

This document was provided, as is, to the California Department of Education (CDE) by **Baypoint Preparatory Academy-San Diego**. This document is posted to the CDE Web site to meet the legal requirements of California *Education Code* Section 33009.5.

For more information regarding the content of this material, please contact the Charter Schools Division by phone at 916-322-6029 or by e-mail at charters@cde.ca.gov.

BAYPOINT PREPARATORY ACADEMY-SAN DIEGO CHARTER PETITION



Approved by the State Board of Education

March 15, 2018

Request for Material Revision Presented

July 29, 2019

TABLE OF CONTENTS

<u>Baypoint Preparatory Academy-San Diego</u>	
Assurances	2
Introduction	5
ELEMENT 1: Educational Program	17
ELEMENT 2: Measurable Student Outcomes	56
ELEMENT 3: Methods to Measure Pupil Progress	70
ELEMENT 4: Governance Structure	74
ELEMENT 5: Employee Qualifications	81
ELEMENT 6: Health and Safety	95
ELEMENT 7: Racial and Ethnic Balance	100
ELEMENT 8: Admission Requirements	102
ELEMENT 9: Financial Audit, Financial Planning and Reporting, Facilities and Administrative Services	106
ELEMENT 10: Pupil Suspension and Expulsion	110
ELEMENT 11: Employee Retirement System	131
ELEMENT 12: Public School Attendance Alternatives	133
ELEMENT 13: Employee Return Rights	134
ELEMENT 14: Dispute Procedures	135
ELEMENT 15: Employer Status	136

Baypoint Preparatory Academy-
San Diego Petition

CHARTER SCHOOL INTENT AND CHARTER REQUIREMENTS

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

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

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

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

ASSURANCES

As the authorized lead petitioner I, Nancy Spencer, hereby certify that the information submitted in this petition for the charter for Baypoint Preparatory Academy-San Diego (BPA-SD), located within the boundaries of the San Marcos Unified School District (SMUSD) is true to the best of my knowledge and belief; I also certify that this petition does not constitute the conversion of a private school to the status of a public charter school; and further, I understand that if awarded a charter, BPA-SD will follow any and all federal, state and local laws and regulations that apply to the Charter School, including but not limited to:

- Shall meet all statewide standards and conduct the student assessments required, pursuant to Education Code Section 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 BPA-SD for purposes of the Educational Employment Relations Act. [Ref. Education Code Section 47605 (b)(5)(O)]
- Shall be nonsectarian 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 BPA-SD, and who submit a timely application, unless BPA-SD 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. Admission to BPA-SD shall not be determined according to the place of residence of the student or his or her parents within the State except as provided in Education Code Section 47605 (d)(2)(A). Preference in the public random drawing shall be given as required by Ed Code section 47605(d)(2)(B). In the event of a drawing, the chartering authority shall make reasonable effort to accommodate the growth of the Charter School in accordance with Ed Code Section 47605(d)(2)(C).

- 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 at BPA-SD hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools is required to hold. As allowed by statute, flexibility will be given to non-core, non-college preparatory teachers. [Ref. California Education Code Section 47605(l)]
- 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).
- Shall notify, within 30 days, the superintendent of the school district of any pupil who is expelled or leaves BPA-SD without graduating or completing the school year for any reason. The school district notified shall be determined by the pupil's last known address. BPA-SD 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)]
- Shall be deemed the exclusive public school employer of the employees of the charter school for purposes of Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code" CA Ed. Code §47605(b)(6)
- Shall maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection. [Ref. California Education Code Section 47612.5(a)]
- Shall on a regular basis consult with parents and teachers regarding BPA-SD's education programs. [Ref. California Education Code 47605(c)]
- Shall comply with applicable jurisdictional limitations to locations of its facilities. [Ref. California Education code Section 47605-47605.1]
- Shall comply with all laws establishing the minimum and maximum age for public school

enrollment. [ref. California Education Code Section 47612(b), 47610]

- Shall provide students with one nutritionally adequate school meal per day beginning with the 2019-2020 school year. [Ref. California Education Code section 47613.5]
- Shall comply with all aspects and requirements of the Education Equity: Immigration and Citizenship Status Act. [Ref. AB 699]
- The charter School shall comply in accordance with applicable federal and state requirements for the Elementary and Secondary Education Act (ESSA).
- Shall comply with the Public Records Act.
- Shall comply with the Family Educational Rights and Privacy Act.
- Meetings of the Board of Directors of BPA-SD shall comply with the Ralph M. Brown Act.
- Shall meet or exceed the legally required minimum number of school days. [Ref. Title 5 California Code of Regulations Section 11960]

Nancy Spencer
Lead Petitioner

Executive Director-Baypoint Preparatory Academy-San Diego

Date

INTRODUCTION

THE PETITIONERS

The petitioners of Baypoint Preparatory Academy-San Diego seek to contribute to the outstanding work and efforts of the San Marcos Unified School District (SMUSD) through the addition of another educational choice for students, families and teachers. The lead petitioners for Baypoint Preparatory Academy-San Diego (BPA-SD) are actively involved with and/or supporters of Baypoint Preparatory Academy (BPA), a kindergarten through twelfth grade classroom based school chartered through the State Board of Education as well as Bayshore Preparatory Charter School, a kindergarten through twelfth grade non classroom based school authorized by SMUSD.

Nancy Spencer: Executive Director

Nancy Spencer has been involved in the educational field for the past 44 years. After graduating Magna Cum Laude from the University of the Pacific with a BS in Education and a major in math/geology and a minor in history, she began teaching math, history and art in a junior high in California. She also taught in grades 5th through 9th over the next five years before staying home to raise a family.

Mrs. Spencer homeschooled her four children, covering grades kindergarten through twelfth grade. All four children continued their education at the university level. During this time, Mrs. Spencer was actively involved in the communities where she lived, organizing homeschool support groups, serving on several nonprofit boards, overseeing/supervising volunteers in children through high school church programs, and successfully coordinating regional educational conferences.

When her last child completed her high school education, Mrs. Spencer returned to traditional education as a teacher/site coordinator for a District school serving kindergarten through eighth grade homeschooled children. After three years in this capacity, she was recruited to serve as the director of a startup charter school serving at-risk high school students. When she left three and a half years later, this ASAM charter high school had grown to over 500 students and attained an API score of 703, one of the highest API scores in the State for an ASAM school.

Mrs. Spencer was again recruited to become the executive director of a struggling college preparatory independent study K-12 charter school, Bayshore Preparatory Charter School located in San Marcos, California. During her first five and a half years leading there, this school continued to improve academically with an API growth of 129 points. She was one of the founders of Baypoint Preparatory Academy, a State Board of Education (SBE) K-12 rigorous college prep charter school located in Hemet, CA.

Over the past 44 years, she has continued her education at the graduate level and holds Elementary, Secondary and Administrative Clear Credentials. She is excited to bring her educational experience, background and knowledge to the San Marcos area by collaborating with these petitioners in the organization of a new K-8 grade blended learning technology based college prep charter school, Baypoint Preparatory Academy-San Diego.

Frank Ogwaro: Board Chair

Mr. Frank Ogwaro has been involved with Bayshore Preparatory Charter School and Baypoint Preparatory Academy since their founding years, directly contributing to the schools, exceeding the measures mandated by the authorizers. Mr. Ogwaro joins the petitioners from Baypoint and the San Marcos parents in this effort to replicate another quality educational option in the San Diego area. With twelve years of charter school leadership experience, Mr. Ogwaro is dedicated to educational options that directly benefit the communities they serve.

Mr. Ogwaro continues to be an advocate for families, maintaining that, regardless of a community's socioeconomic spectrum, all should have the opportunity, access and educational options that meet their child(ren)'s personalized learning style. Mr. Ogwaro joins Baypoint Preparatory Academy-San Diego founding board members, who have the skill sets and experiences that will enable BPA-SD to be academically strong and fiscally sound.

(See Element 4)

Heather Herrera: Director of Education/Lead Teacher

Heather Herrera was raised in Orange County, CA and has over ten years of experience in elementary education. Mrs. Herrera attended California State University, Fullerton, where she earned a Bachelor's Degree in Child and Adolescent Development and her Multiple Subject Teaching credential. After four years in the classroom, she returned to California State University, Fullerton to complete her Master's Degree in Education with an emphasis in Reading Instruction.

Mrs. Herrera has taught in a self-contained general education classroom serving students in Kindergarten through 2nd grade, has served as a Special Education Behavior Interventionist with students in kindergarten through twelfth grade, and has worked with kindergarten through twelfth grade homeschool students and their families. She is trained in reading instruction and assessment, and has been a mentor teacher to many young teachers beginning their careers. Mrs. Herrera is currently working at Bayshore Preparatory Charter School in San Marcos, CA. For the past four years, she has been instrumental in the development and oversight of the elementary program.

THE PETITIONERS' ACADEMIC TRACK RECORD

The academic data presented below, demonstrates that the petitioners of BPA-SD are likely to successfully implement and operate the educational program defined in this petition.

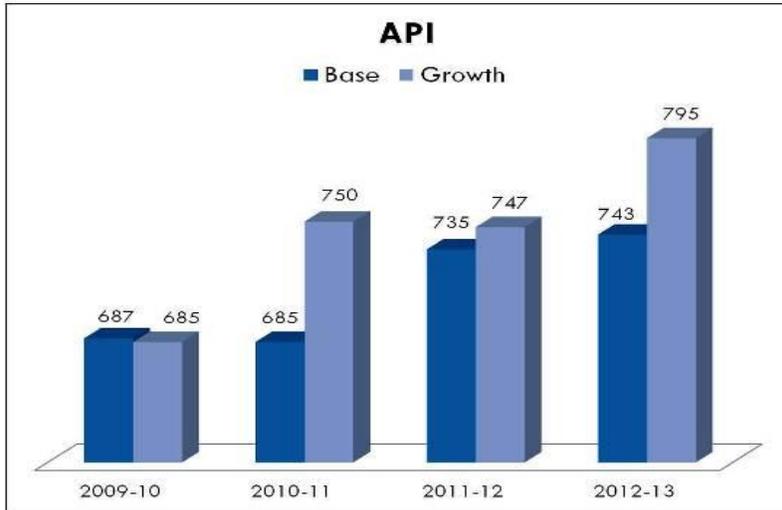
BPCS and BPA Accreditation

In its first year of operation, **BPA-Hemet** received full WASC accreditation. **BPCS** also received full WASC accreditation on its initial visit. After **BPCS'** self-study visit, the school received a six year accreditation with a mid-term report, the highest available accreditation. Both schools offer 40 a-g approved courses.

BPCS and BPA Academic Data

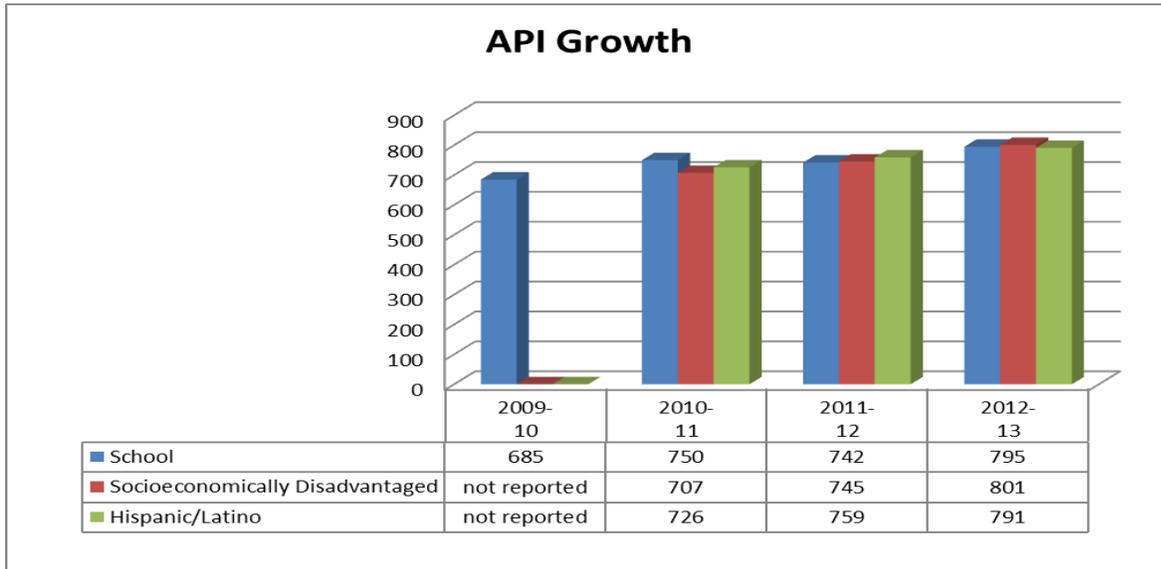
BPCS-Over the course of the last four years of the API, **BPCS** developed an academic program that continued to increase student academic performance as demonstrated by a 129 point increase in the school's API score. In the last three years, **BPCS** met all growth targets.

Baypoint Preparatory Academy-
 San Diego Petition

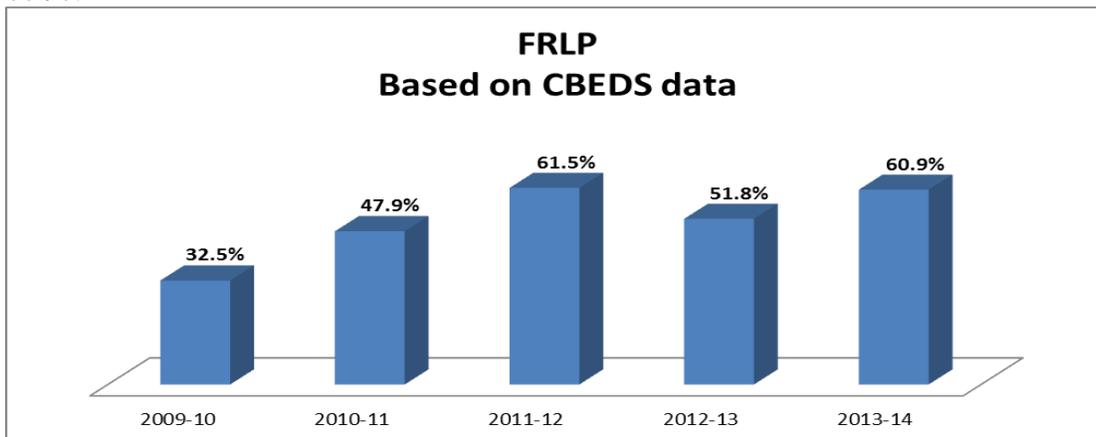


Statewide Ranking/AYP		
Year	Out of 10	AYP
2010	3	4 of 5
2011	5	5 of 5
2012	5	6 of 6
2013	7	5 of 5

In addition to this school-wide growth, the subgroups of Socioeconomically Disadvantaged and Hispanic/Latino demonstrated significant growth.



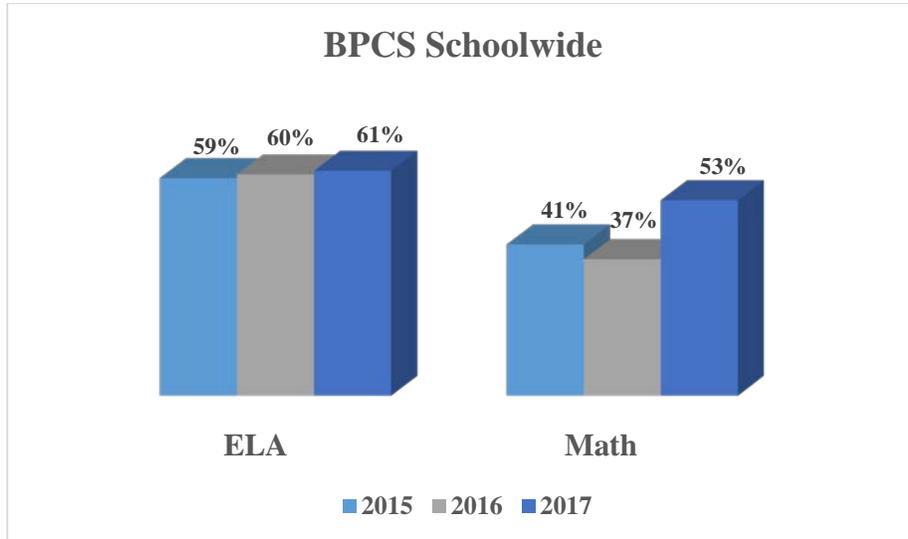
During that time, the economically disadvantaged student population increased from 32.5% to 60.9%.



