If Charter School does not test with the County, the Charter School hereby grants authority to the state of California to provide a copy of all test results directly to the MUHSD as well as the Charter School.

The Charter School shall comply with all applicable laws and regulations related to AB 97 (Local Control Funding Formula), as they may be amended from time to time, including all requirements pertaining to pupil outcomes.

External Reporting

The Winton Educational Foundation will maintain sufficient staff and systems including technology, required to ensure timely reporting necessary to comply with the law and to meet all reasonable inquiries from the Merced Union High School District and other authorized reporting agencies.

Grading, Progress Reporting, and Promotion/Retention

- **Grading Policy:**

Students earn grades based on established performance levels as described in the below table. In pursuit of our college for certain mission, students do not earn high school credits for any course in which they receive less than a C-.

When grades are given for any course of instruction, the grade given to each student shall be the grade determined by the teacher of record for the course, in the absence of clerical or mechanical mistake, fraud, bad faith, or incompetence the grade shall be final (Education Code 49066a).

Teachers may make changes to grades until they have been stored in PowerSchool. After grades are stored, teachers are prohibited from changing grades without securing the approval of the school site principal, the Area Superintendent, and the Director of Secondary. All grade changes will be documented in student's cumulative folder using the official Winton Educational Foundation "Grade Change" form and requests for changes will only be accepted for 21 school days after the official close of the marking period. Teachers wishing to change a student's grade after grades have been stored should apply the following criteria:

- The student had extenuating circumstances that prohibited the student from completing the course on time (example: automobile accident, serious illness).
- The student did not receive adequate materials to complete the course (example: textbook)
The grade should not be changed if the student made little or no effort to complete the assignments or solicit support during the time span of the course
- The school should present available options for making up the core course to the student that has failed a graduation requirement: repeating the course, enrolling in a college class, summer school or an online course.

Winton Charter High School Appeal Petition

GRADE	SIS CUTOFF VALUE	4.0 POINT SCALE UNWEIGHTED	5.0 POINT SCALE WEIGHTED	DESCRIPTION
A +	97	4.00	5.00	Demonstrates exceptional progress in meeting content standards at his or her grade level and acquiring the knowledge, skills, and habits on assignments, class participation, projects, and tests to be ready to take high school college preparatory courses in that subject. Produces notably superior work and receives consistently high marks on class tests.
A	93	4.00	5.00	<ul style="list-style-type: none"> • Does all assigned work plus additional work. • Shows superior ability to learn facts, principles, and skills; applies them to new situations. • Demonstrates creativity and originality. • Assumes active, alert leadership in learning activities.
A-	90	3.70	4.70	Is on or above grade level in classes where grade level standards exist. Shows capabilities in critical thinking related to the subject.
B+	87	3.30	4.30	Masters fundamentals thoroughly, and does above average daily work; receives consistently above-average marks on class tests.
B	83	3.00	4.00	<ul style="list-style-type: none"> • Does all assigned work plus some additional work. Shows above average ability to learn and apply facts, principles, and skills.
B-	80	2.70	3.70	Does some independent work, showing initiative and originality. Assumes active, alert role of follower, and shows some leadership in learning activities.
C+	77	2.30	3.30	Shows satisfactory grasp of fundamentals and receives consistently average marks on class tests.
C	73	2.00	3.00	<ul style="list-style-type: none"> • Does assigned work, and usually makes up work missed. Shows average ability to learn and apply facts, principals, and skills. Shows average ability in critical thinking, and some originality.
C-	70	1.70	2.70	<ul style="list-style-type: none"> • Follows class activities and makes some contribution.
D+	67			The student demonstrates inconsistent progress in meeting content standards at his or her grade level and acquiring the knowledge, skills, and habits on assignments, class participation, projects, and tests to be ready to take high school college preparatory courses in that subject <ul style="list-style-type: none"> • Shows below average growth in understanding of the subject. • Receives consistently below-average marks on tests. Does less than the average amount of assigned work, and seldom makes up work missed. Shows below-average ability or initiative in learning and applying facts, principals, and skills. Participates inadequately or ineffectively in learning activities. Shows below average ability or initiative in critical thinking and creativity.
D	63			

- **Type and Frequency of Progress Reporting:**

Formal progress reports are sent home four times a year: quarter 1, semester 1, quarter 3 and quarter 4. In addition, the Charter School uses PowerSchool which has a web portal that allows parents and students to access grades on a daily basis. Information regarding how to use this portal is given at parent meetings, through communication home and during parent-teacher conferences. In addition, every 2 weeks, advisory classes send home informal progress reports which are signed and returned to advisors to ensure that parents are aware of student standing.

- **Promotion/Retention Policy and Procedures:**

Retention Policy: Students not meeting the following criteria will be recommended for retention in their current grade based on their proficiency in core subjects in accordance with State Board of Education (SBE) requirements:

Students that fail to achieve the minimal level of proficiency (PROFICIENT) in accordance with SBE Section 60648 on the CAT6 (California Achievement Test, version 6) and/or CST (California Standards Test) in Mathematics or Reading and Language Arts (or equivalent on future required state tests)

(or)

Any student who is more than one year behind grade level (as determined by a Far Below Basic or Below Basic score on the child's report card) in Mathematics or Reading and Language Arts (or equivalent on future required state tests).

An identified student that is performing below the minimum standard for promotion shall be retained in their current grade unless the student's teacher determines in writing that retention is not the appropriate intervention for the student's academic deficiencies. The teacher's recommendation to promote is contingent upon a detailed plan to correct deficiencies.

Procedures for Retention

The following steps will take place prior to a student being retained:

1. Letter to parents informing the parents that their child is at risk of retention.
2. The teacher's evaluation shall be provided to and discussed with the student's parents or guardian and the principal *before* any final determination of pupil retention. The parents are informed at that meeting that their child is recommended for retention. This meeting is documented with an academic support plan signed by both the teacher and parent.
3. Upon the acceptance or rejection of the above stated reports by the principal, a letter shall be sent within five school days to formally inform the student's parents or guardian of the principal's decision regarding the retention.
4. The parents or guardians shall have the right to appeal the decision to retain to the Chief Academic Officer of Winton Educational Foundation. If the decision of the Chief Academic Officer is not in agreement with the parents/guardians, the parents

have the right to appeal directly to the Winton Educational Foundation Chief Executive Officer.

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 Section 47605(b) (5) (D)

WINTON EDUCATIONAL FOUNDATION BOARD OF DIRECTORS

The Charter School is an independent charter school governed by the Winton Educational Foundation Board of Directors. The biographies of the current Winton Educational Foundation Board of Directors are attached in **Appendix ___**. Winton Educational Foundation is a California, nonprofit, public benefit corporation. Proof of Winton Charter High School's tax exempt status is attached in **Appendix ___**.

As an independent charter school, the Charter School, operated as or by its nonprofit public benefit corporation, is a separate legal entity and shall be solely responsible for the debts and obligations of Charter School.

The Charter School will comply with the Brown Act and the Public Records Act.

Winton Educational Foundation is governed by the Winton Educational Foundation Board of Directors in accordance with California's Charter Schools Act and the Nonprofit Public Benefit Corporation Law. The Charter School will be governed pursuant to the bylaws adopted by the incorporators, as subsequently amended pursuant to the amendment process specified in the bylaws. Copies of the current Winton Educational Foundation Board's articles of incorporation, by-laws are attached in **Appendix___** but not incorporated herein by reference.

All employees and representatives of Charter School, including members of Winton Charter High School's governing board, members of school or governing board committees or councils, school administrators, and managers, shall comply with federal and state laws, nonprofit integrity standards, and MUHSD's charter school policies, regarding ethics and conflicts of interest.

The Charter School shall ensure that, at all times throughout the term of the Charter, the bylaws of its governing board and/or nonprofit corporation are and remain consistent with the provisions of this Charter.

The Charter School shall post all governing board meeting minutes and bylaws on the Charter School's public website (<http://Winton Educational Foundation.org>) , in accordance with the Brown Act.

Winton Educational Foundation complies with all applicable federal, state and local laws applicable to its operation. It will retain its own legal counsel when necessary. It will purchase and maintain as necessary general liability, property, workers' compensation and unemployment insurance policies.

The Winton Educational Foundation Board of Directors currently consists of a maximum of 11 regular members plus one seat for the sponsoring authority. The County reserves the right to appoint a single representative to the Winton Educational Foundation Board of Directors pursuant to Education Code section 47604(b). The Board of Directors is responsible for establishing broad policies that affect the Winton Charter High School. For example, the Board of Directors and its Executive Committee may set policies related to staff hiring, benefits and compensation, conditions for student suspension or expulsion, controversial issues that affect the school site and teacher, and principal and staff compensation criteria. Members of the Board may also participate in raising funds and increasing public awareness of the Winton Charter High School's work.

The Board is also responsible for monitoring the programmatic, operational and financial health of all Winton Charter High School and the organization collectively in order to identify and highlight risks and guide efforts to mitigate those risks.

The Winton Educational Foundation takes a conscientious approach to recruiting and selecting new Board members. Winton Charter High School's Board and CEO conduct extensive due diligence to ensure that new Board members are a strong cultural fit with the organization, will add value in specific areas and, most importantly, contribute to Winton Charter High School's growth and success.

The recruitment, evaluation and selection of new Board members typically are conducted through the following six-step process.

Step 1: Solicit nominations and compile names

Step 2: Initial meeting with nominating Board member

Step 3: Nominator reports back to the Board

Step 4: Prospective member meets with CEO, other Board members and staff

Step 5: Visit the school and attend Board meeting(s)

Step 6: Final meeting with CEO or nominator

Once a candidate completes this process a decision will be issued by the Board based on a majority vote. The term of any Board member shall not exceed six years. All Board meetings are noticed and held in compliance with the provisions of the Brown Act. A majority of the directors then in office constitutes a quorum. All acts or decisions of the Board are by majority vote based upon the presence of the quorum. Participation through teleconference is permitted and in accordance with the Brown Act. At a high level, there are three broad categories that define what characteristics Winton Educational Foundation looks for in prospective Board members:

Skill Set – All Board members must have expertise in an area that is valuable to Winton Charter High School's operations, especially where there are gaps in the board skill set.

Fundraising Capacity – All board members are required to give a personally meaningful gift, and support the fundraising program of the organization **Diversity** – Geographic, ethnic and gender diversity are very important factors.

The organizational chart for the entire Winton Educational Foundation organization chart is below.

Board of Directors

Executive Director

Administrative Assistant -----Office Clerk

Education Associate Director	Economic Development Associate Director	Social Services Associate Director
Winton Charter High School	Business Development	Homeless Hot Meal Program
School Advisory Council	Winton Economic Dev.	ESL Classes
School Principal	Bus. Incubator Program	Music Classes
ELAC	Entrepreneur Program	Parent Empowerment Program
School Site Advisory Committee	Community Garden Project	Youth Leadership Development
Parent Ambassador Committee		Parent/Child Literacy Project
		Folk Dance Classes

FAMILY AND COMMUNITY INVOLVEMENT

There will be a teleconference line and video broadcast available in a conference room at Winton Educational Foundation, 6584 N Winton Way, Winton, CA. A Winton Educational Foundation staff member will be present in the conference room to assist any parents who would like to participate via phone or video broadcast. The Board Meeting teleconference number will be posted on all Board agendas. The Brown Act will be followed with regard to teleconferencing.

All meeting agendas will be posted in accordance with the Brown Act. All meetings of the Board are meetings in which the public may attend and participate.

The Board agendas, meeting times, and locations will be posted in advance on our website and at the specific locations, in accordance with the Brown Act. Local stakeholders will have access to Board of Directors meetings pursuant to the procedures in place designed to comply with the Brown Act.

Board meetings are typically held at the office of Winton Educational Foundation, currently 6584 N. Winton Way and are subject to change. Regular Board meetings are typically held 4 times per year. Executive Board meetings are typically held every month. Frequency and location of Regular and Executive Board meetings are subject to change and noticed in accordance with Brown Act. Special and Emergency Board meetings can be called according to Brown Act. The Annual meeting shall be held at a time, date and place as may be specified and noticed by the Board of Directors, in compliance with Brown Act.

