

Note: This document includes MS Word Track Changes notation to indicate content changes from a previous version submitted by Long Valley Charter School.

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

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

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

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

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

~~Witnessed:~~

~~\_\_\_\_\_~~

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

Renewed July 2010  
Material Revision February 2012

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## AFFIRMATIONS/ASSURANCES

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Long Valley Charter School (the “Charter School”):

- Shall meet all statewide standards and conduct the student assessments required, pursuant to Education Code Sections 60605 and 60851, and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools. [Ref. Education Code Section 47605(c)(1)]
- Shall be deemed the exclusive public school employer of the employees of Long Valley Charter School for purposes of the Educational Employment Relations Act. [Ref. Education Code Section 47605(b)(5)(O)]
- Shall be non-sectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. Education Code Section 47605(d)(1)]
- Shall not charge tuition. [Ref. Education Code Section 47605(d)(1)]
- Shall admit all students who wish to attend Long Valley Charter School, and who submit a timely application, unless the Charter School receives a greater number of applications than there are spaces for students, in which case each application will be given equal chance of admission through a public random drawing process. Except as required by Education Code Sections 47605(d)(2) and 51747.3, admission to the Charter School shall not be determined according to the place of residence of the student or his or her parents within the State. Preference in the public random drawing shall be given as required by Education Code Section 47605(d)(2)(B). In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the Charter School in accordance with Education Code Section 47605(d)(2)(C). [Ref. Education Code Section 47605(d)(2)(A)-(B)]
- Shall not discriminate on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics). [Ref. Education Code Section 47605(d)(1)]
- Shall adhere to all provisions of federal law related to students with disabilities including, but not limited to, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990 and the Individuals with Disabilities in Education Improvement Act of 2004.
- Shall meet all requirements for employment set forth in applicable provisions of law, including, but not limited to credentials, as necessary. [Ref. Title 5 California Code of Regulations Section 11967.5.1(f)(5)(C)]

- Shall ensure that teachers in the Charter School hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools are required to hold. As allowed by statute, flexibility will be given to non-core, non-college preparatory teachers. [Ref. California Education Code Section 47605(1)]
- Shall at all times maintain all necessary and appropriate insurance coverage.
- Shall, for each fiscal year, offer at a minimum, the number of minutes of instruction per grade level as required by Education Code Section 47612.5(a)(1)(A)-(D).
- If a pupil is expelled or leaves the Charter School without graduating or completing the school year for any reason, the Charter School shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card and health information. [Ref. California Education Code Section 47605(d)(3)]
- Will follow any and all other federal, state, and local laws and regulations that apply to Long Valley Charter School including but not limited to:
  - Long Valley Charter School shall maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection.
  - Long Valley Charter School shall on a regular basis consult with its parents and teachers regarding the Charter School's education programs.
  - Long Valley Charter School shall comply with any jurisdictional limitations to locations of its facilities.
  - Long Valley Charter School shall comply with all laws establishing the minimum and maximum age for public school enrollment.
  - Long Valley Charter School shall comply with all applicable portions of the No Child Left Behind Act.
  - Long Valley Charter School shall comply with the Public Records Act.
  - Long Valley Charter School shall comply with the Family Educational Rights and Privacy Act.
  - Long Valley Charter School shall comply with the Ralph M. Brown Act.
  - Long Valley Charter School shall meet or exceed the legally required minimum number of school days.

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

## Material Revision

The Education Director, on behalf of the Board of Directors for the Long Valley Charter School, (“Charter School”) hereby requests State Board approval of the enclosed material revisions. The material revisions to the Long Valley Charter School charter have been requested in accordance with the Memorandum of Understanding (“MOU”) between the State Board of Education (“SBE”) and the Long Valley Charter School to increase enrollment and operate resource centers beyond that which was described in the original charter. The Board of Directors for the Charter School acknowledged its violation of the MOU by failing to seek the approval of the SBE prior to increasing enrollment and opening its resource centers beyond that which was described in the original charter. The request for this material revision seeks to remedy the error made by the Charter School.

As a necessary corollary to the material revision request, additional detail has been provided in the charter document, in the education program section, and elsewhere, to demonstrate to the State Board of Education and California Department of Education that Long Valley Charter School can successfully implement its requested expansion. The original charter approved by the State Board of Education in July 2010 was limited to that which had been submitted to the Fort Sage Unified School District’s consideration prior to appeal and approval to the State Board of Education. As a condition to its approval in July 2010, the State Board of Education also required that technical amendments be made to the charter. Long Valley Charter School submitted those technical amendments in November 2010, but the State Board of Education did not approve them. As such, this document also includes the technical amendments required as a condition to the charter approval in July 2010. Finally, the revisions requested herein reflect revisions necessary to address concerns raised by the California Department of Education (“CDE”) in response to the expansion of the Charter School and as raised by the Advisory Commission on Charter Schools (“ACCS”) when they approved a recommendation that the Charter School be issued a Notice of Violation pursuant to Education Code Section 47607.

Long Valley Charter School recognizes that the reduction of enrollment and closure of resource centers is the most obvious cure for the concerns raised by the CDE and the ACCS. However, the Charter School seeks this material revision in lieu of reducing enrollment and closing resource centers for the following reasons:

- 1) the Charter School does not believe that disenrollment of pupils already enrolled in the school is a legal option and does not meet the best interest of the pupils enrolled in the Charter School.
- 2) the Charter School believes that the charter school is stronger both academically and fiscally due to the increased enrollment and additional resource centers serving its students;
- 3) the Charter School does not wish to impede the enrollment of students who choose to enroll in the Charter School who are otherwise legally eligible for enrollment;

## I. Educational Program

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

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

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

### Introduction

~~Long Valley Charter School provides a hybrid model of education offering both a classroom based facility for K-8 students in Doyle and a K-12 independent study/personalized learning approach in Lassen County and its contiguous counties. The charter school's purpose is to provide opportunities for teachers, parents, pupils, and community members to improve pupil learning; encourage the use of different and innovative teaching methods; and provide parents and pupils with expanded choices in the types of educational opportunities that are available within the public school system.~~

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

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

**Vision.** It is our privilege, as an educational community, to help each child achieve his/her highest potential, to provide opportunities for self-discovery, and to prepare students for the challenges of a rapidly changing world.

***Mission Statement.*** The mission of Long Valley Charter School is to equip rural students with the educational skills necessary in the 21st century – the ability to read, write, speak, and calculate with clarity and precision, and the ability to participate intelligently and responsibly in a global society. Long Valley Charter School offers alternative choices through site-based learning, independent study and distance learning, to enable students to acquire the knowledge necessary to make a difference in their lives. Long Valley Charter School provides a diverse, student-centered environment in which all students are held to high academic and behavioral standards. Students work in collaborative relationships, both within and outside the Charter School, and perform service to the community.

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

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

***Students to be Served.*** Long Valley Charter School admission is open to any resident of California, grade levels K-8 for site-based study and any resident of Lassen County or the contiguous adjacent counties (Plumas, Sierra, Shasta and Modoc), grade levels K-12 for Independent Study. The Charter School began with its site-based program serving grades K-6, then evolved to include serving grades 7 and 8. Current enrollment at Long Valley Charter School for the Site-based program as of the conclusion of the Fall 2011 semester is 407-97 students, and for the independent study program is 165-375 students. Long Valley Charter School plans to expand its enrollment over its charter terms as follows:

<u>School Year</u>	<u>Weekly AverageMaximum Enrollment<sup>2</sup></u>
<u>2011-12</u>	<u>525</u>
<u>2012-13</u>	<u>550</u>
<u>2013-14</u>	<u>575</u>
<u>2014-15</u>	<u>600</u>

<sup>2</sup> Maximum enrollment on any given school day.