Baypoint Preparatory Academy-
San Diego Petition

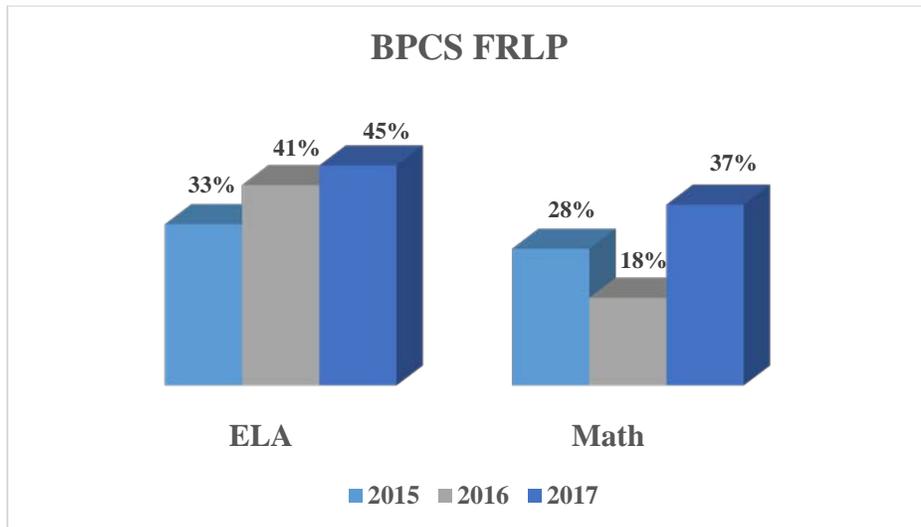
BPCS-The graph below shows the CAASPP schoolwide 3 Year Data for all students. Due to small numbers in each grade level we have only included the schoolwide results.

Met or Exceeded the Standards



The Economically Disadvantaged Population for the last three years has been 51%, 50% and 53% respectively while the scores have continued to improve collectively as is demonstrated in the following graph.

Met or Exceeded the Standards

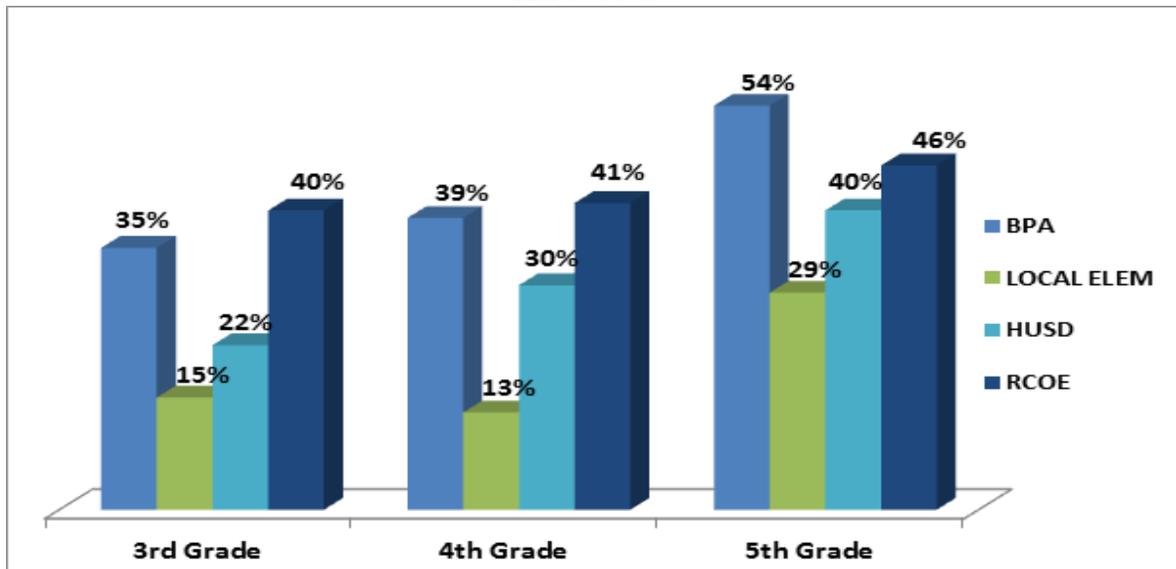


Baypoint Preparatory Academy-
 San Diego Petition

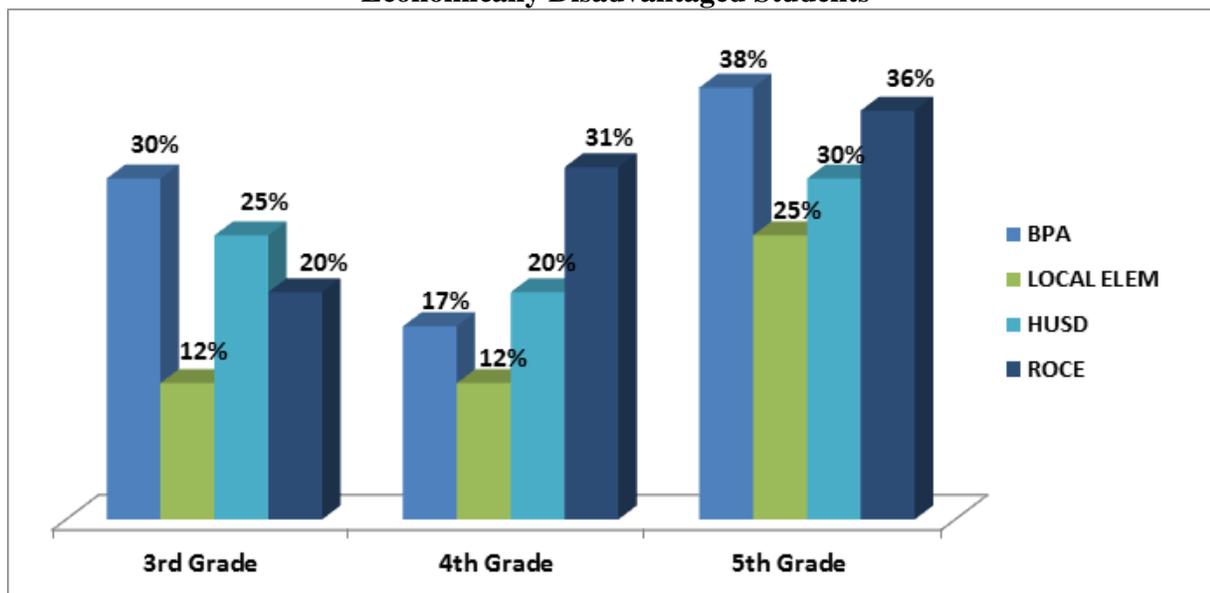
BPA-In the first year (2015-16) data comparison of BPA and the local schools (elementary and middle school), district (Hemet Unified) and county (RCOE) demonstrates the petitioners and program are likely to succeed. The data shows that BPA consistently met or exceeded the local district schools' results, the district wide school results and, many times, met or exceeded the county schools' results. In addition to the all student population results, the economically disadvantaged student subgroups achieved similar outcomes.