Winton Educational Foundation encourages all groups to participate in and share responsibility for the educational process and educational results. In order to achieve this important end, the Charter School share local control with an Advisory School Council ("ASC"), referred to as the Parent Ambassador Committee, which consists of family and school representatives. The representatives are made up of 10-15 parent volunteers, representing all grades. The Committee will meet quarterly with the Principal and selected school staff to discuss school needs, policies, and how they can help with fundraising and upcoming school events. The Committee has the power to make recommendations about issues related to the Charter School and participates in reviewing family and community concerns. The principal is responsible for communicating all ASC policy recommendations to the Winton Educational Foundation Board of Directors. In short, Winton Charter High School's Board of Directors oversees issues related to Winton Charter High School in general, while the Parent Ambassador Committee focuses on the individual school's needs.

ADDITIONAL OPPORTUNITIES FOR FAMILY INVOLVEMENT

- Families, students and teachers meet at least twice a year to plan and assess the students' learning progress and determine goals
- Exhibition panels – families may sit on panels to judge student work
- School and staff evaluations – families fill out a survey each year evaluating the strengths and weaknesses they identify with the program at the Charter School
- Student-led conferences – students will lead conferences on their work during the year to keep their families informed
- Volunteer Opportunities – various opportunities will arise for families to volunteer, such as helping in classrooms, leading extra-curricular activities, assisting in event planning, attending study trips, and serving on family committees
- Fundraising – families and community members may work with the Charter School to raise additional resources to support students and the Charter School program
- Advocacy – families and community members communicate the Charter School design and outcomes to the public, educators and policy makers and advocate for necessary policies and resources
- Winton Educational Foundation Board of Directors meetings – families and community members are welcome to the Board meeting. In compliance with the Brown Act, Winton Educational Foundation posts the agenda for Winton Educational Foundation Board of Directors meetings at least 72 hours prior to the meeting.

ADDRESSING FAMILY CONCERNS AND COMPLAINTS

Winton Educational Foundation is committed to working with families to address family concerns and complaints. Families will be encouraged to share their ideas and concerns with the Charter School and Winton Educational Foundation throughout the school year.

Winton Educational Foundation has established a formal complaint process to address any family complaints about the employees or employment practices of the organization. Winton Educational Foundation has issued a Uniform Complaint Procedure Policy and a Community Complaint Form. The revised Uniform Complaint Policy that was approved by the Board on April 4, 2015. Finally, Winton Educational Foundation is committed to providing a safe, discrimination-free and harassment-free education to its students. To help achieve this important end, the Winton Educational Foundation will establish a formal Discrimination/Harassment Policy and Complaint Procedure.

Title IX, Section 504, and Uniform Complaint Procedures

The Charter School shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under Title IX of the Education Amendments of 1972 (Title IX) and Section 504 of the Rehabilitation Act of 1973 (Section 504), including any investigation of any complaint filed with Charter School alleging its noncompliance with these laws or alleging any actions which would be prohibited by these laws. Charter School shall notify all its students and employees of the name, office address, and telephone number of the designated employee or employees.

The Charter School shall adopt and publish complaint procedures providing for prompt and equitable resolution of student and employee complaints alleging any action which would be prohibited by Title IX or Section 504.

The Charter School shall adopt and implement specific and continuing procedures for notifying applicants for admission and employment, students and parents of elementary and secondary school students, employees, sources of referral of applicants for admission and employment, and all unions or professional organizations holding collective bargaining or professional agreements with Charter School, if any, that Charter School does not discriminate on the basis of sex or mental or physical disability in the educational programs or activities which it operates, and that it is required by Title IX and Section 504 not to discriminate on any such basis.

The Charter School shall adhere to all applicable federal and state laws and regulations regarding pupil fees, including Cal. Educ. Code sections 49010 – 49013, and extend its uniform complaint procedure to complaints filed pursuant to Cal. Educ. Code section 49013.

Charter School shall extend its uniform complaint procedure to complaints pursuant to the local control funding formula. (Cal. Educ. Code section 52075.)

Legal and Policy Compliance

The Charter School will comply with the MUHSD policy related to charter schools, as it may be changed from time to time after notice and reasonable opportunity for input from the Charter School Collaborative.

Responding to Inquiries

The Charter School, including its nonprofit corporation, shall promptly respond to all inquiries, including but not limited to inquiries regarding financial records from the MUHSD, and shall cooperate with the MUHSD regarding any inquiries. The Charter School, including its nonprofit corporation, acknowledges that it is subject to audit by

MUHSD, including, without limitation, audit by the MUHSD Office of the Inspector General.

If an allegation or other evidence of waste, fraud, abuse, or other material violation of law related to Charter School's operations is received or discovered by the MUHSD, Charter School shall cooperate with any resulting investigation undertaken by the MUHSD and/or the Office of the Inspector General Investigations Unit.

Notification to the Charter

The Charter School shall notify the MUHSD and the Charter Schools Division in writing of any notice of workplace hazards, investigations by outside regulatory or investigative agencies, lawsuits, or any other formal complaints, within one week of receipt of such notices by the Charter School.

Transfer of Student Records

When a student transfer for any reason from Charter School to any other school, the Charter School shall transfer the student's complete cumulative record within 10 school days of receiving a record request from the receiving school. In the event the Charter School closes, the Charter School shall comply with the students records transfer provisions in element 16.

Element 5: Employee Qualifications

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

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

Winton Educational Foundation will recruit professional, effective, and qualified personnel to serve in administrative, instructional, instructional support, and non-instructional support capacities. Winton Educational Foundation believes that all of its employees play a key role in creating a successful learning environment and will recruit qualified employees throughout the organization. Winton Educational Foundation recognizes that employment is voluntary, and the Winton Educational Foundation Board of Directors shall not require any employee to be employed at an Winton Educational Foundation school. The Charter School will conduct background checks on employee candidates to provide for the health and safety of the Charter School's faculty, staff, and pupils and the academic success of the pupils. Winton Charter High School's Human Resources department, along with the Chief Academic Officer, shall monitor compliance with this policy. Employees will meet specific qualifications for employment as outlined in their job descriptions. Teachers at each school will meet all requirements for employment set forth in applicable provisions of law, including credential requirements outlined in Section 47605(l) of Charter Schools Act and the Elementary and Secondary Education Act. As provided in the Charter Schools Act, the Charter School is afforded flexibility with regards to noncore, non college preparatory courses (e.g. music, physical education, various electives, etc.). The educational and skill level

qualifications and job descriptions of teachers to be employed in the Charter School shall meet the educational goals as outlined in this charter.

EQUAL EMPLOYMENT OPPORTUNITY

The Charter School acknowledges and agrees that all persons are entitled to equal employment opportunity. Charter School shall not discriminate against applicants or employees on the basis of race, color, religion, sex, gender identity, sexual orientation, pregnancy, national origin, ancestry, citizenship, age, marital status, physical disability, mental disability, medical condition, or any other characteristic protected by California or federal law. Equal employment opportunity shall be extended to all aspects of the employer-employee relationship, including recruitment, selection, hiring, upgrading, training, promotion, transfer, discipline, layoff, recall, and dismissal from employment.

NCLB AND CREDENTIALING REQUIREMENTS

The Charter School shall adhere to all requirements of the Elementary and Secondary Education Act (ESEA, also known as No Child Left Behind (NCLB)) that are applicable to teachers and paraprofessional employees. Charter School shall ensure that all teachers meet the requirements for employment set forth in California Education Code section 47605(l).

Teachers of core and/or college preparatory subjects, and special education teachers, must hold and maintain a Commission on Teacher Credentialing certificate, permit or other document equivalent to that which a teacher in a non-charter public school would be required to hold in the same assignment. Charter School shall maintain current copies of all teacher credentials and make them readily available for inspection

PRINCIPAL QUALIFICATIONS

The Charter School's Principal will be the instructional leader at the Charter School and will be responsible for helping the Charter School and students achieve the outcomes outlined in this charter petition. The Principal will have the following qualifications:

Required knowledge, skills, and abilities:

- Superb communication and community-building skills
- Deep knowledge of curriculum development and secondary program design
- A record of success in developing teachers
- Entrepreneurial passion

Required educational level:

- Bachelor's degree
- Masters or Ph.D. in Education preferred

Required experience:

- 7 plus years teaching and administrative experience
- 3 plus years working with urban students as a full-time teacher preferred
- Experience in performance assessment

OFFICE MANAGER QUALIFICATIONS

The Office Managers are responsible for overall front office activities, will report to the Principal, and will work with students, parents, and outside parties. The Office Manager will have the following qualifications:

Required knowledge, skills, and abilities:

- Strong organizational, time management, and multi-tasking skills
- Strong interpersonal and communication skills
- Experience in office management capacity
- Ability to work independently as well as with a team

Required educational level:

- A.A. degree or equivalent work experience

Required experience:

- 4 plus years in fast-paced administrative support position
- Experience in school front office preferable
- Proficiency with Microsoft Office

TEACHER QUALIFICATIONS

Criteria for the selection of teachers are adapted from the five standards used for certification from the National Board for Professional Teaching Standards. During the hiring process, candidates are evaluated using these standards:

1. Committed to students and learning
2. Knowledgeable about their subject matter
3. Skilled in management of learning
4. Reflective in their practice
5. Community-oriented

In addition, teachers of core, college preparatory courses at each Winton Educational Foundation school will be required to hold a California Commission on Teacher Credentialing (CCTC) certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold. Teachers who are hired to teach a specific subject (e.g. math) will be required to hold a subject-specific credential or permit from the CCTC. In accordance with Education Code Section 47605(l), flexibility shall be given with regard to noncore, non-college preparatory courses.

Additionally, teachers shall meet all applicable requirements to be highly qualified under the Elementary and Secondary Education Act.

TEACHER HIRING

As a public charter school organization with a clearly defined focus, Winton Educational Foundation will tend to attract educators interested in working in more accountable, innovative, collaborative environments—teachers and principals who are themselves educational entrepreneurs. A rigorous and sound process for selecting from the pool of teacher candidates is essential. Winton Charter High School's multiple-stage approach includes: a resume screen; interview with a site hiring committee (discussed below); demonstration lesson with students; and reference checks.

The Principal will be in charge of recommending School hiring decisions and may have the opportunity to work with other staff and community members in making these decisions. The Charter School will utilize a hiring team that includes some or all of the following individuals:

- *Principal:* Chairs the hiring committee and makes all final decisions on hiring for the Charter School.
- *Office Manager:* Helps organize the process and paper trail, including: scheduling candidates for interviews and demonstration lessons; collecting score sheets; coordinating with current staff or participating students for demonstration lessons; and sending declined candidates' paperwork to Winton Charter High School's Home Office.
- *Teachers:* Actively participate in evaluating candidates through interview and demonstration lesson observation.
- *Parents:* Actively participate in evaluating candidates through the interview process, observe demonstration lessons and provide input.

PROFESSIONAL DEVELOPMENT

Once teachers are hired, Winton Educational Foundation will invest in their continued professional development. Teachers new to Winton Educational Foundation assigned to the Winton Charter High School will participate in 1 week of training and four follow-up trainings to become fluent in the Winton Educational Foundation education program; Winton Charter High School culture, literacy instruction, math instruction, rigorous interdisciplinary instruction, parent engagement and time with other team members examining student data. Each subject training includes professional development about assessing student achievement, classroom management and differentiating instruction as well as Common Core Standards. Teachers also receive ongoing Professional Development that takes place weekly on minimum days. Weekly Professional Development is based on the specific needs of the Charter School. The topics are determined by the principal with input from the lead teachers. They may be run by the principal, a lead teacher, an outside expert, or an instructional coach.