Long Valley Charter School operates in compliance with Education Code Section 47610(c), which requires the Charter School to comply with the minimum age for public school attendance and Education Code Section 47612 and Title 5 California Code of Regulations Section 11960 which establishes the maximum age for public school attendance. ~~We will seek to reflect the general population group in the areas we serve.~~

### **Overall Program Goals.**

*The 21<sup>st</sup> Century Student.* The Charter School believes that an educated person in the 21st century is someone who is a self-motivated, competent, and a lifelong learner. The learner has achieved the California State Standards in all core academics and is able to read, write, speak, and problem solve with clarity and precision. The learner is able to use digital technology and communication tools to access, manage, integrate, and evaluate information; to construct new knowledge; and to communicate effectively. The learner is able to think critically as well as to challenge and to question. Such a person understands the interrelationship of history, science, literature, and the arts. The student also has a thorough understanding of our national heritage. The learner has determined goals and direction for the future, while celebrating his or her strengths. It is the goal of this Charter to help instill in students a desire to use their acquired knowledge and skills to benefit their local community as well as the world in which they live. The Charter School will seek to develop in each student the following academic and personal skills: Curiosity, lifelong learning, clear oral and written communication, creative and critical thinking, logical thinking and the ability to make informed judgments, effective use of technology as a tool, adaptability to new situations and new information, problem solving and analytical skills, the ability to find, select, evaluate, organize, and use information from various sources, the ability to utilize small group work and learning centers, the ability to make easy and flexible connections among various disciplines of thought and learning methods, respecting others' individuality and creativity, as well as one's own, while seeking to work within teams to create common solutions.

As a by-product of developing these academic and personal skills, the Charter School believes that these skills develop the following personal habits and attitudes: Accepting responsibility for personal decisions and actions, academic honesty and the ability to face challenges with courage and integrity, a healthy lifestyle, empathy and courtesy for others and respect for differences among people and cultures, self-confidence and willingness to risk setbacks in order to learn, concentration and perseverance, self-motivation and competence, managing time in a responsible manner, seeking a fair share of workload, working cooperatively with others that includes the ability to listen, share opinions, negotiate, compromise, and help a group reach consensus.

*Student Goal Plan.* All students deserve the opportunity to develop interests, uncover hidden talents, experience satisfaction and accomplishments. Activity Based Assessments, Multiple Intelligence Assements, and True Colors Workshops are tools that may be used to help students discover more about themselves and their peers. Each student enrolled in the Charter School has an opportunity to develop a Student Goal Plan (SGP). This is an individually defined program created by the teacher, the parent and student, to set achievement goals for academic progress. The SGP is closely tied to measurable student outcomes and assessment procedures, and is periodically reviewed by the student, teacher, and parents. Students and parents receive

assessment reports throughout the year, which indicate the students' progress toward the goals outlined in their SGP. Students also receive report cards appropriate for their grade level. Students in the grades K-3 site-based program receive Standards Based Report Cards. Students in the grades 4-8 site-based program receive report cards with traditional letter grades and the report card system is evolving to the Standards Based Report Cards. Independent study students receive grade appropriate report cards with traditional marks.

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

**Community Service Goals.** Long Valley Charter School site based and Independent Study students have the opportunity to design and implement community service projects annually under the guidance of school staff and volunteers. This level of involvement with the community better prepares students for their roles as global citizens.

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

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

The personal qualities we will help students develop are:

- ~~Cooperation, responsibility, confidence and productivity~~
- ~~Concentration and perseverance~~
- ~~Curious and inquisitive minds~~
- ~~Honesty and courage (Trustworthiness)~~
- ~~Respect and empathy for others and their views~~
- ~~The ability to negotiate, compromise, and assist in finding group consensus (Fairness)~~

- ~~The ability to appreciate, respect, and enjoy the visual and performing arts.~~

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

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

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

### ***Teaching Methodology: How Learning Best Occurs.***

The Charter School believes learning best occurs when a variety of modes and methods of instruction are implemented, so all students will be held to high academic and behavioral standards. Long Valley Charter School considers itself a collaborative sanctuary where the efforts made by parents, teachers, administrators, and the community will help achieve the goal of making life-long learners out of all of our students.

Curricular materials for K-8 are chosen from the State adopted list and 9-12 materials are aligned to State standards. Each curriculum-curricular area is evaluated by a team of teachers and modified to meet the needs of the students on an adopted cycle. Current core programs include:

- Reading
  - Houghton Mifflin Literature (K-6)
  - Prentice Hall Literature (7-812)
  - AGS Literature (9-12)
  - Accelerated Reader (Renaissance Learning) (1-812)
  - Glencoe Reader's Choice (9-12)
  - Read Naturally
  - Teacher Developed Units
- Language Arts
  - Houghton Mifflin Language (K-68)
  - Prentice Hall Language (7-812)

- Developmental Morphology (K)
  - Step Up to Writing (2-8)
  - Vocabulary and Literacy Skills (Renaissance Learning) (1-~~8~~12)
  - The WRITE Institute
  - Teacher Developed Units
- Mathematics
    - EnVision Math (Scott-Foresman) (K-6)
    - Progress in Math (Sadler-Oxford) (K-6)
    - McDougall Littell (7-8)
    - Prentice Hall (7-12)
    - AGS (9-12)
    - Holt (8-12)
    - Math Facts in a Flash (Renaissance Learning) (1-8)
    - Accelerated Math (Renaissance Learning) (1-8)
    - Teacher Developed Units
    - Touch Math
- Science
    - Houghton Mifflin (K-6)
    - Glencoe (7-~~8~~12)
    - Holt (9-12)
    - AGS (9-12)
    - Teacher Developed Units
    - Accelerated Reader literature selections
- Social Sciences
    - Houghton Mifflin (K-8)
    - Glencoe (9-12)
    - History Alive (7-8)
    - AGS (9-12)
    - Globe Feron 9-12)
    - Whispers of the First Californians
    - Whispers of the Mission Trails
    - Accelerated Reader literature selections
    - Teacher Developed Units

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

### **Site Based Educational Objectives Program**

The Doyle location offers a K-8 classroom based program with small class sizes and personalized attention. Our purpose is to create a place where learning is viewed as a life longlifelong quest, where program objectives evolve with the needs of the students. We strive to:

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

We are committed to best teaching practices that have been developed from a strong research base. Teachers deliver standards-based instruction and set high expectations for themselves and their students. We understand that using a variety of instructional models will yield best results. Teachers and support staff employ direct instruction, whole group modeling and demonstration, small group instruction, and individual conferencing in order to provide education that meets the needs of all learners. Students also learn through the use of concrete examples, manipulatives, and multi-sensory activities to develop conceptual understanding. An integrated curriculum based on state standards provides opportunities for teachers and students to address depth and complexity across disciplines and sets the stage for understanding, analyzing, applying, evaluating, and synthesizing new information. This enables students to demonstrate knowledge and skills on pencil and paper tasks or by way of performance-based assessments. A growing body of research has shown that student collaboration has a powerful effect on academic learning as well as on social development and the acquisition of academic language.

The classroom climate at Long Valley Charter School emphasizes cooperation and collaboration, fostering a dynamic environment that values the constructive nature of learning. Students learn from one another, their teachers, and other adults. Ongoing flexible grouping and regrouping within and between classrooms accommodates diverse learning needs and behaviors.

Teachers provide differentiated instruction tailored to the individual needs of each student to ensure success for all students regardless of their learning style, English language proficiency, or socio-economic background. Teachers begin with the state standards then use a variety of instructional methodologies to best fit the needs of their class and individual students. Through the use of pre-assessments, teachers determine where students are in relation to expected outcomes and then create multiple pathways for students to successfully reach interim steps on the way to proficiency. Student progress toward standards may be monitored through observation and formative assessments.

The Doyle site has a focus on character education; every Monday students are celebrated and acknowledged at the “Caught Being Good” assembly. Tradition is important to the entire constituency; annual events such as holiday programs, festivals, science fair, and Spring Sing witness great attendance and participation. The school serves as a center for the community.

