

PIRU CHARTER SCHOOL

Educating the Whole Child

**A Charter Petition Submitted to the
Fillmore Unified School District**

Table of Contents of Legal Requirements and Governing Laws

Letter of Support from the California Charter Schools Association	
Charter School Intent and Charter School Requirements	3
Affirmations / Assurances	4
Founding Group	6
1. The Educational Program	8
2. Measurable Pupil Outcomes	31
3. Methods to Assess Pupil Progress Towards Meeting Outcomes	37
4. Governance Structure of School	38
5. Employee Qualifications	43
6. Health and Safety	46
7. Racial/Ethnic Balance	49
8. Admissions Requirements	50
9. Financial Audit	52
10. Pupil Suspension and Expulsion	53
11. Retirement System	62
12. Attendance Alternatives	63
13. Employee Rights to Return	63
14. Dispute Resolution	65
15. Employer Status and Collective Bargaining	67
16. School Closure	67
17. Reporting and Accountability	69
18. Facilities	70
19. Transportation	71
20. Impact on District	71
21. Conclusion	71
APPENDICES	
Appendix A – Piru Charter School Teacher Approval Sign-Off	
Appendix B – Instructional Minutes/Bell Schedule	
Appendix C – Piru Charter School Textbooks/Programs	
Appendix D – Daily Student Schedule	
Appendix E – Response To Intervention Model Pyramid	
Appendix F – Student Tracking Chart	
Appendix G – Lesson One Pledge for Success	
Appendix H – 2009 STAR CST Summary Report/3 Year CST Bar Graphs	
Appendix I – Articles of Incorporation	
Appendix J – Piru Charter School Campus Map	
Appendix K – Piru Charter School Business Plan/Budget	

CHARTER SCHOOL INTENT AND CHARTER REQUIREMENTS

It is the intent of the California Legislature, in enacting the Charter Schools Act of 1992, to provide opportunities for teachers, parents, pupils, and community members to establish and maintain schools that operate independently from the existing school district structure, as a method to accomplish all of the following:

- Improve pupil learning.
- Increase learning opportunities for all pupils, with special emphasis on expanded learning experiences for pupils who are identified as academically low achieving.
- Encourage the use of different and innovative teaching methods.
- Create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site.
- Provide parents and pupils with expanded choices in the types of educational opportunities that are available within the public school system.
- Hold the schools established under this part accountable for meeting measurable pupil outcomes, and provide the schools with a method to change from rule-based to performance-based accountability systems.
- Provide vigorous competition within the public school system to stimulate continual improvements in all public schools.

In reviewing petitions for the establishment of charter schools the chartering authority shall be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that establishment of charter schools should be encouraged.

The Charter Schools Act (or Act)(Education Code Sections 47600 et. Seq.) requires each charter school to have a “charter” that outlines at least sixteen (16) mandatory items of the Act.

AFFIRMATIONS/ASSURANCES

As the authorized lead petitioner, I, Chris Pavik hereby certify that the information submitted in this application for a charter for the conversion of Piru Elementary School to a California Public Charter School to be named Piru Charter School (“Piru” or “Charter School” or “PCS”), to be located at the school site currently know as Piru Elementary School within the boundaries of the Fillmore Unified School District (“FUSD” or “District”), is true to the best of my knowledge and belief. I understand that if awarded a charter, Piru Charter School:

- Shall meet all statewide standards and conduct the student assessments required, pursuant to Education Code Section 60605 and 608521, and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools.
- Shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Act.
- Shall be non-sectarian in its programs, admissions policies, employment practices, and all other operations.
- Shall not charge tuition.
- Shall admit all students who wish to attend the School, and who submit a timely application, unless the School receives a greater number of applications than there are spaces for students, in which case the applications will be processed in accordance with the Carter Schools Act and the applicable section of this charter.
- Shall not discriminate on the basis of race, ethnicity, national origin, religion, gender, sexual orientation, perceived sexual orientation, home language, or disability.
- 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 1974, Title II of the Americans with Disabilities Act of 1990 and the Individuals with Disabilities in Education Act.
- Shall meet all requirements for employment set forth in applicable provisions of law, including, but not limited to credentials, as necessary.

- Shall ensure that teachers in the School hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools are required to hold. As allowed by statute, flexibility will be given to non-core teachers.
- Shall at all times maintain all necessary and appropriate insurance coverage.
- Shall follow any and all other federal, state, and local laws and regulations that apply to the Charter School including but not limited to the following:
 - PCS shall comply with the Brown Act.
 - PCS shall offer at a minimum, the same number of minutes of instruction set forth in paragraph (3) of subdivision (a) of Education Code Section 46201 for the appropriate grade levels.
 - PCS shall maintain accurate and current written records that document all pupil attendance and make these records available for audit and inspection.
 - PCS shall on a regular basis consult with its parents and teachers regarding the Charter School's education program.
 - PCS shall comply will all laws establishing the minimum and maximum age for public school enrollment.
 - PCS shall comply will all applicable portions of the No Child Left Behind Act.
 - PCS shall comply with the Political Reform Act.
 - PCS shall comply with the Public Records Act.
 - PCS shall comply with the Family Educational Rights and Privacy Act.
 - PCS shall comply with any and all State Board of Education regulations applicable to charter schools.
 - PCS will submit to the district the annual Single Plan for Student Achievement and the Annual Accountability Report.
 - PCS will participate in the National School Lunch Program if it receives funding under such program.

Chris Pavik, Lead Petitioner

Date

FOUNDING GROUP/CONSULTANTS

The Piru Charter School began as a conversation between Piru school staff, parents, and community members more than five years ago. This charter petition is a culmination of their dream. The conversion of Piru Elementary to PCS is founded by teachers, parents, and community members with expertise in curriculum, instruction, school finance, business, legal, government, and facilities. In addition to the founding members PCS has utilized the services of, the California Charter Schools Association, the Law Offices of Middleton, Young & Minney, LLP, and ExED.

Chris Pavik - Mr. Pavik is currently a first grade teacher at Piru Elementary School where he has been employed for the past twenty-two years. He has served as a Mentor Teacher in Technology and as Piru's elected representative to the Site Council of the Fillmore Unified Teachers Association (FUTA). He is currently the elected Vice-President of FUTA and the Bargaining Chairperson.

His interest in the charter school movement began in 2000 when he visited Fenton Charter School. At this time he organized a committee of teachers from Piru Elementary and visited various charter schools, formulated principles, generated goals, and developed a vision for a potential charter school.

Mr. Pavik received a M.Ed. in Education from UCLA, along with a Multiple Subject Teaching Credential. He subsequently earned a BCLAD certification as a bilingual Spanish Teacher. He graduated Magna Cum Laude and Phi Beta Kappa with a B.A. in History from UCLA.

Susan Jolley - Mrs. Jolley has worked successfully in Fillmore Unified School District (FUSD) for thirty years, with experience teaching at all K-12 grade levels. She has also worked as a Mathematics and Literacy Coach for Hart Union School District. During her tenure at FUSD she was a Mentor Teacher, co-authored 3 thirty thousand dollar grants and a \$100,000 grant, and was the Program Improvement Coach for Fillmore Middle School when it was named the first MSDP Model Middle School.

During the last two years Susan has been the Academic Coach at Piru Elementary School in charge of supervising reading instruction, designing data tracking, implementing RTI programs, providing direct

classroom support, modeling lessons, holding parent workshops in both English and Spanish, and acting as administrative designee.

Mrs. Jolley holds Masters Degrees in both Elementary Education Curriculum and Collaborative School Leadership. She is a Nationally Board Certified Reading and Language Arts Specialist, with Standard Elementary and Single Subject Secondary Credentials, a Preliminary Administrative Certificate, as well as BCLAD and Gifted Certifications.

Richard Durborow – Mr. Durborow has experience in education, business, real estate, facilities, law, accounting, government, and school finance. His background in school administration includes working as the principal of Piru Elementary School (2006-2009) along with other principal positions throughout California totaling more than 13 years of experience. During this time he also worked as the Superintendent of Sequoia Union School District where he learned the complex financial aspects of managing a multi-million dollar budget.

He has worked for more than 13 years as an elementary classroom teacher that included working as a master teacher for the UCLA Teaching Education Laboratory. He also worked as a college instructor for Chapman University and a Dean for Heald Business College. Mr. Durborow holds a M.S. degree in Educational Administration from Pepperdine University and a State of California Professional Clear Administrative Services Credential. He received an Elementary Teaching Credential from U.C. Davis, a B.A. degree from U.C. Santa Barbara, and a Broker's License from the California Department of Real Estate.

Each of the following teachers has signed the Teacher Approval document described in Appendix A.

Chris Pavik – 1st grade teacher at Piru Elementary School.

Susan Jolley – 5th/6th grade teacher at Piru Elementary School.

Lynda Catalano – K/1st grade teacher at Piru Elementary School.

Maggie Lofton – 1st grade teacher at Piru Elementary School.

Claudia Cornejo – 6th grade teacher at Piru Elementary School.

Delia Silva – 5th grade teacher at Piru Elementary School.

Aide Recendez – 3rd grade teacher at Piru Elementary School.

Shara Elliott – 2nd grade teacher at Piru Elementary School.

Jill Kelley – 3rd grade teacher at Piru Elementary School.

PARENT/COMMUNITY MEMBERS

J'nell Campos – Parent at Piru Elementary School.

Maria Villa – Piru community member.

California Charter Schools Association – CCSA is the membership and professional organization serving charter schools in California. The California Charter School Association advances the charter school movement through state and local advocacy, leadership on quality and extensive resources. The Association is a trusted source of data and information on California's charter schools for parents, authorizers, legislatures, policy analysts, foundations, the press and other interested groups.

ExED – Their business management services help charter schools make informed business decisions. ExED has served over 15,000 students across more than 75 schools. They currently have 40 clients in LA, Orange, San Diego, and Ventura Counties. Approximately 65% of students attending their client schools are eligible for Free or Reduced Lunch.

ELEMENT 1 EDUCATIONAL PHILOSOPHY AND PROGRAM

Governing Law: A description of the educational program of the school, designed, among other things, to identify those whom the school is attempting to educate, what it means to be an “educated person” in the 21st century, and how learning best occurs. The goals identified in 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)

Mission and Vision Statement

The PCS mission statement: *Instituting a vision of educating the whole child by creating a safe, caring, healthy, supportive, innovative, and academically challenging educational environment that ensures all students are self-motivated, self-disciplined, competent, and lifelong learners.*

Driven by improved student learning and higher test scores the petitioners want to take the next step and explore new ways to challenge students and motivate them to reach higher and become more. PCS will

create a collaborative learning community comprised of parents, staff, community members, and students all dedicated to the vision of educating the whole child. In the past many Piru students have been considered “at-risk” of failing. PCS plans on changing that to “at-risk” of succeeding! Our goal is to raise academic achievement so high that 100% of our students will not only graduate from high school but 100% of them will be accepted to college!

Students to be Served

This charter petition seeks to convert the current K-6 Piru Elementary School within the Fillmore Unified School District into a charter school. Petitioners seek to start operation at the beginning of the 2010-2011 school year. The Piru Charter School shall be a site-based, custom calendar charter school serving students in grades kindergarten through sixth grade.

Students come from predominantly working class families in which 89% are socio-economically disadvantaged, 58% are designated as English Learners, 90% of students are Hispanic, 41% are eligible for migrant services, and all students receive free lunch. It is a Title I school in which the average parent education level is 2.03 with 1 representing “Not a high school graduate” and 5 representing “Graduate School.” Over 50% of the students take the bus. Most new building in the community is for low-income housing. No new industry is projected in the near future. Piru is an isolated rural community and is located more than six miles away from the closest city of Fillmore.

Piru Elementary School is currently a level 3 PI status school. It serves a student population challenged by low socioeconomic status, second language issues, and extreme rural isolation. With the help of an Under-Performing Schools Grant Piru has improved from decile one to a decile two school in Statewide Ranking and from a level 5 to a level 6 in Similar Schools Ranking. Although significant gains have been achieved more needs to be done. **Teachers and parents are ready to take the next step!**

In a speech on June 22, 2009, to the National Alliance of Public Charter Schools, Secretary of Education Arne Duncan reiterated his and President Obama’s support for public charter schools. Secretary Duncan stated in his speech that, “The charter movement is one of the most profound changes in American education – bringing new options to underserved communities and introducing competition and innovation into the education system.”