In addition, Winton Educational Foundation conducts several school-year workshops in specific areas. The Charter School Principal, in his/her capacity as instructional leader, provides on-site coaching. Teachers are organized into teams, led by an experienced “lead teacher” who has the skills to mentor others. Teachers are then able to collaborate and support each other to reach the Charter Schools’ and individual students’ learning goals. Winton Educational Foundation also has instructional coaches who provide additional support, provide one-on-one consultation, and conduct experience-based group sessions (e.g. New Teacher Support Program). Teachers will be observed a minimum of four times a year by their School Principal or a designee according to the Winton Educational Foundation Instructional Rubric which is based on the Danielson framework.*

* The *Framework for Teaching*, created by Charlotte Danielson, is a comprehensive and coherent framework that identifies those aspects of a teacher’s responsibilities that have been documented through empirical studies and theoretical research as promoting improved student learning. The Framework for Teaching is a validated instrument; that is, studies have shown that teachers who receive higher ratings on their evaluation produce greater gains in student test score

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 with a criminal record summary as described in Section 44237.

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

In order to provide safety for all students and staff, Winton Educational Foundation will adopt and implement full health and safety procedures and risk management policies at the school site in consultation with its insurance carriers and risk management experts.

Health, Safety and Emergency Plan

The Charter School will have a Health, Safety, and Emergency Plan in place prior to beginning the operation of the Charter School. The Charter School will ensure that the staff has been trained in health, safety, and emergency procedures and will maintain a calendar and conduct emergency response drills for students and staff. The Charter School shall periodically review and modify as necessary, its Health, Safety and Emergency Plan, and keep it readily available for use and review upon CSD request.

FERPA

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

Criminal Background Checks and Fingerprinting

Charter School shall require all employees of the Charter School, and all volunteers who will be performing services that are not under the direct supervision of a Charter School employee, and any onsite vendors having unsupervised contact with students to submit to criminal background checks and fingerprinting. The Charter School will maintain on file and available for inspection evidence that the Charter School has performed criminal background checks for all employees and documentation that vendors have conducted required criminal background checks for their employees prior to any unsupervised contact with students. The Charter School shall also ensure that it receives subsequent arrest notifications from the Department of Justice to ensure the ongoing safety of its students.

IMMUNIZATION AND HEALTH SCREENING REQUIREMENTS

Charter School shall require its employees, and any volunteer, vendor, or independent contractor who may have frequent or prolonged contact with students, to be examined and determined to be free of active tuberculosis as described in Education Code section 49406. Charter School shall maintain TB clearance records on file.

Charter School shall provide for the immunization and health screening of its students, including but not limited to screening for vision, hearing, and scoliosis, to the same extent as would be required if the students were attending a non-charter public school. Charter School shall maintain immunization records on file.

ROLE OF STAFF AS MANDATED CHILD ABUSE REPORTERS

All non-certificated and certificated staff are mandated child abuse and neglect reporters at Winton Educational Foundation. This includes Home Office and Regional Support Staff who may be on campus at any given time. All staff are trained on recognizing and reporting child abuse each year and are expected to comply with state reporting laws.

At a minimum, this means that all staff know they are required to report suspected child abuse and/or neglect as soon as possible via phone to applicable county agencies or law enforcement and to follow up within 36 hours with a written report (either paper copy or through the online reporting system for LA).

Additionally, Winton Educational Foundation maintains links to applicable agencies on their internal website for teachers who may need review of guidance received in the trainings and Winton Educational Foundation counselors are trained in supporting teachers in making reports, as well as being mandated reporters themselves.

TUBERCULOSIS TESTING

Faculty and staff will be tested for tuberculosis prior to commencing employment and working with students as required by Education Code Section 49406.

IMMUNIZATIONS

All students enrolled 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..

MEDICATION IN SCHOOL

The Charter School will adhere to Education Code Section 49423 regarding administration of medication in school and will abide by all guidance as issued by the California Department of Education and applicable law.

VISION, HEARING, AND SCOLIOSIS

Winton Educational Foundation will adhere to Education Code Section 49450, *et seq.*, regarding vision, hearing, and scoliosis screening as applicable to the grade levels served by the Charter School.

DIABETES

The Charter School will provide an information sheet regarding type 2 diabetes to the parent or guardian of incoming 7th grade students, pursuant to Education Code Section 49452.7. The information sheet shall include, but shall not be limited to, all of the following:

1. A description of type 2 diabetes.
2. A description of the risk factors and warning signs associated with type 2 diabetes.
3. A recommendation that students displaying or possibly suffering from risk factors or warning signs associated with type 2 diabetes should be screened for type 2 diabetes.
4. A description of treatments and prevention of methods of type 2 diabetes.
5. A description of the different types of diabetes screening tests available.

EMERGENCY PREPAREDNESS

The Charter School shall adhere to Emergency Preparedness Procedures drafted specifically to the needs of the Charter School. These procedures shall include, but not be limited to the following responses: fire, flood, earthquake, terrorist threats, and hostage situations. If assuming a facility that was previously used as a school site, any

existing emergency preparedness plan for the school site may be used as a starting basis for updating the procedures for the Charter School.

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 work place. 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 function as a drug, alcohol and tobacco free workplace.

FACILITY SAFETY

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

COMPREHENSIVE SEXUAL HARASSMENT POLICIES AND PROCEDURES

Winton Educational Foundation 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. Winton Educational Foundation has developed 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).

Element 7: Means to Achieve Racial & Ethnic Balance

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

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

Winton Educational Foundation will strive to ensure that the student population of the Charter School will be reflective of the general population residing within the territorial jurisdiction of the MUHSD. Winton Educational Foundation will monitor the racial and ethnic balance among its students on an annual basis and will engage in a variety of means and strategies, including monitoring and revising its student outreach plan on an annual basis, to achieve a racially and ethnically diverse student population.

These strategies cover a broad-based recruiting and application process every year during Open Enrollment:

- Outreach efforts via parent volunteers, neighborhood groups, community organizations, churches, local prominent businesses, and other leadership organizations.
- Marketing brochures targeted toward diverse populations.
- Outreach to the Winton Community and vicinity with flyers, local newspaper advertisements and attendance at local events to advertise and recruit students for the school.
- Winton Educational Foundation – Winton Charter High School will also host open houses to provide information on the school's curriculum and program.
- All outreach and recruiting efforts are done in English and Spanish.
- Winton Educational Foundation – Winton Charter High School does recruitment efforts for academically low-achieving and economically disadvantaged students.

The Charter School is committed to ensuring that all students and families involved with our outreach and process are made to feel welcome and respected. The geographic area surrounding the school site in Winton will be targeted in outreach efforts. The demographics for the 95388 Zip code indicate that the community is:

87.2% Latino,
1.6% White, .
30% Black or African American,
0.10% American Indian and Alaska Native,
0.50% Asian,
0.10% Other race, and
0.10% Two or More Races.

Winton Educational Foundation [Winton Charter High School] is committed to upholding the MUHSD's ethnic balance goal and the school's outreach and recruitment efforts described above will support this.

Winton Educational Foundation shall not discriminate on the basis of the characteristics listed in Section 220 (actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics).

No Child Left Behind-Public School Choice (NCLB-PSC) Traveling Students

The MUHSD and the Charter School are committed to providing all students with quality educational alternatives in compliance with all federal and state laws, including students who are enrolled in schools of the MUHSD identified by the California Department of Education as in need of Program Improvement. No Child Left Behind-Public School Choice (“NCLB-PSC”) placement with charter schools is an alternative strongly encouraged by the No Child Left Behind Act of 2001 (“NCLB”). The Charter School agrees to discuss with the MUHSD the possibility of accepting for enrollment MUHSD students participating in the MUHSD’s NCLB-PSC program. The parties agree to memorialize separately any agreed-to number of NCLB-PSC placements of MUHSD students at the Charter Schools.

As required under NCLB, all NCLB-PSC students attending the Charter School shall have the right to continue attending the Charter School until the highest grade level of the charter. However, the obligation of the MUHSD to provide transportation for a NCLB-PSC student to the Charter School shall end in the event the NCLB-PSC student’s resident MUHSD school exits Program Improvement status.

The Charter School will ensure that all of its NCLB-PSC students are treated in the same manner as other students attending the Charter School. NCLB-PSC students are and will be eligible for all applicable instructional and extra-curricular activities at the Charter School. The Charter School will make reasonable efforts to invite and encourage the participation of the parents of NCLB-PSC students in the activities and meetings at the Charter School.

Determination of student eligibility for this NCLB-PSC option, including the grade level of eligibility, will be made solely by the MUHSD, based on the MUHSD’s NCLB-PSC process, guidelines, policies and the requirements of NCLB. In the event demand for places at the Charter School under the NCLB-PSC program increases in subsequent years, the Charter School agrees to discuss with the MUHSD the possibility of increasing the number of NCLB-PSC places available at the Charter School.

FEDERAL COMPLIANCE

As a recipient of federal funds, including federal Title I, Part A funds, Charter School has agreed to meet all of the programmatic, fiscal and other regulatory requirements of the No Child Left Behind Act of 2001 (NCLB) and other applicable federal grant programs. Charter school understands that it is a local educational agency [LEA] for purposes of federal compliance and reporting purposes. Charter School agrees that it will keep and make available to the MUHSD any documentation necessary to demonstrate compliance with the requirements of NCLB and other applicable federal programs, including, but not limited to, documentation related to funding, required parental notifications, appropriate credentialing of teaching and paraprofessional staff, the implementation of Public School Choice and Supplemental Educational Services, where applicable, or any other mandated federal program requirement. The mandated requirements of NCLB, Title I, Part A include, but are not limited to, the following:

- Notify parents at the beginning of each school year of their “right to know” the professional qualifications of their child’s classroom teacher including a timely notice to each individual parent that the parent’s child has been assigned, or taught for four or more consecutive weeks by, a teacher who is not highly qualified
- Develop jointly with, and distribute to, parents of participating children, a school-parent compact
- Hold an annual Title I meeting for parents of participating Title I students
- Develop jointly with, agree on with, and distribute to, parents of participating children a written parent involvement policy
- Submit biannual Consolidated Application to California Department of Education (CDE) requesting federal funds
 - Complete and submit Local Education Agency (LEA) Plan to CDE
 - Complete reform planning process with stakeholders and submit to CDE all appropriate documents for Title I school wide status, if applicable; otherwise, identify and maintain roster of eligible students for the Title I Targeted Assistance School Program
 - Maintain inventory of equipment purchased with categorical funds, where applicable; and
 - Maintain appropriate time-reporting documentation, including semi-annual certification and personnel activity report, for staff funded with categorical resources, where applicable

Charter School also understands that as part of its oversight of the Charter School, the MUHSD may conduct program review of federal and state compliance issues.

Element 8: Admission Requirements

Admission requirements, if applicable.

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

Winton Educational Foundation 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.

Winton Educational Foundation 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 Charter School. Winton Educational Foundation will comply with all laws establishing minimum and maximum age for public school attendance in charter schools.

The Winton Educational Foundation application process is comprised of the following:

- Completion of a Student Interest Form for each child who is interested in attending the Charter School

Applications will be accepted during a publicly advertised open application period each year for enrollment in the following school year. Following the open enrollment period each year, applications shall be counted to determine whether any grade level has received more applications than availability. In the event that this happens, the Charter School will hold a public random drawing to determine enrollment for the impacted grade level, with the exception of existing Winton Educational Foundation students who are guaranteed enrollment in the following school year. Enrollment preferences in the case of a public random drawing shall be as follows:

- Siblings of students already admitted to the Charter School
- Founding Families (not to exceed 10%) and children of Winton Educational Foundation Regular employees (not to exceed 10%) who reside in the MUHSD
- Children residing within the MUHSD
- Founding Families (not to exceed 10%) and children of Winton Educational Foundation Regular employees (not to exceed 10%) who do not reside in the MUHSD
- All other students who reside in the state of California

Founding Parents/Founder Family Preference

1.1 “Founding Period”: The applicable time period in which an individual can be deemed a Founding Parent/Founder is the specific period during which the charter petitioner team is developing the charter school through the school’s first day of instruction. The petitioners must submit to the Charter Schools Division

documentation establishing an official start of founding period at the time of charter petition submission (i.e., typically 12-18 months prior to charter approval; reflected in board minutes). A school may not add to the founding group after the first day of instruction.