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

- ~~● Providing support for family-based instruction~~
- ~~● Lesson planning and consultation~~
- ~~● Sharing Long Valley Charter School resources after school hours~~
- ~~● Sharing Community Outreach programs and assemblies~~
- ~~● Participation in extracurricular activities at Long Valley Charter School~~

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

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

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

~~**Independent Study Program.** Long Valley Charter School utilizes the Personalized Learning method for Independent Study. This approach supports individual development, through choice~~

of curriculum aligned with state standards, engaging parents along with students in learning and goal setting, and provides classroom instruction at our learning centers, within the community, and through distance learning. The key to success in personalized learning is the guidance of an assigned certificated Teacher who guides students and parents through the individualized curriculum and learning modes, and provides direct instruction classes and tutoring at our resource centers. Our approach encourages students to be highly involved in the educational process, thereby becoming self-motivated, competent, lifelong learners.

At enrollment, our personalized learning/independent study approach begins with a careful analysis of the student's individual needs; based on STAR test data, school administered EdPerformance Scantron testing in Language Arts and Math, which reflects the student's progress to date, the student's learning modality, and strengths and weaknesses. Beginning with the very first meeting, we engage students, along with parents, in learning and goal setting. The Charter School teachers are trained to guide students into the correct courses for them, leading toward a high school diploma. Students who are performing at or above grade level standards are challenged to expand their learning opportunities and to pace themselves to achieve maximum success. Students who are academically low achieving are required to meet more frequently and receive direct instruction with the teacher or tutor. Both of these programs will be more fully explained in separate sections of this charter. The team of student, parent, and teacher continue to interact a minimum of once every 10 school days, determining the student's goals for each learning period, as well as how that will fit into his or her overall goals.

**Independent Study Implementation.** Interested parents or students will contact the school. An interview is scheduled to ensure that the parents and students understand the model and requirements of our program. An enrollment packet is completed which includes the mandatory immunization information, request for the cumulative file, etc. A teacher is designated to be the supervising teacher that student. A team is formed with the teacher, the parent and the student. During the initial meeting between all team members a discussion, using current standards-based assessments, and grades, of each core area helps identify the student's academic progress to date and any particular learning modalities and passions that the student has. Upon enrollment, parents, students and teachers enter into a semester Master Agreement which guides instruction throughout the semester. This Master Agreement specifies the courses to be completed as well as other mandatory requirements. At the elementary level, all students must complete a full standards-based language arts, math, science, social studies, and physical education course in addition to electives including music, art, etc. High school students must enroll in courses which will lead to the high school diploma as outlined in our high school graduation requirements.

Following enrollment, the parent/student/teacher team meets regularly to make assignments, evaluate progress, and utilize assessments to inform ongoing instruction. Proficiency in each learning area is monitored and recorded during the minimum of once every 10 school days learning meeting. The teacher records assignment completion and assures compliance with the Board's policies for Independent Study. If the student does not meet the work requirement, a missing assignment report is issued, mandatory weekly meetings are scheduled, and the parent/student/teacher team will begin a process to evaluate whether independent study is an appropriate placement for the student.

Parental involvement is critical as students/parents may choose to do all or a portion of their studies at home or at the resource centers. Parents are mentored by the teacher at each meeting. If the student is not performing successfully exclusively as an independent study student, the team works together to choose from the other options that include more direct instruction. Parents or guardians who enroll their children in this charter agree to be responsible in the participation and daily monitoring of their children's education. The parents serve as co-educators in their children's learning program and will also have the opportunity to play an active role in the governance and policy development of the school. Parents/Students may also choose to attend the resource centers for a large variety of core and enrichment classes. Classes will be formed based upon satisfying the school's standards of meeting student interest and need, and will be based upon age level, skill level, and other appropriate determining measures. Currently, the resource centers offer classes in language arts, math, social studies, science, and numerous electives. The Charter School standards include keeping class sizes to no more than 15 students wherever possible, so that qualified teachers may offer personalized learning services to students within the classroom. We create small communities in our resource centers where experimentation and creativity will flourish and children are known. Students who have difficulty adapting to traditional school settings will find the individualized nature of the personalized learning educational approach especially supportive of their unique needs and interests.

Attached, as Appendix A, please find a sample set of classes from our resource centers.

### ***Connecting the Site-Based and Non-Site Based Program***

Despite the geographic distances between the Long Valley Charter School locations, the school community is well connected. The school site and each resource center has Internet access, a computer lab, a large screen display and high definition camera. We use an Internet based video teleconferencing program for many face to face opportunities including:

- **Delivering staff development topics**
- **Sharing student courses**
- **Advisory Council meetings**
- **Tutoring by Highly Qualified Teachers**
- **Increasing public participation in monthly Doyle-based Board meetings**
- **Weekly Leadership Team Meetings (Director & Asst. Directors)**
- **WASC Team Meetings**

Since LVCS is based in Lassen County, it is welcomed to participate in county-wide activities. All resource centers are invited to take part in events such as the Literature Jamboree, Art Contest, and Science Fair. Field trips may be initiated by any location and are communicated to the others, creating opportunities and collaborations between varying groups of students and educators.

**\*Staff Enrichment Program.** Each member of the teaching staff at Long Valley Charter School provides and participates in the staff enrichment program. Each teacher chooses projects that mutually benefit the Charter School staff. These projects may be an innovative teaching method,

~~program or concept. Upon approval of the project by the Advisory Council, the Enrichment Teacher receives training, which they share with the rest of the staff through in service. The Enrichment Teacher is responsible for providing staff support for this project throughout the year. The purpose of the Staff Enrichment Program is to improve the quality of education, build a cooperative, cohesive staff, promote shared responsibilities, and facilitate open communication among our educators.~~

**High School Program** Long Valley Charter School is accredited by the Western Association of Schools and Colleges through June 2012 with renewal currently in process. Courses for a-g approval will be submitted in anticipation of approval for the 2012-2013 school year. Until such time as approval is received, students are clearly notified during the enrollment process that courses do not meet the requirements for entry to UC/CSU programs.

The Charter School's graduation requirements and high school course of study are aligned with state and college admission requirements. Students entering the high school program through our own K-12 program, as well as students, who transfer from other high schools, meet with their assigned teacher to establish a high school graduation plan. High school students are assigned to a highly qualified teacher in each of the core subjects. A discussion of the impact of previous/future student coursework occurs during the enrollment meeting as well as ongoing teacher, parent and student meetings. Issues discussed include (1) how this new student's coursework from her/his previous school fits into the Charter School's graduation requirements, (2) how, therefore, to create and implement a personalized learning plan based on that previously completed coursework, and (3) how to best plan that particular student's coursework to fit into their personal goals (college, career), meet California's standards for high school graduation, and meet the Charter School's graduation requirements. Also a factor in the teacher/parent/student planning process is to fit that particular student's plan into their more immediate goals, which may include transfer back into their local, comprehensive high school. A transcript of all student work is maintained by the registrar and will be given to any school making a student cumulative file request. The coursework of prior schools will be indicated as well as the units earned through our program. We also inform our parents and students of the options available and the impact of those options.

Our high school learners, in consultation with their assigned supervising teacher and parent, may choose any combination of the following instructional options:

- Online courses such as Rosetta Stone language, Odysseyware courses, Apex advanced placement courses
- Resource center core classes with highly qualified teachers
- Elective classes at the resource centers or community based
- Textbook driven or project based independent studies
- Tutoring with highly qualified core subject teachers

Long Valley Charter School believes the best way to prepare students for life after high school is to ensure they graduate with a strong foundation in the core academic areas that will leave all doors open in the future. While continuing to improve upon the level of rigor of core subjects, we are additionally developing a career technical education (CTE) program. To begin,

we have offered electives of interest to students that include: Fashion Design, Design & Technology, Video Game Design, Hospitality Services, and Business Communications. We anticipate creating more focused “academies” that meld CTE and academic coursework by the 2013-2014 school year.

Based on increased research overwhelming supporting the benefits of earning a college degree, there is an emphasis placed on encouraging students to pursue a path leading to college. Upon entry to our program at any grade level, the supervising teacher begins the discussion of working hard, building skills, and attending college. Many of our students will become first generation college students and including parents in the discussion creates a powerful alliance toward that goal. Our rural environment offers several community college programs, making enrollment in a 2 year program realistic both geographically and financially. Students are encouraged to explore their interests, college programs, prepare for college tests, and take PSATs and SATs. Students also participate annually in college open houses, college-sponsored career day programs, and cash for college counseling nights. Students have the opportunity to earn college credit prior to graduation through concurrent enrollment in online or campus-based community college courses. We currently have students attending Feather River College, Lassen College, Shasta College and Sierra College. Long Valley Charter School administrators have built relationships with the admissions and counseling departments at the institutions in each county to assure smooth entry for our students and compliance with the colleges’ policies and procedures.