It is our sincere belief that the **“next step”** for Piru is to become a charter school. PCS will allow for **“profound changes”** and give the school community the flexibility in programming, staffing, and funding to continue school improvement efforts and best fulfill the needs of all Piru students both now and for generations to come. PCS is excited about providing a diverse group of students the opportunity for focused learning across a rigorous, standards-based curriculum that serves to close the achievement gap in society as detailed in State Superintendent Jack O’Connell’s P-16 Council Initiative.

We want 100% of our students to graduate from high school and be accepted to college! We want 100% of our students to be “at-risk” of succeeding!

With an already strong parent support PCS will continue to serve Piru community students in grades K-6. We intend to serve 386 students during year one, 408 students in year two, and 432 students in year three, 456 students in year 4, and 480 students in year 5. Depending on the applicants’ grade levels, PCS reserves the right to adjust classroom/grade level enrollment, including the option of offering multi-age classes if necessary. Age of students will comply with state guidelines. Budget adjustments will be made based on final enrollment figures.

Our outreach will be conducted with the intent that PCS will serve all students to the capacity the school is able to provide. We believe there is a strong interest in a **“new choice”** in public education inside and outside the immediate Piru community based on educating the whole child that will increase enrollment once the charter school opens. A bus will pick students up in the city of Fillmore giving these parents a viable educational option. Also new housing is planned in Piru that will lead to a further increase in student enrollment.

Projected Enrollment

Grade Level	Expected Year I Enrollment	Expected Year II Enrollment	Expected Year III Enrollment	Expected Year IV Enrollment	Expected Year V Enrollment
K	(3) 66	(3) 66	(3) 66	(3) 66	(3) 66
1	(3) 66	(3) 66	(3) 66	(3) 66	(3) 66
2	(3) 66	(3) 66	(3) 66	(3) 66	(3) 66
3	(2) 44	(3) 66	(3) 66	(3) 66	(3) 66
4	(2) 48	(2) 48	(3) 72	(3) 72	(3) 72
5	(2) 48	(2) 48	(2) 48	(3) 72	(3) 72
6	(2) 48	(2) 48	(2) 48	(2) 48	(3) 72
Totals	386	408	432	456	480

Daily Instructional Minutes

The instructional day will follow the bell schedule as described in Appendix B. PCS shall, for each fiscal year, offer at a minimum, the number of minutes of instruction per grade level as required by Education Code Section 47612.5(a)(1)(A)-(D)

Educational Philosophy

We believe that learning best occurs when:

- Students have responsibility for their choices, actions, and learning;
- The instructional program is rich in authentic, hands-on educational experiences that include laboratory science, multimedia art education, environmental studies, community partnerships, aerobic exercise, and technology;
- There is acceptance of different learning styles and emphasis on the many ways that students learn, such as flexible groupings, multiple modalities, cooperatively, through multiple intelligences, and with personal choice;
- Specialists enhance the program and serve as teaching resources/coaches for language arts, performing and visual arts, science, physical education, GATE, special education, outdoor education, and technology;
- The staff collaborates and meets regularly to plan, reflect, analyze, and facilitate student learning and assessment;
- The school supports teacher professionalism with appropriate budget allocations and time for planning, staff development, and instructional materials;
- Parents are expected to be actively involved in their children's education and volunteer in the classroom and other school activities;
- Class size is reduced in the upper grades to 24/1;
- Teachers create instruction, curriculum, assessments, and requirements to meet the needs of all learners, including those who require intervention and those who require acceleration.

Goals

Goals for the Piru Charter School include but are not limited to the following:

- Student scores on state-standardized tests will demonstrate sufficient annual improvement to meet the California Academic Performance Index growth targets for school-wide and numerically significant subgroups.
- Students will make adequate yearly progress (“AYP”) as defined by the No Child Left Behind Act (“NCLB”).
- Benchmark assessments will be used throughout the school year to monitor student growth and help identify students for intervention.
- Students will gain the prerequisite knowledge to move to the next level of educational attainment.
- Students will have access to support services (health care, counseling, mentoring) that influence academic growth and achievement.
- Students will participate in aerobic activities that promote increased learning and improved health.
- Students will participate in Lesson One –violence prevention.
- Students will become critical thinkers who are self-motivated and lifelong learners.
- Smaller class size (24 students in grades 4-6).

Learners In The 21st Century

An educated person in the 21st century should possess the following characteristics:

1. An awareness of oneself as a member of an immediate as well as of a global society – an awareness that includes respect for all cultures (Community Service).
2. The ability to cooperatively develop and apply problem-solving skills to new and ever changing learning experiences.
3. The knowledge to use technology as a tool for thinking, research, communication, and production.
4. The understanding of personal ethics and the importance of treating others with respect.
5. The ability to discover connections between different subjects and various disciplines of thought in school and throughout society.
6. The ability to communicate in written and oral forms.
7. The knowledge of the importance of being an inquisitive learner.

The PCS Board of Directors and the PCS Council will ensure that these ideals and aptitudes, touched upon above and also listed below, are continually evaluated to keep abreast of what it means to be an educated person in the 21st century who is self-motivated, competent, and a lifelong learner.

Academic Skills

- Students will read at or above grade level.
- Students will develop application and computational abilities, as well as a conceptual understanding of mathematical reasoning.
- Students will communicate effectively through excellent listening, speaking, and writing skills via projects and presentations.
- Students will possess creative, logical, and critical thinking skills.
- Students will develop age or grade level technological proficiency that extends beyond the classroom to the real world.
- Students will develop knowledge about and an appreciation of the diverse visual and performing arts and their interplay with academic learning.
- Students will find, select, evaluate, organize, and use information from various sources and disciplines of thought. They will be able to make logical connections among them.

Life Skills

- Students will accept responsibility for personal decisions and actions.
- Students will develop self-confidence and a willingness to take risks, resulting from a safe learning environment.
- Students will learn concentration, perseverance, and independent working skills by setting personal goals and through self-assessment.
- Students will develop an appreciation and respect for the culturally diverse environment of California.
- Students will work both cooperatively and independently in a respectful manner.
- Students will make the connection between themselves and the diverse global community.
- Students will be inspired to be inquisitive and self-motivated life-long learners.

Reasons To Go Charter: We are ready to take the next step!

With a collaborative culture anchored in hard work and pride, PCS will succeed in providing a high quality educational program to all our students. Our innovative approaches, further enumerated in the following sections, not only demonstrate how we are unique, but how we will continue to be successful.

Program Elements

Special aspects of the Piru Charter School program will include:

- All students will be successfully taught grade-level California State Standards every day.
- Site-based decision-making including personnel and budget.
- Maintaining a small, personalized school.
- Blending of traditions like our 50+ year-old dance festival with future green living.
- Science Laboratory, Performing and Visual Arts, Aerobic Exercise, Outdoor Education, and Technology as integral parts of the enrichment curriculum.
- Support for students with special academic or social needs.
- Friends of Piru - Involved parents and community members who share their expertise and resources.
- Thematic units and standards-based learning.
- Engaging and active learning experiences with an innovative and flexible approach to education.
- Lesson One – Social emotional, self-discipline program.
- Aerobic exercise (daily running) / Yoga.
- Special education students integrated into regular classroom settings to the greatest extent possible.
- Looping.
- Time and resources allocated for Staff Development and Team Planning.
- Use of informational technology throughout the curriculum.
- Students visiting local colleges.
- Cross-age collaboration.
- Peer mediation.
- Ability-grouped core instruction.
- Project-based learning.
- Whole Child learning through the use of Community Volunteers, Peer Tutors, and Cross Age Interest Grouping.
- Organic Farm/Healthy Lunches.
- Reading Buddies.
- Smaller class size.
- Strategic EL instruction integrated into content area instruction through the use of ADEPT Test and GLAD Strategies.

In core academic classes, there is a major focus on curriculum that emphasizes the skills listed in the California Content Standards, with

additional enrichment opportunities. Furthermore, Piru aims to do the following:

1. Foster intellectual growth through creative and critical thinking.
2. Promote, value, and respect a diversity of cultures and perspectives.
3. Identify a variety of learning styles and incorporate a variety of teaching strategies.
4. Prepare students to meet the challenges of social and civic responsibilities in school and in the community.
5. Provide students with research and technological tools for the twenty-first century.

The Piru Charter School also strives to create an environment where the use of technology enhances learning and improves student achievement for all students, including those with physical or learning disabilities. The School empowers all instructional staff to enhance classroom instruction by integrating technology into their lesson plans in alignment with California Content Standards and the National Educational Technology Standards for Students.

To develop curriculum to serve its diverse population, Piru Charter School reserves the right to purchase state adopted textbooks or other book and non-book materials that meet state compliance requirements. A list of textbooks/programs that PCS will use can be found in Appendix C.

Integration of the Arts

Research shows that art improves achievement. The arts improve cognitive development and increases motivation and engagement in school and community service, especially to at-risk students. (Catterall, J. S., UCLA, 2002). Furthermore, the arts and the transfer of learning applies to all students as found in R. J. Deasy's (Ed.), *Critical Links: Learning in the Arts and Student Academic and Social Development* [pp. 151-157, Washington, DC: Arts Education Partnership]. Research clearly points out that English Language Learners (Ingram and Reidel, 2003) and particularly children in Special Education Programs (Deasy, 2002) benefit from the presence of art in the classroom. The art teacher will serve all our students who will benefit from our unique arts program.

Also the study of the arts serves as a mechanism for investigation and problem solving while addressing multi-modal learning. Artistic literacy and creative powers are promoted through exposure to different methods, ideas, and materials from global points of view. Eric Oddleifson, Chairman of Center for Arts in the Basic Curriculum, states

from an address to the Boston Council of Elementary Principals, that the arts, "...teach both the process of learning and discipline; they motivate; they awaken the imagination; they address strengths, not weaknesses; they teach cultural respect and require meaningful interaction between students, and students and their teachers. They increase the yield from knowledge, as they teach the ways knowledge is applied in the real world." PCS values diversity, especially as it relates to the arts. "Art, as a form of communication, is one of the basic language skills students need to participate in a multicultural democracy" (*DBAE and Cultural Diversity: Some Perspectives from the Social Sciences*, McFee, J.K., University of Oregon, 1992).

The integrated curriculum will be aligned with the Visual and Performing Arts Framework for California Public Schools and will include dance, drama/theater, music and visual arts. Media studies will be explored as a means for artistic communication using modern technology.

Methods of Instruction

Piru Charter School will contribute to educational reform by providing standards-based instruction that has been found to be effective in Title I schools serving at-risk students. Piru intends to provide each student with powerful learning experiences that are differentiated to meet individual student needs.

Piru Charter School understands the importance of utilizing research-based instructional practices to promote improved student learning. In order to address how learning best occurs, staff will be trained to: 1) design standards based instruction, 2) align appropriate assessment to the standards, and 3) implement project-based instructional activities that are aligned to standards and reflect research-based best practices.

All Students Successfully Taught Grade-Level Standards Every Day

Why is teaching on grade level so very, very important for students?

- Grade-level instruction provides **equal opportunity** for all students to learn.
- Students **cannot learn** what they're not taught.
- Students **perform no higher** than the assignments given.
- Students **learn more** when taught at a higher level than at a lower level.
- State tests assess **grade-level** content.

All coursework will involve a rich repertoire of instructional strategies, curriculum, and materials. Many of the sample instructional strategies listed below incorporate one or more of the nine researched-based strategies proven to have a positive effect on student learning as described in *Classroom Instruction That Works* (Marzano, Pickering, Pollock, 2001). Sample instructional strategies will also include:

- Project-based learning and other ways of experiencing real-world problems,
- Collaborative investigation and demonstrations,
- Mini-lessons that address specific skills within the context of larger projects,
- Giving guidance and adequate time to self-reflect and self-assess,
- Democratic classrooms and school structure,
- Authentic assessments,
- Direct instruction,
- Research based projects,
- Cooperative group work,
- Inter-disciplinary approaches to curriculum,
- The presentation of clearly defined “learning targets” for all students,
- Rubric self-assessment,
- The involvement of community members and educational partners in instructional presentation,
- Peer study groups, and
- Creating learning experiences that promote understanding, interest, and excellence.

Project-Based Learning

A key instructional approach to meeting a variety of student needs is standards-based Project-Based Learning (PBL). Standards-focused PBL is a “systematic teaching method that engages students in learning knowledge and skills through an extended inquiry process structured around complex, authentic questions and carefully designed products and task.” Research shows that students engaged in PBL “construct solutions, thus shifting the emphasis (from the product) toward the process of learning”, (Buck Institute for Education, 2004).

Brain-based research conducted by Kotulak (1996) and Kuhl (1994) has shown that we learn what is most meaningful to us. Conversely, new material for which there is no connection is discarded. Furthermore, if an emotional connection is made during learning, the material learned is reinforced. Review of current research on Project-Based Learning strongly suggests that PBL is a teaching method that may be particularly

well adapted to at-risk students such as the ones who will be served by the Piru Charter School.