1.2 “Founding Parent/s” or “Founders” are respectively defined as parent/s or legal guardian/s or individuals who contribute substantial personal time and effort to develop the new charter school during the established Founding Period as noted in subsection 1.1. There shall be no requirement that Founding Parents/Founders contribute funds as a part of their commitment. Petitioners must prescribe in their charter petition the eligibility criteria for Founding Parents/Founders, including defining the appropriate minimum number of volunteer hours required.

1.3 Founding Parent status cannot be delegated or transferred to other individuals. Preference for children of Founding Parents/Founders may apply during the life of the charter as long as pupils who qualify for this preference does not constitute more than 10 percent of the school’s enrollment. The admissions preference is applicable to all children of the charter school’s Founding Parents/Founders even if the children do not begin attending the charter school until after the first year of the school’s operation.

1.4 For charter schools that have more applicants than space available, children of Founders shall be exempted from the random public admissions lottery and not to exceed more than 10 percent of the school’s enrollment.

1.5 For oversight purposes, charter school applicants must submit to the Charter Schools Division documentation confirming the following information:

- a list of Founders, contact information, and number of volunteer hours performed;
- an aggregate count of Founders’ enrolled children by grade.

1.6 As part of oversight, the MUHSD may audit the charter school’s lottery and admissions practices to ensure compliance, including conducting interviews of Founders.

At the conclusion of the public random drawing, all students who were not granted admission due to capacity shall be given the option to put their name on a waitlist according to their draw in the lottery. This waitlist will allow students the option of enrollment in the case of an opening during the current school year.

In no circumstance will a waitlist carry over to the following school year.

Upon confirmation that a student has secured a spot at the Charter School, parents must submit a completed Registration Form.

PLANNED APPLICATION, PUBLIC RANDOM DRAWING, AND ADMISSION SCHEDULE

Winton Educational Foundation typically utilizes the following application, public random drawing, and admission schedule. The schedule below may be abbreviated to ensure all steps are followed within a shorter timeframe if required.

- Recruit students (via referrals, networking, and holding enrollment and option fairs). Collect Student Interest Forms.
- Send re-enrollment forms to existing students to identify open seats. All families are contacted through mail, in person conversations and phone calls to retrieve reenrollment forms. Public random drawing conducted (if necessary).
- Wait list letters distributed to applicants not selected in the public random drawing. Acceptance letters and registration packets distributed to parent and children who have been drawn in the public random drawing.

MCKINNEY-VENTO HOMELESS ASSISTANCE ACT

The Charter School will adhere to the provisions of the McKinney-Vento Homeless Assistance Act and ensure that each child of a homeless individual and each homeless youth has equal access to the same free, appropriate public education as provided to other children and youths. The Charter School will include specific information in their outreach materials, websites, at community meetings, open forums, and regional center meetings that notifies parents that the school is open to enroll and provide services for all students, and provides a MUHSD standard contact number to access additional information regarding enrollment. A student's IEP will never be required prior to participation in any attendance lottery or as a condition for enrollment.

NON-DISCRIMINATION

The Charter School shall not require a parent/legal guardian/student to provide information regarding a student's disability, gender, gender identity, gender expression, nationality, legal or economic status, primary language or English Learner status, 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 any other information that would violate federal or state law, prior to admission, participation in any admissions or attendance lottery, or pre-enrollment event or process, or as a condition of admission or enrollment. The Charter School may request, at the time of, and as part of, conducting its lottery process, the provision of information necessary to apply specific admissions preferences set forth in this Charter.

The Charter School shall not request or require submission of a student's IEP, 504 Plan, or any other record or related information prior to admission, participation in any admissions or attendance lottery, or pre-enrollment event or process, or as a condition of admission or enrollment.

Element 9: Annual Financial Audits

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

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

The annual audit will be conducted in compliance with the California Education Code 47605(b)(5)(I) as it is amended from time to time.

The following reports will be submitted to MUHSD, in the required format and within timelines to be specified by MUHSD, each year:

- a. Provisional Budget – Spring prior to operating fiscal year
- b. Final Budget – July of the budget fiscal year
- c. First Interim Projections – November of operating fiscal year
- d. Second Interim Projections – February of operating fiscal year
- e. Unaudited Actuals – August 15 following the end of the fiscal year
- f. Audited Actuals – December 15 following the end of the fiscal year
- g. Classification Report – monthly according to school’s Calendar
- h. Statistical Report – monthly according to school’s Calendar of Reports

In addition:

- P1, first week of January
- P2, first week of April
- i. Instructional Calendar – annually five weeks prior to first day of instruction
- j. Other reports as requested by the MUHSD

Any disputes regarding the resolution of audit exceptions and deficiencies will be referred to the dispute resolution process contained in this charter, or if applicable, referred to the Education Audit Appeal Panel (EAAP) appeal process as required by Education Code Section 41344. The independent financial audit of the Charter School is a public record to be provided to the public upon request.

Element 10: Suspension and Expulsion Procedures

The procedures by which pupils can be suspended or expelled.

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

The policies and procedures for suspension and expulsion will be periodically reviewed and the list of offenses for which students are subject to suspension and expulsion will be modified as necessary and based on California Education Code. The Charter School will notify the MUHSD of any expulsions. 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 §47605(d)(3), upon expulsion of any student, the Charter School shall notify the superintendent of the school MUHSD of the pupil's last known address within 30 days, and shall, upon request, provide that school MUHSD with a copy of the cumulative record of the pupil, including a transcript of grades or report card and health information.

GENERAL PROVISIONS

Charter School shall provide due process for all students, including adequate and timely notice to parents/guardians and students of the grounds for all suspension and expulsion recommendations and decisions and their due process rights regarding suspension and expulsion, including rights of appeal.

Charter School shall ensure that its policies and procedures regarding suspension and expulsion will be periodically reviewed, and modified as necessary, in order to conform to changes in state law.

Charter School shall ensure that its staff is knowledgeable about the MUHSD's Discipline Foundation Policy and/or current equivalent policy, as required by the Modified Consent Decree.

Charter School shall be responsible for the appropriate interim placement of students during and pending the completion of the Charter School's student expulsion process and shall facilitate the post-expulsion placement of expelled students. This means that the Charter School shall be responsible for maintaining the educational access of students during and pending the completion of the Charter School's student expulsion process and shall facilitate this access through home and independent study. The Charter School is not required to maintain the enrollment of the expelled student until they find placement in another LEA.

The Charter School will facilitate placement of expelled students by communicating with MUHSD within 5 days of when a student is expelled. In this communication, the Charter School will provide a copy of the findings from the expulsion hearing which includes the reason for the expulsion, terms of expulsion and terms of rehabilitation. The Charter School will also provide all academic and behavioral records to any LEA

requesting the records for any expelled student within 10 school days per Education Code 49068.

Additionally, accommodations, modifications and other services protected under IEP or 504 plans for any particular student will be provided during and pending the completion of the Charter's School's student expulsion process as required by law.

Charter School shall document and implement the alternatives to suspension and expulsion that Charter School utilizes in response to attendance-related concerns, e.g. truancy or excessive tardiness.

Notwithstanding the documentation sent to the Charter Schools Division as indicated above, if the student is a resident of a school MUHSD other than MUHSD, Charter School must notify the Superintendent of the student's MUHSD of residence within 30 days of the expulsion. Additionally, upon request of the receiving school MUHSD, Charter School shall forward student records no later than 10 school days from the date of the request as stated in Education Code sections 49068 (a) and (b).

STUDENTS WITH DISABILITIES

Charter School shall implement operational and procedural guidelines ensuring compliance with federal and state laws and regulations regarding the discipline of students with disabilities. If a student is recommended for expulsion and the student receives or is eligible for special education, Charter School shall identify and provide special education programs and services at an appropriate interim educational placement, pending the completion of the expulsion process, to be coordinated with the MUHSD Special Education Service Center.

In the case of a student who has an Individualized Education Program ("IEP"), or a student who has a 504 Plan, Charter School shall ensure that it follows correct disciplinary procedures to comply with the mandates of state and federal laws, including IDEA and Section 504 of the Rehabilitation Plan of 1973. As set forth in the MOU regarding special education between the MUHSD and Charter School, an IEP team, including a MUHSD representative, will meet to conduct a manifestation determination and to discuss alternative placement utilizing the MUHSD's Special Education Policies and Procedures Manual. Prior to recommending expulsion for a student with a 504 Plan, Charter School's administrator 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 School's failure to implement 504?

OUTCOME DATA

Charter School shall gather and maintain all data related to placement, tracking, and monitoring of student suspensions, expulsions, and reinstatements, and make such outcome data readily available to the MUHSD upon request.

REHABILITATION PLANS

Pupils who are expelled from Charter School shall be given a rehabilitation plan upon expulsion as developed by Charter School's Administrative Panel 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. Terms of expulsion should be reasonable and fair with the weight of the expelling offense taken into consideration when determining the length of expulsion. Therefore, the rehabilitation plan should include a date not later than one (1) year from the date of expulsion when the pupil may apply to Charter School for readmission. Charter School shall inform parents in writing of its processes for reinstatement and applying for expungement of the expulsion record.

READMISSION

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, Charter School's governing board shall readmit the pupil; unless 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 and the decision of the governing board, including any related findings, must be provided to the pupil and the pupil's parent/guardian within a reasonable time.

REINSTATEMENT

Charter School's governing board shall adopt rules establishing a procedure for processing reinstatements, including the review of documents regarding the rehabilitation plan. Charter School is responsible for reinstating the student upon the conclusion of the expulsion period in a timely manner.

GUN FREE SCHOOLS ACT

Charter School shall comply with the federal Gun Free Schools Act.

Discipline Winton Educational Foundation Policy

Winton Educational Foundation believes that all students have the right to learn in a safe, respectful and discipline plan is essential to the creation of this type of environment and the success of our students and teachers both behaviorally and academically.

Research shows that positive school climates increase student achievement, lower student suspensions and expulsions and increase graduation rates. This fits directly with Winton Charter High School's College for Certain model and Winton Educational Foundation has put additional resources behind creating and improving these systems for our individual schools and as an organization.

The Charter School's specific vision states: The Charter School believes in caring and authentic relationships among students and adults that support academic excellence, college readiness, lifelong learning, reflection and social consciousness. We believe that all students are scholars. We honor the community, culture and family background of our students.

In addition to Winton Charter High School's overarching discipline policies (found in our student handbook), the Charter School utilizes a variety of interventions and school-specific policies. This includes a consequence ladder and specifically delineated alternatives to suspension (see below):

2.	Reflection Zone (Minutes, Reflection Prompt, etc.)	• Friday Detention
3.	Buddy Teacher	• Saturday Service Day
4.	After School Conference & Call Home	• Adult-Student Relationship
5.	Referral	Building through specifically planned activities(Ex. Hiking)
		• Behavior Daily's
		• Counseling
		• Peer Mediations
		• In-School Alternatives
		• Piloting of Restorative Practices

Along with the above, the Charter School will be participating in meditation teaching and practice within their Advisory program. The Center for Wellness and Achievement in Education states that the benefits of meditation include:

- Reduction in stress, anger and anxiety
- Improved academic achievement
- Improved attendance and graduation rates

The Charter School believes this practice fits well within the Winton Educational Foundation's policy which specifically references that using proactive strategies to prevent discipline problems (such as teaching meditation skills to students to lower the precursors to behavior problems) is a key component to an effective discipline system. Along with meditation and the other alternatives to suspension referenced, the Charter

School's counseling team also works with parents and students to connect them with outside resources to help ameliorate other concerns that may impede a student's ability to learn or make it difficult for them to regulate behavior in school.