Graduates from the Charter School will be equipped with strong academic skills and highly developed computer and network/research skills that will enable them to qualify for jobs in an economy that is increasingly technology-centered. This charter intends to seek out relationships with corporations, foundations and organizations that can facilitate the highest quality educational opportunities for the enhancement of both the academic program and personal growth through apprenticeships and community service in business and professional environments prior to graduation.

***Transferability and Eligibility of Courses.*** Each semester as high school students enroll in the Independent Study program, their supervising teacher meets with the student and parent to inform them about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Parents are informed that the Charter School is accredited by the Western Association of Schools and Colleges and is in the process, but does not currently have a-g accreditation<sup>3</sup>. When an independent study program high school student and his or her parents have the first meeting with their Education Facilitator, they are informed of the California high school graduation requirements and the courses required by the California State University system. Students are enrolled in the courses required for their individual goals that meet California high school graduation requirements. ~~Parents and students are informed that some high schools may not consider all courses transferable and that the Charter School is accredited with the Western Association of Schools and Colleges. The California State University system has accepted courses creditable under the “A” to “G” admissions criteria to meet college entrance requirements.~~

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<sup>3</sup> When a-g accreditation is achieved, parents and students will be informed of such accreditation at the beginning of each semester.

## **Serving Academically Low-Achieving Students**

All teachers are trained to give attention to students with learning challenges. These students may be identified initially through STAR test results. In addition, we administer our EdPerformance Scantron standardized testing (completed three times each year.) Low achieving students are also identified through regular interactions with their teacher, or through a conversation with the parent. The student's progress toward the goals and objectives are monitored and documented by the teacher. Some strategies include using universal access supplements and online computer based skill builders. If the student is successful with these interventions, the process is continued at that level. If the student's needs cannot be met through this process, a formal referral for an SST is made. Through the SST process, goals and objectives are further defined and monitored. Regular follow-up meetings are determined. If the student is not showing improvement, the SST will be revised as needed to address the deficiencies and a referral for assessment for consideration of eligibility under either the IDEA or Section 504 may special services isbe made.

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

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

Specific to independent study, the personalized learning approach is inherently well suited for addressing the needs of students who are academically low achieving. Because an individualized plan is developed from the time of enrollment for all students, students who are assessed as academically low achieving are identified immediately. Appropriate curriculum is selected which is designed to meet the needs of these students in specific areas, and weekly tutoring or classroom instruction is required when students have scored below basic in any core subject area.

## **Serving Academically High-Achieving Students**

~~Advanced~~Academically talented students at Long Valley Charter School are challenged and enriched in their regular classrooms at the site based program. Specific techniques utilized include providing an in-depth experience with each level of learning; exploring enrichment topics; and compacting the curriculum. Personalized learning through independent study provides an opportunity for high achieving students to develop a customized plan in each subject~~Independent Study~~ High school students capable of college level work, may enroll at their local community college Limited concurrent enrollment for high school students is permissible in

some programs allowing students to earn credits prior to high school graduation. in Barstow Community College on line course work beginning in grade 9 based on STAR scores, report cards, and teacher observation or on campus at Lassen Community College to take course work for high school credit and if their parents choose to pay the tuition, students may earn their AA by the time they graduate from high school. We also offer several visual and performing arts options such as music, dance, and art for our students through private vendors. For gifted student in the areas of visual and performing arts, we offer courses in art, music and dance taught by highly qualified staff or community experts.

## **Serving English Learners**

### **Overview**

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

The goals developed for English Learners correlate with existing Long Valley Charter School Board adopted goals for all students. A successful program for English learners is organized to provide equal access to the thinking, meaning centered core curriculum for all students. A relevant curriculum not only addresses the development of English communication, but also higher level thinking skills and academic proficiency. Relevance is achieved by focusing on key concepts from the core curriculum which are delivered through a variety of meaningfully connected experiences for students. At Long Valley Charter School the major goal for English Learners is to develop English fluency as rapidly as possible in an established English language program through structured English immersion or an alternate course of study with curriculum designed for such students.

### **Home Language Survey**

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

### **CELDT Testing**

All students who indicate that their home language is other than English will be CELDT tested within thirty days of initial enrollment<sup>4</sup> and at least annually thereafter between July 1 and October 31<sup>st</sup> until re-designated as fluent English proficient.

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

### **Reclassification Procedures**

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

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

### **Strategies for English Learner Instruction and Intervention**

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

#### Teacher Certification

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

All LVCS teachers are required to have a CLAD certification or California Commission on Teacher Credentialing (“CTC”) recognized equivalent certification. If any teacher employed during 2011-2012 school year does not currently hold this certification, such certification will be a condition of employment for the 2012-2013 school year. EL students are only assigned and/or instructed by teachers holding the legally appropriate certification.

### ELD Curriculum

Most of the curriculum used by LVCS contains imbedded and/or supplementary ELD materials. In addition, EL students have access to materials specifically for English as a second language. The personalized approach easily allows teachers to use curriculum that addresses appropriate grade level content at the student’s instructional level. Where ever possible, EL students use the same materials as their grade level peers. Publisher materials for EL students are used as appropriate. EL students are encouraged to develop their language arts skills in their primary languages also. Fluency in both English and a second, although primary, language enhances the students’ abilities to pursue college and career opportunities.

Long Valley Charter School provides all English Learners (EL) with a base program comparable to that of their native English speaking peers. The base program is defined as services and materials received by English only speaking students which are paid by the school’s general funds. Funding from Economic Impact Aide (EIA), Title I, or other supplemental money adheres to federal regulations and is used to provide qualified services over and above the school’s base program. Primary language materials are purchased when appropriate. The school site and Independent Study programs supplement their library collections and classroom materials with multi-cultural literature and resources that reflect the heritage of ELs. All EL students have access to core curriculum materials and instructional supplies, School general funds are used to purchase the Houghton-Mifflin series for English-Language Arts. Currently, the online edition of Rosetta Stone is available as a supplementary material for ELD in addition to the Houghton-Mifflin Leveled Readers Language Support textbooks.

### Instructional Strategies

Long Valley Charter School has established the following researchers and /or research studies as providing theoretical base for its specialized program serving the diverse language minority enrollment in the school:

### Theoretical Base

- We best develop language through natural acquisition rather than being taught the discreet rules and structures.
- There is a natural order to the way one acquires a language. Although this order may appear to be grammatical, language development programs should not be grammar based in nature.
- There is a learning device within all of us which naturally monitors the correctness of our grammar and structure.

- The effective acquisition of language comes only after clearly comprehending messages containing natural language.
- Effective acquisition of a language is highly correlated with low anxiety environments where students are highly motivated and self confident.

(Terrell, Tracy. 1981 The Natural Approach to Bilingual Education)

#### Major Principals:

- Speech is not taught directly, but rather, is acquired by means of “comprehensible input” in low-anxiety environments.
- Speech emerges in natural stages. First, one goes through a listening stage. Second, one begins to produce single words to single phrase responses to what exists in the environment. Next, one produces phrases and sentences to give meaning to what exists in the environment. Finally, one is able to produce complex phrases and sentences set in different places in time.

(Cummins, James R. 1981. The Role of Primary Language Development in Promoting Education)

English Learners are placed in an English Language Mainstream Class utilizing Specially Designed Academic Instruction in English (SDAIE) strategies when enrolling at the Long Valley Charter School site-based program. Some of those strategies include: relia, visuals, graphic organizers, use of total physical response and encouragement of oral language. Instruction in this environment is provided overwhelmingly in English; however, primary language support may be provided as necessary and/or as available by either the classroom teacher or by a bilingual instructional assistant. English learners enrolled in the Long Valley Charter School Independent Study Program are assessed in the same manner as EL students enrolled at the site based program. ELD and SDAIE instruction is provided by the supervising teacher in collaboration with the student’s support system. The instruction is provided on a one to one basis or in a small group setting in the Long Valley Charter School Resource Center closest to the student’s home. Program components and materials are the same as those used at the site based program.