Students will be assessed for their mastery of standards, as well as their ability to solve problems individually and in cooperative groups. Project design will incorporate rigorous and complex problems that require students to understand the relationships between concepts from different disciplines and perspectives. All projects will culminate in a tangible product and often a public exhibition of the students' work. Projects in which students create multimedia presentations, web pages, presentations, performances, artwork or songs may be evaluated differently than traditional written papers. Assessment strategies may include performance evaluation, teacher observations, personal communications, standardized testing, and student and teacher developed rubrics, and self-assessment. (Global School Net Foundation, 2004).

PCS teachers are empowered to utilize creative and authentic instructional methods, while ensuring the coverage of California State Content Standards. Teachers will rely heavily on resource-based materials (core literature selections, periodicals, electronic research, library selections/resources, teacher created lessons, field trips/field study, and electronic field trips). These strategies support closing the achievement gap for students who have been historically underserved by more "one-size-fits-all" instructional methods found in many public school classrooms and provide all students with an accessible, meaning-rich education and a desire to remain lifelong, competent, self-directed learners.

We have included a General Student Daily Schedule in Appendix D.

Annual Assessments

Piru Charter School will follow all CELDT testing timelines to ensure students receive proper instruction and shall comply with the applicable requirements of the No Child Left Behind Act with regards to ELL pupils.

CURRICULUM

This section provides a brief description of each core content area. Teachers will utilize an interdisciplinary approach, in a standards-based system, supported by the instructional strategies described earlier. Each grade level will develop pacing plans that encourage a vertically planned curriculum with consistent goals for K-6. The PCS Leadership Team will meet on a regular basis to evaluate the effectiveness of the curriculum. PCS reserves the right to modify the instructional program where

necessary to serve the needs of the school community utilizing the PCS Council structure and ultimate approval by the PCS Board and consideration as required by law of any need to submit a material revision of the charter petition to Education Code Section 47607.

Reading

A primary goal of the program at PCS is to encourage students to value reading as a source of information and as a stimulating pastime. Student's love of reading will encourage their growth as readers and writers. PCS will offer a balanced approach to reading, drawing on respected resources on comprehensive literacy instruction such as Gail E. Tompkins' *Literacy for the 21st Century: A Balanced Approach*, 1996 and Donalyn Millers' *The Book Whisperer: Awakening the Inner Reader in Every Child*, 2009. The National Reading Panel, in a comprehensive study, found five general areas of reading instruction which were crucial for developing excellent readers: phonemic awareness, phonics, fluency, vocabulary, and text comprehension. Using a balance of whole group instruction, guided instruction in small groups, and independent practice, teachers will develop these skills in students in a developmentally appropriate manner, supporting the individual needs of every student.

Critical thinking skills will be addressed through read alouds, think alouds, open-ended questioning, and oral retellings. Vocabulary development will be the natural result of these basic peer and adult interactions. The use of word walls, thematic instruction, and reading from different, multicultural genres and periods of time expose all students to different languages and vocabulary. Classroom libraries will include books of different genres and levels with a balance between fiction and non-fiction selections. Leveled lending libraries will support a strong at-home reading program where all students read nightly.

Writing

The goal of writing instruction at PCS is to help students figure out reading "from the inside out." As children write, they use their letter-sound knowledge, develop knowledge they have read about, and practice the art of writing that they have previously analyzed in models that they have read. Children who write become more fluent in reading. Students in every grade level will have the opportunity to write in one or more of the four genres: narrative, expository, persuasive, and response to literature. The core of writing instruction is built on the steps of the writing process, i.e. brainstorming, drafting, revising, editing, and publishing. Beginning in Kindergarten, teachers in every grade level will guide students through this process so that students become

independent writers who can write on demand for a variety of audiences and purposes.

Technology will be incorporated into writing instruction in a variety of ways. Students will use the Internet as a research tool, work processing to draft and revise, and PowerPoint to assist in presenting their work to classmates and other audiences. Keyboarding skills will be taught along with basic handwriting.

Math

The goal of mathematics instruction at PCS will be to produce students who are fluent with numbers, have built mathematical reasoning skills, and developed a strong math vocabulary through real world experiences. Within the context of the California State Standards, students will be constantly challenged to reason and communicate mathematically in addition to demonstrating proficiency in all required math standards. Specifically, PCS teachers will focus on developing students' number sense and algebraic reasoning abilities. This approach is supported by the recently released "Final Report of the National Mathematics Advisory Panel" (USDE, 2008, p. 17). Even young students can begin to understand numbers conceptually, and can recognize relationships among mathematical concepts (*Building a Foundation for Learning in the Elementary Grades*, NCISLA VOL. 1, NO. 2, Fall 2000). According to research conducted at the University of Texas, Austin, "number sense not only leads to automatic use of math information, but also is a key ingredient in the ability to solve basic arithmetic computations." (Gersten, 1999). As a result PCS students will be prepared for the rigors of higher math. Our math program, which is spiraling, will include hands-on activities, classroom discussion about mathematical reasoning, and sufficient calculation practice to make mathematical operations automatic. Various artistic concepts and elements, such as music, will be incorporated into the math program and vice-versa, as the two disciplines intertwine, complement, and help explain one another.

Science

At PCS students will discover and learn about the natural world by using the methods of science as extensions of their own curiosity and wonder. Students will acquire knowledge of the biological and physical sciences from a balanced curriculum., which includes building on their understanding of science concepts to learn about the logic of the scientific method and applications of science to the world around them. Students will develop critical thinking skills of science: observing, comparing, organizing, inferring, relating, and applying. Our desired outcomes from science are an understanding of the process of scientific

inquiry, curiosity about the world around them, skills to comprehend informational text, and increased self-esteem from producing a tangible work-product as a result of their understanding. Science, technology, and societal issues are strongly connected to community health, population, natural resources, environmental quality, natural and human-induced hazards, and other global challenges. The standards should be viewed as the foundation for understanding these issues (*California State Board of Education Science Content Standards, 2008*).

Social Studies

The teachers at PCS will build upon students' curiosity about themselves and their world by presenting history as an exciting and dramatic series of events and issues. Students will engage in problem solving as they acquire, evaluate, and use information in a variety of ways. Frequent opportunities will exist for all students, including English Learners, to share their language, cultural ideas, customs, and heritage, thereby providing multicultural dimensions to the curriculum. Content standards are encouraged as integrated features of the humanities, geography, science, mathematics, language arts, and the visual and performing arts. Assorted activities found within absorbing units of study will accentuate the arts and use of technology while students learn about themselves in the world. Teachers will provide equal access to the core curriculum for all students through a variety of appropriate strategies and thematic, project-based units. Current events and real-world issues will help PCS students understand common and complex themes that reoccur throughout history.

Physical Education and Health

The goal of the physical and health education curriculum at PCS is to promote healthy lifestyles among students and their families through the development of positive physical and social-emotional practices such as Aerobic Exercise and Lesson One Life Skills. The physical education and health curriculum covers the following strands: movement skills and knowledge, self-image and personal development, and social development. In the arts, ethnomusicology and world dance (Dance Festival) will be used to add multicultural experiences to the physical education curriculum. The physical education program will emphasize individual motor skills, aerobic fitness and good sportsmanship.

Teacher Qualifications

Academic core classes will be taught by highly qualified teachers who are certified or are in training for certification to teach English Language Learners – CLAD and/or BCLAD, SDAIE, etc.

Professional Development

PCS plans to provide extensive professional development opportunities to our teachers and staff. Professional development is based on collaboration and tailored to the needs of teachers and their students. Driven by school data, the PCS Council will determine professional development needs based on responses to staff evaluations, teacher input based on students' academic needs, feedback from grade level teams, school goals, and school initiatives such as increased integration of technology and yoga techniques for children.

Key elements of professional development at PCS will include ongoing identification of instructional needs, differentiated professional development for teachers at varying levels of experience, and providing time and resources for teachers and staff to share and reflect on best practices. Monthly meeting times will rotate between staff meetings, full staff professional development, and cluster meetings for grade levels teams to assess/reassess student progress and modify instructional plans accordingly. In order to build in-house expertise on a variety of topics, money is also allocated in the budget for teachers to attend outside workshops and institutes. Teachers are expected to bring knowledge and skills back to share with their colleagues.

All teachers will receive ongoing training on how to implement the school instructional approaches such as project-based learning. Professional development priorities will include advanced training in Lesson One methods, enhanced GATE methods, and ELL methods.

PLAN FOR ENGLISH LEARNERS

The School shall comply with all applicable federal law in regard to services and the education of English Language Learner ("ELL") students. The School shall develop and implement, and maintain policies and procedures for the provision of services to ELL students in accordance with guidance published by the Office of Civil Rights of the U.S. Department of Education. At a minimum these policies and procedures shall ensure the following:

- Identify students who need assistance including the use of a home language survey and mandatory CELDT testing as required by law.
- Use student data to monitor progress.
- Ensure that necessary, appropriately credentialed staff, curricular materials, and facilities are in place and used properly.

- Develop appropriate evaluation measures, including program exit criteria.

Will use Adept Test and Glad Strategies to implement strategic EL mastery into content area instruction.

PCS will meet all applicable legal requirements for English Learners as it relates to annual notification to parents, student identification, placement, program options, EL and core content instruction, teacher qualifications and training, reclassification to fluent English proficient status, monitoring and evaluation program effectiveness, and standardized testing requirements. Piru Charter School will implement policies to assure proper placement, evaluation, and communication regarding EL students and the rights of students and parents.

- PCS will administer the home language survey upon a student's initial enrollment into the Charter School (on enrollment forms).
- All students who indicate that their home language is other than English will be California English Language Development Test (CELDT) tested within thirty days of initial enrollment and at least annually thereafter between July 1 and October 31st until re-designated as fluent English proficient.

At Piru School approximately 25% of the students who enter each year have very limited English Language skills. We also have another 25% of our students who come from homes with limited English Language and who struggle with the academic language needed in school. Another significant group of our students have been identified as SELS, or Standard English Learners. These are students who come from English speaking homes but also need strengthening in English language skills. PCS staff will include over 50% of the staff BCLAD certified, a bilingual reading specialist, and a fully certified TESOL teacher.

Saxon Math was specifically chosen with the progress of our Piru English Learner population in mind. During last year's pilot period, it was noted that the spiral review, ELD Resource Guides, vocabulary emphasis, individual manipulative kits, and variety of frequent assessments all supported our various levels of EL learners to achieve a high degree of math success.

The *Open Court* Language Arts materials, which are currently being used at Piru Elementary, offer a broad based support to EL learners, whether they are beginning kindergarten students with little English skills, or upper grade elementary students in need of specific instruction. Specific *Open Court* materials, which we feel are creating success for our EL students, are the English Language Resource Guide, Decodable Readers,

Vocabulary Supplement Book, Language Development Practice Book, and Intervention Guide.

Since the *Open Court* series offers a wealth of materials, as well as their careful sequencing and integration of skill areas, it makes sense to consider using the New *Open Court* for all our students, but especially our English Language Learners. The MacMillan McGraw Language Arts Program *Treasures* is also being piloted at the current time. Within three years Piru Charter School expects to purchase one of these new Language Arts adoptions.

English Language Learners at Piru Charter School will not only be supported in their learning by frontloading core instruction and high quality materials, but also through the scheduled practice EL learners will receive during afternoons with collaborative content area instruction that is imbedded with strategically chosen forms and formats that have been identified, through CELDT and ADEPT testing, as needing attention for our EL learners. It will be the goal for teachers to schedule projects, which require students to read, write, listen and speak as students explore content material. Each week, teachers will address such areas as the conditional tense and pronouns through careful choice of projects. Trimester EL grades and core benchmarks will be monitored closely to track the success of our EL students and the goal will be 100% reclassification by the end of 6th grade.

Reclassification Procedures

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

- Assessment of language proficiency using an objective assessment instrument including, but not limited to, the CELDT.
- Participation of the pupil's classroom teachers and any other certificated staff with direct responsibility for teaching or placement decisions of the pupil to evaluate the pupil's curriculum master.
- Parental opinion and consultation, achieved through notice to parents or guardians of the language reclassification and placement including a description of the reclassification process and the parents opportunity to participate, and encouragement of the participation of parents or guardians in the reclassification procedure including seeking their opinion and consultation during the reclassification process.

- Comparison of the pupil's performance in basic skills against an empirically established range of performance and basic skills based upon the performance of English proficient pupils of the same age that demonstrate to others that the pupil is sufficiently proficient in English to participate effectively in a curriculum designed for pupils of the same age whose native language is English.