BPA CAASPP ELA, Math and CST Science 2015-16 Data

**Met or Exceeded the ELA Standards
 All Students**

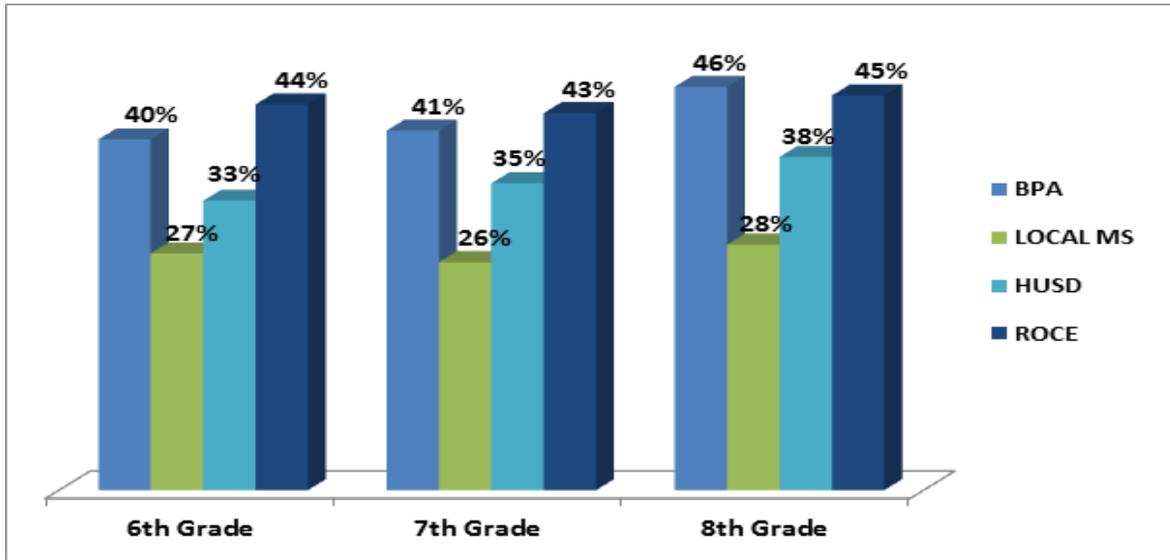


**Met or Exceeded ELA Standards
 Economically Disadvantaged Students**

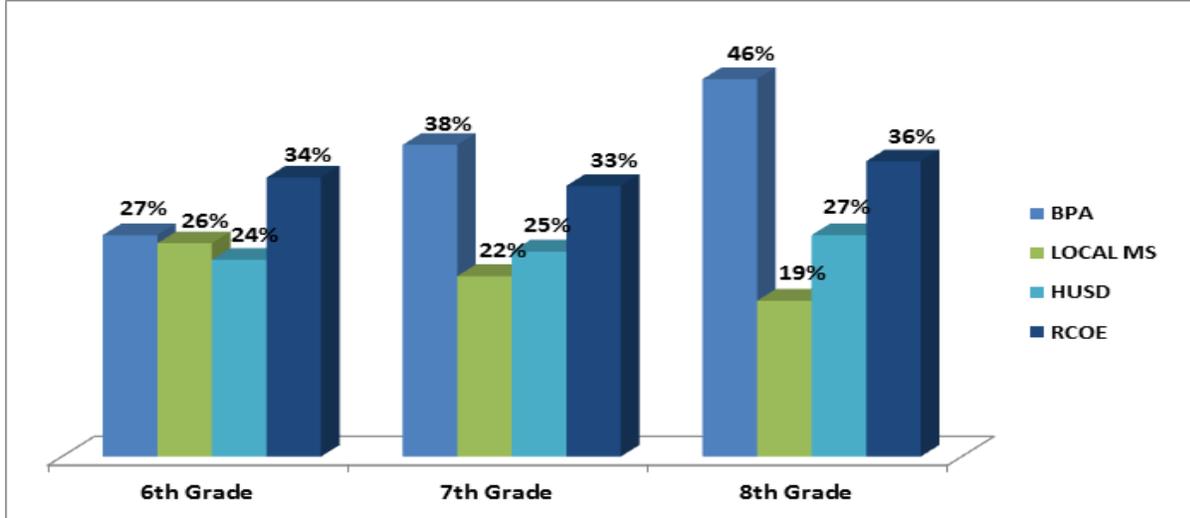


Baypoint Preparatory Academy-
San Diego Petition

**Met or Exceeded ELA Standards
All Students**

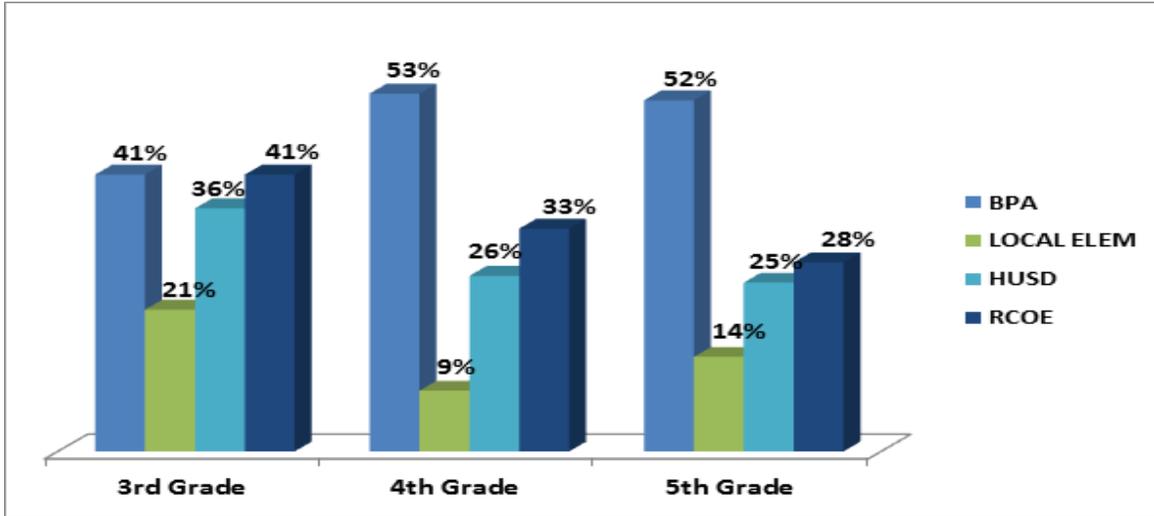


**Met or Exceeded ELA Standards
Economically Disadvantaged Students**

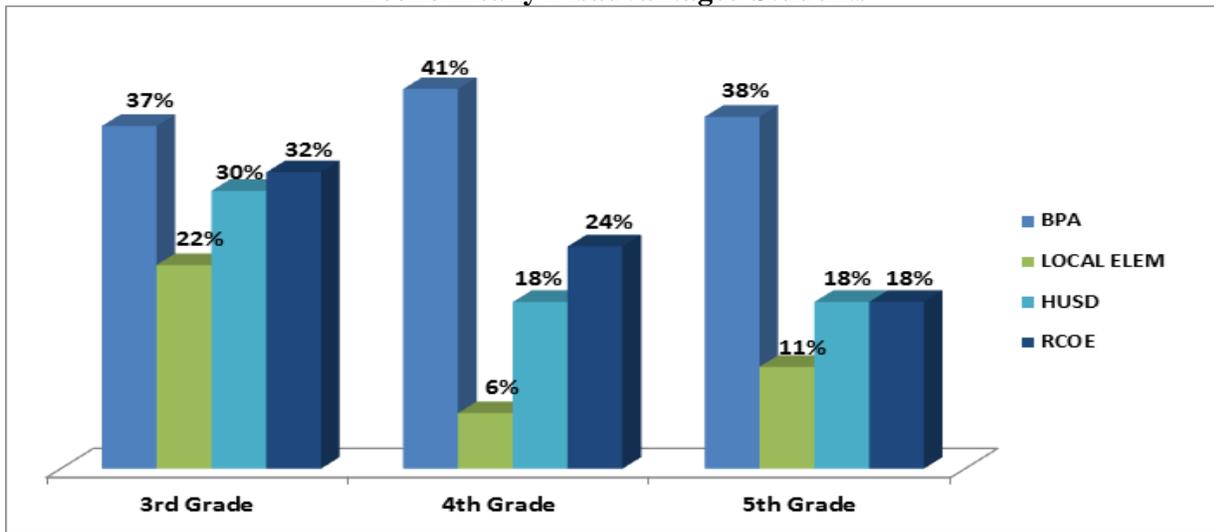


Baypoint Preparatory Academy-
 San Diego Petition

**Met or Exceeded MATH Standards
 All Students**

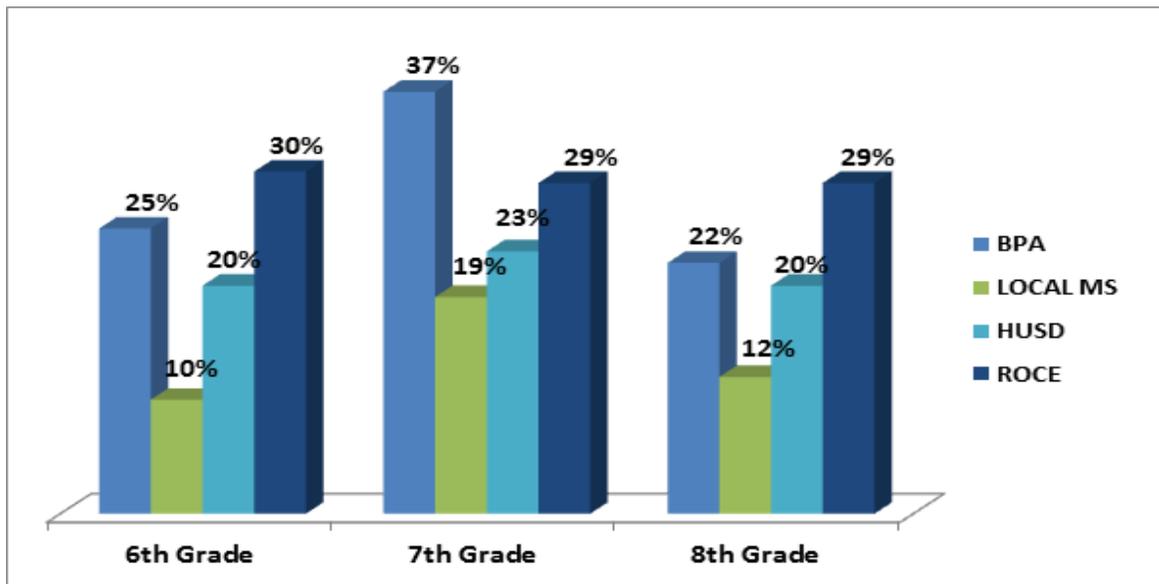


**Met or Exceeded MATH Standards
 Economically Disadvantaged Students**

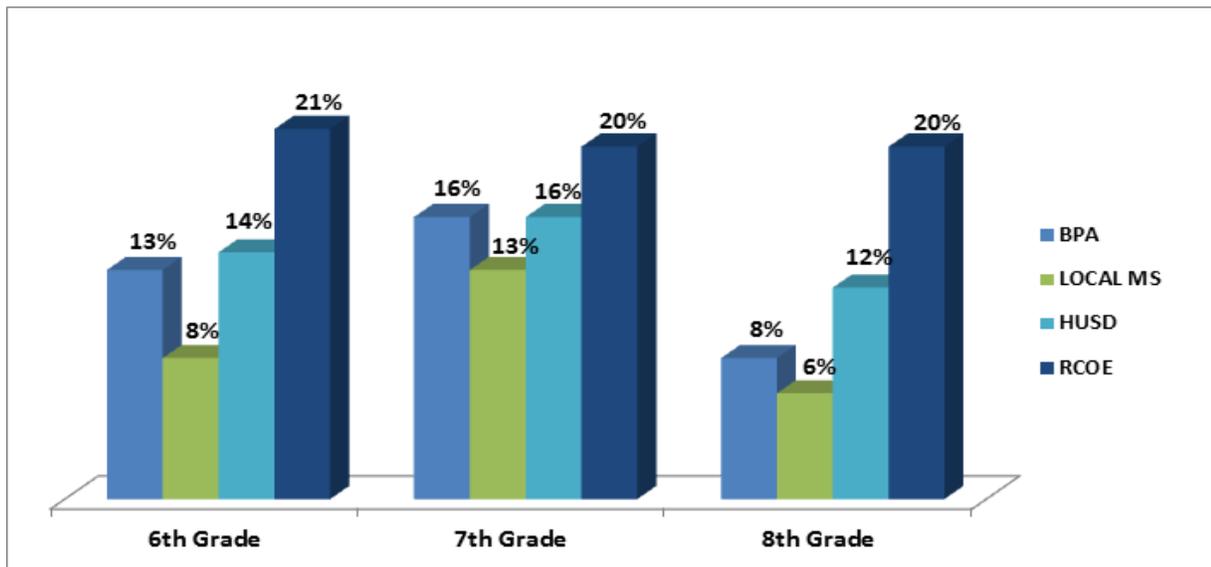


Baypoint Preparatory Academy-
San Diego Petition

**Met or Exceeded MATH Standards
All Students**

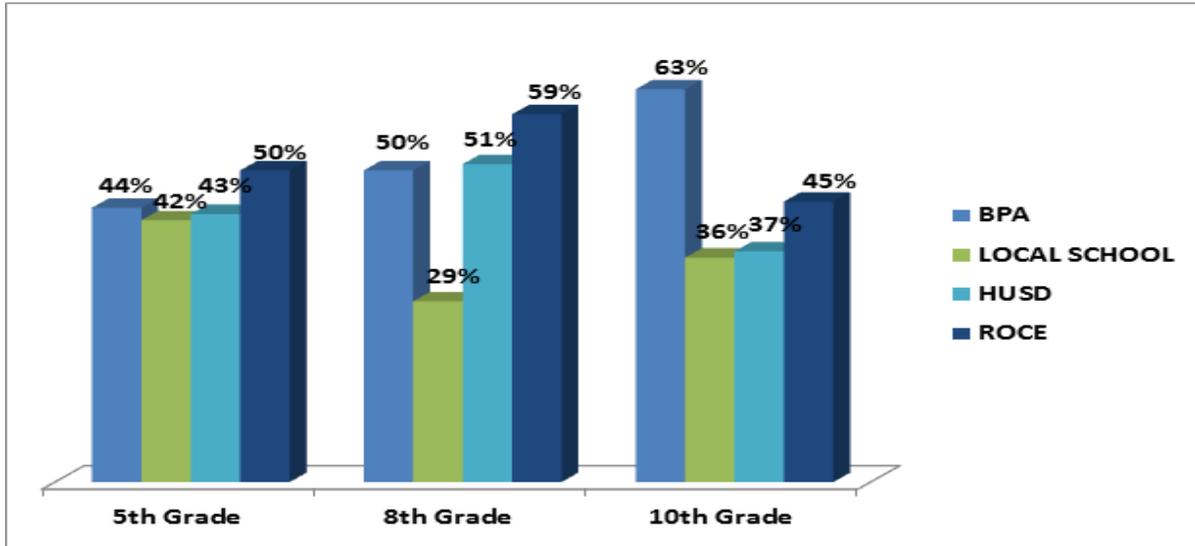


**Met or Exceeded MATH Standards
Economically Disadvantaged Students**

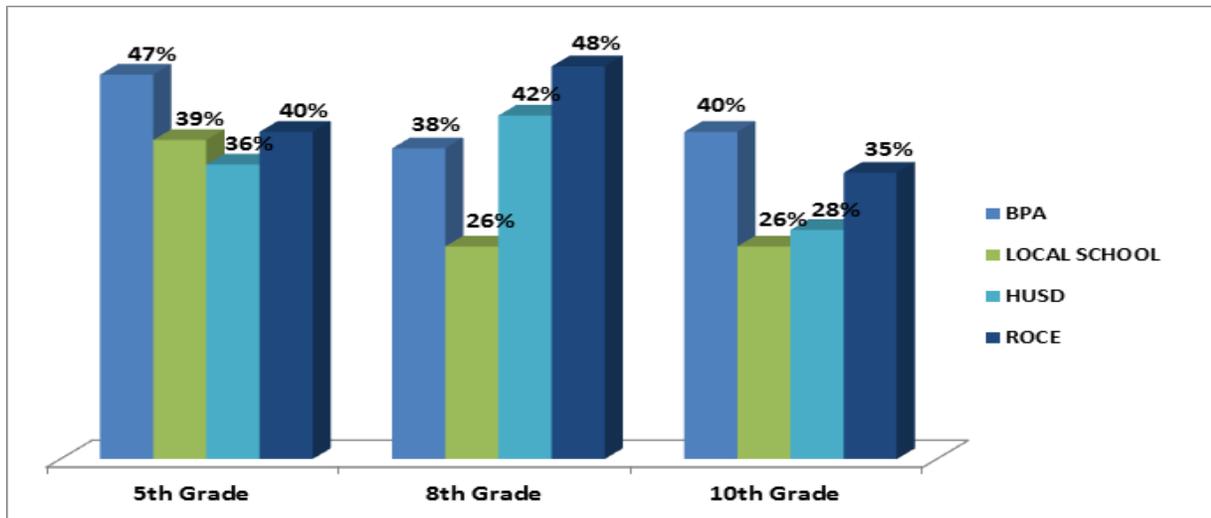


Baypoint Preparatory Academy-
San Diego Petition

Met or Exceeded the CST SCIENCE Standards
All Students



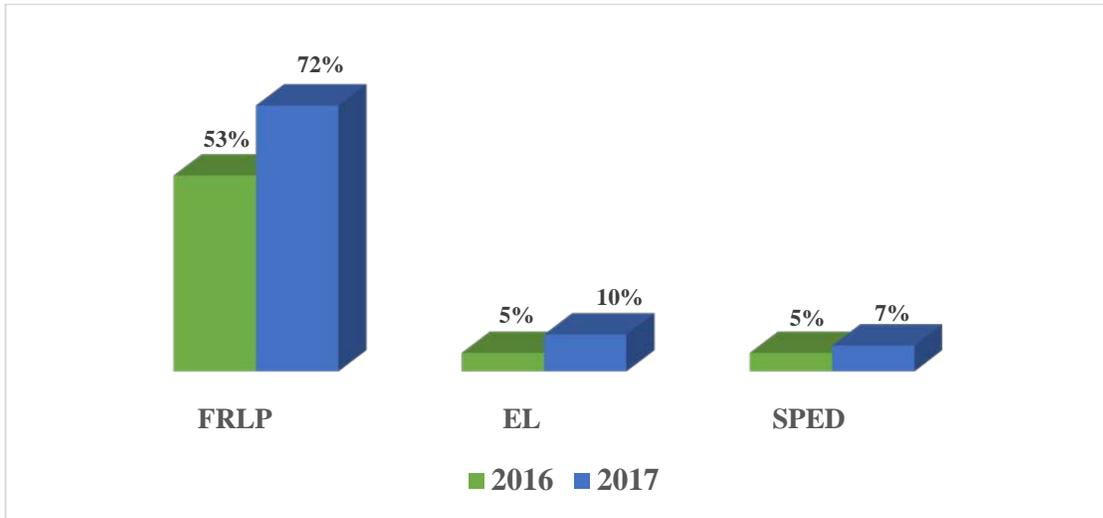
Met or Exceeded CST SCIENCE Standards
Economically Disadvantaged Students



BPA Subgroup Population/Growth-The graph below shows the BPA increase in student subgroup populations from year one to year two.

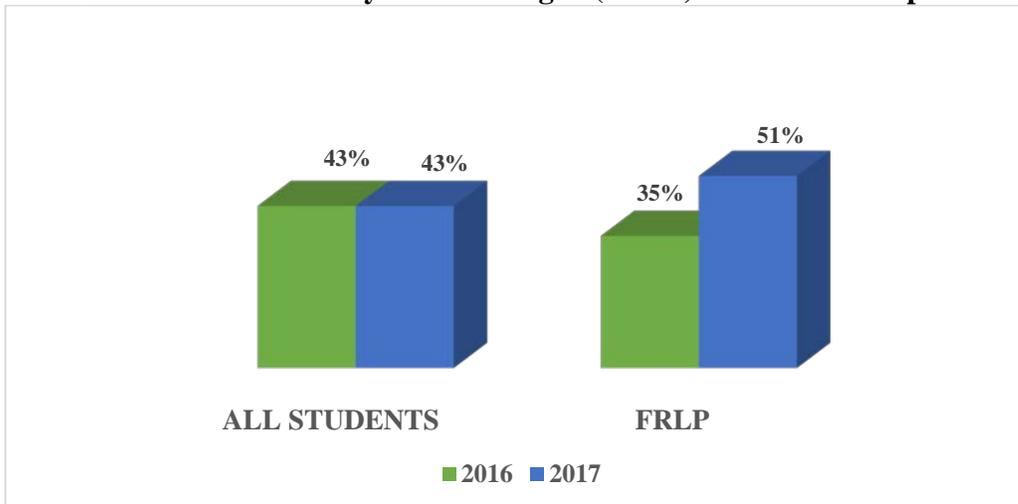
Baypoint Preparatory Academy-
 San Diego Petition

BPA Subgroup Population Two Year Change



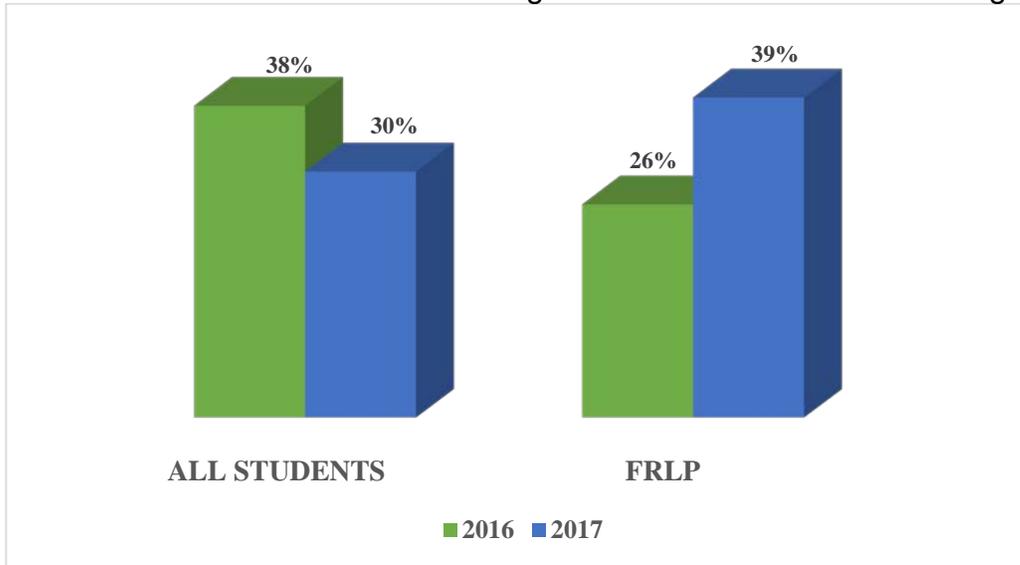
The data below represents the two-year comparison of CAASPP results for schoolwide and economically disadvantaged populations. The EL and SPED data is not shown due to smaller numbers in the CAASPP assessment population. Despite the increase in economically disadvantaged, EL and SPED populations, BPA ELA schoolwide results for those who met or exceeded the standards were the same while the economically disadvantaged student results improved by 16%. In Math, the percentage of schoolwide students who met or exceeded the standards decreased in 2017. However, the 2017 economically disadvantaged student results increased by 13%. This data is based on the 2016 CDE posted data and the 2017 initial CAASPP online reporting data.