In addition to the work the Charter School has put in to their specific school climate, Winton Educational Foundation will provide a variety of support to the Charter school and school staff in implementing school-wide behavior interventions and discipline policies, improving student attendance and implementing alternatives to suspension.

Suspension

Suspension is the temporary removal of a student from class instruction for adjustment or disciplinary reasons

Suspended or expelled students shall be excluded from all school and school-related activities unless otherwise agreed during the period of suspension or expulsion. Students who come to school during the term of their suspension or expulsion may result in further disciplinary action.

Except in cases where suspension for a first offense is warranted in accordance with law, each school site shall consider suspension from school only when other means of correction have not been successful or where the student's presence would constitute a danger to persons or property or seriously disrupt the educational process.

Authority to Suspend

1. A teacher may suspend a student only from his/her classroom for the day of the suspension plus the following school day.
2. The Principal or his/her designee may suspend a student from class, classes or the school campus for a period not to exceed five school days.
3. The Charter School advisory board or designee may extend a student's suspension pending final decision by the Winton Educational Foundation Administrative Panel on a recommendation for expulsion.
4. A student with an IEP being considered for expulsion may be suspended for ten (10) consecutive days pending assessment and an IEP Team meeting. The suspension may also be extended pending final decision by the Winton Educational Foundation Administrative Panel on a recommendation for expulsion.

Jurisdiction

A student may be suspended or expelled for prohibited misconduct if the act is 1) related to a Charter School activity, 2) school attendance occurring at a Winton Charter High Foundation school or at any other school, or 3) at an Winton Educational Foundation school's sponsored event.

Suspension Alternatives

The Winton Educational Foundation Education Director, ED Designee, or Principal may use their discretion to provide alternatives to suspension or expulsion, including, but not limited to, counseling and anger management programs for students subject to suspension or expulsion. An additional alternative may be community service on school grounds or, with written permission of the parent or guardian, off school grounds during the student's non- school hours. [Education Code 48900.6]

Grounds for Suspension and Expulsion

The following information is provided in order to provide uniformity within Winton Educational Foundation in matters of student misconduct requiring disciplinary action. The following offenses constitute grounds for suspension and expulsion:

- a) (1) Caused, attempted to cause, or threatened to cause physical injury to another person.
or (2) Willfully used force or violence upon the person of another, except in self-defense.
- b) Possessed, sold, or otherwise furnished a firearm, knife, explosive, or other dangerous object, unless, in the case of possession of an 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 principal or the designee of the principal.
- c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.
- d) Unlawfully offered, arranged, or negotiated to sell a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.
- e) Committed or attempted to commit robbery or extortion.
- f) Caused or attempted to cause damage to school property or private property.
- g) Stole or attempted to steal school property or private property.
- h) Possessed or used tobacco, or products containing tobacco or nicotine products, including, but not limited to, 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.
- i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.

- k) 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.
 - l) Knowingly received stolen school property or private property.
- m) Possessed an imitation firearm. As used in this section, "imitation firearm" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
 - n) Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.
- o) Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for purposes of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.
- p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- q) Engaged in, or attempted to engage in, hazing. For purposes of this subdivision, "hazing" means a method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this subdivision, "hazing" does not include athletic events or school-sanctioned events.
- r) Engaged in an act of bullying. For purposes of this subdivision, the following terms have the following meanings:
 - 1. "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:
 - 1.1. Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property.
 - 1.2. Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
 - 1.3. Causing a reasonable pupil to experience substantial interference with his or her academic performance.
 - 1.4. Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.
 - 2. (A) "Electronic act" means the transmission, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

2.1. A message, text, sound, or image.

2.2. A post on a social network Internet Web site including, but not limited to:

- i. Posting to or creating a burn page. "Burn page" means an Internet Web site created for the purpose of having one or more of the effects listed in paragraph (1).
- ii. Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (1).

(1) "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.

(2) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (1). "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.

(3) Notwithstanding paragraph (1) and subparagraph (A), an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

(4). "Reasonable pupil" means a pupil, including, but not limited to, an exceptional needs pupil, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.

t) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, pursuant to this section, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily harm.

In addition to the grounds specified above, a Winton Educational Foundation student enrolled in any of grades 9 to 12, inclusive, may be suspended from school or recommended for expulsion if the CEO or the principal of the Charter School in which the student is enrolled determines that the student has:

- Committed sexual harassment as defined in the Education Code section 212.5.
- Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in subdivision (e) of Section 233 of the Education Code.
- Intentionally engaged in harassment, threats, or intimidation, directed against any Winton Educational Foundation personnel or students, that are sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of either school personnel or students by creating an intimidating or hostile educational environment.

- Made terroristic threats against school officials or school property. Possessed or used any electronic signaling device that operates through the transmission or reception of radio waves, including, but not limited to, paging and signaling equipment, cell phones, pagers, game devices, lasers, laser-pointers, and music playing devices while students are on campus or attending a school-sponsored activity, or while under the supervision and control of any Winton Educational Foundation employee.

Procedures in Cases Requiring Suspension

1. **Incident Investigation**- The school site administrator or teacher investigates the incident and determines whether or not it merits suspension.
2. **Determination of Length of Suspension**- The school site administrator determines the appropriate length of the suspension in conjunction with local school policy and school-specific disciplinary management plans (up to five consecutive school days).

The total number of days for which a student maybe suspended from school shall not exceed 20 school days in any school year. A student who accumulates more than 20 days of suspension in a school year shall be recommended for expulsion to the Winton Educational Foundation Board of Directors.

3. **Legal Notifications**-Prior to the suspension or expulsion of any student, the principal or designee shall notify appropriate city or county law enforcement authorities of any student acts of assault which may have violated Penal Code 245. Upon reporting such an incident, the principal or designee with secure a written copy of the police report and a copy of that report shall be placed in the private student files.

The principal or designee also shall notify appropriate city or county law enforcement authorities of any student acts that may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10.

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering or sale of controlled substances, alcohol or intoxicants of any kind.

When the Principal or other school official releases a student to a peace officer for the purpose of removing the student from the school premises (after the release), the Principal or other school official shall take immediate steps to notify the parent, guardian, or responsible relative of the student regarding the release of the minor to the officer, and regarding the place to where the minor is reportedly being taken. **Note:** The responsibility to notify the parent, guardian, or other responsible relative concerning the release of a student does not apply to the release of a student who has been taken into custody as a victim of suspected child abuse.

4. **Suspension Conference-** Suspension shall be preceded, if possible, by a conference conducted by the Principal or designee with the student and his or her parent and, whenever practical, the teacher, supervisor or school employee who referred the student to the Principal.
5. **Notice of Suspension-** The Principal or designee must complete an Winton Educational Foundation Notice of Suspension form. The parent will be given written notice of the suspension using this form. The Winton Educational Foundation Notice of Suspension serves as written notification of the student's suspension and indicates the date of return following suspension. This notice shall state the specific offense committed by the student. In addition, the notice may also state the date and time when the student may return to school.

A copy of this form is also sent to the Winton Educational Foundation home office (Attention: Director of Student Services) and placed in the principal's private student files – suspension notices should not be placed in the student's cumulative file.

Appeals Process

A student or the student's parents guardians may appeal those disciplinary actions, other than expulsion, imposed upon a student for his her school related offenses. Appeals are brought directly to the Winton Educational Foundation Executive Committee.

- Appeals must be made first in writing at the school level, and should be directed to the principal. The principal or principal's designee will attempt to resolve the appeal with a written response within ten (10) school days.
- After appeal at the school level, if further appeal is desired, the appeal should be made to the Winton Educational Foundation Home Office and should be directed to the CEO or designee (Regional Student Support Coordinator) for resolution with a written response within fifteen (15) school days.
- After appeal at the Winton Educational Foundation administrative level, if further review is desired, the appeal may be forwarded to the Winton Educational Foundation Executive Committee for resolution with a written response within 20 school days.

If any appeal is denied, the parent may place a written rebuttal to the action in the student's file.

Expulsion

Expulsion is the involuntary removal of a student from all Winton Educational Foundation schools and Winton Educational Foundation programs for acts of specified misconduct.

Except for single acts of a grave nature, expulsion should only be used when:

- there is a history of misconduct,
- other forms of discipline (including suspension) have failed to bring about proper conduct,
- a student has accumulated 20 or more days of suspension in a school year

- or when the student's presence causes a continuing danger to other students.

Authority to Expel

A student may be expelled by the Winton Educational Foundation Administrative Panel. The Administrative Panel will consist of at least three members who are certificated and neither a teacher or principal of the pupil nor a member of the Winton Educational Foundation Board of Directors. The Winton Educational Foundation Administrative Panel may recommend expulsion of any student found to have committed a suspendable or expellable offense (APS 5144.1).

While under expulsion, a student cannot enroll in another Winton Educational Foundation school without approval of the Winton Educational Foundation Board of Directors. At the conclusion of an expelled student's term of expulsion, a student cannot enroll in any Winton Educational Foundation school without approval of the Winton Educational Foundation Board of Directors through the readmission process. Approximately one month prior to the conclusion of the term of expulsion, the Winton Educational Foundation Registrar contacts the family to remind the student and family that they may return to Winton Educational Foundation if they have met the terms of their expulsion. Families have two weeks to submit documentation that they have met the terms of expulsion. If this information is not received within two weeks, the family is called by the Winton Educational Foundation Registrar. All communication is documented and sent via certified mail.

If a student has met all terms, the student is re-admitted and a re-entry conference with the principal of their school is scheduled to promote a smooth transition. At the secondary level, students are re-entered on a semester basis.

The Charter School shall be responsible for the appropriate interim placement of students during and pending the completion of the Charter School's student expulsion process and shall facilitate the post-expulsion placement of expelled students.

Expellable Offenses

• **Mandatory Expulsion**

The Principal or CEO (or the CEO's designee) shall immediately suspend and shall recommend the expulsion of a student who has been determined to have committed any of the following acts at school or at school sponsored activity while under the school's jurisdiction. The Winton Educational Foundation Administrative Panel will also expel the student.

Mandatory Expulsion does not require a second finding of fact.

- Possessing, selling, or otherwise furnishing a firearm, unless pupil had obtained prior written permission to possess the firearm from a certificated school employee
- Brandishing a knife at another person
- Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
- Committing or attempting to commit a sexual assault or committing a sexual battery

- Possessing an explosive

- **Mandatory Recommendation for Expulsion**

The Principal or CEO (or the CEO's designee) shall immediately suspend and shall recommend the expulsion of a student who has been determined to have committed any of the following acts at school or at school sponsored activity while under the school's jurisdiction. The Winton Educational Foundation Administrative Panel may order the student expelled.

Mandatory Recommendation for Expulsion requires a second finding of fact.

- Causing serious physical injury to another person, except in self-defense
- Possession of any knife as defined in Education Code 48915(g), explosive or other dangerous object of no reasonable use to the student
- Unlawful possession of any controlled substance, as listed in Health and Safety Code 11053-11058, except for the first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis
- Robbery or extortion
- Assault or battery upon any school employee as defined in (Penal Code 240 and 242)

- **Permissive Expulsion- requires a second finding of fact**

Upon recommendation of the Principal or CEO (or the CEO's designee), the Winton Educational Foundation Administrative Panel may order a student expelled upon finding that the pupil, at school or at a school sponsored activity on or off school grounds, violated any of the suspendable act listed under suspension.

Element 11: Employee Retirement Systems

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)

All employees of Winton Educational Foundation who qualify for membership in STRS or PERS shall be covered under the appropriate system. Employees will contribute at the rate established by STRS or PERS. The Payroll/Benefits Manager of Winton Educational Foundation will ensure that appropriate arrangements for the coverage have been made. Winton Educational Foundation will make all employer contributions as required. Winton Educational Foundation will also make contributions for workers' compensation insurance, unemployment insurance and any other payroll obligations of an employer.

Element 12: Public School Attendance Alternatives

The public school attendance alternatives for pupils residing within the school MUHSD who choose not to attend charter schools.