Teachers will use The Student Oral Language Observation Matrix to measure student progress regarding comprehension, fluency, vocabulary, pronunciation, and grammar usage.

Monitoring and Evaluation of Program Effectiveness

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

- Adhere to PCS 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.

English Learners-2009 Academic Performance (API) Growth Report

The results of the 2009 API Growth Report for Piru English Learners clearly shows that our program is working. The 2008-09 growth target for English Learners was 6. **Actual growth made was 87 points! The EL students at Piru made exceptional growth. PCS is ready to take the next step!**

PLAN FOR MIGRANT STUDENTS

PCS will set high standards for migratory children and ensure they have equal access to a rigorous standards-based curriculum. PCS believes that the purpose of Migrant Education is to:

- Support high-quality and comprehensive educational programs for migratory children to help reduce the educational disruption and other problems that result from repeated moves;
- Ensure that migratory children who move among the states are not penalized in any manner by disparities among the states in

- curriculum, graduation requirements, and state academic content and student academic achievement standards;
- Ensure that migratory children are provided with appropriate educational services (including supportive services) that address their special needs in a coordinated and efficient manner;
 - Ensure that migratory children receive full and appropriate opportunities to meet the same challenging state academic content and achievement standards that all children are expected to meet;
 - Design programs to help migratory children overcome educational disruption, cultural and language barriers, social isolation, various health-related problems, and other factors that inhibit the ability of such children to make a successful transition to postsecondary education or employment; and
 - Ensure that migratory children benefit from state and local systemic reforms.

PLAN FOR SPECIAL EDUCATION

The School will adhere to all laws affecting individuals with exceptional needs, including all provisions of the Individuals with Disabilities in Education Improvement Act of 2004 (IDEA), its amendments, Section 504 of the Rehabilitation Act and Americans with Disabilities Act (“ADA”). All students will be given equal access to the school, regardless of disabilities, and the School will not discriminate against any student based on his or her disabilities. The School shall not require the modification of an IEP or 504 plan as a condition of acceptance at the charter school.

The School recognizes the importance of providing education opportunities to all students regardless of physical challenges or special needs. To that end, the school pledges to work in cooperation with the District to ensure that the students enrolled in the School are served in accordance with applicable federal and state law. Piru shall follow all policies and procedures of the District’s SELPA in the provision of special education services. The Piru Charter School is a “school of the District” for special education purposes, per Education Code sections 4761 (b) and 47646(a).

The School shall be deemed to be a public school of the District for purposes of special education pursuant to Education Code Section 47641(b). A child with disabilities attending the charter school shall receive special education instruction and designated instruction and services, provided by the District either in-house or by contract with a qualified third-party in accordance with the individualized educational

program (“IEP”) in the same manner as a child with disabilities who attends another public school within the District.

A special education agreement will be developed between the District and the School as part of the Memorandum of Understanding which spells out in detail the responsibilities for provision of special education services by the School and the manner in which special education funding will flow through the District to the students of the School. As part of the MOU between the District and Piru Charter School:

- The District shall receive and retain all State and Federal special education funds due to the School.
- The District shall provide special education instruction and related services to Piru students in the same manner as provided to other students of the District.
- The District shall provide funding to the School for any special education instruction or related services provided the School in the same manner as is currently provided to other schools of the District.
- The School shall pay its proportionate share of District-wide encroachment.

Section 504/ADA

The School shall be solely responsible for its compliance with Section 504 and the ADA. All facilities of the School shall be accessible for all students with disabilities in accordance with the ADA.

Further, the School shall adopt and implement a policy that outlines the requirements for identifying and serving students with a 504-accommodation plan. The 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 School. Any student who has an objectively identified disability that substantially limits a major life activity such as learning, is eligible for accommodation by the School shall be accommodated.

A 504 team will be assembled by a site administrator or designee and shall include qualified persons knowledgeable about the student, the meaning of the evaluation data, placement options and the legal requirements for least restrictive environment. The 504-team will review the student’s existing records, including academic, social and behavioral records and is responsible for making a determination as to whether an evaluation for 504 services is appropriate. If the student has already

been evaluated under the IDEA, those evaluations may be used to help determine eligibility under Section 504. The evaluation shall be carried out by the 504 team who 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:

1. Tests and other evaluation materials that have been validated for the specific purpose for which they are used and are administered by trained personnel.
2. Tests and other evaluation materials include those tailored to assess specific areas of educational need and not merely those that are designed to provide a single general intelligent quotient.
3. Tests are selected and administered so as 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 noticed in writing to the parent or guardian of the student in their primary language along with the procedural safeguards available to them. If during the evaluation, the 504 team obtains information indicating possible eligibility of the student for special education per the IDEA, a referral for special education assessment 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 are needed to ensure that the student receives the free and appropriate public education ("FAPE") and shall develop a 504 plan. In developing the 504 Plan, the 504-team shall consider all relevant information utilized during the evaluation of the student, drawing upon a variety of sources, including, but not limited to, assessments conducted by the School's professional staff. The parent or guardian shall be invited to participate in 504 team meetings.

The 504 Plan shall describe the Section 504 disability and any program modification that may be necessary. In considering the 504 Plan, a student with a disability requiring program modification shall be placed in the regular program of the School along with those students who are not disabled to the extent appropriate to the individual needs of the student with a disability.

All 504 team participants, parents, and 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. A site administrator or designee will ensure that teachers include 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, continued eligibility or readiness to discontinue the 504 Plan.

PLAN FOR STUDENTS WHO ARE LOW ACHIEVING

The School promotes success for all students. PCS will adhere to a three-step Student Study Team (SST) intervention process. In all cases, the focus of the SST will center on the student's unmet needs and how PCS can provide necessary support. Parental involvement and open lines of communication will be integral to the process. SST members may include the teacher(s), the principal, the parents, the school psychologist, the nurse, peer teachers, and any other specialists needed to provide additional insights and strategies. This team addresses needs of the whole child, with assessment driven as well as teacher observation data to support decision-making on the intervention level.

Students who are not obtaining desired achievement levels in their academic studies are identified and provided support through a pyramid of successively intensive RTI interventions to include, but not limited to, Level I in class re-teaching of standards based instruction not mastered recently, Level II short term during or after school tutoring of specific skill deficits, or Level III long term remediation programs which are added to core instruction to give students strong reinforcement of previous grade level standard work. Students with identified special needs have the opportunity to use resource classes for assistance with test taking and difficult class assignments, and learning strategies. These students are also given an appropriate testing environment and time to maximize their potential for success.

Students are not excluded from grade level core curriculum for academic underperformance. The School has adopted intervention strategies to ensure achievement for all students.

Any student who scores low on any section of standardized tests or locally developed assessments is considered at risk and may be placed in remediation classes. Students with learning disabilities that affect their progress in the general curriculum are given either RSP or SDC support. Other students who met 504 eligibility criteria can have support/accommodation either through the resource program or within

their general curriculum program. Any student who is struggling or failing is considered at-risk and is given the opportunity to participate in any or all of the support program components offered by the school.

The structure of the curriculum and instructional strategies in place in Piru's classrooms are designed to maximize the learning opportunities for low-achieving and at-risk students. Low-achieving or at-risk students are integrated into the entire student body and participate fully in all aspects of the curriculum.

Parents of at-risk or low-achieving students are included in the development of strategies to meet the specific needs of the student. The staff believes that parent involvement plays an integral part in student success.

PCS plans to follow a similar model of interventions as described in Appendix E.

PLAN FOR STUDENTS WHO ARE ACADEMICALLY HIGH ACHIEVING

Since the mission of PCS includes assuring that the educational experience of all students is academically challenging, teachers will provide additional challenges for those who are learning at a faster pace. Students identified for Gifted and Talented Education (GATE) as well as those students working above grade level will benefit from accelerated study and peer clustering as well as individual and group lesson extensions that demand creative uses of high level thinking skills in terms of scope, sequence, depth, and complexity. PCS will use STAR test data, teacher recommendations and tests such as the Naglieri Non-Verbal Ability Test to help determine eligibility. PCS understands that not all GATE students are self-directed learners. Students that need further differentiation will be offered activities that support their interests and curiosities that will allow for leadership and cooperative learning encounters with above, at, and below grade level peers. Brain-based research shows that people deepen understanding through the process of teaching others (Cain and Cain, 1998). Above-grade-level students will receive appropriate activities that will be of high interest and will stretch their natural abilities.

The goal is to build different components of the GATE program including enrichment activities, offering qualitatively differentiated projects, community service options, and cross-age tutoring opportunities. It is also the goal of PCS to offer a richer, more focused exposure to academia through, part-time enrichment. This pull out program will address the social and emotional needs of GATE students while offering lessons

based on higher skill levels with advanced application, synthesis, and evaluation skills.

Professional development will be encouraged in the realm of GATE concerns. Parental input for high achieving students will be critical in devising an individualized learning plan for the student. PCS welcomes and expects parental involvement in realizing all aspects of the school's mission and vision.

ELEMENT 2 MEASURABLE STUDENT OUTCOMES AND OTHER USES OF DATA

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

Assessment Assumptions

Our assessment methods are based on the following beliefs:

- In order to have a complete picture of a student's growth, multiple assessment methods must be used. Assessments for individual students should focus on individual mastery of specific content standards and learning objectives.
- There should be an appropriate relationship between a desired student outcome and the means used to assess it. Assessments should be aligned to the prioritized standards and student objectives.
- Assessment should promote and support reflection and self-evaluation on the part of students, staff, and parent.

PCS is dedicated to documenting student achievement of the state content standards each year through state-mandated pupil assessments. As is required by the California Department of Education Code Section 60605, students will participate in the Statewide Testing and Reporting program and all other mandated accountability programs (CELDT, etc.). Through these assessments, PCS shall demonstrate student mastery of state standards. Standardized assessments allow PCS to compare student performance with the rest of the state. In addition, the school may provide internal learning performance accountability documentation. This internal documentation may include, but is not limited to, publisher assessments, student portfolios, anecdotal records,

student self-assessment, performance evaluation, and other methods by which student progress may be measured. Social, emotional, and development growth will be addressed as appropriate.

Measuring Student Progress

PCS recognizes the importance of being a data-driven school. PCS will identify a student management system that has the capacity to create a variety of reports on student achievement, including disaggregated data by content strand, student subgroup, grade-level, and classroom. Meaningful, reliable data provides a tool to measure student progress in an ongoing, authentic arena. This includes both standardized and non-standardized tools that, when taken together, will paint a picture of student achievement.

See Appendix F for example of student achievement tracking document.

Parent-Teacher Conferences

Parents are respected, integral partners in their child's education who provide valuable insight to the teacher. Teachers will meet parents in the fall to formally discuss student strengths, need, progress, and to identify learning goals and other factors that may impact student learning. Informal conferences may be scheduled as needed.

School Accountability Report Card ("SARC")

Additionally, the school will publish student results annually through the School Accountability Report Card, in compliance with the California Constitution, California Education Code, and NCLB criteria. The report includes pertinent facts and data about PCS and will be made available to the public as required by law.

PCS will compile survey results gathered at the end of each year where parents evaluate their child's educational experiences. The survey will ask parents to measure satisfaction in categories such as overall student growth (academic and social), satisfaction with program offerings, how well PCS fulfilled its mission and vision, and overall parent satisfaction. Results will be reported to the charter authorizer and published in the SARC. Results will also be used to support school policy, matter of curriculum, and help identify future goals.

Academic Performance Index

It is the goal of PCS to meet its Academic Performance Index Growth Targets on an annual basis for all major subgroups. During the last three

years Piru Elementary has been successful in meeting their goals by implementing researched-based instructional strategies and innovative breakthrough experiences such as **Lesson One** and **Aerobic Exercise**. Because of the staff's willingness to be innovative school-wide API scores have improved by 94 points! PCS will continue to improve school-wide API scores and meet or exceed growth targets each year.

Lesson One

Lesson One: The ABCs of Life, founded in 1976 by Jon Oliver, is a non-profit organization developed to teach children the social and emotional skills they need to survive and succeed in the 21st Century. In fact, the Lesson One curriculum emerged from the research and feedback of educators, parents, guardians, and children.

Following the logical progression of a child's development, Lesson One uses upbeat activities and games that teachers and children can share to ground Lesson One skills in everyday life. With a much-needed answer to the social and emotional problems that grip our culture, here is a program that anyone working with children can appreciate—a lesson plan that works for life.

Lesson One Skills Include:

PLEDGE FOR SUCCESS: The Pledge is a promise that children make to themselves, with an emphasis on trying their best, respect, listening, and diversity. It builds a foundation for all of the skills.