**Met or Exceeded ELA Standards
 All Students/Economically Disadvantaged (FRLP) Two Year Comparison**



**Met or Exceeded MATH Standards
 All Students/Economically Disadvantaged (FRLP) Two Year Comparison**

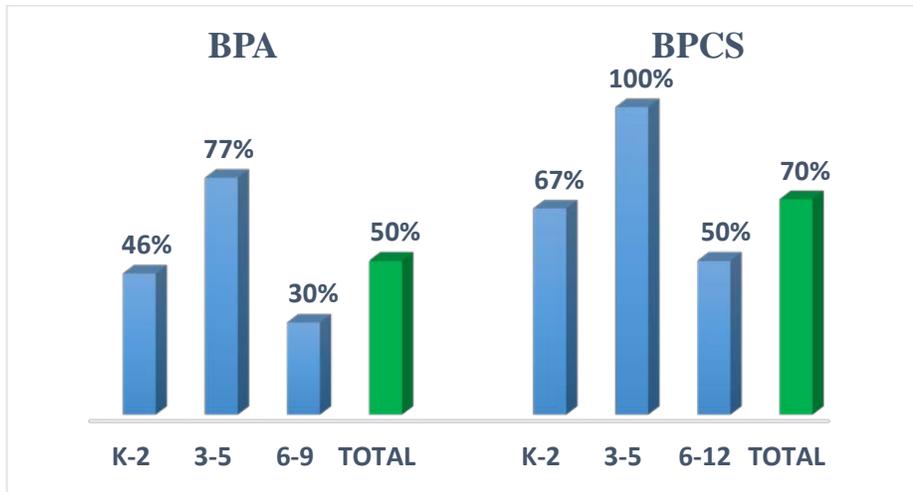
Baypoint Preparatory Academy-
 San Diego Petition



THE PETITIONERS ENGLISH LANGUAGE RECLASSIFICATION RESULTS

BPA and BPCS have implemented additional curriculum, strategies and support for their English Language Learner populations. During the 2016-2017 school year, **BPA** reclassified **50%** of the EL students. **BPCS** reclassified **70%** of the EL students. The graph below demonstrates the total reclassification results for both schools during the 2016-2017 school year as well as a breakdown by grade level categories

2017 EL Reclassification Data



THE PETITIONERS FISCAL, GOVERNANCE & ACCOUNTABILITY TRACK RECORD

In addition to meeting and/or exceeding the academic goals in both schools, the fiscal, governance and accountability track record of BPA and BPCS demonstrates the petitioners of BPA-SD are likely to successfully implement and operate BPA-SD. Financial evidence is shown in the Second Interim Budget Reports for both schools reflecting reserves of 19% (See Appendix Introduction). The track record of the petitioners also shows clean annual audits for both schools. These fiscally sound track records of the petitioners have been accomplished through the implementation of realistic financial and operational plans unique to each school. This involves continuous review

Baypoint Preparatory Academy-
San Diego Petition

and improvements to the operational and financial procedures and policies.

With the support and encouragement of the SMUSD community, this group of petitioners respectfully submits for the district's consideration, guided by one of San Marcos Unified School Board's driving philosophy statement, "providing each student with an appropriate and challenging educational experience", a charter petition for a new blended learning, technology centered, classroom based, college preparatory transitional kindergarten through eighth grade charter school named Baypoint Preparatory Academy-San Diego.

BPA-SD will utilize the successful blended learning, technology based curriculum and best practices developed in BPCS and BPA-Hemet's Blended Learning Programs. This petition describes the programs that will be implemented at BPA-SD.

Thank you for your consideration,

The Petitioners for Baypoint Preparatory Academy-San Diego

ELEMENT 1

Educational Program

A description of the educational program of the school, designed, among other things, to identify those whom the school is attempting to educate, what it means to be an "educated person" in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners. A description, for the charter school, of annual goals, for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school, and specific annual actions to achieve those goals.

A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals.

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

Mission

Our mission at Baypoint Preparatory Academy-San Diego is to educate TK/K-8 students through a rigorous college prep curriculum in a flexible, student-centered learning environment. Our goal is to actively partner with students, parents and the community to support students' academic success and personal goals.

School-wide Learner Outcomes

- **Academic Achievers** who:
 - Take personal responsibility in the life-long learning process
 - Demonstrate organizational and time management skills
 - Endeavor to develop their full academic potential according to their individual ability
- **Effective Communicators** who:
 - Exhibit proficiency in communication through listening, speaking, reading, writing and the arts
 - Comprehend and interpret messages respectfully
 - Research, document and convey information reflectively, critically and clearly
- **Critical Thinkers** who:
 - Demonstrate logical and effective decision making skills
 - Analyze, evaluate and synthesize information
 - Apply problem-solving strategies to real life situations
 - Formulate personal values
- **Technology Users** who:
 - Develop necessary skills to function in a constantly changing technological society
 - Utilize technology as a tool for learning
- **Career-focused students** who:
 - Achieve their postsecondary goals.

Whom the School is Attempting to Educate

As a Transitional Kindergarten through Eighth Grade school, BPA-SD seeks to enroll all students who desire a college preparatory based education. In order to maintain a small school environment, BPA-SD will have a limited number of students in attendance. Beginning in the

2018-2019 school year, enrollment will begin with grades Transitional Kindergarten through Sixth Grade limited to 25 students per grade, for a maximum of 200 students. In 2019-2020 and 2020-2021 school years, Grade Seven and Eight will be added respectively. Each year, enrollment will increase by 100 for a maximum enrollment of 750 students. When capacity is reached, each grade level will have a maximum of 75 students.

	2018-2019	2019-2020	2020-2021	2021-2022	2022-2023
Transitional Kindergarten	25	25	50	50	75
Kindergarten	25	25	50	75	75
First Grade	25	25	50	50	75
Second Grade	25	25	25	50	75
Third Grade	25	25	25	50	50
Fourth Grade	25	25	25	50	50
Fifth Grade	25	25	25	25	50
Sixth Grade	25	25	25	25	25
Seventh Grade	NA	25	25	25	25
Eighth Grade	NA	NA	25	25	25
TOTAL	200	225	325	425	525

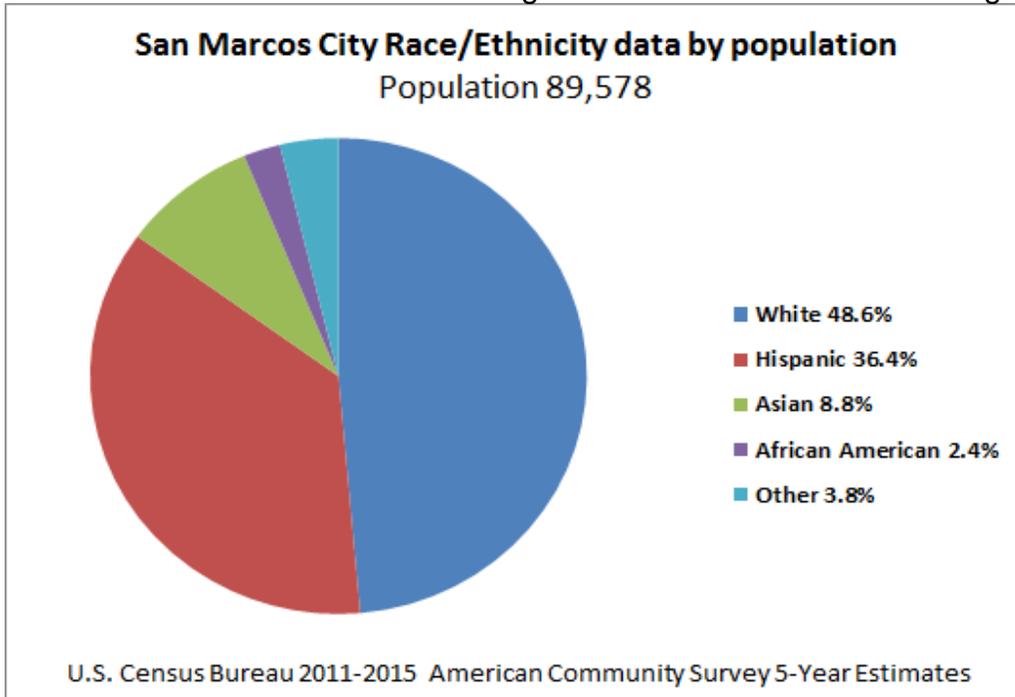
Enrollment Areas

BPA-SD will serve students from anywhere in the state of California, however, emphasis will be placed on students residing in the San Marcos Unified School District.

The San Marcos Community

The city of San Marcos covers over 27 square miles with a population over 89,000. BPA-SD will be open to all students who wish to attend, though we will focus our recruitment efforts (see Element 7) on San Marcos and the surrounding communities. The following graph/chart reflect the racial/ethnic and socioeconomic diversity of the city of San Marcos. In San Marcos, slightly less than half of the residents are white and slightly more than one third are Hispanic with the remaining 15% distributed amongst African American, Asian and other.

Baypoint Preparatory Academy-
 San Diego Petition



The San Marcos community includes a broad socioeconomic diversity, ranging from upper income households above \$100,000 (27%) to a significant percentages of families with children who live below the federal poverty line (21%). US Census Bureau, American Community Survey—in 2015, the federal poverty threshold for a family of four was \$24,250. (aspe.hhs.gov/poverty/15poverty.shtml)

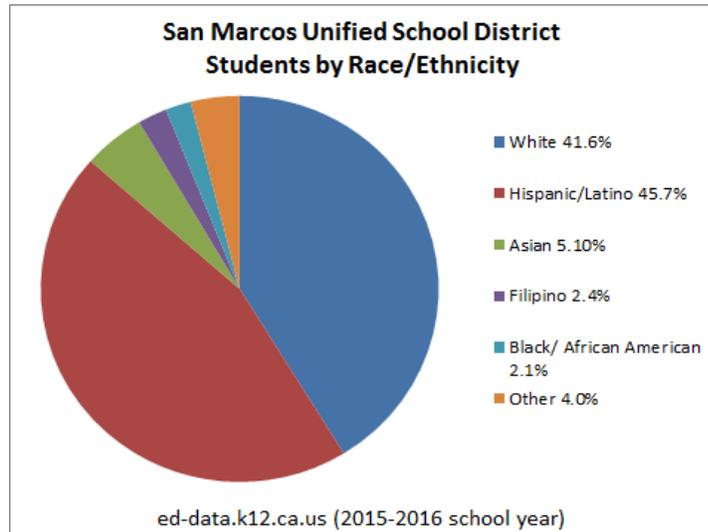
Subject	Estimate	Percent
INCOME AND BENEFITS		
Total Population	89,578	100%
Total Households	28,738	100%
Less than \$10,000	2,678	9.30%
\$10,000 to \$14,999	919	3.20%
\$15,000 to \$24,999	2,546	8.90%
\$25,000 to \$34,999	2,382	8.30%
\$35,000 to \$49,999	3,853	13.40%
\$50,000 to \$74,999	5,051	17.60%
\$75,000 to \$99,999	3,510	12.20%
\$100,000 to \$149,999	4,218	14.70%
\$150,000 to \$199,999	2,046	7.10%
\$200,000 or more	1,535	5.30%

Baypoint Preparatory Academy-
San Diego Petition

San Marcos Unified School District (SMUSD)

SMUSD Demographics and Data

San Marcos Unified School District is located in northern San Diego County. It encompasses 49 square miles and includes the cities of San Marcos, Carlsbad, Escondido, Vista and the County of San Diego. It serves an enrollment of almost 22,000 students. The graph below reflect the racial/ethnic and socioeconomic population of SMUSD.



While the preceding data demonstrates the diverse racial and ethnicity of the city of San Marcos and SMUSD, the existing public schools do not necessarily reflect the same diversity. There exists between San Marcos City and SMUSD a somewhat disproportionate racial composition compared to the broader population-Hispanic: City 36.4% District 45.7% White: City 48.6% District 41.6%, Asian: City 8.8% District 5.1%, African American: City 2.4% District 2.1%.

SMUSD School Capacity Projections

Based on recent data from the City of San Marcos’ 20 year plan and SMUSD’s anticipated corresponding additional student growth, there is a need for more schools as demonstrated in the tables below. SMUSD expressed a concern that the current (based on past year average) Student Generated Rate (SGR) is not reflective of the expected SGR, hence the two additional scenarios which indicate an even larger growth in student population each year.

San Marcos Unified School District’s table regarding the potential students generated from the City’s 20 year plan		
SGR*	Students/Year	20 Year Total
Current (0.592)	417	8,347
Scenario #1 (0.75)	529	10,574
Scenario #2 (1.0)	705	14,100

***SGR: Student Generated Rate**

Number of Additional Schools needed to support students based on CDE's minimum standards				
SGR	K-5	6-8	9-12	TOTAL
Current	4.5	1.6	1.0	7.2
Scenario #1	5.7	2.0	1.3	9.1
Scenario #2	7.6	2.7	1.7	12.1

***SGR: Student Generated Rate**

The data below indicates that SMUSD is already at (red) or near capacity in many of its schools, demonstrating a need for more schools.

San Marcos Unified School District Current Facility Capacity Data

Elementary	Permanent Classroom	Portable Classroom	Capacity	2016-17 Enrollment
Alvin Dunn	18	33	962	790
Carrillo	25	21	979	998
Discovery	24	11	784	720
Joli Ann	28	8	829	811
Knob Hill	18	21	797	831
La Costa	2	39	844	922
Paloma	18	28	893	896
Richland	18	28	888	782
San Elijo	48	8	1,144	1,119
San Marcos	49	0	1054	857
Twin Oaks	25	10	760	659

Middle School	Permanent Classroom	Portable Classroom	Capacity	2016-17 Enrollment
Double Peak K-8	51	0	1,098	958
San Elijo MS	52	5	1,373	1,954
San Marcos MS	28	30	1,332	1,235
Woodland MS	43	10	1,183	1,368

High School	Permanent Classroom	Portable Classroom	Capacity	2016-17 Enrollment
Mission Hills	94	0	2,603	2,489
San Marcos	109	0	2,969	3,202
Twin Oaks Alt.	1	14	405	158

BPA-SD would like to partner with SMUSD to provide a quality classroom based school to serve this student need.

Charter Schools Serving SMUSD Students

Currently, **16** charter schools serve students in the SMUSD boundaries of which only one is a classroom based charter. Of these charter schools, **seven** have facilities in the District (**ID**) boundaries but only **one** is authorized by SMUSD.