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

Winton Educational Foundation schools are "schools of choice," and the Charter School recognizes that pupil attendance is voluntary and no pupil shall be required to attend an Winton Educational Foundation school. Pupils who choose not to attend the Charter School may choose to attend other public schools in their MUHSD of residence or pursue an inter MUHSD-transfer in accordance with existing enrollment and transfer policies of the MUHSD.

The parent or guardian of each student enrolled in the Charter School will be notified that their student shall have no right to admission in a particular school of any local educational agency (or program of any local educational agency) as a consequence of enrollment in the Charter School, except to the extent that such a right is extended by the local educational agency.

Element 13: Rights of MUHSD Employees

A description of the rights of any employee of the school MUHSD upon leaving the employment of the school MUHSD to work in a charter school, and of any rights of return to the school MUHSD after employment at a charter school.

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

Employees of the MUHSD who choose to leave the employment of the MUHSD to work at Charter School shall have no automatic rights of return to the MUHSD after employment at Charter School unless specifically granted by the MUHSD through a leave of absence or other agreement or policy of the MUHSD as aligned with the collective bargaining agreements of the MUHSD. Leave and return rights for MUHSD union-represented employees and former employees who accept employment with Charter School will be administered in accordance with applicable collective bargaining agreements and any applicable judicial ruling.

- 3) If the Dispute cannot be resolved by mutual agreement at the Issue Conference, either party may then request that the Dispute be resolved by mediation. Each party shall bear its own attorneys' fees, costs and expenses associated with the mediation. The mediator's fees and the administrative fees of the mediation shall be shared equally among the parties. Mediation proceedings shall commence within 120 days from the date of either party's request for mediation following the Issue Conference. The parties shall mutually agree upon the selection of a mediator to resolve the Dispute. The mediator may be selected from the approved list of mediators prepared by the American Arbitration Association. Unless the parties mutually agree otherwise, mediation proceedings shall be administered in accordance with the commercial mediation procedures of the American Arbitration Association.
- 4) If the mediation is not successful, then the parties agree to resolve the Dispute by binding arbitration conducted by a single arbitrator. Unless the parties mutually agree otherwise, arbitration proceedings shall be administered in accordance with the commercial arbitration rules of the American Arbitration Association. The arbitrator must be an active member of the State Bar of California or a retired judge of the state or federal judiciary of California. Each party shall bear its own attorney's fees, costs and expenses associated with the arbitration. The arbitrator's fees and the administrative fees of the arbitration shall be shared equally among the parties. However, any party who fails or refuses to submit to arbitration as set forth herein shall bear all attorney's fees, costs and expenses incurred by such other party in compelling arbitration of any controversy or claim.

Element 15: Exclusive Public School Employer

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)

The Charter School is deemed the exclusive public school employer of all employees of the charter school for collective bargaining purposes. As such, the Charter School shall comply with all provisions of the Educational Employment Relations Act ("EERA"), if any, and shall act independently from MUHSD for collective bargaining purposes. In accordance with the EERA, employees may, but are not required to, join and be represented by an organization of their choice for collective bargaining purposes.

Element 16: Charter 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, which are adapted from the procedures recommended by the California Department of Education (“CDE”), shall be utilized to ensure a final audit of the Charter School to determine the disposition of all assets and liabilities of the Charter School, including plans for disposing any net assets and for the maintenance and transfer of pupil records.

REVOCATION OF THE CHARTER

The MUHSD may revoke the Charter if the Charter School commits a breach of any provision set forth in a policy related to Charter Schools adopted by the MUHSD Board of Education and/or any provisions set forth in the Charter School Act of 1992. The MUHSD may revoke the charter of the Charter School if the MUHSD finds, through a showing of substantial evidence, that the Charter School did any of the following:

- The Charter School committed a material violation of any of the conditions, standards, or procedures set forth in the charter.
- The Charter School failed to meet or pursue any of the pupil outcomes identified in the charter.
- The Charter School failed to meet generally accepted accounting principles, or engaged in fiscal mismanagement.
 - The Charter School violated any provision of law.

Prior to revocation, and in accordance with Cal. Educ. Code section 47607(d) and State regulations, the MUHSD Board of Education will notify the Charter School in writing of the specific violation, and give the Charter School a reasonable opportunity to cure the violation, unless the MUHSD Board of Education determines, in writing, that the violation constitutes a severe and imminent threat to the health or safety of the pupils. Revocation proceedings are not subject to the dispute resolution clause set forth in this Charter.

Pursuant to AB 97, charter schools may be identified for assistance based on state evaluation rubrics and be subject to revocation pursuant to Education Code section 47607.3.

CLOSURE ACTION

The decision to close the Charter School either by the Winton Educational Foundation governing Board or by the MUHSD Board of Education will be documented in a “Closure Action”. The Closure Action shall be deemed to have been automatically made when any of the following occur: (1) Non-renewal; (2) the charter is revoked by the MUHSD Board of Education under the authority granted in Ed. Code, §§ 47607, subd. (c)(1)(C) or 47607, subd. (c)(1)(D); (3) the charter is revoked by the MUHSD Board of Education under the authority granted in Ed. Code, §§ 47607, subd. (c)(1)(A) or 47607, subd. (c)(1)(B) and the Charter School fails to win an appeal of that decision; (See Ed. Code, § 47607, subd. (i); (4) the Charter School board votes to close the Charter School; or (5) the Charter lapses.

DOCUMENTATION OF CLOSURE ACTION

The revocation or non-renewal of a charter school must be documented by an official action of the authorizing entity.

CLOSURE PROCEDURES

The procedures for charter school closure are guided by California *Education Code* sections 47604.32, 47605, 47605.6, and 47607 as well as *California Code of Regulations*, Title 5 (5 *CCR*), sections 11962 and 11962.1. The procedures outlined below are based on “Charter School Closure Requirements and Recommendations (Revised 08/2009)” as posted on the California Department of Education website. References to “Charter School” applies to the charter school’s nonprofit corporation and/or governing board.

DESIGNATION OF RESPONSIBLE PERSON(S) AND FUNDING OF CLOSURE

Upon the taking of a Closure Action by either the governing board of the Charter School or the MUHSD Board of Education, the governing board of Winton Educational Foundation shall immediately designate a person or persons responsible for conducting all closure procedures and activities, and determine how the Charter School will fund these activities.

NOTIFICATION OF CLOSURE ACTION

Upon the taking of a Closure Action, Charter School shall send written notice of its closure to:

1. The CSD, if the Closing Action is an act of the Charter School. Note: If the Closure Action is a revocation or nonrenewal by the MUHSD Board of Education, the charter school may omit this step.

2. Parents, guardians, and/or caretakers of all students currently enrolled in the Charter School within 72 hours of the Closure Action. The Charter School shall simultaneously provide a copy of the written parent notification to the CSD.
3. Los Angeles County Office of Education (LACOE). The Charter School shall send written notification of the Closure Action to LACOE by registered mail within 72 hours of the Closure Action. Charter School shall simultaneously provide a copy of this notification to the CSD.
4. The Special Education Local Plan Area (SELPA) in which the Charter School participates. The Charter School shall send written notification of the Closure Action to the SELPA in which Charter School participates by registered mail within 72 hours of the Closure Action. Charter School shall simultaneously provide a copy of this notification to the CSD.
5. The retirement systems in which the Charter School's employees participate. Within fourteen (14) calendar days of the Closure Action, the Charter School shall notify the State Teachers Retirement System (STRS), Public Employees Retirement System (PERS), and the Los Angeles County Office of Education of the Closure Action, and follow their respective procedures for dissolving contracts and reporting. Charter School shall provide a copy of this notification and correspondence to the CSD.
6. The California Department of Education (CDE). The Charter School shall send written notification of the Closure Action to the CDE by registered mail within 72 hours of the Closure Action. Charter School shall provide a copy of this notification to the CSD.

Any school MUHSD that may be responsible for providing education services to the former students of Charter School. The Charter School shall send written notification of the Closure Action within 72 hours of the Closure Action. This notice must include a list of potentially returning students and their home schools based on student residence. Charter School shall provide a copy of these notifications, if any, to the CSD.
7. All school employees within 72 hours and vendors within five business days of the Closure Action. The Charter School shall simultaneously provide a copy of the written employee and vendor notification to the CSD.
 1. Notification of all the parties above, with the exception of employees and vendors, must include but is not limited to the following information: The effective date of the closure
 2. The name(s) of and contact information for the person(s) handling inquiries regarding the closure
 3. The student's school districts of residence

4. How parents or guardians may obtain copies of student records, including specific information on completed courses and credits that meet graduation requirements

In addition to the four required items above, notification to the CDE must also include:

1. A description of the circumstances of the closure
2. The location of student and personnel records

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

1. Information on how to transfer the student to an appropriate 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.
3. Information on student completion of college entrance requirements for all high school students affected by the closure

Notification of employees and vendors shall include:

1. The effective date of the school closure
2. The name(s) and contact information for the person(s) handling inquiries regarding the closure
3. The date and manner, which shall be no later than 30 days from the effective date of school closure, by which Charter School shall provide employees with written verification of employment.

Within 30 days of the effective date of closure, Charter School shall provide all employees with written verification of employment. Charter School shall send copies of such letters to the CSD.

STUDENT AND SCHOOL RECORDS RETENTION AND TRANSFER

The Charter School shall observe the following in the transfer and maintenance of school and student records:

1. The Charter School will provide the MUHSD with original cumulative files and behavior records pursuant to MUHSD policy and applicable handbook(s) regarding cumulative records for secondary and elementary schools for all students both active and inactive at the Charter School. Transfer of the complete and organized original student records to the MUHSD will occur within seven calendar days of the effective date of closure.

2. The process for transferring student records to the receiving schools shall be in accordance with MUHSD procedures for students moving from one school to another.
3. The Charter School will prepare an electronic master list of all students to the Charter Schools Division. This list will include the student's identification number, Statewide Student Identifier (SSID), birthdate, grade, full name, address, home school, enrollment date, exit code, exit date, parent/guardian name(s), and phone number(s). If the Charter School closure occurs before the end of the school year, the list should also indicate the name of the Charter School that each student is transferring to, if known. This electronic master list will be delivered in the form of a CD.
4. The original cumulative files should be organized for delivery to the MUHSD in two categories: active students and inactive students. The CSD will coordinate with the Charter School for the delivery and/or pickup of the student records.
5. The Charter School must update all student records in the California Longitudinal Pupil Achievement Data System (CALPADS) prior to closing.
6. The Charter School will provide to the CSD a copy of student attendance records, teacher grade books, school payroll records, and Title I records (if applicable). Submission of personnel records must include any employee records the charter school has. These include, but are not limited to, records related to performance and grievance.
7. All records are to be boxed and labeled by classification of documents and the required duration of storage.

FINANCIAL CLOSE-OUT

After receiving notification of closure, the CDE will notify the charter school and the authorizing entity if it is aware of any liabilities the charter school owes the state. These may include overpayment of apportionments, unpaid revolving fund loans or grants, or other liabilities. The CDE may ask the county office of education to conduct an audit of the charter school if it has reason to believe that the Charter School received state funding for which it was not eligible.

The Charter school shall ensure completion of an independent final audit within six months after the closure of the Charter School that includes:

1. An accounting of all financial assets. These may include cash and accounts receivable and an inventory of property, equipment, and other items of material value.

2. An accounting of all liabilities. These may include accounts payable or reduction in apportionments due to loans, unpaid staff compensation, audit findings, or other investigations.
3. An assessment of the disposition of any restricted funds received by or due to the charter school.

This audit may serve as the Charter School's annual audit.

The financial closeout audit of the Charter School will be paid for by the Charter School. This audit will be conducted by a neutral, independent licensed CPA who will employ generally accepted accounting principles. Any liability or debt incurred by the Charter School will be the responsibility of the Charter School and not MUHSD. The Charter School understands and acknowledges that the Charter School will cover the outstanding debts or liabilities of the Charter School. Any unused monies at the time of the audit will be returned to the appropriate funding source. The Charter School understands and acknowledges that only unrestricted funds will be used to pay creditors. Any unused AB 602 funds will be returned to the MUHSD SELPA or the SELPA in which the Charter School participates, and other categorical funds will be returned to the source of funds.