#### Program Evaluation

Long Valley Charter School has developed a process for determining the effectiveness of its program for English Learners. Assessment procedures used to determine the progress of ELs include: annual English Language assessments, STAR test data collection and analysis, and school adopted criteria for content standards and grade level expectations. English language proficiency scores are analyzed annually by the teachers to determine whether or not each student has met the annual benchmark goal during the academic year. STAR achievement results of ELs are also analyzed on a yearly basis to monitor growth in academic areas. Based on the data, EL students who have met the school-established criteria are re-designated as Fluent English Proficient(R-FEP). All EL students are evaluated by school-adopted criteria to monitor

progress and growth at each stage of language acquisition. Every year, the school reviews its school plan, evaluates each component, makes modifications and adjustments, and develops new approaches to ensure overall program effectiveness and high academic standards for all students.

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## **Serving Students with Disabilities**

### Overview

The Charter School shall comply with all applicable state and federal laws in serving students with disabilities, including, but not limited to, Section 504 of the Rehabilitation Act (“Section 504”), the Americans with Disabilities Act (“ADA”) and the Individuals with Disabilities in Education Improvement Act (“IDEIA”). Long Valley Charter School shall not discriminate against any student with a disability.

The Charter School is an LEA member of the Lassen County SELPA (“SELPA”) in accordance with Education Code Section 47641(a) and thus shall be solely responsible for its compliance with all state and federal laws related to the provision of special education instruction and related services and all SELPA policies and procedures; and shall utilize appropriate SELPA forms.

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

### Services for Students under the “IDEIA”

Long Valley Charter School adheres to the provisions of the IDEIA and state special education laws and regulations to assure that all its students with disabilities are offered a free, appropriate public education (“FAPE”). These provisions and laws provide a structure and framework that compliments the personalized learning approach that Long Valley Charter School uses for each student. Long Valley Charter School encourages team collaboration within the general education program and with the special education program when appropriate.

Long Valley Charter School adheres to all applicable State and Federal law and SELPA policies and procedures regarding special education, including but not limited to identification, assessment, IEP development, and IEP implementation. Long Valley Charter School collaborates with the SELPA as an active participant in the SELPA meetings, including the newly formed SELPA Charter Group. Long Valley Charter School uses SELPA forms. The LVCS administration and staff work with the SELPA administration and staff to develop, maintain, and review assessments and IEPs in the format required by the SELPA, including assessment and inputting IEP data into the SELPA data system in accordance with SELPA policies and procedures. The SELPA maintains all of the LVCS Special Education records, including student assessments and IEP’s. Long Valley Charter School maintains copies of assessments and IEP materials for review by the SELPA. Long Valley Charter School submits to the SELPA and the Authorizer all required reports, in a timely manner as necessary to comply with state and federal laws. The IEP team develops Individual Transition Plans to help a student with disabilities, age

14 and older, in transitioning to adult living. LVCS supports the SELPA and the students in developing Workability opportunities and in completing the Department of Rehabilitation application process. Each IEP team is comprised of all legally required members, including the LVCS administrator or appropriate designee, the general education teacher of record, the special education teacher/case manager, a SELPA administrator/designee, the student, and the parent or guardian. In addition to the core IEP team, other people may be invited or required to attend depending on the purpose of the meeting. These others might include the psychologist, the nurse, speech and language specialist, therapists, mental health or Far Northern case managers, or parent or student invited individuals.

The Lassen County SELPA receives all SPED revenues and is responsible for the management of the special education budgets, personnel, programs, and services of the SELPA member schools. Long Valley Charter School The SELPA ensures that its special education personnel are appropriately credentialed or licensed as consistent with applicable California and Federal laws and regulations. The Long Valley Charter School Administration meets with the SELPA administration at general meetings and by appointment in order to remain informed, and therefore plan for, any encroachments and changes in the LVCS fiscal responsibilities. These meetings also address concerns, changes and needs regarding special education student services, staffing, facilities, and materials or equipment.

As with all populations of students at the Charter School, the unique instructional needs of special education students are identified early and accurately, ensuring that the Charter School complies with all child-find requirements under applicable state and federal law and SELPA policy. All students are assessed in math, reading and language arts upon enrollment in LVCS. Curriculum and instruction is personalized for the student's instructional level and academic goals and grade level. In all cases, LVCS delivers grade level core content material differentiated for the student's instructional level, whether that level is above or below the grade level California State Standards expectations. Independent Study students qualifying for special education meet, at least, once every 5 school days with the supervising general education teacher of record as well as elective classes and tutoring and receiving special education services, accommodations, and/or modifications as required by the IEP.. The site based students receive differentiated instruction in the classroom setting with Title I support as appropriate along with special education services, accommodations, and /or modifications as required by the IEP . In both the site based and the independent study programs students are assessed through observation, evaluation of daily work, publisher tests, and core subject assessments on a regular basis. This enables teachers and other staff to quickly identify and provide intervention for any problem areas, whether academic, social or behavioral. The referral process includes Student Study Team meetings to review prior interventions, accommodations, and modifications, and to recommend further interventions as appropriate. The Charter School identifies and refers students who demonstrate early signs of academic, social, or behavioral difficulty that may require assessment for special education eligibility and placement in a special education program.

The Charter School SELPA ensures that it provides for assessment and reassessment of special education students as required by applicable State and Federal law. Special education students have individualized education plans ("IEP") developed by a legally constituted IEP team which

are implemented by highly qualified general education and special education teachers and Special Education Specialists as required by each student's IEP. SELPA and LVCS staff collaborates during the assessment process to ensure appropriate and complete assessments as dictated by the required assessment process and as needed by the student.

Long Valley Charter partners with the SELPA to ensure that all IEPs are maintained, implemented and goals pursued based on individual needs of and strengths as required by each student's IEP. The IEP of each student is designed to focus on obtaining powerful, positive results through collaborative partnerships that involve the student, the student's parents, teachers, special education personnel, Charter School. The IEP is formulated to challenge and support special needs students to pursue academic and personal goals and to meet or exceed the Ca State and LVCS requirements for a high school diploma, including passing the CAHSEE. in ways that allow the student with disabilities to meet or exceed the Charter School's high standards for academic excellence. The Charter School ensures that the teachers and other persons who provide services to a student with disabilities are knowledgeable of the content of the student's IEP, including substitute teachers as necessary.

In both the site based program and the independent study program, students with disabilities, to the greatest extent possible, and in accordance with their IEPs and applicable law, are integrated into the Charter School's least restrictive educational environment that spans a home-school-community continuum of educational experiences, and includes the full range of academic, non-academic, and extracurricular activities with non-disabled peers. Differentiation strategies along with the use of accommodations/modifications as stated in the IEP will be implemented. At the site students receive SPED services within the classroom setting and on a pull-out basis. In the independent study program students receive SPED services in the resource centers via small group or individualized instruction.

The Charter School has based its special education program on research and best practice, and its assigned Assistant Director coordinates and monitors the Charter School's policies, procedures and programs accordingly. The Charter School acts as an advocate for each student who requires special services and assistance to participate fully in the Charter School's Educational Program.

Long Valley Charter School ensures that student discipline and procedures for suspension and expulsion of students with disabilities are in compliance with state and federal law, as further described below under "Suspension and Expulsion Policies."

The SELPA, in consultation with Long Valley Charter School, will respond to any parent/guardian complaint regarding its compliance with the IDEIA in accordance with the applicable law and SELPA policy and procedure. The LVCS will work together with the SELPA in the case of any due process hearings, whether initiated by the SELPA on behalf of a student enrolled in LVCS or initiated by the parents or guardians of a student at LVCS.