Non-Classroom Based Charters Serving San Marcos Unified Students

1. **Pivot Charter School (ID)**
2. **Taylion Charter (ID)**
3. **Audeo Charter School (ID)**
4. **Juan Bautista Charter School (ID)**
5. **Pathways Academy (ID)**
6. **Bayshore Preparatory Charter School (ID) SMUSD**
7. Dehesa Charter School
8. Julian Charter School
9. Coastal Academy
10. Classical Academy
11. River Springs Charter
12. Pacific View Charter
13. Diego Valley Public High School
14. Diego Valley Charter
15. San Diego Neighborhood Home School

Classroom Based Charters Serving San Marcos Unified Students

1. High Tech High Elementary, Middle and High (ID) The Educated Person

According to a 2016 Georgetown University study “of the 11.6 million jobs created after the Great Recession, 8.4 million went to those with at least a Bachelor’s degree.” Furthermore, the article states that another 3 million jobs went to those with Associate’s degrees or some college education. The U.S. Chamber of Commerce reports that 90% of jobs in the fastest growing occupations require some form of post-secondary education. As this century unfolds, the nation will increasingly require a citizenry who have not only mastered the learning process, but also the skills to work cooperatively amongst their peers. Change will also be a core characteristic of the 21st century. As knowledge continues to expand, critical thinking, information acquisition, management, collaboration, creativity, technology and communication will become key tools for success. BPA-SD’s vision is to enable students to become self-motivated, creative, and analytical contributors to society. Such a citizenry would be characterized by the following:

Academic Habits:

- Being curious
- Striving to become self-motivated, competent, lifelong learners
- Communicating clearly through oral and written dialogue
- Thinking creatively
- Thinking logically and making informed judgments
- Using technology as a tool
- Adapting to new situations and responding to new information
- Solving problems
- Finding, selecting, evaluating, organizing and using information from various sources
- Making easy and flexible connections among various disciplines of thought
- Evaluating the reliability of information from video, audio and printed sources including advertising and the media

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 a willingness to take risks in order to learn
- Concentration and perseverance
- Seeking a fair share of the workload - managing time in a responsible manner
- Working cooperatively with others, which includes: the ability to listen, share opinions, negotiate, compromise and help a group reach consensus

How Learning Best Occurs

BPA-SD believes that students learn best in a safe, positive environment in which they are respected, accepted, valued, and challenged to achieve their full potential. To that end, BPA-SD is committed to offering instruction that is tailored to a student’s unique needs. Student learning is maximized when instruction is individualized in terms of pace, content, sequence, and style. BPA-SD believes that learning best occurs in a school that successfully implements the following features:

- Common Focus
- High Standards and Performance-based Assessment
- Personalization
- Continuous Relationships
- Authentic Curriculum
- Adaptive Pedagogy
- Knowledgeable and Skilled Teachers
- Devoted staff time to collaborate and develop professionally
- Family and Community Connections
- Democratic Decision-making

All BPA-SD teachers will be encouraged to use innovative instructional methods. Our high expectations and personalized choices encourage students to become actively engaged, passionate learners. BPA-SD students will be set on the path to successfully compete in the workforce; to attend universities; to communicate across gender, race, and socioeconomic complexities; and to value service to others in society. BPA-SD is dedicated to assisting its students to become adults who are competent, confident, productive, and adaptable, with the skills and attitudes to enable them to successfully contribute to society.

Educational Program

BPA-SD is committed to providing an intimate, friendly academic environment that recognizes and values a student's unique learning profile, defines clear expectations, sets appropriate yet challenging goals, and celebrates the achievement of these goals. BPA-SD believes that students who are actively involved in their educational program develop self-direction and thus become lifelong learners who are productive global citizens.

BPA-SD will strive to prepare students to become responsible citizens in the 21st century, a world of cultural diversity and rapid technological change. They will be held to the highest academic standards, yet given the nurturing required to reach those standards. Students will learn in an integrated, multi-disciplinary environment that incorporates computer technology and real life cooperative experiences.

At the foundation of our program is a partnership between students, parents and teachers. To this extent, parents will be encouraged to contribute 10 hours per school year in support of BPA-SD. However, no parent/guardian involvement is required for admission to, or continued enrollment at BPA-SD. Our high expectations and individualized choices will encourage students to become actively engaged, passionate learners. Graduates will be prepared to successfully compete in the workforce, to attend the colleges of their choice, to communicate across gender, race, and socioeconomic complexities, and to value service to others in society. Serving students in grades TK/K-8, BPA-SD will be dedicated to assisting our youth in becoming adults who are competent, confident, productive, and adaptable, with the skills and attitudes to enable them to successfully contribute to society.

BPA-SD will utilize a blended learning station-rotation model to educate its students. To facilitate this, students will participate in a rigorous, relevant, college-prep curriculum with cutting-edge educational technology that is based on Common Core State Standards and supports BPA-SD's mission statement and School-wide Learner Outcomes. Time will be spent between working independently and in daily small group instruction. The blended learning model will allow for personalized educational plans. Students who are English learners, or students receiving Special

Education services, will utilize not only the core curriculum and blended learning model, but will also gain instruction through specialized targeted curriculum and additional small group and/or one-on-one support to ensure they are receiving ample instruction to further their academic and personal progress. These materials and practices will be explained in detail within their dedicated sections.

Even though a challenging curriculum and program can be very powerful, BPA-SD's instructional staff will be the key component to the success of student achievement. BPA-SD will understand that students are individuals and treat each student as such. All teachers will be encouraged to use innovative instructional methods.

Transitional Kindergarten/Kindergarten through Fifth Grades

TK/K-5 students will participate in learning and instruction in a variety of ways including: whole group direct instruction, small group instruction and independent learning tasks. A key component of the TK/K-5 program will be to foster teacher-student-parent relationships where: student learning goals are established, communication is fluid and a strong community supports the student in becoming a lifelong learner. English learners, students with special needs and those who are recognized as academically high or low achieving learners will be provided with additional targeted instruction as outlined in the specific plans listed in the sections below.

Transitional Kindergarten students will use a modified Kindergarten/Preschool curriculum aligned to the California Preschool Learning Foundations developed by the California Department of Education. Transitional Kindergarten teachers will present academically challenging lessons that integrate these learning foundations with the California Common Core State Standards for Kindergarten. In order to avoid Kindergarten retentions due to a lack of maturity, TK will be a two year Kindergarten program that will aim to increase academic and social maturity in younger students

Transitional Kindergarten/Kindergarten will operate on a full-day schedule, with a focus on language arts and math. The instructional day for these grades will include a two-hour Language Arts block each morning. Students will then have a 15-minute recess and return to their classroom for 90 minutes of the remaining language arts or mathematics instruction. After a 30-minute lunch, all elementary students will participate in Drop Everything And Read (DEAR). Afternoons will be designated for social studies, science, fine arts, physical education, enrichment and/or intervention. Targeted English learner support and specialized instruction for those who are high or low achieving will be included during that time. Teachers will have the opportunity to work collaboratively and co-teach for science and social studies.

All elementary teachers will present academically challenging lessons that integrate California Common Core State Standards (CCSS). The CCSS will be the foundation for learning at BPA-SD. Students will learn through the blended learning – station rotation model. This model will provide students with direct instruction, the opportunity to work collaboratively with partners and small groups and the ability to engage in independent activities. Teachers will target instruction based on the needs of students through guided reading. This approach allows students to participate in similar activities, but at their own level. ELA instruction will provide students with daily opportunities to engage in activities that will allow them to understand and appreciate literature, informational text, foundational reading skills (phonemic awareness, phonics, fluency, vocabulary, and comprehension), writing (descriptive, expository, narrative, persuasive, and creative), speaking, and listening. Teachers will use a variety of techniques to help students make

connections between prior knowledge and the learning at hand, while also making connections across content areas when applicable.

Students in the early grades will begin with concepts such as, but not limited to, recognizing and naming letters, producing sounds for consonants and vowels, reading high frequency words, understanding concepts of text, asking and answering questions about a text, comparing texts, printing uppercase and lowercase letters, spelling phonetically, and beginning to write sentences and paragraphs with a topic and supporting details. As students get older, they will determine the meaning of words, integrate information from two texts on the same topics, understand and use parts of speech correctly, understand figurative language, conduct research to build an argument, and use the writing process to produce clear and coherent writing.

Houghton Mifflin's *Journeys* will be the heart of the English Language Arts program with Houghton Mifflin's *Big Day for PreK* being used for Transitional Kindergarten. Houghton Mifflin Journeys is a TK-5 research based, Common Core aligned Language Arts program that incorporates literature and informational anchor texts, close reading routines, and leveled readers in order to introduce and engage students in word study, phonics, foundational reading skills, writing, language, speaking, and listening skills. The curriculum also provides EL support, diverse assessment options, and lessons and activities to aid in intervention and enrichment.

ELA instruction will be further supplemented with Imagine Learning as the technology component during the station rotations. Imagine Learning is a TK-8 interactive online language and literacy program that utilizes activities, videos, games, and songs that adapt to individual student needs through systematic instruction of Common Core and ELD standards. Imagine Learning allows students to work at their own pace to ensure the concepts that students are working on are mastered before moving on to more advanced skills. EL support is provided by initially allowing first-language support (with 15 languages to choose from) to guide English learning. As the students become more proficient in English, the first-language support begins to fade, allowing students to gradually become more comfortable in English only environments. Imagine Learning is fun and interactive for students, while providing teachers with continuous assessment and data to drive daily instruction.

Additionally, Zoo Phonics will be utilized in grades TK-1 to teach and reinforce phonics and phonemic awareness skills. Handwriting Without Tears will be used in TK to reinforce and strengthen handwriting and fine motor skills. In addition, Read Naturally will be used to further support students in the Special Education program. Students in all grade levels will be exposed to a wide range of literature and informational texts to develop their analytical and critical thinking skills. BPA-SD's English Language Arts program is designed to ensure that all students will engage daily in reading, writing, speaking and listening activities to become fluent readers who comprehend and value literature, and are competent writers, articulate speakers, and thoughtful listeners who can communicate effectively.

The CCSS will, again, serve as the foundation for mathematics instruction. Lessons will consist of direct instruction of new concepts while using hands-on activities. Through the blended learning – station rotation model student will, again, have the opportunity to work with partners and small groups, use online curriculum to meet their individual needs, and apply learned skills on independent activities. The CCSS mathematics standards, at this level, focus on number and operations in base ten, operations and algebraic thinking, measurement and data, and geometry.

Students in the early grades will begin by identifying and understanding the composition of numbers, solve addition and subtraction problems, identify and understand place value, compare numbers, measure with standard and nonstandard units, interpret data on simple graphs, and recognize the names and attributes of 2D and 3D shapes. As students get older, they will solve multiplication and division problems, understand the patterns of arithmetic, develop an understanding of fractions as numbers, solve problems involving measurement, time, liquid volume and masses of objects, be able to distinguish between linear and area measurements, reason with shapes and their attributes, solve multi-step word problems, and draw and identify lines and angles.

Houghton Mifflin *Go Math!* will be adopted for K-5. Houghton Mifflin's *Go Math* is a K-5 Common Core aligned mathematics curriculum that provides students in depth learning of counting and cardinality, number and operations in base ten, number and operations in fractions, ratios and proportional relationships, the number system, operations and algebraic thinking, expressions and equations, measurement and data, geometry, and statistics and probability. The math curriculum also provides EL support, diverse assessment options, and lessons and activities to aid in intervention and enrichment. Houghton Mifflin's *Big Day for PreK* will be used for Transitional Kindergarten. This California Common Core/Preschool Learning Foundations-based curricula focus on student engagement and development of vocabulary and problem solving skills, and provides support for teachers to differentiate instruction at each grade level.

Math instruction will be further supplemented with ST Math as the primary technology component during the station rotations. ST Math is a TK-8th grade visual approach to teaching mathematics through the use of online, computer-based games that are aligned to Common Core standards. What makes ST Math so unique is that it is free of language or symbols, making it highly effective for all students, including English Learners. Students work through scaffolded puzzles at their own pace to gain an understanding of what the concept is, then once mastered, they will continue to work towards mastery of that skill through leveled games. This process not only builds understanding, but intrinsic motivation as well. Daily, teachers have access to data to help them drive instruction and find areas in which students need additional support or enrichment. ST Math engages students at any level of math or language proficiency into a progression of mathematics understanding. Khan Academy and/or additional online curriculum will also be used to support differentiated instruction.

Students' math knowledge will be reinforced with a daily warm-up activity that applies previously learned skills to problem solving. The goal of the math program is to make students fluent with numbers, to build mathematical reasoning skills, to develop a strong math vocabulary, and to apply these concepts in problem solving.

BPA-SD's science curriculum will implement the Next Generation Science Standards. Inquiry-based science lessons will emphasize learning through exploration and will follow the scientific method of predicting, observing, recording data, and reaching a conclusion. Students will be provided with hands-on investigations, laboratory experiences, and projects to demonstrate mastery of grade level standards.

Our TK-5th grade teachers blend traditional textbooks, engaging online content, and hands-on activities to present the Next Generation Science Standards in an exciting and interactive manner. Along with the NGSS, the teachers emphasizes literacy skills while guiding students through earth science, physical science, life science, and engineering design in order to encourage cross curricular studies and further encourage literacy and math skills from CCSS. Lessons are

differentiated to meet the needs of high-achieving, low-achieving, and EL students through the use of pictures, realia, hands-on models, scaffolded vocabulary and level appropriate informational texts.

Social Studies at the elementary level will include themes such as families, communities, California history and geography, and United States history and geography. Teachers will provide students with access to primary and secondary historical sources, maps, and timelines. The social studies curriculum will be taught with an emphasis on the historical people who particularly impacted their times. Field trips to museums, cultural centers, and community/government facilities will enrich students' knowledge of their own community while exposing them to new experiences and cultures.

Social Studies lessons and activities encourage student interaction and engagement, allowing them a deeper connection to the California Social Studies Standards. Students begin in the early years studying family relationships, making friends, and problem solving, then progress to concepts such as school structures, local and global communities, geography, different cultures, regions of our country, and America's past. Students look at primary sources, participate in community field trips, and read level appropriate informational texts to connect the standards to the world around them.

In addition to Houghton Mifflin's *Big Day for PreK* being used as the Transitional Kindergarten curriculum for English Language Arts and Mathematics, it will also address skills in the following learning domains: Social-Emotional Development, Oral Language and Vocabulary, Science, Social Studies, Fine Arts, Physical Development, and Technology. Paralleling grades K-5, Transitional Kindergarten students will receive a developmentally appropriate education that will shape their early development for success in subsequent grades. *Handwriting Without Tears* will be used to strengthen fine-motor development. The goal of this comprehensive program for TK is to build foundational skills in all areas of development that will set students up to be lifelong learners who are able to think critically, communicate effectively, and work both collaboratively and independently.

In the classroom setting, the big picture (theme) of the lesson will be introduced, vocabulary instruction will be presented and students will be exposed to what will be taught at a more intensive level to follow in small group instruction. The small group instruction will be presented through the station rotation model where students are placed in small groups (3-5 students) that may be based on similar ability levels, cooperative groupings (mixed abilities), or peer tutoring. This will allow teachers to meet the individual needs of all students.

During this rotation, students will be introduced to more detailed concepts than were previously introduced during whole group instruction. The small group instruction will be facilitated by the classroom teacher or an instructional aide. In addition to the small group instruction, students will practice skills independently while still in their assigned groupings. These stations will include technology based learning (i.e. web-based programs, tablet applications), hand-on activities, collaborative projects, and pencil and paper assignments.

Student academic growth will be monitored through the use of formal and informal assessments. Formal assessments will include, but will not be limited to: NWEA-Measures of Academic Progress (MAP) administered online to students tri-annually, Houghton Mifflin Journeys Emerging Literacy Survey, Read Naturally, California Assessment of Student Performance and Progress (CAASPP), paper and pencil exams, projects and performance-task assessments.

Informal assessments will include daily observation, anecdotal records, work samples, and portfolios.

A Day in the Life of a TK-5 Student

Students in grades TK-5 will typically follow the same daily routines for instructional time, guided practice, and independent work. The school day will start with students gathering as a class to participate in a morning meeting. During this time, students may discuss new big ideas that will be presented to them in lessons during that day and/or participate in whole class discussions on review topics. As an example, the morning meeting with a Kindergarten class might include calendar time that focuses on concepts such as: counting, time, graphing, phonics, songs, days of the week and months of the year chants. These meetings will be designed to review and reinforce previously taught concepts and allow teachers to front load students with information that might be useful in lessons taught later that same day. The teacher would use this time to encourage questions, comments, and discussion among the whole group to pique interest and activate prior knowledge before instruction is formally presented.