SELF-CONTROL: After learning the Pledge for Success, children can then learn to use their self-control to control what they do and what they say.

SELF-CONFIDENCE: When children use their self-control and try their best, they give themselves the proud, happy feeling called self-confidence.

RESPONSIBILITY & CONSEQUENCES: With self-control and self-confidence children can take responsibility for themselves and understand the consequences of their actions.

THINKING & PROBLEM SOLVING: When children take responsibility and realize the consequences of their actions, they can think for themselves and problem solve.

COOPERATION: When children use their self-control, have self-

confidence, take responsibility and use their thinking and problem solving, they can cooperate with others.

We have included the Lesson One Pledge for Success in both English and Spanish in Appendix G.

Aerobic Exercise

The latest research shows that for your brain to function at its peak, your body needs to move. In fact, the real reason you feel so good when you get your blood pumping is that it helps the brain function at its best.

Dr. John J. Ratey, in his latest book *Spark: The Revolutionary New Science of Exercise and the Brain*, explains that aerobic exercise actually prepares your brain to learn. Recent brain-activation studies show that children who are aerobically fit allocate more cognitive resources to a task and do so for longer periods of time. **In other words, aerobic exercise improves student learning!** PCS students will participate in aerobic exercise before going to class each morning as part of their school-wide physical education program.

2009 API GROWTH REPORT

The 2009 API Growth Report summarizes a school’s performance on the spring 2008-09 Standardized Testing and Reporting (STAR) Program. It serves as the baseline score, or starting point of performance. The API is on a scale of 200 to 1000. In addition API is calculated for numerically significant student subgroups at a school to ascertain whether the school meets the “comparable improvement” criterion. For Piru the numerically significant subgroups include Hispanic or Latino, Socioeconomically Disadvantaged, and English Learners. According to the 2009 API Report Piru has again not only met growth targets for all subgroups but made dramatic improvements. In fact, according to recent Growth API Reports Piru moved from a 2008 Base API of 687 to a 2009 API of 739. **That is a 52-point increase!**

3-YEAR SCHOOL-WIDE API GROWTH CHART

Fillmore Unified School District	2006-2007	2007-2008	2008-2009	3 Year Improvement
Piru	+16	+26	+52	+94
High School	-4	+13	+33	+42
District	+5	-2	+22	+25
Sespe	+8	-39	+51	+20
San Cayetano	+20	-14	+8	+14
Middle School	+23	-18	+6	+11
Mountain Vista	NA	+9	-3	+6

As you can see from the 3 Year API Growth Chart above Piru's productivity levels are exceptional. PCS will build on this success and is ready to take the next step!

The Academic Performance Index (API) is used to compare the position of Piru with other similarly performing schools in California. In addition, Piru's data from the API is analyzed. The objective of the comparison with other schools and the analysis of data are the ongoing improvement of all subgroups, educational equity for all, and the improvement of the School's academic performance as a whole.

The data on PCS students will be examined by subgroups to determine areas in need of improvement. First, the teachers will be trained to read, interpret, and analyze the data. Secondly, areas in need of improvement will be targeted. PCS teachers will analyze data in the following ways:

- By group to determine which subgroups are performing at basic or below basic levels.
- By individual students within subgroups to identify specific students who need remediation.
- By specific test items to determine areas in need of remediation.

From analysis of data, PCS teachers will develop remediation strategies to target low performing students. Intervention activities will be developed and will include but are not limited to the following:

- Implementing differentiated instruction within classes.
- The development of intervention programs to support academic achievement. These intervention strategies may be held during the regular school day or before/after school.
- School-wide focus on designated areas of growth.
- Teacher mentoring of specific targeted students.
- Development of intervention classes.

Adequate Yearly Progress

It is the goal of PCS to make adequate yearly progress ("AYP") as defined by the No Child Left Behind Act ("NCLB"). The plan listed above for API should facilitate this goal.

According to a recent 2009 STAR California Standards Test (CST) Summary Report school-wide proficient and advanced proficient scores increased dramatically for Piru students. The CSTs in English Language Arts improved from 28.1% in 2008 to 46.2% in 2009. This was an

18.10% increase! The CSTs in math improved from 37.8% in 2008 to 48.2% in 2009. This was a 10.40% increase!

According to the 2009 Adequate Yearly Progress (AYP) Report Piru met all 17 of 17 AYP Criteria. This includes dramatic increases in school-wide scores and in each of the major subgroups for both English-Language Arts and Mathematics. This means Piru will remain a Level 3 school in PI Status and not move to a level 4.

We have included a 2009 Fillmore Unified School District CST Summary Report and 3 Year CST Growth Bar Graphs in Appendix H.

State Standardized Testing

It is the goal of PCS to have its students show measurable growth each academic year as evidenced by scores on California's state standardized test.

Attendance

It is the goal of Piru Charter School to strive, on average, to achieve individual student attendance of at least 95% of the academic school year.

Common Core of Learning

Piru Charter School students will experience a common core of learning that is aligned with state standards and that fulfills the school's vision. The purpose of Piru's charter is to meet the following outcomes.

All students will:

1. Possess the academic and personal characteristics of an educated citizen in the twenty-first century. This includes:
 - The ability to communicate clearly and expressively in writing and speaking.
 - The ability to use oral and written language to accomplish tasks, to help others, to express opinions, and to function as a productive citizen.
 - The ability to respect diversity.
 - The ability to use technology to acquire and create information.
2. Use ideas, problem-solving skills, and abstract thinking, as well as encourage self-expression and a positive self-image through participation in the visual and performing arts.

3. Participate in an enrichment curriculum that will augment, enrich, and integrate with the core curriculum.
4. Develop reading and math skills.
5. Possess the ability to use the knowledge and skills of mathematics, think logically, and solve problems related to mathematics and communicate their ideas about mathematics in both written and verbal form.
6. Have sufficient knowledge, skills, and strategies of science to be intelligent consumers, responsible users of scientific information, and scientific problem solvers.
7. Participate in a program of physical education including lifelong concepts of fitness, health, and nutrition.
8. Participate in a program of community or school service that reflects responsible leadership in a democratic society and inter-dependent world.

ELEMENT 3 Methods To Assess Pupil Progress Towards Meeting Outcomes

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

Piru Charter School seeks to evaluate student performance activities that are worthwhile, significant, and meaningful. Emphasis will be placed on evaluating what the students know rather than on what they do not know. Assessment of these activities will be based on, but not limited to, the following:

1. The statewide content standards developed by the California Department of Education.
2. Authentic performance assessments that are grade level appropriate, such as performances, exhibits, demonstrations, projects, and portfolios.
3. Teacher-developed testing procedures that will reflect the standards or benchmarks for each grade level as determined by Piru Charter School's instructional team.
4. Mandated special education testing that will continue to be administered.
5. On-going student monitoring and parent communication utilizing progress reports, phone and email communications, student conferences, parent/teacher conferences.

Criterion-referenced tests, end-of-unit tests, performance-based assessments, homework completion, and class participation will form the basis of evaluating student performance and determining student grades.

Teachers will review assessment data on an ongoing basis to identify general areas of needed improvement, modify curriculum and course content to meet those needs, gather new or additional instructional resources, and create new assessments to measure continued progress.

OUTCOME	METHODS OF MEASUREMENT
State Content Standards	STAR, Internal and External Assessments, Teacher Records, Work Samples
Standardized Testing Growth	STAR, CELDT
Attendance	Attendance records
Academic Performance Index Growth Target (API)	API Score, State Ranking, Similar School Ranking
Adequate Yearly Progress	As measured by state in accordance with NCLB

ELEMENT 4 GOVERNANCE STRUCTURE

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

Non-Profit Public Benefit Corporation

PCS will be directly funded independent charter school and will be operated as a California Nonprofit Benefit Corporation, pursuant to California law upon approval of this charter.

PCS will operate autonomously from the District, with the exception of the supervisory oversight as required by statute and other contracted services as negotiated between the District and the School. Pursuant to California Education Code Section 47604(c), the District shall not be liable for the debts and obligations of the Charter School, operated by a California non-profit benefit corporation or for claims arising from the performance of acts, errors, or omissions by the Charter School as long as the District has complied with all oversight responsibilities required by law.

We have included a copy of the PCS Articles of Incorporation in Appendix I.

Board of Directors

PCS will be governed by a corporate Board of Directors (“Board” or “Board of Directors”) in accordance with its adopted corporate bylaws, which shall be consistent with the terms of this charter.

The number of directors shall be no less than five (5) and no more than (9). All directors shall be designated by the existing Board of Directors. All directors are to be designated at the corporation’s annual meeting of the Board of Directors.

Including the initial Board of Directors, each director shall hold office unless otherwise removed from office in accordance with these bylaws for two (2) years and until a successor director has been appointed or elected as required by the position.

Composition of the Governing Board of Directors

The Board of Directors, consisting of at least five members, will be drawn from the following sources and at all times will include representatives from these constituencies:

- At least one parent or legal guardian of students at PCS.
- At least two community members (appointed by the Board).
- At least one teacher.
- At least one classified staff member.
- The PCS principal will serve as a non-voting, “member by position”.

If a representative from FUSD sits on the PCS Board they will be a non-voting member.

No more than 49 percent of the persons serving on the Board of Directors may be interested persons. An interested person is (a) any person compensated by the corporation for services rendered to it within the previous 12 months, whether as a full-time employee, independent contractor, or otherwise, excluding any reasonable compensation paid to a director as director; (b) any brother, sister, ancestor, descendant, spouse, brother-in-law, sister-in-law, son-in-law, daughter –in-law, mother-in-law, or father-in-law of such person.

The lead petitioners and founding group will appoint a Founding Board of Directors that shall include representatives of the parent, educators, and community members who support educational choice.

Each member of the Board will serve a two-year term that is renewable for a maximum of three consecutive years.

The community or parent members of the Board cannot also be an employee of the Charter School. The School shall seek community members with expertise in areas critical to school success including but not limited to education, school finances, fundraising, facilities, government, business, medical, legal, and public relations.

The Permanent Board shall have parent representatives elected amongst the parent body (one vote per family); employee representatives will be elected amongst all employees; community members will be appointed by the Board at the time of the vacancy. The Board may choose to select a current PCS parent to serve in the Community Member capacity in the event that the Board cannot find a suitable non-parent community member.

The PCS Board meetings will take place at least once a month, ten months each year, and will operate in full compliance with the Brown Act. Additional meetings may be called as necessary. The responsibilities of the Piru Board include but are not limited to:

- Uphold the Vision of the School.
- Oversee the implementation of the School's charter.
- Provide notice and hold meetings in compliance with the Brown Act.
- To ratify the hiring, rehiring, and termination of employees.
- To ratify the school budget.
- To prevent conflict of interest in the school's operation.
- To respect PCS's special bottom-up organization.
- To respect that the educational program and day-to-day operations are governed by the charter as administered by the PCS Council.

The Board adopts policies and procedures regarding self-dealing and conflict of interest. They may initiate and carry out any program or activity that is not in conflict with or inconsistent with any law and which is not in conflict with the purposes for which charter schools are established. The Board may execute any powers delegated to it by law, and shall discharge any duty imposed by law upon it and may delegate to an employee of the School any of those duties. The Board, however, retains ultimate responsibility over the performance of those powers or duties so delegated.

Piru Charter School Council

The PCS Council is the administrative unit for the school, its educational program and policy. They make recommendations to the Board of Directors in terms of offering and renewing contracts.

The Council consists of all staff teachers (staff teachers are those who have a board-ratified salaried position), three parent representatives, one classified member, one administrator, and one chief financial officer or business manager. A quorum is defined as a majority of voting members present, which must include a majority of teachers. Though consensus is the goal, decisions can be made by majority vote.

The PCS council will meet in the afternoon after school no less than nine times per school year. It will publish an agenda prior to the meeting.

PCS parents will be encouraged to attend.

Any issue that would put any member of the PCS in violation of Government Code 1090 will be passed on with a recommendation to the Board of Directors.

Responsibilities of the Piru Charter Council

- To maintain the integrity of this charter as the Council makes decisions about the daily operations and procedures of PCS.
- To submit a budget to the Board of Directors for ratification.
- Further responsibilities will be defined during the first year of operation and then each year when needed.

Parent Participation

Research indicates that parent involvement in school is directly related to the academic success of their students. To this end, parent participation in school programs and activities is expected at Piru. Parents are encouraged to serve as members of the Board of Directors, Friends of Piru, SSC, ELAC, etc. and are welcomed in the classrooms as volunteers.