### ***Overview***

~~The Long Valley Charter School shall comply with all applicable state and federal laws in serving students with disabilities, including, but not limited to, Section 504 of the Rehabilitation~~

~~Act (“Section 504”), the Americans with Disabilities Act (“ADA”) and the Individuals with Disabilities in Education Improvement Act (“IDEIA”).~~

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

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

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

### ***Section 504 of the Rehabilitation Act***

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

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

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

student's aptitude or achievement level, or whatever factor the test purports to measure, rather than reflecting the student's impaired sensory, manual or speaking skills.

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

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

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

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

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

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

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

## Professional Development

Long Valley Charter School understands the importance of continual teacher training and professional development. Research clearly indicates that the expertise and qualifications of teachers is the single most important determinate of student achievement. As a collaborative learning sanctuary, we are a culture where teachers open doors and share their learning. We are implementing a three-tiered professional development approach that is focused on supporting teachers as they strive to ensure academic excellence for every student, living our Mission and Vision.

The first tier focuses on whole group professional development starting with our Mission, Vision, Core Beliefs, and Priority Actions that will guide us for the next five years. Professional development will be built around these three Priority Actions:

- Differentiate instruction and assessment
- Strengthen and create programs to meet the needs of our students
- Increase use of technology and teaching of technology to support curriculum

A central topic for tier one professional development will be the implementation of Classroom Assessment for Learning, (Rick Stiggins, et al.) in order to differentiate instruction and assessment. Our goal during the next five years is to fully implement the strategies of engaging students in their own learning process. The intended outcome is to “motivate the unmotivated, restore the desire to learn, and encourage students to keep learning” (Stiggins, 2006).

The key dimensions of the program are:

- Assessments are designed to serve the specific information needs of the intended users
- Clear and articulated achievement targets
- Accurately reflect student achievement
- Yield results that are effectively communicated to the intended user
- Involve students in classroom assessment, record keeping, and communication

This level of professional development determines how Long Valley Charter School will invest time, energy, and resources. Examples of this include but are not limited to faculty participation in workshops, contracting outside consultants to facilitate our work, or purchasing professional publications or other materials. Tier one professional development creates the umbrella under which tiers two and three are carried out.

The second tier of professional development involves teachers working in a variety of collaborative groups. Teachers will continue to collaborate within and across grade levels. They will meet regularly in grade levels to discuss student data, curriculum, and teaching practices. Grade level collaboration may include analysis of performance-based assessments or standardized test data for all groups of students, including those identified as ELL, low-performing, or high-achieving, or it may be centered on how specific students respond to intervention. This tier of professional development gives teachers the opportunity to discuss and refine their implementation of tier one professional 3 development based on the age and

development of their students. In this way, we *strengthen and create programs to meet the needs of our students.*

The third tier of professional development is based on a coaching model. Coaching may occur between peers or between a teacher and an administrator. At this level, teachers have the opportunity to reflect on their practice and choose professional areas of growth or interest. Teachers meet with peers or administrators to discuss student data and its implications for classroom instruction. These ongoing conversations support teachers as learners, refine our use of best practices, and increase student achievement.

A common thread throughout all levels of professional development is an *increase in the use of technology and teaching of technology to support curriculum.* Long Valley Charter School has developed a technology plan that will be an integral part of our work for the next five years. Our professional development Priority Actions are based on a thorough needs analysis and include clear, specific, realistic goals, and measurable objectives that will provide our teachers and administrators with sustained, ongoing professional development necessary to implement the ideals of the charter.

Attached as Appendix B, please find the professional development calendar for the 2011-2012 school year.

## II. Measurable Student Outcomes

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

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

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

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

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

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

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

- An appreciation of visual and performing arts

It is the Charter School's goal that LVCS will meet or exceed its Academic Performance Index ("API") growth targets both school wide and in reportable subgroups. In order to best serve our students and community, Long Valley Charter School will continue to examine and refine its list of student outcomes over time to reflect the Charter School's mission and any changes to state or local standards that support this mission. Long Valley Charter School will submit to the District Board a description of any changes to the above student outcomes.

The contents of the 2011-2012 Long Valley Charter Achievement Plan, attached as Appendix C are incorporated herein as material revisions of the charter. Any subsequent School achievement plan shall also be considered a fully incorporated part of this charter.

The contents of the 2011-2016 Local Educational Agency Plan, attached as Appendix D, are incorporated herein as material provisions of the charter. Any subsequent Local Educational Agency plan shall also be considered a fully incorporated part of this charter.

### III. Assessment Methods and the Use and Reporting of Data

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

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

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

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

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

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

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

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

available to the Advisory Council and the ~~sponsoring district~~ California Department of Education and State Board of Education.

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

#### IV. Governance Structure

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

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

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

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

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

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

The Board of Directors may execute any powers delegated by law to it and shall discharge any duty imposed by law upon it and may delegate to an officer or employee of the Charter School any of those powers or duties. The Board of Directors, however, retains ultimate responsibility over the performance of those powers or duties so delegated.

The Charter School shall comply with all applicable conflicts of interest laws including but not limited to the Political Reform Act, and Corporations Code, and shall comply with the Brown Act. Annual training on the Brown Act, conflicts laws, and effective governance shall be provided to all members of the Board. Proof of 2011-2012 training, along with training materials is attached as Appendix E.

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

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

The Education Director<sup>5</sup> hired by the Long Valley Charter School Board of Directors is provided with an applicable job description and a contract approved by the Charter School Board of Directors. The Education Director implements the established direction and outcomes of the Charter School program in order to achieve the Charter School's goals and objectives and to further the Charter School's philosophy. The Education Director is responsible for:

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

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

- Overseeing a contract between the Board of Directors and a back office service provider for all fiscal and HR services including but not limited to:

<sup>5</sup> It is anticipated that the title of this position will be changed by the Board of Directors to be "Director".

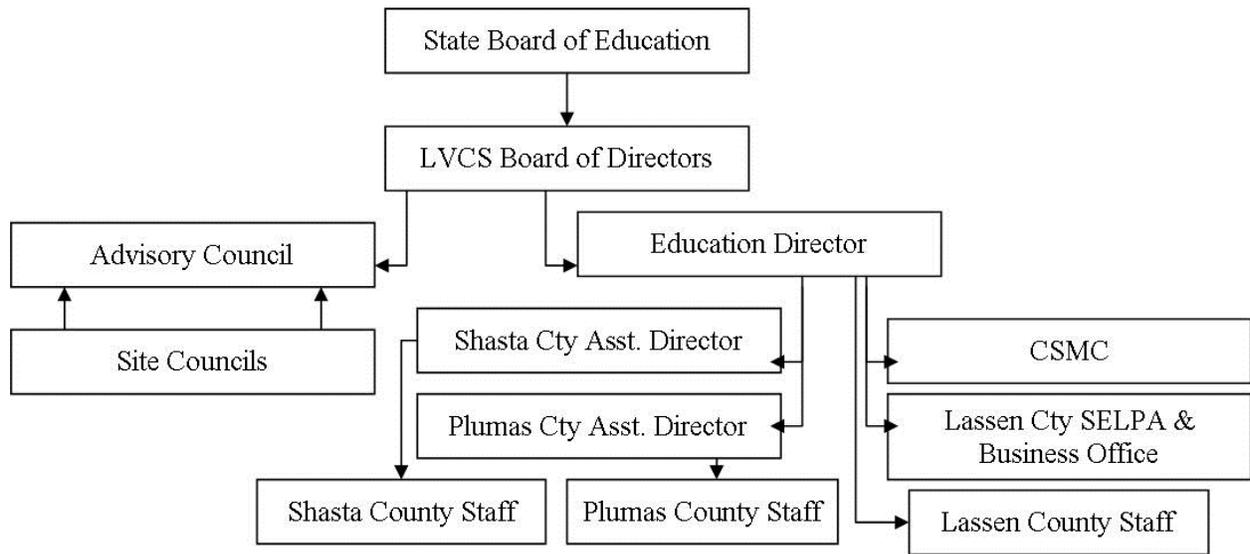
- Budget preparation and presentation to the Board of Directors
- Preparing all legally required fiscal reports and all reports requested by the SBE/CDE
- Overseeing all daily and fiscal operations of the Charter School
- Presenting an annual financial report to the ~~District Board and the~~ Charter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

Long Valley Charter School currently utilizes the Charter School Management Corporation (“CSMC”) for back office services. In future years, should the Board of Directors find that Long Valley Charter School could obtain financial and HR services in-house through its own personnel, meeting the same qualifications or better than CSMC for similar or better services at similar or better cost to the Charter School the Charter School shall consider bringing the requested services in-house.