Following the morning meeting, classrooms will begin their blended learning in a station-rotation model. Students may be grouped in a variety of ways (based on ability levels, interests, mixed abilities, etc.) enabling the teachers to differentiate assignments towards meeting the individual needs of all students in their classrooms. Each small group will work through different learning stations where students will meet with the classroom teacher for small group instruction, practice skills through independent activities, work collaboratively with hands on activities and use technology to apply and practice concepts. These station rotations will take place twice daily, including a rotation for English language arts concepts and a rotation for math concepts.

The instructional coach (IC) in each classroom plays a crucial role during these blended learning station rotations for English language arts, math, and the remediation/enrichment time. The ICs support student learning by ensuring students are engaged, troubleshooting technology or material issues as well as being available to work with students as situations arise. This support allows the teacher to be completely free and focused to work with the small group of students at their direct instruction station.

English language arts blended learning stations in a second grade classroom might include: guided reading and discussion with the classroom teacher using common core aligned Houghton Mifflin Journeys as the anchor text, instruction on Imagine Learning at the computer station to improve reading comprehension and fluency, incorporating hands on instruction in a small group to manipulate and sort words according to their parts of speech, and independent writing using vocabulary and high frequency words in meaningful sentences at student desks.

Third grade blended learning station-rotations for math might include: the teacher delivering the lesson utilizing the common core aligned Houghton Mifflin 'Go Math' curriculum, students working independently on computers in ST math, students partnering with other students to improve automaticity on math facts using flashcards, and students doing a paper-and-pencil assignment to demonstrate understanding of the concepts as well as the ability to complete assigned work independently.

Each day, students will have a morning break and lunch break, with time scheduled in the afternoon for science and social studies. Each afternoon, time is dedicated to allow teachers an opportunity to meet with groups of students who need further instruction in specific areas, or to further

challenge students who are high achieving. This intervention and enrichment time may look different from classroom to classroom, but it is designed to allow teachers a small block of time each day to have additional small group encounters with students who need the enrichment or additional support. Throughout the week, physical education, art, and music instruction will be provided by additional designated qualified teachers in each of these discipline areas.

Sample Transitional Kindergarten/Kindergarten-Fifth Grade Schedules

BPA-SD TRANSITIONAL KINDERGARTEN		
Time	Minutes	Subject
8:30-8:50	20	Morning Meeting
8:50-9:15	25	Reading - Social/Emotional Focus
9:15-10:00	45	ELA/Writing
10:00-10:15	15	Snack and Recess
10:15-11:45	90	Math
11:45-12:00	15	Reading - Speaking and Listening Focus
12:00-12:30	30	Lunch
12:30-12:45	15	Drop Everything and Read (DEAR)
12:45-1:15	30	Science/Social Studies
1:15-1:35	20	Reading
1:35-2:20	45	Art, Music, PE
2:20-3:00	40	Intervention/Enrichment
3:00-3:10	10	Closing Meeting
3:10-3:15	5	Dismissal

BPA-SD KINDERGARTEN		
Time	Minutes	Subject
8:30-8:40	10	Morning Meeting
8:40-10:00	80	Math
10:00-10:15	15	Snack and Recess
10:15-11:15	60	Reading
11:15-12:00	45	ELA/Writing
12:00-12:30	30	Lunch
12:30-12:45	15	Drop Everything and Read (DEAR)
12:45-1:15	30	Science/Social Studies
1:15-2:00	45	Art, Music, PE
2:00-2:30	30	Science/Social Studies
2:30-3:10	40	Intervention/Enrichment
3:10-3:15	5	Dismissal

BPA-SD FIRST GRADE		
Time	Minutes	Subject
8:30-8:40	10	Morning Meeting
8:40-10:00	80	Reading
10:00-10:15	15	Snack and Recess
10:15-11:00	45	ELA/Writing
11:00-12:00	60	Math
12:00-12:30	30	Lunch
12:30-1:15	45	Art, Music, PE
1:15-1:30	15	Drop Everything and Read (DEAR)
1:30-2:30	60	Science/Social Studies
2:30-3:10	40	Intervention/Enrichment
3:10-3:15	5	Dismissal

BPA-SD SECOND GRADE		
Time	Minutes	Subject
8:30-8:40	10	Morning Meeting
8:40-10:00	80	Math
10:00-10:15	15	Snack and Recess
10:15-11:15	60	Reading
11:15-12:15	60	ELA/Writing
12:15-12:45	30	Lunch
12:45-1:00	15	Drop Everything and Read (DEAR)
1:00-1:20	20	Science/Social Studies
1:20-2:05	45	Art, Music, PE
2:05-2:45	40	Science/Social Studies
2:45-3:10	25	Intervention/Enrichment
3:10-3:15	5	Dismissal

BPA-SD THIRD GRADE		
Time	Minutes	Subject
8:30-8:40	10	Morning Meeting
8:40-10:15	95	Math
10:15-10:30	15	Snack and Recess
10:30-11:30	60	Reading
11:30-12:15	45	ELA/Writing
12:15-12:45	30	Lunch
12:45-1:00	15	Drop Everything and Read (DEAR)
1:00-1:20	20	Science/Social Studies
1:20-2:05	45	Art, Music, PE
2:05-2:45	40	Science/Social Studies
2:45-3:10	25	Intervention/Enrichment
3:10-3:15	5	Dismissal

BPA-SD FOURTH GRADE		
Time	Minutes	Subject
8:30-8:40	10	Morning Meeting
8:40-10:15	95	Reading
10:15-10:30	15	Snack and Recess
10:30-11:00	30	ELA/Writing
11:00-12:30	90	Math
12:30-1:00	30	Lunch
1:00-1:15	15	Drop Everything and Read (DEAR)
1:15-2:05	50	Science/Social Studies
2:05-2:50	45	Art, Music, PE
2:50-3:10	20	Intervention/Enrichment/Leadership (Wednesday)
3:10-3:15	5	Dismissal

BPA-SD FIFTH GRADE		
Time	Minutes	Subject
8:30-8:40	10	Morning Meeting
8:40-10:15	95	Reading
10:15-10:30	15	Snack and Recess
10:30-11:00	30	ELA/Writing
11:00-12:30	90	Math
12:30-1:00	30	Lunch
1:00-1:15	15	Drop Everything and Read (DEAR)
1:15-2:05	50	Science/Social Studies
2:05-2:50	45	Art, Music, PE
2:50-3:10	20	Intervention/Enrichment/Leadership (Wednesday)
3:10-3:15	5	Dismissal

Sixth through Eighth Grades

In grades six through eight, students will rotate between working independently, in small group instruction and in collaborative cross-curricular projects. The blended learning model offers integration between the subjects during small group instruction. Core subject content teachers will collaborate across subjects and create projects that span the disciplines. Beginning in sixth grade a supervising teacher will develop a 4-year high school education plan with the student and parents. At the beginning of each subsequent year, this plan will be reviewed in conjunction with the student’s current course plan as outlined in the academic flowchart of the 4-year educational plan. (See Appendix E1)

Students in these grades will complete CCSS aligned assignments in the classroom as well as in the computer based curriculum. In the lab-rotation model, students will complete work in a computer based curriculum (Edgenuity) that provides direct instruction, assignments, assessments, and performance tasks according to grade-level standards. In the classroom instruction, students will complete projects extending their knowledge of standards-based material in the computer based curriculum, complete hands-on, inquiry-based explorations to build the foundation for new content, and receive personalized instruction utilizing strategies including, but not limited to, small-group instruction, Khan Academy practice items, Desmos classroom activities, and Smarter Balanced aligned practice items through Khan Academy, Edulastic, and Edcite.

Technology Tool	Description	Use Case
Edcite	Edcite enables teachers to create high-quality, easily customizable, interactive content to fit their class.	Math/ELA formative assessment, CAASPP-prep.
Edulastic	A platform for personalized formative assessment for K-12 students, teachers and school districts.	Math/ELA formative assessment, CAASPP-prep.
Khan Academy	Expert-created content and resources for every subject and level.	Math formative assessment and individualized instruction, CAASPP-prep.
Desmos	State of the art, free online graphing calculator supporting interactive standards-aligned inquiry-based classroom activities.	Math small group/individualized practice.
Edgenuity	Online curriculum/LMS providing standards-aligned lessons, activities assessments across core-subject areas.	Blended learning, individualized practice/instruction in core courses.
NWEA MAP	Widely adopted assessment system supporting data review for individualized instruction and intervention.	Benchmark assessments, formative assessments to guide classroom instruction, data reporting to stakeholders.

Using the Edgenuity curriculum, students working independently will follow a series of lessons that build on previously learned material. Depending on the assigned course and the teacher evaluation of the student, pretesting and prescriptive testing may occur so that students can bypass subject matter in which they have a solid prior knowledge base in order to spend more time on new material.

Edgenuity, has many embedded features such as text-to-speech, glossary, e-notes, and lesson transcripts to support student learning. Lessons include “Online Content” that connect students to websites with information relevant to what they are learning. In the onsite classes/labs and on field trips, students will be asked to gather new information and then practice, apply, and present this new information in a variety of ways such as debates, discussions, papers, projects and presentations. These features will not only help students who are performing at grade level, but will also aid students who are English Learners, in Special Education, or who are high or low achieving.

Another component of Edgenuity, known as MyPath, allows students to further receive data-driven differentiated instruction in Reading and Mathematics as well as providing age-appropriate and relevant content to meet the needs of students’ individual levels. In addition, MyPath allows students additional opportunities for intervention and/or enrichment in the areas within the core curriculum. Additional EL curriculum and supports are outlined in the Plan for English Learners section.

Students will also be required to expand their technology use beyond the assigned curriculum by conducting internet research, uploading documents to Google Drive, and producing Microsoft Power Point presentations. Students will use Khan Academy and other websites for support in courses, College Board for college research and PSAT/SAT test preparation.

Through the computer-based curriculum, students will have access to an assignment calendar, color coded progress bars, and student planners to use independently. Teachers will be able to review all of the above tools in conjunction with the student flowchart, and student progress spreadsheet to further communicate and determine pacing needs.

Each computer-based course is mapped out for a semester, therefore providing students with access to an Edgenuity assignment calendar showing the amount of work to be completed each day. Teachers enter a target date of completion for each course, typically the end of the semester. The Edgenuity program automatically schedules the appropriate amount of work for the student to complete each day in order to finish the course by the target date. This curriculum also incorporates direct video instruction, text to speech, closed captioning, text-referencing for incorrect responses, and immediate feedback on content understanding.

During the small group instruction, teachers will incorporate a variety of instructional methods, such as direct instruction, small groups, individual discussions, critical thinking projects, games and student activities to assist students in applying the knowledge they have acquired. Teachers will develop activities, projects, and labs that incorporate the Common Core State Standards, require group collaboration, and encourage cross-curricular engagement in the standards and schoolwide learner outcomes. Teachers will collaborate to develop and assign projects that cover multiple subject areas, such as English and Social Studies.

Students will have project time built into their daily schedule, during which they can research subjects and collaborate with other students to compare and analyze information. Students will

work both independently and in groups to think, reason, and problem-solve in their courses. Lessons in all courses will encourage problem solving and critical thinking skills.

With the real-time accessibility through the parent portal, parents will have access to the computer-based curriculum that will allow them to be more involved and engaged in their child's education, as well as have a better understanding of the rigorous college prep curriculum.

English/Language Arts

With appropriate literature and informational reading selections, students in grades six through eight will acquire the English Language Arts subject matter through the blended learning of Edgenuity program and in small group Instructional Design Assignments all align with the CCSS for English Language Arts and the ELA/ELD Framework for grades six through eight.

Students will learn to read critically, analyze texts, and cite evidence to support ideas as they read essential parts of literary and informational texts, fiction, poetry, drama, and expository nonfiction. Vocabulary, grammar, and listening skills will be sharpened through lessons and assignments that will give students explicit modeling and practice. Students also will engage in routine, responsive writing based on texts they have read. In extensive, process-based writing lessons, students will receive instruction on grade level appropriate writing of essays in narrative, informative, analytical, and argumentative formats. In this blended model, students will develop a mastery of reading, writing, and language arts skills.

In addition, students will be utilizing the Document-Based Questions (DBQ) reading for understanding and evidence-based writing. DBQs will encompass reading, thinking critically, speaking, listening and writing effectively about literary questions that will be further incorporated with Edgenuity. Students will be participating in cross-curricular project based learning where they will have the opportunity to put to use the skills and knowledge learned in core subject classes towards a final product from academic research, informative essays, presentations and public speaking using a medium of their choice. Throughout the process, students will make vital connections in a wide range of subjects necessary for them to learn and succeed.

Mathematics

In mathematics, grade six students will begin by extending their knowledge of the number system, building on their work with fractions in TK-5, to utilize ratio and rate reasoning and to work with negative numbers. This knowledge base will again be extended for students in grade seven to solve problems involving proportional relationships and increase fluency with operations on rational numbers. This will be important in grade eight and beyond in relation to rate of change and linear equations.

Grade six students will also extend the work done in TK-5 with measurements of distance, area, and volume by solving more complex problems utilizing these measurements as well as introducing surface area. This knowledge base will be extended through the middle school program by including angle measurements, measurements of circles, cylinders and spheres, and solving problems utilizing the Pythagorean Theorem.

Students in grades six through eight will begin the process of building algebraic thinking by first representing quantities symbolically with variables. This will continue to be built upon throughout middle school as students learn to represent operations on numbers with algebraic expressions as well as representing relationships between quantities with algebraic inequalities and equations.

By the eighth grade, students will be able to represent abstract algebraic expressions using function notation and reasoning.

In the domain of statistics and probability, grade six students will begin by learning a variety of representations for data (histograms, box plots, etc.) and basic statistical measurements that characterize data distributions. Grade seven students will begin exploring statistical inference and sampling methods. Grade eight students will begin to use mathematical modeling techniques to investigate correlation in bivariate data sets.

Social Science

In Social Science, from World Ancient Civilizations to American History stories, students will acquire the subject matter through the blended learning of the Edgenuity program and in small group Instructional Design Assignments all aligned with the History-Social Science Content Standards and the History-Social Science Framework for grades six through eight. Infused throughout the program are materials of intellectual rigor, support of content comprehension and analysis skills for teachers to execute.

In addition, students will participate in Document-Based Questions, deep reading for understanding and evidence-based writing. The students will compose informative, narrative, explanatory, and/or argumentative writing. This will develop into segments of inquiry such as Project Based Learning where the student has a choice, is in control and learns with her/his peers based on personal/intrinsic motivation. All elements will be fused for the student in order to gain knowledge and skills through an investigation of an authentic problem(s)/challenge(s).

Science

All of the fields of science are captivating and rapidly expanding. Therefore, grades six through eight science will be instructed and acquired by students in the subject matter using the blended learning of the Edgenuity program and small group instruction. In addition, the small group Instructional Design Assignments will be aligned with the Next Generation Science Standards and curriculum framework for grades six through eight. Infused throughout the science program will materials of intellectual rigor, interactive/compelling lessons, supportive of content comprehension and analysis skills that will be utilized by the teachers.

Moreover, through virtual and physical laboratory experiments, students will refine and expand their understanding and apply their knowledge in investigation that requires them to ask questions and create hypotheses. Students will solve problems, reason abstractly, and learn to think critically. With unique activities and materials, students will connect scientific theories and concepts to current, real-world dilemmas. Students will be provided with opportunities for mastery in each of the segments. Students will learn how to acquire skills for productive interpretation of evidence and how to then communicate scientifically.

BPA-SD will ensure that, incorporated into the science curriculum in seventh grade in 2019-20 and eighth grade the following years, students will receive specified comprehensive sexual health education and HIV prevention education in accordance with Education Code Sections 51930 and 51937. BPA-SD will provide parents with an opportunity to opt their child of this instruction.