The PCS Board of Directors will adopt a policy on parent involvement that is consistent with the purposes and goals of Education Code Section 11502. The policy will include all of the following:

- ❑ To engage parents positively in their children’s education by helping parents to develop skills to use at home that support their children’s academic efforts at school and their children’s development as responsible future members of our society,
- ❑ To inform parents that they can directly affect the success of their children’s learning, by providing parents with techniques and strategies that they may utilize to improve their children’s academic success and to assist their children in learning at home,
- ❑ To build consistent and effective communication between the home and the school so that parents may know when and how to assist their children in support of classroom learning activities,
- ❑ To train teachers and administrators to communicate effectively with parents, and
- ❑ To integrate parent involvement programs into the school’s master plan for academic accountability.

Parents can be participants in the following groups:

- PCS Council.
- Friends of Piru – oversees the school fundraising and other activities.
- ELAC – English Language Advisory Committee.
- SSC – School Site Council.
- Board of Directors – Parent representatives are selected in accordance with the bylaws.

In addition, parents may volunteer in a variety of ways that may include but are not limited to the following:

- Help organize specific School events.
- Volunteer and assist teachers, office staff, computer lab, and library.
- Share expertise.

Parents are responsible for honoring the Parent/School/Contract including overseeing their students’ progress, work, attendance, and behavior.

Parents are encouraged to express their concerns, to visit PCS, and to meet with the staff.

Brown Act

The PCS Board of Directors shall comply with the Brown Act.

Public Records Act

The School shall comply with the Public Records Act and Education Code section 47604.3.

ELEMENT 5 EMPLOYEE QUALIFICATIONS

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

Piru will recruit professional, effective, and qualified personnel for all administrative, instructional support, and not-instructional support capacities that believe in the instructional philosophy outlined in its vision statement. In accordance with Education Code 47605(d)(1), Piru is nonsectarian in its employment practices and all other operations. The School shall not discriminate against any individual (employee or pupil) on the basis of race, ethnicity, national origin, religion, age, gender, sexual orientation, perceived sexual orientation, home language, or disability.

All employees should possess the personal characteristics, knowledge base and/or relevant experiences and the responsibilities and qualifications identified in the posted job description as determined by the School.

All employees shall be fingerprinted and shall successfully pass all required Department of Justice/Federal Bureau of Investigations and Live-Scan checks and undergo background checks that provide for the health and safety of the School's faculty, staff and students. The Charter School shall maintain all the personnel files for its employees.

Principal

The responsibilities of the Principal or his/her designee may include, but are not limited to, the following:

- Maintain contact with District as necessary.
- Develop Board meeting agenda in conjunction with the Board Chairman in compliance with the Brown Act and report all possible litigation to the Board.
- Hiring, discipline, supervision, and dismissal of all employees of the School. (With Board Approval/See Labor Contract)
- Provide timely performance evaluations of all School employees and report all potential employee disciplinary actions to the Board

(Employee Board members shall be excluded from these discussions with the Board).

- Propose policies for adoption by the Board.
- Provide comments and recommendations regarding policies presented by others to the Board.
- Communicate with School legal counsel and any outside consultants.
- Stay informed on school laws and regulations.
- Approve all purchase orders, pay warrants, and requisitions and, upon approval, forward on for processing.
- Participate in the dispute resolution procedure and the complaint procedure when necessary.
- Establish and execute enrollment procedures and be the custodian of records.
- Provide all necessary financial reports as required for proper ADA reporting.
- Make budget line item revisions when necessary and report changes regularly to the Board.
- Develop and administer the budget in accordance with generally accepted accounting principles.
- Work with the Chief Financial Officer to present a quarterly financial report to the Charter Board.
- Assistance and coordination to the faculty in the development of curriculum.
- Oversee parent/student/teacher relations.
- Attend IEP meetings when necessary.
- Supervise student disciplinary matters.
- Coordinate the administration of standardized testing.
- Plan and coordinate all activities related to enrollment.
- Attend all Charter Board meetings and attend as necessary at District Board of Education meetings as the charter representative.
- Establish procedures designed to carry out Charter Board policies.
- Work closely with Piru Charter Council.

Teachers

The School shall comply with Education Code Section 47605(1), which “states in pertinent part:

“Teachers in charter schools shall be required to hold a Commission on Teacher Credentialing certificate, permit or other document equivalent to that which a teacher in other public schools would be required to hold. These documents shall be maintained on file at the charter school and shall be subject to periodic inspection by chartering authority. It is the

intent of the Legislature that charter schools be given flexibility with regard to non-core, non-college preparatory courses.”

Core teaching faculty, as providers of the day-to-day teaching and guidance to the students, are the primary resources of the School. In a school culture that promotes academic rigor and success for all students, grade level core teachers are responsible for, but not limited to:

- Core instruction.
- Curriculum planning.
- Collaboration with fellow teachers and administrators.
- Student assessment.
- Communication with parents.

Candidates for these positions possess:

- A commitment to students and learning.
- Knowledge about their subject material.
- A willingness to be innovative and dynamic in their instruction methods.

These individuals must meet all of the following minimum requirements:

- Bachelor’s Degree.
- Valid California Teaching Credential and appropriate supplemental credential if required.

Additionally, core teachers, as defined by the No Child Left Behind Act (NCLB), meet the applicable definitions of the highly qualified requirements. Non-core teachers shall have flexibility regarding credentialing as allowed by State and Federal law. Non-core teaching positions include, but are not limited to, Physical Education, Art, Drama, etc.

Recruitment of qualified teachers and administrators may include advertising in local newspapers such as The Fillmore Gazette and the Ventura County Star, attending Ventura County job fairs, contacting local colleges, and using online services such as EDJOIN.

Non-Instructional

All non-instructional staff such as Attendance Clerk, Office Manager, custodian, bus driver, grounds, and cafeteria personnel must possess experience and expertise appropriate for their position as outlined in the job specification.

Administrators

The administrators of the School shall meet the minimum qualifications for the position as outlined in the job specification, which shall include, at a minimum the following requirements:

The Principal of Piru Charter School shall hold a California Administrative Services Credential and have at least five years experience in a school setting as a full-time principal or teacher (administrative experience is preferred). The Principal shall be responsible for implementing all the legal and administrative responsibilities of the School as well as serving as an instructional leader. This individual should be an exemplary communicator both in person and in written communications and possess the organizational and interpersonal skills necessary to run a school.

Overall Qualifications of Teachers

Piru Charter School teachers are educators who seek to provide a quality education for students. They must possess the personal characteristics, knowledge base, and successful experiences in the responsibilities and qualifications identified in the posted job description. Employees of Piru should be CPR/First Aid trained.

Piru Charter School focuses on teacher leadership through professional development, team building, collaborative decision-making, and addressing the strengths of the school community.

Interviews and screening procedures will be collaborative and handled by a committee composed of the Principal and members of the appropriate school staff. This committee will make a recommendation to the Charter Board for the final approval to hire the candidate.

ELEMENT 6 HEALTH AND SAFETY

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

A healthy and safe environment is imperative to productive teaching and learning. Piru will develop, adopt, and fully implement a comprehensive set of policies and procedures that will serve to ensure the health and safety of pupils and staff. These policies will be incorporated into the

School's staff, student, and volunteer handbooks. Expertise of the insurance carrier's loss-control personnel, safety professionals, and industrial hygiene specialists and the District oversight agent will be drawn upon in the development and implementation of this comprehensive integrated risk management program in accordance with all applicable provisions of law. These policies will be reviewed and updated as required in response to any change in conditions or operations that may affect the health and safety of students and staff.

A health clerk will be employed to handle medical considerations.

Supervision of Piru students will be provided by school employees to ensure a safe and healthy learning environment.

Piru students will be required to adhere to an established dress code and supportive and clear student code of conduct.

Disciplinary issues will be addressed at early stages with the use of Lesson One to avoid unnecessary office referrals, suspensions or expulsions.

Facility Safety

PCS 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 State Building Code. The School agrees to test fire extinguishers and fire alarms annually at its facilities to ensure that they are maintained in an operable condition at all times. PCS shall conduct fire drills monthly.

Procedures for Background Checks

The Charter School will comply with the provisions of Education Code Section 44237 and 45125.1 regarding the fingerprinting and background clearance of employees, contractors and volunteers prior to employment and/or any one-on-one contact with pupils of the Charter School.

Role Of Staff As Mandated Child Abuse Reporters

All classified and certificated staff (including teachers in any non-core, non-college preparatory courses), as well as short-term employees and independent contractors, will be mandated child abuse reporters and will follow all applicable reporting laws.

TB Testing

The Charter School will follow the requirement of Education Code Section 49406 in requiring tuberculosis testing of all employees.

Immunizations

The Charter School will adhere to all laws related to legally required immunizations for entering students pursuant to Health and Safety Code Section 120325-120375, and Title 17, California Code of Regulations Section 6000-6075.

CPR/First Aid Training

All employees should be CPR/First Aid trained before the end of their 1st year of employment. PCS will arrange for this training.

Medication in School

The Charter School will adhere to Education Code Section 49423 regarding administration of medication in school.

Vision/Hearing/Scoliosis

The Charter School shall adhere to Education Code Section 49450 et. seq. as applicable to the grade levels served by the School.

Emergency Preparedness

The Charter School shall adhere to an Emergency Preparedness Handbook drafted specifically to the needs of the school site. This handbook shall include but not limited to the following responses: fire, flood, earthquake, terrorist threats, and hostage situations.

Drug Free/Smoke Free Environment

The School shall maintain a drug and alcohol and smoke free environment.

Integrated Complaint and Investigation Procedure

The Charter School will develop a comprehensive complaint and investigation procedure to centralize all complaints and concerns coming into the Charter School. Under the direction of the Charter School Board the Principal shall be responsible for investigation, remediation, and

follow-up on matters submitted to the Charter School through this procedure.

Comprehensive Sexual Harassment Policies and Procedures

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

The Charter School shall adopt procedures to implement the policy statements listed above.

ELEMENT 7 RACIAL ETHNIC BALANCE

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

Piru Charter School shall not discriminate on the basis of the characteristics listed in Section 220 (actual or perceived disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics). [Ref. Education Code Section 47605(d)(1)]

PCS will implement a student outreach strategy that includes, but is not necessarily limited to the following elements or strategies to ensure a racial and ethnic balance among students that is reflective of the District:

- An enrollment process that is scheduled and adopted to include a timeline that allows for a broad-based recruiting and application process.

- The development of promotional and informational material that appeals to all of the various racial and ethnic groups represented throughout the District.
- Student recruitment efforts may include, but are not limited to, direct mail, print advertising, and informational meetings directed toward targeted student populations to recruit students from the various racial and ethnic groups represented within the District.
- The School's Outreach Plan shall include a marketing plan which details significant outreach activities in local newspapers, public libraries, local community groups, and local businesses. The marketing plan shall include the preparation and distribution of recruiting materials in English and Spanish.
- The Outreach Plan shall schedule dates, times, and locations of open houses, informational meetings, and other activities in a manner which insures, to the extent possible, that all interested students are able to attend. The Outreach Plan shall be updated each year.

PCS, in its annual report, shall include student enrollment indicating the racial and ethnic mix of students and the percentage of students from the District and steps taken to ensure a racial and ethnic balance as described herein. The annual report shall disaggregate racial and ethnic class, free and reduced lunch participation percentage, English Learners, and shall include the percentage versus total of those who applied and those who were admitted.

ELEMENT 8 Student Admissions Policies And Procedures

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

1. Non-Sectarian/Non-Discrimination/No Tuition

PCS 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 Ed. Code Section 220.

2. The School shall admit all pupils who wish to attend the School up to capacity. No test or assessment shall be administered to students prior to acceptance and enrollment into the school.

The application process is comprised of the following:

- Parent attendance at a school orientation meeting is encouraged.
- Completion of a student enrollment form.

Registration forms for students who are admitted will also gather the following:

- Proof of Immunization.
- Home Language Survey.
- Completion of Emergency Medical Information Form.
- Proof of minimum age requirements, e.g. birth certificate.
- Release of records.

Applications will be accepted during a publicly advertised open application period each year in early spring 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 space available. In the event this happens, the School will hold a public random drawing to determine enrollment for the impacted grade level, with the exception of existing students who are guaranteed enrollment in the following school year. (During any period of PCS funding, the public random drawing will be held as a single weighted public lottery.)