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

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

**Figure 1: Governance Structure**



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

The Long Valley Charter School is non-sectarian in its programs, admissions policies, employment practices, and all other operations, does not charge tuition, and does not discriminate on the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics).

## V. Employee Qualifications

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

The Long Valley Charter School retains or employs teaching staff who hold appropriate California teaching certificates, permits, or other documents issued by the Commission on Teacher Credentialing in accordance with Education Code Section 47605(l). These teachers teach the core academic classes of mathematics, language arts, science, and history/social studies. Core teachers are responsible for overseeing the students' academic progress, and for monitoring grading. All teachers of English Learners will be appropriately credentialed to serve English Learners, with a CLAD, BCLAD or other equivalent CTC recognized EL certification.

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

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

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

The Education Director and two Assistant Directors must hold an Administrative Services Credential. A masters degree is preferred. All must have a minimum of three years of experience in independent study and five years of administrative experience in a public school setting. The three member administrative team of the Education Director and two Assistant Directors must have combined experience of administration of high school programs, elementary programs, and special education administration.

~~The Financial Director must hold a baccalaureate degree in business or a related field.~~

Persons employed in teaching positions must ~~hold a~~ be appropriately assigned within their valid California teaching credential and must be highly qualified in accordance with the applicable provisions of the No Child Left Behind Act.

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

## VI. Health and Safety Procedures

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

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

- A requirement that all enrolling students and staff provide records documenting immunizations to the extent required for enrollment in non-charter public schools.
- A requirement that each employee and contractor of the Charter School submit to a criminal background check and furnish a criminal record summary as required by Education Code Sections 44237 and 45125.1.
- A Policy requiring tuberculosis testing for employees.
- Policies and procedures for responding to emergencies and natural disasters.
- Policies and procedures for contacting parents or guardians in case of an emergency.
- Policies relating to the prevention of exposure to blood borne pathogens and communicable diseases.
- A policy relating to the administration of medication in school. ~~We have a procedure that but not a Board Policy.~~
- A policy requiring that instructional staff receive training in emergency response, including "first responder" training or an equivalent.
- A policy establishing that Long Valley Charter School operates as a drug, alcohol, and tobacco free workplace. ~~I cannot find this policy as a Board Policy. It is in our Employee Handbook.~~
- A policy for the prevention of sexual harassment.
- ~~A policy for detecting and reporting child abuse and neglect. In Employee Handbook.~~
- A policy for facility safety, including seismic safety.
- A policy requiring the completion of the California School Immunization Record including proof of examination for tuberculosis to determine if immunization requirements have been met, using the "California "Immunization Requirements for Grades K-12." The Charter School will participate in the annual vision, hearing, and scoliosis, and diabetes screening provided by the Lassen County Office of Education. The Charter School will adhere to Education Code Section 49450, et seq., as applicable to the grade levels served by the Charter School.
- Diabetes: The Charter School will provide an information sheet regarding type 2 diabetes to the parent or guardian of incoming 7<sup>th</sup> grade students, pursuant to Education Code Section 49452.7. The information sheet shall include, but shall not be limited to, all of the following: (1) A description of type 2 diabetes; (2) A description of the risk factors and warning signs associated with type 2 diabetes; (3) A recommendation that students displaying or possibly suffering from risk factors or warning signs associated with type 2 diabetes should be screened for type 2 diabetes; (4) A description of treatments and

prevention of methods of type 2 diabetes; and (5) A description of the different types of diabetes screening tests available.



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

## VII. Racial and Ethnic Balance

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

Long Valley Charter School does not discriminate against any student or employee on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics). Each student who attends Long Valley Charter School does so on a voluntary basis, and the program appeals to all people. The Long Valley Charter School implemented a student and employee recruitment strategy that included, but is not limited to the following elements to ensure a racial and ethnic balance that is reflective of the general population residing within the territorial jurisdiction of the District:

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

The outreach plan will be regularly reviewed and revised as necessary to ensure a racial and ethnic balance that is reflective of the general population residing within the territorial jurisdiction of the District. Although the law requires the Long Valley charter to address how it will align its population with that of the District, as Long Valley operates resource centers within its county and adjacent counties, further, efforts will be made and regularly reviewed to reflect racial and ethnic balance within each community where its resource centers are located.

## VIII. Admission Requirements

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

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

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

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

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

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

## IX. Annual Financial Audits

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

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

The Board of Directors will select an independent auditor through a request for proposal format. The auditor will have, at a minimum, a CPA and educational institution audit experience and approved by the State Controller on its published list as an educational audit provider. To the extent required under applicable federal law, the audit scope will be expanded to include items and processes specified in applicable Office of Management and Budget Circulars.

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

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

## X. Suspension or Expulsion Procedures

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

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

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

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

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

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

~~A student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 (“IDEIA”) or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 (“Section 504”) is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to general education students except when federal and state law mandates additional or different procedures. The Charter School will follow all applicable federal and state laws including but not limited to the California Education Code, when imposing any form of discipline on a student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a~~

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

### **A. Grounds for Suspension and Expulsion of Students**

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

### **B. Enumerated Offenses**

1. Discretionary Suspension Offenses. Students may be suspended for any of the following acts when it is determined the pupil:

- a) Caused, attempted to cause, or threatened to cause physical injury to another person.
- b) Willfully used force of violence upon the person of another, except self-defense.
- c) Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind.
- d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
- e) Committed or attempted to commit robbery or extortion.
- f) Caused or attempted to cause damage to school property or private property.
- g) Stole or attempted to steal school property or private property.
- h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
- i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.

- k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.
- l) Knowingly received stolen school property or private property.
- m) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- n) Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.
- o) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- q) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, "hazing" means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, "hazing" does not include athletic events or school-sanctioned events.
- r) Made terrorist threats against school officials and/or school property. For purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property, or the personal property of the person threatened or his or her immediate family.
- s) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be

considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.

- t) Caused, attempted to cause, threaten to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- u) Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading student rights by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- v) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, as defined in subdivisions (f) and (g) of Section 32261 of the Education Code, directed specifically toward a pupil or school personnel.
- w) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1).
- x) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Education Director or designee's concurrence.

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

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

3. Discretionary Expellable Offenses: Students may be expelled for any of the following acts when it is determined the pupil:

- a) Caused, attempted to cause, or threatened to cause physical injury to another person.
- b) Willfully used force of violence upon the person of another, except self-defense.
- c) Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
- d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
- e) Committed or attempted to commit robbery or extortion.
- f) Caused or attempted to cause damage to school property or private property.
- g) Stole or attempted to steal school property or private property.
- h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
- i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.
- l) Knowingly received stolen school property or private property.
- m) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- n) Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.

- o) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- q) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, "hazing" means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, "hazing" does not include athletic events or school-sanctioned events.
- r) Made terrorist threats against school officials and/or school property. For purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property, or the personal property of the person threatened or his or her immediate family.
- s) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- t) Caused, attempted to cause, threaten to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- u) Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading student rights by

creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.

- v) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, as defined in subdivisions (f) and (g) of Section 32261 of the Education Code, directed specifically toward a pupil or school personnel.
- w) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1).
- x) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Education Director or designee's concurrence.

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

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

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

The term "firearm" means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm.

The term "destructive device" means (A) any explosive, incendiary, or poison gas, including but not limited to: (i) bomb, (ii) grenade, (iii) rocket having a propellant charge of more than four ounces, (iv) missile having an explosive or incendiary charge of more than one-quarter ounce, (v) mine, or (vi) device similar to any of the devices described in the preceding clauses.