FAFSA/Dream Act Notification and Information

Because BPA-SD is focused on a rigorous college prep program, BPA-SD will provide eighth grade students and their parents/guardians with information on how to complete the Free Application for Federal Student Aid (FAFSA) and the California Dream Act financial aid application through family information nights, flyers and handouts. The information provided will include:

- (1) The types of documentation and personal information that each student financial aid application requires.
- (2) An explanation of definitions used for each application.
- (3) Eligibility requirements for student financial aid that may be applied for using the FAFSA or the California Dream Act Application.
- (4) Application timelines and submission deadlines.
- (5) The importance of submitting applications early, especially when student financial aid is awarded on a first-come, first-serve basis.

In addition, a paper copy of the FAFSA or California Dream Act application will be provided to a student or parent/guardian upon request.

A Day in the Life of a 6-8 Grade Student

Students in grades 6-8 will follow a lab rotation model of blended learning, accessing the curriculum via chromebooks as well as guided practice in core/elective classes. A typical school day begins with a quick check in after housekeeping items. Instructional coaches meet with students in the learning center to discuss progress in core classes. During this time, remaining students are working independently through the computer based curriculum.

Following the independent practice, students will follow an established schedule to attend core/elective classes. Students are required to attend all core classes as well as elective classes. Elective classes may include but are not limited to: Physical Education, Art, Music, Yearbook and/or Leadership. During core and/or elective class, students will be presented with new material following best instructional practices including activating prior knowledge, student engagement, nonlinguistic representations, reinforcing effort and feedback, as well as participating in cooperative learning groups based on content. Teachers will create cooperative learning groups based on NWEA MAPS assessments and teacher observations/assessments. Each cooperative learning group will be working towards a specific goal to achieve the learning outcome presented at the beginning of the class.

Grade levels attend core classes in groups of 25 students. The remaining students continue to work in the learning until their scheduled class time. Core teachers will have office hours during the week where additional support is provided to students; this support will take place either in the learning centers or individual classrooms depending on the teacher and/or instructional coach.

All students in grades 6-8 will participate in Edgenuity, an online curriculum. Students will access the curriculum via their assigned chromebook. Teachers and coaches will train students at the beginning of the school year on how to access courses and the usage expectations. In sixth grade, students are enrolled in four core classes: Math, English, Social Studies, and Science, in Edgenuity; each course varies in hours from 35 hours to 45 hours in the computer based curriculum. Students are expected to work 20 - 25 hours per week on their coursework; the breakdown is 1 hour per class, per day-which equates to 4 hours per day on core classes. This is in addition to the class time and assignments given in core and elective classes. All expectations are communicated with

parents at the beginning of the year as well as throughout the school year. Teachers and coaches meet weekly with the Director of Education to monitor student academic progress as well as student usage. Parents will be contacted if students are failing to maintain the rigorous college preparatory expectations. Instructional coaches and teachers will also meet with students regularly to ensure students stay on target in their coursework on Edgenuity as well as in their core classes.

Sample Middle School Schedules

BAYPOINT SAMPLE SCHEDULE 6TH GRADE					
TIME	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
8:30- 8:40	Opening	Opening	Opening	Opening	Opening
8:40-9:30	MUSIC/ART	PE-GIRLS	MUSIC/ART	PE - GIRLS	MUSIC/ART
9:30-10:20		PERCUSSION			PROJECT
10:20-11:10	SOCIAL STUDIES	SCIENCE	SOCIAL STUDIES	SCIENCE	PE-BOYS
11:10-12:00	PE - BOYS				
12:00-12:30	Lunch	Lunch	Lunch	Lunch	Lunch
12:30-1:00	ELA	ELA		ELA	ELA
1:00-1:50			ELA		
1:50-2:40					
2:40-3:15	MATH	MATH	LEADERSHIP MATH	MATH	MATH
BAYPOINT SAMPLE SCHEDULE 7TH GRADE					
TIME	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
8:30-8:40	Opening	Opening	Opening	Opening	Opening
8:40-9:30		PE - GIRLS		PE - GIRLS	
9:30-10:20	MUSIC/ART	PERCUSSION	MUSIC/ART		MUSIC/ART
10:20-11:10	INSTR. MUSIC	INSTR.MUSIC	INSTR. MUSIC	INSTR.MUSIC	PE - BOYS
11:10-12:00	PE - BOYS	SCIENCE	SOCIAL STUDIES	SCIENCE	SOCIAL STUDIES
12:00-12:30	Lunch	Lunch	Lunch	Lunch	Lunch
12:30-1:00					
1:00-1:50	MATH	ELA	MATH	ELA	MATH
1:50-2:40					
2:40-3:15			LEADERSHIP		

BAYPOINT SAMPLE SCHEDULE 8TH GRADE					
TIME	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
8:30-8:40	Opening	Opening	Opening	Opening	Opening
8:40-9:30		PE - GIRLS		PE - GIRLS	
9:30-10:20		PERCUSSION			
10:20-11:10	INSTR. MUSIC	CHOIR	INSTR.MUSIC	CHOIR	PE - BOYS
11:10-12:00	PE - BOYS	SOCIAL STUDIES		SOCIAL STUDIES	
12:00-12:30	Lunch	Lunch	Lunch	Lunch	Lunch
12:30-1:00		PROJECT		PROJECT	
1:00-1:50	SCIENCE				SCIENCE
1:50-2:40	ELA	MATH	ELA	MATH	ELA
2:40-3:15			LEADERSHIP		

Assessments/Data

Data will be collected, disaggregated, and analyzed through a variety of measures, including both formative and summative assessments to measure student achievement. BPA-SD will utilize NWEA MAP, Imagine Learning, ST Math, CST, California Assessment of Student Performance and Progress data to determine academic placement, course modification and support.

Teachers will regularly assess all students through common formative and summative assessments to determine the effectiveness of the curriculum and instructional supports. All course assessments will be linked with the Common Core State Standards. Curriculum assessment thresholds for all Edgenuity quizzes, tests, and cumulative finals will be 70%. Students not meeting this threshold will need teacher approval, review and support, before moving on to the next unit. This will ensure content mastery.

The teaching staff at BPA-SD will understand that:

- A key component to the success of students is staff members who are dedicated to putting students first.
- It is important for teachers to work collaboratively to integrate ideas and concepts across the core curricular areas. This will allow students to bridge the gap between content areas and will lead to deeper understanding of the content standard concepts.
- Student work completion will be monitored on a daily/weekly basis.
- Professional development opportunities for all staff are critical to student success. These will include: attending conferences, participating in workshops and webinars, visiting schools with successful academic programs, and online research. (See Appendix E1)
- Creating additional learning opportunities for students in class, projects, labs, field trips, speakers, and other educational opportunities is essential for supplementing, enriching, and supporting student learning.
- Through the development of more varied instructional routines, which by stages increase student control over learning activities, teachers can decrease learners' dependence and concentrate on the range of learning experiences students encounter.
- Using rigorous curriculum from recognized publishers and programs (e.g. Scott Foresman, Pearson, Houghton Mifflin Harcourt, Imagine Learning, ST Math, Accelerated Reader,

Zoo Phonics, Evan Moor, Edgenuity), BPA-SD will have the necessary academic elements to align learning with the California/Common Core Content Standards.

- Recognizing the significance of providing every student with well-rounded educational opportunities, visual and performing arts and physical education, students will be able to participate in community activities, thus rounding out their comprehensive learning experiences.
- Concentrating early on the 'advanced' skills of reasoning, problem solving, comprehension, and composition, students will be engaged in academic learning that has meaning and application in their lives.
- Building on prior knowledge and meaningful student contexts/cultures, each student's interests and curiosity are activated, thus, infusing instruction with a sense of purpose.
- Reaching out to families and providing structures for them to become involved, BPA-SD builds a strong community, thus helping students build a strong foundation for their future.

Technology

At BPA-SD, technology is embedded into the academic curriculum in multiple ways. BPA-SD expects students to be confident users of many technological tools. At BPA-SD, students will effectively use technology:

- To gather, sort, and analyze information
- To collaborate with peers and experts through distance learning
- To construct rich representations of personal learning experiences
- To engage in higher order thinking skills and problem solving
- To enhance personal productivity and self-management

Professional Development Plan

BPA-SD will document a professional learning plan that is aligned with the school's mission and vision, blended learning model and the school LCAP. The LCAP will document BPA-SD's three year plan for achieving desired academic goals aligned with the eight state board priorities. The California Quality Professional Learning Standards (QPLS) present the elements of a quality professional learning system that will benefit BPA-SD educators focused on increasing their professional capacity and performance. BPA-SD's professional learning plan will include professional learning options that include but are not limited to: regional professional learning, site based professional learning, webinars, multi-day conferences and web modules.

The BPA-SD staff will be committed to providing a professional learning plan that is rooted in student and educator needs, focused on content and pedagogy, designed to ensure equitable outcomes, supports the diverse needs of all students (including EL, SPED, low and high achieving), collaborated with an emphasis on shared responsibility, aligned with Common Core Standards and supported by adequate resources. We will begin the year with professional development days that will be site based professional learning combined with webinars covering topics that range from safety and security to topics covered by experts in our site based curriculum and deliver model (i.e mandated reporter training, FERPA, special ed/ 504 law, blended learning model, Houghton Mifflin, Edgenuity, Imagine Learning and ST Math). The year will continue with purposely planned staff development days as well as specific staff members attending professional learning opportunities that support their growth within our professional learning environment. El Dorado County Charter SELPA also supports our professional learning plan by offering our staff many learning topics such as: Positive School Culture and Climate, Mental

Health Seminars, Post-Secondary Transition Training, Inclusive Environments Seminar and Seminars on Autism. (See Appendix E1)

LCFF Compliance

BPA-SD will comply with all requirements pursuant to California Education Code and 47605(b)(5)(ii) including the development of school wide goals for all subgroups as applicable to the eight state priority areas identified in Education code 52060(d). In addition, BPA-SD will comply with all elements of the Local Control Accountability Plan, including the adoption of any templates required by the State Board of Education. In addition, BPA-SD will include a supplemental budget summary document that breaks down funding by fund sources and more specifically ties budget expenditures to how they will increase or improve services for unduplicated pupils. These school wide goals can be found in Element 2 of this petition.

Independent Study

BPA's educational program may include the enrollment of interested students into a full-time Independent Study Program (IPS), which is comprised of the site-based curriculum. Grade level appropriate teachers will be responsible for overseeing the program and assigned students. The teacher will meet with these students and their parents to determine goals, provide lesson plans, support instruction and administer assessment of student progress. Students in this program will be enrolled students of BPA and will be held to the same standards and expectations as students in the site-based program.

Students who are enrolled into the ISP will have access to extra-curricular programs, workshops, small group instruction, field trips, intervention, curriculum and any resources available to the site-based students. These services include a facility staffed by credentialed teachers, ongoing tutoring on-site and regular scheduled meetings (at least once every twenty school days) to review assignments, assess mastery of standards and assign new materials. Parents will be provided with lesson plans, curriculum and materials for instruction that are reviewed at these monthly meetings with the teachers.

BPA will comply with Education Code 51746 to ensure that the ISP students have equal access to the existing services and resources that they would have received in a traditional school within the District. ISP students will be included in the statewide assessments and will be required to attend school during test administration.

In addition to complying with all applicable California charter school regulations, BPA will comply with all specific regulations and California Education Code applicable to Independent Study for the ISP students. Education Code 47612.5(b) states that a charter school that provides independent study will comply with Education Code 51745 et seq. As such, the provision of education for Independent Study will be defined in an Independent Study Board Policy that will be adopted by the BPA Governing board after a public hearing is held. This will be documented by individual student work samples and master agreements for each student.

Further, BPA will adhere to all applicable sections of the Education Code for Independent Study, 51745 et seq, along with all regulations and funding determination requirements of Education Code 47612.5 and 47634.2 and Title 5 California Code of Regulations 11963-11963.7 (SB740). BPA-SD will adhere to the California Code of Regulations related to audit requirements for charter schools, Title 5 California Code of Regulations 19850-19854. As laws pertaining to charter schools change, BPA-SD reserves the right to make changes to meet the needs of the educational program as approved by the Executive Director and Governing Board.

Academic Calendar, Number of School Days, and Instructional Minutes

BPA-SD will follow applicable state law to assure students enrolled in the school attend a minimum of 175 days. BPA-SD may set its calendar independently of SBE in terms of holidays, breaks, and the beginning and end of the school year. BPA-SD will offer the required instructional minutes set in Education Code Section 47612.5(a) [(A) To pupils in Transitional Kindergarten/Kindergarten, 36000 minutes, (B) to pupils in grades 1 to 3, inclusive, 50,400 minutes, (C) to pupils in grades 4-8, inclusive, 54000 minutes]. (See appendix E1)

Transferability of Courses

BPA-SD will seek accreditation through the Western Association of Schools and Colleges in the Spring of 2019.

Plan for Students Who are Academically Low Achieving

Academically low achieving students have a place at BPA-SD. Students will be identified utilizing MAPS assessments and ongoing teacher collected data. Students will be provided with curriculum, materials, and teaching resources appropriate to their academic levels, with the goal of attaining at least one year's academic progress within the school year. Students who are found to be At-Risk of attaining at least one year's academic progress will be supported by BPA-SD Multiple Tiered System of Supports (MTSS). BPA will implement MTSS with the use of the Response to Intervention Model (RTI). MTSS will address academic as well as the emotional and behavioral development of children. The RTI process will provide effective instruction and intervention across three tiers to all students. The three tiers begin with Tier one which addresses every student with researched based core instruction. If the student is still struggling, tier two will begin with targeted interventions. Tier 3 will be documented by the Student Support Team and will include intensive interventions. Assessments, progress monitoring and data driven decision making are all components of BPA's MTSS.

In a safe, positive, and personalized learning environment, these students will be able to concentrate on intensive learning with targeted instruction provided by the classroom teacher. The in-depth applications of concepts will be an integrated part of the blended learning program. Teachers will work closely with the Director of Education and the Director of Special Education to review student data, select appropriate interventions based on specific student needs, implement interventions, and collect ongoing data that monitors the student's progress.

Upon identifying low achieving students in the classroom, teachers will support these students through specifically selected interventions for three weeks (Tier 2). Students will receive targeted instruction three to four days per week, for 15-20 minutes each day. Data will be collected and reviewed by the teacher, the Director of Education and the Director of Special Education. The Director of Education will meet with the teaching staff every third week of classroom instruction. During this time, teachers will discuss students' progress with interventions and determine next steps for students' success. Upon review, if a student is making progress or has mastered the skill, other interventions will be determined after reviewing the student's data. If sufficient progress has not been made by the student, the teacher will change interventions with the support of the Director of Education and the Director of Special Education (Tier 2). After three more weeks of intervention, if the student is still not progressing, then a Student Study Team (SST) meeting will convene to provide additional support (Tier 3). This team will consist of the parents of the student, the classroom teacher, and the Director of Education. The Director of Education will contact the parents to discuss the SST process and how this process will develop a

personalized learning plan to address the targeted areas of concern and develop goals for the student to progress towards. The SST process is part of our Child Find and may lead to the need for assessment for an IEP or 504 plan.

Parents are an integral part of the student's learning experience. BPA-SD believes in communicating with parents each step of the RTI process as we support the student with specific targeted instruction. As the student participates in the interventions, progress monitoring, and data collection, the teacher will be responsible for communicating any changes, areas of progress, or continued areas of concern with the student's parents.