Enrollment preferences in the case of a public random drawing shall be as follows:

- Siblings of existing pupils of the School. (During any period of PCS funding, siblings will be listed as an “exception” to the lottery.)
- Children of founding group members. (Founding Group Members are defined as any family who has contributed 25 hours or more toward the creation of this charter before December 1, 2009. During any period of PCS funding, this preference will be limited to 10% of available space.)
- Children of employees of the School. (During any period of PCS funding, this preference will be limited to “children of faculty” and limited to 10% of available space.)
- Pupils who reside within the former attendance area of Piru Elementary School.
- All other District residents.
- All other pupils.

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 wait list according to their draw in the lottery. This wait list will allow students the option of enrollment in the case of an opening during the current school year.

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

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

Planned Application, Public Random Drawing, and Admission Schedule (These timelines are estimates subject to change as necessary to accommodate school holidays and scheduling conflicts.)

January - March	Application forms available at school office.
Middle of March	Deadline for parents of existing Charter School students to notify the school if their student will be returning.
First Week of April	Public random drawing conducted (if necessary)
First Week of May	Admission notification and enrollment packets distributed to parent and children who have been drawn in the public random drawing.
July 1	Completed enrollment packets due back to the Charter School, which will include proof of immunizations, proof of residency, proof of age requirement and proof of withdrawal from prior public school and district of residence

ELEMENT 9 Audits

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

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

An audit committee will select an independent auditor through a request for proposal format. The auditor will have, at a minimum, a CPA and educational institution audit experience and approved by the State Controller on its published list as an educational audit provider. To the extent required under applicable federal law, the audit scope will be

expanded to include items and processes specified in applicable Office of Management and Budget Circulars.

It is anticipated that the annual audit will be completed within four months of the close of the fiscal year and a copy of the auditor's findings will be forwarded to the District, the County Superintendent of Schools, the State Controller, and to the CDE by the 15th of December of each year. The principal, along with the audit committee, will review any audit exceptions or deficiencies and report to the Charter School Board of Directors with recommendations on how to resolve them. The PCS Board will submit a report to the District describing how the exceptions and deficiencies have been or will be resolved to the satisfaction of the District along with an anticipated timeline for the same. All exceptions and deficiencies must be resolved to the satisfaction of the District.

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

ELEMENT 10 SUSPENSION AND EXPULSION PROCEDURES

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

This Pupil Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and well being of all students at the School. When the Policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction. This policy shall serve as the Charter School's policy and procedures for student suspension and expulsion and it may be amended from time to time without the need to amend the charter so long as the amendments comport with legal requirements.

School staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This Policy and its procedures will be printed and distributed as part of the Student Handbook and will clearly describe discipline expectations.

Discipline includes but is not limited to advising and counseling students, conferring with parents/guardians, detention during and after school hours, use of alternative educational environments, suspension and expulsion.

Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment included the willful infliction of or willfully causing the infliction of physical pain on a student. For purposes of the Policy, corporal punishment does not include an

employee's use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to school property.

The Charter School administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline policies and procedures. The notice shall state these Policy and Administrative Procedures are available on request at the Principal's office.

Suspended or expelled students shall be excluded from all school and school-related activities unless otherwise agreed during the period of suspension or expulsion.

A student identified as an individual with disabilities or for whom the School has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities in Education Act ("IDEA") or who is qualified for service under Section 504 of the Rehabilitation Act of 1973 (Section 504) is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to regular education students except when federal and state law mandates additional or different procedures. The School will follow Section 504 of the Rehabilitation Act, Individuals with Disabilities in Education Act (IDEA), the Americans with Disabilities Act (ADA) of 1990 and all federal and state laws including not limited to the California Education Code, when imposing any form of discipline on a student identified as an individual with disabilities or for whom the School has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students. The Charter School shall notify the District of the suspension of any student identified under the IDEA (or for whom there may be a basis of knowledge of the same) or as a student with a disability under Section 504 of the Rehabilitation Act and would grant the District approval rights prior to the expulsion of any such student as well.

Grounds for Suspension and Expulsion of Students

A student may be suspended or expelled for prohibited misconduct if the act is related to school activity or school attendance occurring at the School or at any other school or a School sponsored event at anytime including but not limited to: a) while on school grounds; b) while going to or coming from school; c) during, going to, or coming from a school-sponsored activity.

Enumerated Offenses

Students may be suspended or expelled for any of the following acts when it is determined the pupil:

- Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force of violence upon the person of another, except self-defense.
- Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object.
- Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind.
- Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
- Committed or attempted to commit robbery or extortion.
- Caused or attempted to cause damage to school property or private property.
- Stole or attempted to steal school property or private.
- Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars and cigarettes.
- Committed an obscene act or engaged in habitual profanity or vulgarity.
- Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5.
- Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.
- Knowingly received stolen school property or private property.
- Possessed an imitation firearm or 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.
- Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288a or 289, or committed a sexual battery as defined in Penal Code 243.4.
- Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding

- for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- Engaged in or attempted to engage in hazing of another.
 - Aiding or abetting as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person.
 - Made terrorist threats against school officials and/or school property.
 - Committed sexual harassment.
 - Caused, attempted to cause, threatened to cause, or participated in an act of hate violence.
 - Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading student rights by creating in intimidating or hostile educational environment.

Alternatives to suspension or expulsion will first be attempted with students who are truant, tardy, or otherwise absent from assigned school activities.

Suspension Procedure

Suspensions shall be initiated according to the following procedures:

- **Conference**

Suspension shall be preceded, if possible, by a conference by the Principal or the Principal's designee with the student and his parent and, whenever practical, the teacher, supervisor or school employee who referred the student to the Principal. The conference may be omitted if the Principal or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or school personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference.

At the conference, the pupil shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given the opportunity to present his or her version and evidence in his or her defense.

This conference shall be held within two school days, unless the pupil waives this right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization.

No penalties may be imposed on a pupil for failure of the pupil's parent or guardian to attend a conference with school officials. Reinstatement of the suspended pupil shall not be contingent upon attendance by the pupil's parent or guardian at the conference.

- **Notice to Parents/Guardians**

At the time of the suspension, an administrator or designee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension and the date of return following suspension. This notice shall state the specific offense committed by the student. In addition, the notice may also state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may request that the parent/guardian respond to such requests without delay.

- **Suspension Time Limits/Recommendation for Placement/Expulsion**

Suspensions, when not including a recommendation for expulsion, shall not exceed five consecutive school days per suspension.

Upon a recommendation of Placement/Expulsion by the Principal or Principal's designee, the pupil's guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. This determination will be made by the Principal or designee upon either of the following determinations: 1) the pupil's presence will be disruptive to the education process; or 2) the pupil poses a threat or danger to others. Upon either determination, the pupil's suspension will be extended pending the results of an expulsion hearing.

- **Authority to Expel**

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

The Administrative Panel may recommend expulsion of any student who is found to have committed an expellable offense.

- **Expulsion Procedures**

Students recommended for expulsion are entitled to a hearing to determine whether the student should be expelled. Unless postponed for good cause, the hearing shall be held within thirty school days after the Principal or designee determines that the Pupil has committed an expellable offense.

In the event an administrative panel hears the case, it will make a recommendation to the Board for a final decision whether to expel. The hearing shall be held in closed session unless the pupil makes a written request for a public hearing three days prior to the hearing. The Board's decision is final and there is no appeal to the District or to the County Office of Education.

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least ten calendar days before the date of the hearing. Upon mailing the notice, it shall be deemed served upon the pupil. The notice shall include:

- A. The date and place of the expulsion hearing;
- B. A statement of the specific facts, charges and offenses upon which the proposed expulsion is based;
- C. A copy of the School's disciplinary rules which relate to the alleged violation;
- D. Notification of the student's or parent/guardian's obligation to provide information about the student's status at the school to any other school district or school to which the student seeks enrollment;
- E. The opportunity for the student or the student's parent/guardian to appear in person or to employ and be represented by counsel or a non-attorney advisor;
- F. The right to inspect and obtain copies of all documents to be used at the hearing;
- G. The opportunity to confront and question all witnesses who testify at the hearing;
- H. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf including witnesses.

- **Special Procedures for Expulsion Hearings Involving Sexual Assault or Battery Offenses**

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

- A. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to 1) receive five days notice of his/her scheduled testimony, 2) have up to two adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and 3) elect to have the hearing closed while testifying.
- B. The School must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
- C. At the discretion of the person or panel conducting the hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.
- D. The person conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
- E. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the person presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The person conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.
- F. If one or both of the support persons is also a witness, the School must present evidence that the witness' presence is both desired by the witness and will be helpful to the School. The person presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising his or her discretion to remove a person from the

- hearing whom he or she believes is prompting, swaying, or influencing the witness.
- G. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during the testimony.
 - H. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in the public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.
 - I. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the person conducting the hearing that extraordinary circumstances exist requiring the evidence be heard.

• **Record of Hearing**

A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made.

• **Presentation of Evidence**

While technical rules of evidence do not apply to expulsion hearings, evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. A recommendation by the Administrative Panel to expel must be supported by substantial evidence that the student committed an expellable offense.

Findings of fact shall be based solely on the evidence at the hearing. While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay and sworn declarations may be admitted as testimony from witnesses of whom the Board, Panel or designee determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

If, due to a written request by the expelled pupil, the hearing is held at a public meeting, and the charge is committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education

Code Section 48900, a complaining witness shall have the right to have his or her testimony heard in a session closed to the public.

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

If the expulsion-hearing panel decides not to recommend expulsion, the pupil shall immediately be returned to his/her educational program.

Written Notice to Expel

The Principal or designee following a decision of the Board to expel shall send written notice of the decision to expel, including the Board's adopted findings of fact, to the student of parent/guardian. This notice shall also include the following:

1. Notice of the specific offense committed by the student.
2. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the School.

The Principal or designee shall send a copy of the written notice of the decision to expel to the District.

This notice shall include the following:

- The student's name.
- The specific expellable offense committed by the student.

Disciplinary Records

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

Expelled Pupils/Alternative Education

Pupils who are expelled shall be responsible for seeking alternative education programs including, but not limited to, programs within the County or their school district of residence.

Rehabilitation Plans

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

Readmission

The decision to readmit a pupil or to admit a previously expelled pupil from another school district or charter school shall be in the sole discretion of the Board following a meeting with the Principal and the pupil and guardian or representative to determine whether the pupil has successfully completed the rehabilitation plan and to determine whether the pupil poses a threat to others or will be disruptive to the school environment. The Principal shall make a recommendation to the Board following the meeting regarding his or her determination. The pupil's readmission is also contingent upon the School's capacity at the time the student seeks readmission.

No Right to Appeal

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

ELEMENT 11 RETIREMENT PROGRAMS

Governing Law: The manner by which staff members of the Charter School will be covered by the State Teachers' Retirement System, the Public Employee's Retirement System, or federal social security – California Education Code Section 47605(b)(5)(K).

In order to hold and secure experienced staff committed to innovation, PCS recognizes the importance of an attractive compensation package, which includes salaries and health benefits. PCS anticipates having a compensation package that is competitive with what the Fillmore Unified School District offers. Employees at PCS shall participate in STRS, PERS, and the federal social security system as applicable to the position. PCS shall inform all applicants for positions within the School of the retirement system options for employees of the School.

ELEMENT 12 ATTENDANCE ALTERNATIVES

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

Students who reside within Piru’s attendance area who choose not to attend the Charter School may attend another school within the Fillmore Unified School District according to District policy or attend another school district or school within the District through the District’s intra and inter-district policies. Parents and guardians of each student enrolled in the charter school will be informed on admission forms that the students have no right to admission in a particular school of an local education agency as a consequence of enrollment in the charter school, except to the extent that such a right is extended by the local education agency.

ELEMENT 13 EMPLOYEE RIGHTS

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

District Employees Working at Charter School prior to approval: The rights of District employees working at the Charter School prior to an approval shall be as outlined in a Memorandum of Understanding between the District, the Charter School, and the applicable unions.

Charter School Employees Hired after approval of charter: All employees hired by the Charter School on or after July 1, 2010 shall be employees of the Charter School. The rights of Charter School employees who have left permanent status employment in the District to work at the Charter School shall be as outlined in District policy and collective bargaining agreements.

All Charter School employees, who become reemployed by District within 39 months of separation from the District, shall be restored disregarding the break in service, as per California Education Code 44931. California Education Code 44931 provides that: Whenever any certificated employee of any school district who, at the time of his or her resignation, was classified as permanent, is reemployed within 39 months after his or her last day of paid service, the governing board of the district shall, disregarding the break in service, classify him or her as, and restore to him or her all of the rights, benefits and burdens of, a permanent

employee, except as otherwise provided in this code. However, time spent in active military service, as defined in Section 44800, subsequent to the last day of paid service shall not count as part of the aforesaid 39-month period.