## C. Suspension Procedure

Suspensions shall be initiated according to the following procedures:

### 1. Conference

Suspension shall be preceded, if possible, by a conference conducted by the Education Director or the Education Director's designee with the student and his or her parent and, whenever practical, the teacher, supervisor or Charter School employee who referred the student to the Education Director or designee.

The conference may be omitted if the Education Director or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or Charter School personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference.

At the conference, the pupil shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given the opportunity to present his or her version and evidence in his or her defense. This conference shall be held within two school days, unless the pupil waives this right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization. No penalties may be imposed on a pupil for failure of the pupil's parent or guardian to attend a conference with Charter School officials. Reinstatement of the suspended pupil shall not be contingent upon attendance by the pupil's parent or guardian at the conference.

### 2. Notice to Parents/Guardians

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

### 3. Suspension Time Limits/Recommendation for Expulsion

Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension. Upon a recommendation of Expulsion by the Education Director or Education Director's designee, the pupil and the pupil's guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. This determination will be made by the Education Director or designee upon either of the following: 1) the pupil's presence will be disruptive to the education process; or 2) the pupil poses a threat or danger to others. Upon

either determination, the pupil's suspension will be extended pending the results of an expulsion hearing.

#### **D. Authority to Expel**

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

#### **E. Expulsion Procedures**

Students recommended for expulsion are entitled to a hearing to determine whether the student should be expelled. Unless postponed for good cause, the hearing shall be held within thirty (30) school days after the Education Director or designee determines that the Pupil has committed an expellable offense.

In the event an administrative panel hears the case, it will make a recommendation to the ES Board for a final decision whether to expel. The hearing shall be held in closed session (complying with all pupil confidentiality rules under FERPA) unless the Pupil makes a written request for a public hearing three (3) days prior to the hearing.

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least ten (10) calendar days before the date of the hearing. Upon mailing the notice, it shall be deemed served upon the pupil. The notice shall include:

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

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

The Charter School may, upon a finding of good cause, determine that the disclosure of either the identity of the witness or the testimony of that witness at the hearing, or both, would subject

the witness to an unreasonable risk of psychological or physical harm. Upon this determination, the testimony of the witness may be presented at the hearing in the form of sworn declarations that shall be examined only by the Charter School or the hearing officer. Copies of these sworn declarations, edited to delete the name and identity of the witness, shall be made available to the pupil.

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive five days notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.
2. The Charter School must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
3. At the discretion of the person or panel conducting the hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.
4. The person conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The person conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the person presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The person conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.
7. If one or both of the support persons is also a witness, the Charter School must present evidence that the witness' presence is both desired by the witness and will be helpful to the Charter School. The person presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.
8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.

9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in the public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.

10. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the person conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstance can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

### **G. Record of Hearing**

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

### **H. Presentation of Evidence**

While technical rules of evidence do not apply to expulsion hearings, evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. A recommendation by the Administrative Panel to expel must be supported by substantial evidence that the student committed an expellable offense. Findings of fact shall be based solely on the evidence at the hearing. While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay. Sworn declarations may be admitted as testimony from witnesses of whom the Board, Panel or designee determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

If, due to a written request by the expelled pupil, the hearing is held at a public meeting, and the charge is committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code Section 48900, a complaining witness shall have the right to have his or her testimony heard in a session closed to the public.

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

the conclusion of the hearing. The Decision of the Board is final.

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

### **I. Written Notice to Expel**

The Education Director or designee following a decision of the Board to expel shall send written notice of the decision to expel, including the Board's adopted findings of fact, to the student or parent/guardian. This notice shall also include the following: Notice of the specific offense committed by the student; and Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the Charter School.

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

### **J. Disciplinary Records**

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

### **K. No Right to Appeal**

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

### **L. Expelled Pupils/Alternative Education**

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

### **M. Rehabilitation Plans**

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

## **N. Readmission**

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

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

### 1. Notification of SELPA

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

### 2. Services During Suspension

Students suspended for more than ten (10) school days in a school year shall continue to receive services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP/504 Plan; and receive, as appropriate, a functional behavioral assessment or functional analysis, and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur. These services may be provided in an interim alternative educational setting.

### 3. Procedural Safeguards/Manifestation Determination

Within ten (10) school days of a recommendation for expulsion or any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the Charter School, the parent, and relevant members of the IEP/504 Team shall review all relevant information in the student's file, including the child's IEP/504 Plan, any teacher observations, and any relevant information provided by the parents to determine:

- a) If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or
- b) If the conduct in question was the direct result of the local educational agency's failure to implement the IEP/504 Plan.

If the Charter School, the parent, and relevant members of the IEP/504 Team determine that either of the above is applicable for the child, the conduct shall be determined to be a manifestation of the child's disability.

If the Charter School, the parent, and relevant members of the IEP/504 Team make the determination that the conduct was a manifestation of the child's disability, the IEP/504 Team shall:

- a) Conduct a functional behavioral assessment or a functional analysis assessment, and implement a behavioral intervention plan for such child, provided that the Charter School had not conducted such assessment prior to such determination before the behavior that resulted in a change in placement;
- b) If a behavioral intervention plan has been developed, review the behavioral intervention plan if the child already has such a behavioral intervention plan, and modify it, as necessary, to address the behavior; and
- c) Return the child to the placement from which the child was removed, unless the parent and the Charter School agree to a change of placement as part of the modification of the behavioral intervention plan.

If the Charter School, the parent, and relevant members of the IEP/504 team determine that the behavior was not a manifestation of the student's disability and that the conduct in question was not a result of the failure to implement the IEP/504 Plan, then the Charter School may apply the relevant disciplinary procedures to children with disabilities in the same manner and for the same duration as the procedures would be applied to students without disabilities.

#### 4. Due Process Appeals

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

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

## 5. Special Circumstances

Charter School personnel may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a child with a disability who violates a code of student conduct.

The Education Director or designee may remove a student to an interim alternative educational setting for not more than forty-five (45) days without regard to whether the behavior is determined to be a manifestation of the student's disability in cases where a student:

- a) Carries or possesses a weapon, as defined in 18 USC 930, to or at school, on school premises, or to or at a school function;
- b) Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function; or
- c) Has inflicted serious bodily injury, as defined by 20 USC 1415(k)(7)(D), upon a person while at school, on school premises, or at a school function.

## 6. Interim Alternative Educational Setting

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

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

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

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

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

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

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

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

The Charter School shall not be deemed to have knowledge of that the student had a disability if the parent has not allowed an evaluation, refused services, or if the student has been evaluated and determined to not be eligible.

## **XI. Employee Retirement System**

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

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

## **XII. Attendance Alternatives**

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

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

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

### **XIII. Employee Rights**

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

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

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

#### XIV. Dispute Resolution Process

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

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

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

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

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

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

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

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

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

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

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

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

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

## **XV. Public School Employer**

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

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

## XVI. Closure

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## **XVII. Financial Planning, Reporting, And Accountability**

### **Budgets and Financial Plan**

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

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

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

### **Financial and Programmatic Reporting**

#### Budget and Financial Reporting Schedule

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

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

### **Attendance Accounting**

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

#### Reporting

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

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

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

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

## **Insurance**

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

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

### Insurance Certificates

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

## Administrative Services

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

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

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

## Facilities

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

## School Location

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

- ~~• Doyle: 436-965 Susan Drive, Doyle, California 96109~~
- ~~• Susanville: 900 Main Street, Susanville, CA, 96130~~
- ~~• Portola: 280 E. Sierra Ave., Portola, CA 96122~~
- ~~• Cottonwood: 3308 Main Street, Cottonwood, CA 96022~~

~~Additionally, as part of its growth plan, Long Valley Charter School seeks to open a resource center in Redding at the following address: 1615 Continental Street, Redding, CA 96001 (pending approval of the charter material revision).~~

All facilities will comply with Education Code Section 47610. The Charter School will provide its Authorizer with all requested information regarding its facilities and understands that all facilities are available for periodic and unannounced inspections.

### **Impact on Charter Authorizer**

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

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

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

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

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

## XVIII. Miscellaneous Provisions

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

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

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

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

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

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

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

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