The Charter school shall ensure the completion and filing of any annual reports required. These reports include but are not necessarily limited to:

1. Preliminary budgets
2. Interim financial reports
3. Second interim financial reports
4. Final unaudited reports

These reports must be submitted to the CDE and the authorizing entity in the form required. If the charter school chooses to submit this information before the forms and software are available for the fiscal year, alternative forms can be used if they are approved in advance by the CDE. These reports should be submitted as soon as possible after the closure action, but no later than the required deadline for reporting for the fiscal year.

For apportionment of categorical programs, the CDE will count the prior year average daily attendance or enrollment data of the closed charter school with the data of the authorizing entity. This practice will occur in the first year after the closure and will continue until CDE data collection processes reflect ADA or enrollment adjustments for all affected LEAs due to the charter closure.

DISPOSITION OF LIABILITIES AND ASSETS

The closeout audit must identify the disposition of all liabilities of the charter school. Charter school closure procedures must also ensure appropriate disposal, in

accordance with Charter School's bylaws, fiscal procedures, and any other applicable laws and regulations, of any net assets remaining after all liabilities of the charter school have been paid or otherwise addressed. Such disposal includes, but is not limited to:

1. The return of any donated materials and property according to any conditions set when the donations were accepted.
2. The return of any grant and restricted categorical funds to their source according to the terms of the grant or state and federal law.
3. The submission of final expenditure reports for any entitlement grants and the filing of Final Expenditure Reports and Final Performance Reports, as appropriate. If the Charter School is operated by a nonprofit corporation, and if the corporation does not have any other functions than operation of the Charter School, the corporation will be dissolved according to its bylaws.
 - a. The corporation's bylaws will address how assets are to be distributed at the closure of the corporation.
 - b. A copy of the corporations bylaws containing the information on how assets are to be distributed at the closure of the corporation, are to be provided to MUHSD prior to approval of this Charter.

The Charter School shall retain sufficient staff, as deemed appropriate by the Charter School governing board to complete all necessary tasks and procedures required to close the school and transfer records in accordance with these closure procedures.

The Winton Educational Foundation Board shall adopt a plan for wind-up of the Charter School and, if necessary, the corporation, in accordance with the requirements of the Corporations Code.

The Charter School shall provide MUHSD within fourteen (14) calendar days of closure action prior written notice of any outstanding payments to staff and the method by which the Charter School will make the payments.

Prior to final closure, the Charter School shall do all of the following on behalf of the Charter School's employees, and anything else required by applicable law:

- a. File all final federal, state, and local employer payroll tax returns and issue final W-2s and Form 1099s by the statutory deadlines.
- b. File the Federal Notice of Discontinuance with the Department of Treasury (Treasury Form 63).
- c. Make final federal tax payments (employee taxes, etc.)

d. File the final withholding tax return (Treasury Form 165).

e. File the final return with the IRS (Form 990 and Schedule).

This Element 16 shall survive the revocation, expiration, termination, cancellation of this charter or any other act or event that would end the Charter School's right to operate as a Charter School or cause the Charter School to cease operation. The Charter School and MUHSD agree that, due to the nature of the property and activities that are the subject of this petition, the MUHSD and public shall suffer irreparable harm should Charter School breach any obligation under this Element 16. The MUHSD, therefore, shall have the right to seek equitable relief to enforce any right arising under this Element 16 or any provision of this Element 16 or to prevent or cure any breach of any obligation undertaken, without in any way prejudicing any other legal remedy available to the MUHSD. Such legal relief shall include, without limitation, the seeking of a temporary or permanent injunction, restraining order, or order for specific performance, and may be sought in any appropriate court

Charter-Related Issues

Term of Charter Petition

A charter may be granted pursuant to Sections 47605... for a period not to exceed five years. A charter granted by a school MUHSD governing board...may be granted one or more subsequent renewals by that entity. Each renewal shall be for a period of five years. A material revision of the provisions of a charter petition may be made only with the approval of the authority that granted the charter. The authority that granted the charter may inspect or observe any part of the charter school at any time.

- California Education Code Section 47607(a)(1)

The Charter School's charter shall begin on July 1, 2016 and will expire on June 30, 2021. Any amendments to School's charter may be made by the mutual agreement of the governing board of Winton Educational Foundation and the MUHSD.

Winton Educational Foundation may present a petition to materially amend the Charter at any time, and the MUHSD agrees to respond to such petitions pursuant to the process, criteria and timelines specified in the Charter Schools Act. Upon making the determination whether the proposed change is a material revision, the MUHSD will promptly inform the Charter School of the decision, generally within three (3) business days.

If the proposed change is determined to be a material revision of the charter, the Charter School must seek approval of its proposal through the material revision application process outlined below. If, however, the MUHSD determines that the proposed amendment does not constitute a "material revision" of the charter, the school may then send its requested change(s) in writing (by regular or electronic mail) to the MUHSD administrator assigned to the school. The MUHSD will review the written request and communicate its response to the charter school, generally within 15 business days of receipt. As part of its review of a request for non-material amendment of the charter, the MUHSD may request additional information and/or documentation as necessary.

Once the charter school has submitted a complete material revision application, MUHSD staff, in coordination with MUHSD's legal counsel and other appropriate MUHSD staff, will review the submitted application materials, together with the charter school's record of academic, operational, and organizational management performance, in order to determine its recommendation. Under certain circumstances, the MUHSD may determine that it is necessary to conduct a capacity interview as part of its effort to ascertain whether the school has the capacity to successfully implement the proposed changes. In that event, the MUHSD will notify the school promptly so that the interview can be scheduled as soon as practicable. The Charter School team should plan to make itself available for the capacity interview within five (5) days of receiving notification from the MUHSD.

Upon review, if the MUHSD determines that it will recommend approval of the requested material revision(s), MUHSD staff will draft the material revision agreement document and send it to the charter school for execution (signature). In addition to the proposed material revision(s), the document will include those revisions necessary to conform the charter to the current MUHSD Required Language and any changes in the law since the current charter was granted. The MUHSD will proceed to schedule and prepare for Board action on the MUHSD recommendation of approval of the material revision request. The material revision agreement document must be signed by the Charter School prior to Board action.

If, however, the MUHSD determines that it will recommend denial of the requested material revision(s), it will notify the school promptly. At that time, the school may choose to withdraw the request or indicate its intent to proceed to Board action notwithstanding the MUHSD recommendation. If the Charter School determines not to withdraw the request, MUHSD will proceed with scheduling and preparing for Board action on the MUHSD recommendation of denial of the request for material revision.

Based on the recommendation of the MUHSD and the guidelines delineated in Education Code §47605, the Board of Education will make a final decision to approve or deny the request for material revision of the charter. The Board of Education may approve a request for material revision with or without conditions and/or benchmarks. The Board of Education may deny a request for material revision if it finds that:

1. the Charter School will provide an unsound educational program for students during the term of its charter, as amended;
2. the Charter School is demonstrably unlikely to successfully implement the program set forth in the charter, as amended;
3. the charter, as amended, does not provide reasonably comprehensive descriptions of the 16 required elements set forth in the Charter Schools Act.

Should the Charter School's request for material revision of its charter be denied, the school will continue to operate under the terms of its current approved charter. Material revisions shall take effect immediately upon MUHSD Board approval, unless a different effective date expressly applies, such as the beginning of the next school year

MUHSD 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)

The Winton Educational Foundation by establishing this Winton Charter High School, expects that there will be a limited impact on the proposed charter authorizer- The Merced Union High School District. This statement is based on the fact that the initial 200 students represent only 2% of the over 10,000 students attending the Merced Union High School District.

INSURANCE REQUIREMENTS

No coverage shall be provided to the Charter School by the MUHSD under any of the MUHSD's self-insured programs or commercial insurance policies. The Charter School shall secure and maintain, at a minimum, insurance as set forth below with insurance companies acceptable to the MUHSD [A.M. Best A-, VII or better] to protect the Charter School from claims which may arise from its operations. Each Charter School location shall meet the below insurance requirements individually.

It shall be the Charter School's responsibility, not the MUHSD's, to monitor its vendors, contractors, partners or sponsors for compliance with the insurance requirements.

The following insurance policies are required:

1. Commercial General Liability, including Fire Legal Liability, coverage of \$5,000,000 per Occurrence and in the Aggregate. The policy shall be endorsed to name the MUHSD and the Board of Trustees, as named additional insured and shall provide specifically that any insurance carried by the MUHSD which may be applicable to any claims or loss shall be deemed excess and the Charter School's insurance shall be primary despite any conflicting provisions in the Charter School's policy. Coverage shall be maintained with no Self-Insured Retention above \$15,000 without the prior written approval of the Office of Risk Management for the MUHSD.
2. Workers' Compensation Insurance in accordance with provisions of the California Labor Code adequate to protect the Charter School from claims that may arise from its operations pursuant to the Workers' Compensation Act (Statutory Coverage). The

Workers' Compensation Insurance coverage must also include Employer's Liability coverage with limits of \$1,000,000/\$1,000,000/\$1,000,000.

3. Commercial Auto Liability, including Owned, Leased, Hired, and Non-owned, coverage with limits of \$1,000,000 Combined Single Limit per Occurrence if the Charter School does not operate a student bus service. If the Charter School provides student bus services, the required coverage limit is \$5,000,000 Combined Single Limit per Occurrence.
4. Crime Insurance or Fidelity Bond coverage shall be maintained by the Charter School to cover all Charter School employees who handle, process or otherwise have responsibility for Charter School funds, supplies, equipment or other assets. Minimum amount of coverage shall be \$50,000 per occurrence, with no self- insured retention.
5. Professional Educators Errors and Omissions liability coverage with minimum limits of \$3,000,000 per occurrence and \$3,000,000 general aggregate.
6. Sexual Molestation and Abuse coverage with minimum limits of \$3,000,000 per occurrence and \$3,000,000 general aggregate. Coverage may be held as a separate policy or included by endorsement in the Commercial General Liability or the Errors and Omissions Policy.
7. Employment Practices Legal Liability coverage with limits of \$3,000,000 per occurrence and \$3,000,000 general aggregate.
8. Excess/umbrella insurance with limits of not less than \$10,000,000 is required of all high schools and any other school that participates in competitive interscholastic or intramural sports programs.

Coverage and limits of insurance may be accomplished through individual primary policies or through a combination of primary and excess policies. *The policy shall be endorsed to name the MUHSD and the Board of Trustees of the MUHSD as named additional insurers and shall provide specifically that any insurance carried by the MUHSD which may be applicable to any claims or loss shall be deemed excess and the Charter School's insurance shall be primary despite any conflicting provisions in the Charter School's policy.*

Evidence of Insurance

The Charter School shall furnish to the MUHSD's Division of Risk Management and Insurance Services located at 6549 B Street, Atwater, CA 95301 within 30 days of all new policies inceptions, renewals or changes, certificates or such insurance signed by authorized representatives of the insurance carrier. Certificates shall be endorsed as follows:

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

Facsimile or reproduced signatures may be acceptable upon review by the Division of Risk Management and Insurance Services. However, the MUHSD reserves the right to require certified copies of any required insurance policies.

Should the Charter School deem it prudent and/or desirable to have insurance coverage for damage or theft to school, employee or student property, for student accident, or any other type of insurance coverage not listed above, such insurance shall not be provided by the MUHSD and its purchase shall be the responsibility of the Charter School.

Facilities

The Charter School intends to operate at 6765 N. Winton Way, Winton California 95388 for the first year of operation.

County-Owned Facilities: If Charter School is using MUHSD facilities as of the date of the submittal of this charter petition or takes occupancy of MUHSD facilities prior to the approval of this charter petition, Charter School shall execute an agreement provided by MUHSD for the use of the MUHSD facilities as a condition of the approval of the charter petition. If at any time after the approval of this charter petition Charter School will occupy and use any MUHSD facilities, Charter School shall execute an agreement provided by MUHSD for the use of MUHSD facilities prior to occupancy and commencing use.