Negotiations

The employer voluntarily recognizes the Fillmore Unified Teachers Association (FUTA) as the exclusive representative of the Piru Charter School employees.

All sections of the California Education Code pertaining to employee rights shall apply to the employees of the Piru Charter School.

The terms of the current collective bargaining agreements between the Fillmore Unified School District and its employee organizations shall be in full force and effect as the terms and conditions of employment of the employees of the Piru Charter School at the time it commences operations. Any modification of these agreements shall occur under the auspices of the Educational Employment Relations Act, California Government Code Sections 3540, et seq.

In accordance with the Educational Relations Act (EERA) Piru will negotiate with the applicable unions to create a new collective bargaining agreement unique to the mission and operation of the Charter School.

Grievances

Piru Charter School will follow the Grievance Procedure described in the new contracts.

Salary Placement

All employees will be placed on a salary schedule to be developed by the Board as negotiated with the applicable exclusive representative, which shall provide total compensation that is commensurate with District total compensation.

Calendar

Each yearly calendar, including hours and days, must be approved by a majority of the PCS Board and 51% of the PCS Council and approved by the applicable union.

ELEMENT 14 DISPUTE RESOLUTION

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

Disputes Between the District and the School

The School and District will always attempt to resolve any disputes between them amicably and reasonably without resorting to formal procedures. The principal of PCS will work with the superintendent of FUSD to resolve disputes.

Actions That Could Lead to Revocation: Charter School Due Process

In the event that the District determines that the School has engaged in an act that could lead to revocation of the charter, the District and the Charter School shall have a face-to-face meeting within 10 days to determine whether a violation has occurred. If after such meeting, the District determines that a violation has occurred which requires a cure, the District may send a formal written notification to the School outlining the alleged violation and requesting the violation be cured. The School shall have a reasonable amount of time after the date such formal written notice was sent to cure the violation. If the violation cannot be cured within the time period specified by the District, the parties may agree to another predetermined time to commence to diligently resolve the issue.

Thereafter, revocation of the charter may be commenced by the District in accordance with Education Code Section 47607 or applicable law.

Disputes not Leading to Revocation: Dispute Resolution

Disputes between the Charter School and the District regarding the alleged violation, misinterpretation, or misapplication of the charter (or any agreement between the parties that cross references this dispute resolution provision) between the parties shall be resolved using the dispute resolution process identified below.

The party initiating the dispute resolution process shall prepare and send to the other party a notice of dispute that shall include the following information:(1) the name, addresses and phone numbers of designated representatives of the party; (2) a statement of the facts of the dispute, including information regarding the parties attempts to resolve the

dispute; (3) the specific sections of the charter or other agreement that are in dispute; and (4) the specific resolution sought by the party. Within ten days from receipt of the notice of dispute the representatives from the Charter School shall meet with representatives from the District in an informal setting to try to resolve the dispute.

If the informal meeting fails to resolve the dispute the party initiating the dispute resolution process shall notify the other party (the responding party) in writing that it intends to proceed to mediation of the dispute and shall request the State Mediation and Conciliation Service to appoint a mediator within seven days to assist the parties in resolving the dispute. The initiating party shall request appointment of a mediator who is available to meet as soon as possible but not later than 30 days after receipt of the request for appointment. If the State Mediation and Conciliations Service is not available, the parties shall mutually agree upon a mediator. The responding party shall file a written response with the mediator and serve a copy on the initiating party within seven business days of the first scheduled mediation. The mediation procedure shall be entirely informal in nature; however, copies of exhibits upon which either party bases its case shall be shared with the other party in advance of the mediation. The relevant facts should be elicited in a narrative fashion to the extent possible, rather than through examination and cross-examination of witnesses. The rules of evidence will not apply and no record of the proceedings will be made. If an agreement is reached, the agreement shall be reduced to writing and shall be signed by the District and the Charter School. If the District and the Charter School fail to meet within the specified time line, have not reached an agreement within 15 days from the first meeting held by the mediator, or if the mediator declares the parties at impasses, either party may terminate mediation. In the event that mediation fails to resolve the entire dispute, the parties shall proceed to nonbonding arbitration. No statement made in mediation shall be used in a subsequent legal proceeding, as provide in California Evidence Code.

A party initiating the dispute resolution process shall notify the responding party that it intends to proceed to nonbonding arbitration and shall request the California State Mediation and Conciliation Service in writing to prepare a list of five arbitrators within five days. The parties may obtain assistance from another recognized dispute resolution organization or person instead of the State Mediation and Conciliation Service if mutually agreed. Beginning with the responding party, the parties shall alternatively strike names from the list until only one name remains. Striking names from the list shall occur within five days of receipt of the list by the responding party. The party initiating the dispute resolution process shall contact the State Mediation and Conciliation Service regarding the selection of the arbitrator. No later

than five days prior to the arbitration, the parties shall meet to attempt to frame the issue or issues to be submitted to the arbitrator, shall share all evidence, determined whether a court reporter is necessary, and attempt to settle the dispute, if possible. The function of the arbitrator shall be to hold an arbitration hearing concerning the dispute and to render a nonbonding decision within 30 days after the close of the hearing. The arbitrator is empowered to include in any award such remedies he or she judges to be proper. All costs of the arbitration, including but not limited to, the arbitrator's fees, per diem, travel, and subsistence expenses, and the costs, if any, of the hearing room and transcription of the hearing, shall be borne equally by the District and the Charter School.

The dispute resolution procedure shall not apply to any request for equitable or injunctive relief prior to the mediation to preserve the status quo pending the completion of that process. Except for such an action to obtain equitable or injunctive relief, neither party may commence a civil action with respect to the matters submitted to dispute resolution until that process is complete.

ELEMENT 15 EMPLOYEE REPRESENTATION

Governing Law: A declaration whether or not the Charter School shall be deemed the exclusive public employer of the employees of the Charter School for the purposes of the Educational Employment Relations Act – California Education Code Section 47605(b)(5)(O)

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

ELEMENT 16 CHARTER SCHOOL CLOSURE PROTOCOL

Governing Law: A description of the procedures to be used if the charter school closes – Education Code Section 47605(b)(5)(P).

The following procedures shall apply in the event the Charter School ceases its operation as a charter school (the charter is revoked, or terminated or surrendered to the District). The following procedures apply regardless of the reason for closure. These procedures will not be invoked following a non-renewal or revocation by the District until the Charter School has exhausted all appeal rights.

Closure of the School will be documented by official action of the Charter Board. The action will identify the reason for closure.

The Charter Board will promptly notify parents and students of the Charter School, the District, the Ventura County Office of Education, the School's SELPA, the retirement systems in which the School's employees participate (e.g., Public Employees' Retirement System, State Teachers' Retirement System, and federal social security), and the California Department of Education of the closure as well as the effective date of the closure.

The Charter Board will ensure notification to the parents and students of the termination of the charter. This notice shall be provided promptly, within ten business days following the Charter School Board's decision to close the school. As applicable, the School shall transfer all appropriate student records to the District or if the District is unwilling to store such records back to the student's district of residence and shall otherwise assist students in transferring to their next school. All transfers of student records shall be made in compliance with the Family Educational Rights and Privacy Act ("FERPA"), 20 U.S.C. Section 1232g.

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

As soon as reasonably practical, the School shall prepare final financial records. The School shall also have an independent audit completed as soon as reasonably practical, which period is generally no more than six months after closure. The School shall pay for the final audit. The audit shall be prepared by a qualified Certified Public Accountant selected by the School and shall be provided to the District promptly upon completion.

On closure of the School, all assets of the School, including but not limited to all leaseholds, tangible and intangible personal property and all ADA apportionments and other revenues generated by students attending the School, remain the sole property of the School and shall be utilized to pay any liabilities of the School, and if any assets remain they shall be distributed in to the District. On closure, the School shall remain responsible for satisfaction of all liabilities arising from the operation of the school.

As the School will be organized as a nonprofit public benefit corporation under the California law, the Board shall follow the provisions set forth in the California Corporations Code for the dissolution of a nonprofit public benefit corporation, and shall file all necessary filings with the appropriate state and federal agencies.

REPORTING AND ACCOUNTABILITY

Governing Law: The petitioner or petitioners shall also be required to provide financial statements that include a proposed first year operational budget, including startup costs, and cash flow and financial projections for the first three years of operation – Education Code Section 4760(g).

Financial Reporting

All governmental funds of the Charter will be reported using the modified accrual accounting method, measuring cash and all other financial assets that can be readily converted to cash. All reporting will conform to the requirements of GASB 24 and all other pertinent governmental accounting and auditing standards.

Piru will provide financial reports, in the manner prescribed by California's Standardized Account Code Structure (SACS), for the required September 15 report to the District and for the First and Second Interim Reports, Adopted Budgets, and Unaudited Actuals as required by the Education Code.

The Charter will also provide an annual audit, including financial schedules in the aforementioned formats to the District, the County Board of Education, the Controller, and the California Department of Education.

The Charter School shall supply the District with an annual statement of assets and liabilities, which may be included in the annual independent fiscal audit. However, in the event that it is not contained in the audit or the audit is not completed, the Charter School shall submit a separate document to the District containing this information.

Insurance

The Charter School shall acquire and finance general liability, workers compensation, and all other necessary insurance of the types and in the amounts required for an enterprise of similar purpose and circumstance. Coverage amounts will be based on recommendations provided by the District and the Charter School's insurer. The District Board of Education shall be named as an additional insured on all policies of the Charter School. Prior to opening, the Charter School will provide evidence of the above insurance coverage to the District.

Administrative Services

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

It is anticipated that the PCS will provide or procure most of its own administrative services including, but not limited to, financial management, personnel, and instructional program development either through its own staff or through an appropriately qualified third-party contractor. PCS may look to the Ventura County Office of Education for services such as cash flow management and payroll.

PCS may be interested in contracting with the District for services that can be provided efficiently and in a cost effective manner. The specific services, terms and costs will be the subject of an annual memorandum of understanding between the Charter School and the District.

Currently, PCS has received a proposal for back office services from EXED in Santa Monica. Their financial expertise and success with Charter Schools is well documented. They can provide business services such as budget and cash flow management, financial reporting, fiscal controls, payroll, employee benefits, and other human resource services.

Upon approval of the charter petition, if not completed during the charter approval process, PCS shall begin MOU negotiations with the District over contracted services (if any). Should services be unavailable, or by January 1, 2010, if no MOU has been executed between the Parties, PCS shall obtain its own administrative services either in house or through a third party contractor.

FACILITIES

Governing Law: The facilities to be utilized by the school. The description of facilities to be used by the charter school shall specify where the school intends to locate. Education Code Section 47605.6 (b)(5)(D).

As a conversion charter, Piru Charter School will be located at 3811 East School St. in Piru. A Proposition 39 request will be made in accordance with Education Code Section 47614 and its implementing regulations. The Charter School plans to utilize these school buildings, grounds, furnishings, equipment, bus, and existing supplies for the duration of the charter. The District and the Charter School shall enter into a comprehensive facilities use agreement outlining the responsibilities of the parties to maintain Piru Charter site.

See Appendix J for map of PCS campus.

TRANSPORTATION

The Charter School plans to provide limited bus transportation for students both within and outside the immediate school boundaries. The exact bus routes and times will be finalized and communicated to parents before the school opens.

IMPACT ON THE DISTRICT

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

Potential Civil Liability Effects

Intent

This statement is intended to fulfill the terms of Education Code Section 47605(g) and provides information regarding the proposed operation and potential effects of the Charter School on the District.

Civil liability

Pursuant to the Education Code Section 47604(c), the District shall not be liable for the debts and obligations of the Charter School, operated as a California non-profit benefit corporation or for claims arising from the performance of acts, errors, or omissions by the Charter School as long as the District has complied with all oversight responsibilities required by law. In addition, the Charter School shall secure commercially reasonably general liability, errors and omissions, and property insurance. And, the Charter School shall enter into a mutual indemnification hold harmless agreement with the District.

CONCLUSION

By approving this charter petition, the Fillmore Unified School District will be fulfilling the intent of the Charter Schools Act to increase learning opportunities for all pupils; create new professional opportunities for teachers; and provide parents and pupils with expanded choices in education and following the directive of law to encourage the creation of Charter Schools. To this end, PCS pledges to work cooperatively with the District, to answer any concerns over this document and to present the District with the strongest possible proposal for the Piru charter. The term of the charter of this charter petition shall expire on June 30, 2015.

Renewal of the charter shall be governed by the standards and criteria in Education Code Section 47605.

A complete PCS Business Plan with Budget can be found in Appendix K.

The Charter Petition can be amended by mutual approval by the Charter Board and the District Board of Education.