Charter School agrees that occupancy and use of MUHSD facilities shall be in compliance with applicable laws and MUHSD policies for the operation and maintenance of MUHSD facilities and furnishings and equipment. All MUHSD facilities (i.e., schools) will remain subject to those laws applicable to public schools which MUHSD observes.

In the event of an emergency, all MUHSD facilities (i.e., schools) are available for use by the American Red Cross and public agencies as emergency locations which may disrupt or prevent Charter School from conducting its educational programs. If Charter School will share the use of MUHSD facilities with other MUHSD user groups, Charter School agrees it will participate in and observe all MUHSD safety policies (e.g., emergency chain of information, participate in safety drills).

The use agreements provided by MUHSD for MUHSD facilities shall contain terms and conditions addressing issues such as, but not limited to, the following:

- Use. Charter School will be restricted to using the MUHSD facilities for the operation of a public school providing educational instruction to public school students consistent with the terms of the charter petition and incidental related uses. MUHSD shall have the right to inspect MUHSD facilities upon reasonable notice to Charter School.

- **Furnishings and Equipment.** MUHSD shall retain ownership of any furnishings and equipment, including technology, (“F&E”) that it provides to Charter School for use. Charter School, at its sole cost and expense, shall provide maintenance and other services for the good and safe operation of the F&E.
- **Leasing; Licensing.** Use of the MUHSD facilities by any person or entity other than Charter School shall be administered by MUHSD. The parties may agree to an alternative arrangement in the use agreement.
 - **Minimum Payments or Charges to be Paid to MUHSD Arising From the Facilities.**
- (i) **Pro Rata Share.** MUHSD shall collect and Charter School shall pay a Pro Rata Share for facilities costs as provided in the Charter School Act of 1992 and its regulations. The parties may agree to an alternative arrangement regarding facilities costs in the use agreement; and
- (ii) **Taxes; Assessments.** Generally, Charter School shall pay any assessment or fee imposed upon or levied on the MUHSD facilities that it is occupying or Charter School’s legal or equitable interest created by the use agreement.
- **Maintenance & Operations Services.** In the event MUHSD agrees to allow Charter School to perform any of the operation and maintenance services, MUHSD shall have the right to inspect the MUHSD facilities and the costs incurred in such inspection shall be paid by Charter School.
 - (i) **Co-Location.** If Charter School is co-locating or sharing the MUHSD facilities with another user, MUHSD shall provide the operations and maintenance services for the MUHSD facilities and Charter School shall pay the Pro Rata Share. The parties may agree to an alternative arrangement regarding performance of the operations and maintenance services and payment for such in the use agreement.
 - (ii) **Sole Occupant.** If Charter School is a sole occupant of MUHSD facilities, MUHSD shall allow the Charter School, at its sole cost and expense, to provide some operations and maintenance services for the MUHSD facilities in accordance with applicable laws and MUHSD’s policies on operations and maintenance services for facilities and F&E. NOTWITHSTANDING THE FOREGOING, MUHSD shall provide all services for regulatory inspections, which as the owner of the real property is required to submit, and deferred maintenance and Charter School shall pay MUHSD for the cost and expense of providing those services. The parties may agree to an alternative arrangement regarding performance of the operations and maintenance services and payment for such services in the use agreement.
- **Real Property Insurance.** Prior to occupancy, Charter School shall satisfy those requirements to participate in MUHSD’s property insurance or, if Charter School is

the sole occupant of MUHSD facilities, obtain and maintain separate property insurance for the MUHSD facilities. Charter School shall **not** have the option of obtaining and maintaining separate property insurance for the MUHSD facility IF Charter School is co-locating or sharing the MUHSD facility with another user.

NON-MUHSD-OWNED FACILITIES

Facility status: The charter petitioner must demonstrate control of a facility such as a commitment from the landlord, to ensure that the property is actually available to the charter developer, and that the facility is usable with or without conditions (such as a conditional code permit.) The charter school facility shall comply with all applicable building codes, standards and regulations adopted by the city and/or county agencies responsible for building and safety standards for the city in which the charter school is to be located, and the Americans with Disabilities Act (ADA). Applicable codes and ADA requirements shall also apply to the construction, reconstruction, alteration of or addition to the proposed charter school facility. The Charter School shall implement any corrective actions, orders to comply, or notices issued by the authorized building and safety agency. The Charter School cannot exempt itself from applicable building and zoning codes, ordinances, and ADA requirements. Charter schools are required to adhere to the program accessibility requirements of Federal law (Americans with Disabilities Act and Section 504).

Occupancy of the Site: The charter petitioner or developer shall provide the MUHSD with a final Certificate of Occupancy or any local, county, or state verification that health, safety, and occupancy requirements have been met issued by the applicable permitting agency, allowing the petitioner to use and occupy the site. The Charter School may not open without providing a copy of the Certificate of Occupancy or any local, county, or state verification that health, safety, and occupancy requirements have been met for the designated use of the facility. If the Charter School moves or expands to another facility during the term of this charter, the Charter School shall provide a Certificate of Occupancy or any local, county, or state verification that health, safety, and occupancy requirements have been met to the MUHSD for each facility before the Charter School is scheduled to open or operate in the facility or facilities. Notwithstanding any language to the contrary in this charter, the interpretation, application, and enforcement of this provision are not subject to the Dispute Resolution Process outlined in Element 14.

Pest Management: The Charter School will comply with the Healthy Schools Act, California Education Code Section 17608, which details pest management requirements for schools. Developers may find additional information at: www.laschools.org/employee/mo/ipm

Asbestos Management: The charter school will comply with the asbestos requirement as cited in the Asbestos Hazard Emergency Response Act (AHERA),

40CFR part 763. AHERA requires that any building leased or acquired that is to be used as a school or administrative building shall maintain an asbestos management plan.

Administrative Services

Winton Educational Foundation has an experienced administrative staff that handles a variety of “back office” services like payroll, accounting, and purchasing. Nonetheless, A support agreement will be drafted with California Charter Management Corporation. The CCMC presently operates 52 charter schools in California providing Back Office support services. In the event that any administrative services are to be provided by the MUHSD, the specifics will be agreed to in a Memorandum of Understanding between Winton Educational Foundation and the MUHSD.

Hold Harmless/Indemnification Provision

To the fullest extent permitted by law, the Charter School does hereby agree, at its own expense, to indemnify, defend and hold harmless the MUHSD and the Board of Education and their members, officers, directors, agents, representatives, employees and volunteers from and against any and all claims, damages, losses and expenses including but not limited to attorneys’ fees, brought by any person or entity whatsoever, arising out of, or relating to this Charter agreement. The Charter School further agrees to the fullest extent permitted by law, at its own expense, to indemnify, defend, and hold harmless the MUHSD and the Board of Education and their members, officers, directors, agents, representatives, employees and volunteers from and against any and all claims, damages, losses and expenses including but not limited to attorneys’ fees, brought by any person or entity whatsoever for claims, damages, losses and expenses arising from or relating to acts or omission of acts committed by the Charter School, and their officers, directors, employees or volunteers. Moreover, the Charter School agrees to indemnify and hold harmless the MUHSD for any contractual liability resulting from third party contracts with its vendors, contractors, partners or sponsors.

Potential Civil Liability Effects

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

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

The corporate bylaws of Winton Educational Foundation shall provide for indemnification of the Winton Charter High School's Board, officers, agents, and employees, and Winton Educational Foundation 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 joint powers authority authorized to conduct business in the State of California and limits will set at commercially reasonable levels. The MUHSD shall be named as an additional insured and Winton Educational Foundation will institute appropriate risk management practices as discussed herein, including screening of employees, establishing codes of conduct for students, and dispute resolution.

MUHSD Oversight

The County may charge for the actual costs of supervisory oversight of the Charter School not to exceed 1% of the Charter School's revenue, or the MUHSD may charge for the actual costs of supervisory oversight of the Charter School not to exceed 3% if the Charter School is able to obtain substantially rent free facilities from the MUHSD. Notwithstanding the foregoing, the MUHSD may charge the maximum supervisory oversight fee allowed under the law as it may change from time to time. The supervisory oversight fee provided herein is separate and distinct from the charges arising under the charter school/facilities use agreements.

Cash Reserves

Charter School acknowledges that the recommended cash reserve is 5% of expenditures, as provided in section 15450, Title 5 of the California Code of Regulations.

Special Education Revenue Adjustment/Payment for Services

In the event that the Charter School owes funds to the MUHSD for the provision of agreed upon or fee for service or special education services or as a result of the State's adjustment to allocation of special education revenues from the Charter School, the Charter School authorizes the County to deduct any and all of the in lieu property taxes that the Charter School otherwise would be eligible to receive under section 47635 of the Education Code to cover such owed amounts. The Charter School further understands and agrees that the MUHSD shall make appropriate deductions from the in lieu property tax amounts otherwise owed to the Charter School. Should this revenue stream be insufficient in any fiscal year to cover any such costs, the Charter School agrees that it will reimburse the MUHSD for the additional costs within forty-five (45) being notified of the amounts owed.

AUDIT AND INSPECTION OF RECORDS

Charter School agrees to observe and abide by the following terms and conditions as a requirement for receiving and maintaining their charter authorization:

- Charter School is subject to MUHSD oversight.
- The County's statutory oversight responsibility continues throughout the life of the Charter and requires that it, among other things, monitors the fiscal condition of the Charter School.

- The County is authorized to revoke this Charter for, among other reasons, the failure of the Charter School to meet generally accepted accounting principles or if it engages in fiscal mismanagement.

Accordingly, the Merced Union High School District hereby reserves the right, pursuant to its oversight responsibility, to audit Charter School books, records, data, processes and procedures through the Office of the Inspector General or other means. The audit may include, but is not limited to, the following areas:

- Compliance with terms and conditions prescribed in the Charter agreement,
- Internal controls, both financial and operational in nature,
- The accuracy, recording and/or reporting of the Charter School's financial information,
- The Charter School's debt structure,
- Governance policies, procedures and history,
- The recording and reporting of attendance data,
- The Charter School's enrollment process,
- Compliance with safety plans and procedures, and
- Compliance with applicable grant requirements.

The Charter School shall cooperate fully with such audits and shall make available any and all records necessary for the performance of the audit upon 30 days notice to Charter School. When 30 days notice may defeat the purpose of the audit, the MUHSD may conduct the audit upon 24- hours notice.

INTERNAL FISCAL CONTROLS

The School will develop and maintain internal fiscal control policies governing all financial activities.

APPORTIONMENT ELIGIBILITY FOR STUDENTS OVER 19 YEARS OF AGE

Charter School acknowledges that, in order for a pupil over nineteen (19) years of age to remain eligible for generating charter school apportionment, the pupil shall be continuously enrolled in public school and make satisfactory progress toward award of a high school diploma. EC 47612(b)

Financial Statements

Attached, in **Appendix** , please find the following documents for the Charter School:

- Budget assumptions
- 5-year budget and cash flow

Winton Educational Foundation will be receiving funding pursuant to provisions of the California Education Code as it has opted to be direct-funded. Any funds due to the Charter School that flow through the Merced Union High School District shall be forwarded to Winton Educational Foundation in a timely fashion.

Local Control and Accountability Plan

In accordance with California Education Code §§ 47604.33 and 47606.5, Charter School shall include in its annual update a “listing and description of the expenditures for the fiscal year implementing the specific actions included in the charter as a result of the reviews and assessment required by paragraph (1)” of EC § 47606.5(a). These expenditures shall be “classified using the California School Accounting Manual pursuant to Section 41010.” EC § 47606.5(b)

APPENDIX

- A. Proof of Tax-exempt Status
- B. Corporate Bylaws
- C. Articles of Incorporation
- D. 5 Year Financial Assumptions
- E. Required Signatures