Plan for Students Who are Academically High Achieving

At BPA-SD, we believe the personalized learning plan enables high achieving students to thrive. High achieving students will be identified utilizing MAPS assessments, CAASPP scores and/or teacher collected data. High achieving students will be identified utilizing the following criteria: Students performing more than one level above his/her actual grade level, Consistent 4's on TK-5 assessment reports and letter grades of "A" earned on assessments of content learning standards in the core curricular areas for 6th-8th grade students and teacher identification. BPA-SD teachers will work closely with parents and students to assure a steady flow of enrichment activities for students working above grade level. Parents/guardians will be notified of their students' academic abilities through communications from the teacher, including but not limited to parent-teacher conferences, quarterly report cards, informal phone calls/emails, one-on-one meetings, SST meetings and written notes. MAP assessment data, CAASPP scores, classroom observations and assessments, and data from Imagine Learning, ST Math, and/or Edgenuity may all be shared with parents/guardians in order to provide data on student academic performance and mastery of standards.

In a personalized learning environment, the student is able to work significantly above grade level without fear of negative repercussions that gifted students sometimes face. Gifted students will be supported in the classroom by teachers who are proficient and experienced in GATE strategies and standards.

BPA-SD does not wish to place any limitations on the specific resources and instructional materials that will be provided to academically high-achieving students; rather, our educational program is designed with the flexibility to allow teachers to support or challenge each and every student on an individual basis. BPA-SD will offer numerous resources and learning opportunities to academically high-achieving students, including but not limited to: enrichment activities, online curriculum and resources, honors courses,-access to Edgenuity courses for elementary students as well as additional teacher support and differentiated instruction.

Plan for English Learners

BPA-SD will meet all applicable legal requirements for English Learners (EL) as they pertain 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 EL program effectiveness, and standardized state testing requirement. BPA-SD will implement policies to assure proper placement, evaluation, and communication regarding ELs and the rights of students and parents.

BPA-SD will administer the home language survey upon a student's initial enrollment into BPA-SD (in enrollment packet). All students who indicate that their home language is other than

English will be tested utilizing the English Language Proficiency Assessments for California (ELPAC). The ELPAC will be administered within 30 days of initial enrollment and at least annually thereafter between July 1 and October 31st until re-designated as fluent English proficient.¹

BPA-SD will notify all parents of the school's responsibility for ELPAC testing and reporting ELPAC results within thirty days of receiving results from the publisher. Information will be included in the notifications as to whether the student is a long-term English learner or is at risk of becoming one, the manner in which the program for English language development instruction will meet the educational strengths and needs of the English learner and the manner in which English learners will develop English proficiency. Included with The ELPAC shall be used to fulfill the requirements under the Every Student Succeeds Act for annual English proficiency testing. Annually, the results of all testing will be reported and submitted to SBE on the R-30 survey. Parents/guardians will be informed of their rights and they will be encouraged to participate in the reclassification process.

BPA-SD will hire EL Authorization/CLAD and/or BCLAD certificate-credentialed teachers to teach English Learners. These teachers will have the skills and expertise to accelerate English Learners' academic and linguistic development. The EL Coordinator, EL Authorization/CLAD and/or BCLAD certificated teachers will attend regular professional development opportunities, both in-house and off-site.

English Learners will be supported through a combination of modified instruction, a supportive school culture, and additional targeted academic support as needed. To further the needs of future English Learners with less English speaking proficiency, BPA-SD will use comprehensive English Language Development (ELD) instructional approaches, including adapted materials for students such as EL support courses on Edgenuity, EL support through Houghton Mifflin Journeys, Houghton Mifflin Go Math, ST Math, and Imagine Learning. All mandated state tests for English Learners will be administered as required by law.

BPA-SD will address the needs of EL students by first identifying those students through the completion of a Home Language Survey that is part of the enrollment packet. Students whose primary language is not English will be assessed using the ELPAC. Additional assessments will be administered to determine the specific language learning needs of the student (phonemic awareness, phonics, fluency, vocabulary, comprehension) in order to create a plan that best meets the student's needs during both core classes and additional instruction times. Parents will be notified of the individual student's plan once it has been determined. Administration will provide ELPAC results to parents. Teachers will be expected to inform parents as students progress in their individual classrooms.

All identified EL students will participate in a mainstream program in which they will receive daily specialized ELD instruction based on their proficiency level. Built into the Blended Learning models (station rotation for grades K through 5 and individual rotation for grades 6 through 8) will be small group and individualized instruction. Support for EL students will be driven by the students' language proficiency level and will include, but not limited to, vocabulary development,

¹ The thirty day requirements only applies to students entering a California public school for the first time or students who have not yet been ELPAC tested. All others will be tested on the annual schedule according to the last date of testing.

collaborative learning, and explicit direct instruction. Student population will drive the hiring and placement of teaching staff to best meet the students' needs. The BPA-SD EL Coordinator will work closely with the teaching staff to ensure that planned EL instruction follows the guidelines of the *English-Language Development Standards (ELDS) for California Public Schools*. Teachers will be expected to submit weekly lesson plans documenting EL instruction that follow ELDS. The BPA-SD Director of Education will also monitor the teaching staff's implementation of the ELDS through quarterly classroom observations.

The sample TK through Grade 5 schedules allow for daily intervention and enrichment in the afternoon (as seen on the schedules highlighted in red) for teachers to have intensive individual and/or small group lessons. This time will allow for designated ELD instruction based on ELPAC data, the ELD standards, teacher data and observation.

Middle school schedules will allow for designated ELD instruction at a minimum of two to three times weekly during scheduled learning center time, ensuring students are not missing valuable instruction in core and/or elective classes. This designated ELD instruction will be based on student levels and assessment data. Again, ELPAC data, the ELD standards, teacher data and observation will determine if targeted ELD instruction will be delivered individually or in small groups.

All EL students will be re-evaluated annually with the ELPAC until re-designated as English Language proficient. EL students will be reclassified based on ongoing ELPAC performance, results on CAASPP, mastery of grade-level ELA standards, academic performance in core subjects, and parent input provided in a consultation meeting. Students will be expected to progress one to two English language levels each year through targeted instruction and assessment. After reclassification, students will be monitored continually for a minimum of four years, per recently enacted legislation, to ensure correct classification, placement, and additional academic support, as needed.

During this period, ELPAC testing will not be required, however, core content teachers will monitor the student's grades quarterly. Teachers will also consider overall academic performance, and results on CAASPP. Teachers will meet quarterly and document monitoring for each reclassified student. This documentation will be placed in student's permanent record file. During these quarterly meetings, a monitored student's strengths, weaknesses, standardized assessment scores, and grades will be discussed. After much consideration, strategies to support the monitored student will be implemented.

Based on student population, BPA-SD will establish an English Language Advisory Committee (ELAC) to support the EL students if serving over 21 EL students. The ELAC will meet monthly to discuss ways to enrich the EL students' learning opportunities in the classroom as well as the community. Additionally, the teaching staff will be expected to provide feedback to the ELAC to enhance their programs for the EL students.

Plan for Students with Disabilities

BPA-SD will welcome all children with disabilities, whether such children are currently or newly identified as disabled. BPA-SD will be committed to working with students and parents to meet the needs of special learners.

BPA-SD shall comply with all applicable state and federal laws in serving students with

disabilities including but not limited to the Individuals with Disabilities Education Improvement Act of 2004 (IDEA), Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and any other civil rights enforced by the U.S. Department of Education Office of Civil Rights (OCR). Furthermore, BPA-SD will comply with AB 602, EDCOE Charter SELPA guidelines, and all California laws pertaining to special education students.

BPA-SD will provide all services to special education students required by their Individualized Education Programs (IEP). During BPCS's six years and BPA's two years as LEAs for Special Education purposes, the following specific services have been offered: Specialized Academic Instruction(SAI), Speech and Language Instruction, Occupational Therapy(OT), Physical Therapy(PT), Counseling(individual/parent), Interpreter Services, Orientation/Mobility(O&M), Vision Services(VI), Mental Health Services, College/Career Awareness, Residential Treatment Services, to name a few. At BPA-SD, these services, and any additional needed services as defined in the IEP, will be provided to special needs students.

Section 504/ADA

BPA-SD shall be solely responsible for its compliance with Section 504 and the ADA. BPA-SD's facility shall be accessible for all students with disabilities in accordance with the ADA. BPA-SD's facility shall not present physical barriers that would in any way limit an eligible student's full participation in the educational and extracurricular programs offered.

BPA-SD 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 at BPA-SD. 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 BPA-SD under Section 504.

Further, BPA-SD will have written policies which outline the requirements for identifying and serving students with a 504 accommodation plan. The Director of Special Education will serve as the 504 Coordinator.

The 504 team will be assembled by the Director of Special Education and shall include the parent/guardians, the student (as appropriate) and qualified persons knowledgeable about the student, the meaning of the evaluation data, placement options and the legal requirements for least restrictive environment. The 504 team will review the student's existing records, including academic, social and behavioral records and is responsible for making a determination as to whether an evaluation for 504 services is appropriate. If the student has already been evaluated under the IDEA but found ineligible for special education instruction or related services under the IDEA, those evaluations may be used to help determine eligibility under Section 504. The student evaluation shall be carried out by the 504 team, who will evaluate the nature of the student's disability and the impact on the student's education. This evaluation will also 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 will be selected and administered so as to ensure that when a test is administered to a student with impaired sensory, manual or speaking skills, the test results accurately reflect the student's aptitude or achievement level or whatever factor the test purports to measure rather than reflecting the student's impaired sensory, manual or speaking skills.

The final determination of whether the student is eligible for accommodations under Section 504 must be made by the 504 team in writing and notification 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 IDEA, a referral for special education assessment will be made by the 504 team.

If the student is found by the 504 team to be eligible for accommodations 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 the free and appropriate public education ("FAPE"). In developing the 504 Plan, the 504 team shall consider all relevant information used during the evaluation of the student, drawing upon a variety of sources, including, but not limited to, assessments conducted by the BPA-SD certificated 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 504 Coordinator 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 504 Plan, needed modifications to the 504 Plan, and continued eligibility.

Services for Students under the "IDEA"

Pursuant to Education Code Section 47641(a), BPA-SD will participate as a local education agency (LEA) for Special Education purposes in the El Dorado County Office of Education (EDCOE) Charter SELPA.

BPA-SD will assure that a free appropriate public education (FAPE) is provided for all children with disabilities attending BPA-SD in accordance with Education Code §56000 et seq., the Individuals with Disabilities Act (IDEA) 20 U.S.C. Chapter 33 as a Local Education Agency (LEA), for purposes of special education only, within the Charter SELPA in El Dorado County. BPA-SD shall comply with all requirements of the EDCOE Charter SELPA Local Plan. A full continuum of special education programs and related services shall be provided by BPA-SD as required by an individual student's Individualized Education Plan (IEP). No student otherwise eligible to enroll in BPA-SD will be denied enrollment due to a disability or the school's inability to procure necessary special education services. BPA-SD will only permit students with exceptional needs to participate in independent study programs if their IEPs specifically provide for that participation [Education Code § 51745 (c)]

As an LEA within the EDCOE Charter SELPA, BPA-SD shall assume the following

responsibilities:

1. Receive all applicable special education funds as specified in the EDCOE Charter SELPA funding allocation plan and disburse said funds for the charter school's special education program/operations in accordance with the plan.
2. Represent the interests of BPA-SD's special education department as a member of the EDCOE Charter SELPA.
3. Seek SELPA support to ensure all eligible students enrolled in the charter school are appropriately referred, assessed, and served in a timely manner.
4. Resolve any special education complaints, mediation, due process hearings, and legal actions.
5. If the student's needs, as documented on the IEP, require a program other than an inclusion, BPA-SD will work with EDCOE Charter SELPA to provide an appropriate placement and services.

Charter School Responsibilities

BPA-SD will deliver required and appropriate special education services to students enrolled in BPA-SD unless other agreements have been reached between the EDCOE Charter SELPA and BPA-SD (and agreed to verbally and in writing). These services shall include:

1. Child find. In order to comply with Child Find requirements as specified by law, BPA-SD will establish a referral and assessment process that brings together the parent/guardian, student, and school personnel to address any problems that interfere with a student's success at the school. This process will entail search and serve, a Student Study Team, referral, assessment and IEP review.
2. Initial, annual and triennial evaluations
3. IEP development
4. Service delivery for all provisions as delineated on students' IEPs. BPA-SD is solely responsible for providing special education services. A district in which a student physically resides is not responsible for providing special education services to any student enrolled in BPA-SD.
5. Special education transportation as indicated on IEPs
6. Due process/compliance proceedings and related attorney fees
7. Inter and intra/SELPA permits (in accordance with EDCOE Charter SELPA policies and procedures)
8. Nonpublic school/agency placements
9. Submission of all required reporting, filings, etc. to fully comply with the EDCOE Charter SELPA and California State Department of Education (CDE) requirements.

Search and Serve

BPA-SD will assure that no assessment or evaluation will be used for admission purposes. BPS-SD will assure that the school will work to identify any students, who do not currently have an IEP but may be in need of a pre-referral intervention plan. BPA-SD will use RTI/MTSS to ensure that the needs of all students are properly addressed as defined in the academically low achieving section of this petition. BPA-SD will use the SST process if the RTI/MTSS is not sufficient to meet a student's needs. The SST will recommend the students for a formal special education assessment. BPA-SD may also choose to refer a student for services through the provisions of a Section 504 Plan, if appropriate. Parents/guardians will be informed that special education and related services are provided at no cost to them.

BPA shall ensure that child find identification occurs in a timely manner and that no procedures or practices result in delaying or denying identification for an IEP or 504 plan. A parent/guardian or BPA-SD staff member may request an initial evaluation at any time to determine if the child is a child with a disability, regardless of whether the child has participated in an RTI/MTSS framework.

Referring Students for Special Education Services

The referral process shall include Student Study Team (“SST”) meetings to review prior interventions, accommodations and modifications and to recommend further interventions as appropriate. BPA-SD will identify and refer students with disabilities 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 SST meeting is an integral part of the support mechanisms for students who are struggling at BPA-SD and is part of the general education program at BPA-SD. A SST includes the parent, the student (when appropriate), the teacher, and other school personnel or interested persons, and uses a systematic problem solving approach to assist students with concerns that are interfering with success. The SST clarifies problems and concerns; develops strategies and organizes resources; provides a system for school accountability; and serves to assist and counsel the teacher and student. A SST is a general education function. All students can benefit from a SST, including but not limited to those students who are repeating a grade level, those who are achieving below grade level, those who are achieving above grade level and require greater challenge, and students who have experienced emotional trauma, behavioral issues, or language issues.

Anyone who has a concern for a student may refer that student to a SST for consideration. Anyone who is connected with that student may be included in the SST to provide information to share about the student strengths, concerns, and strategies that have been used in the past. These people may include but are not limited to teachers, parents, counselors, doctors, administration, social workers, probation officers, and other law enforcement officials.

The following is the process for guiding a SST:

- Team members introduce themselves and their roles.
- Purpose and process of the meeting are stated.
- The strengths and challenges facing the student are identified.
- Concerns are discussed, clarified, and listed.
- Concerns are synthesized; one or two are chosen for focus.
- Modification and accommodations to the student’s educational plan and to classroom activities and instruction are discussed.
- Modifications and accommodations are finalized.
- Persons responsible for implementing modifications and accommodations are identified.
- All of the above is in the SST plan.
- A follow-up date is set.

If the problems or challenges continue after implementation of a SST plan and follow up, revisions to the plan may be discussed, or if necessary, a referral for special education assessment might be deemed necessary by the SST.

If a referral is made verbally, BPA-SD will assist the parent/guardian to submit the request in

writing. All referrals will be responded to in writing by BPA-SD within 15 days. BPA-SD will notify the SELPA of the assessment request within 5 days of receipt. The parent will receive a written Assessment Plan within 15 days. The parent will be given at least 15 days to provide written consent. The assessment will be completed and an Individual Education Program (IEP) meeting held within 60 days of the parent's written consent for assessment.

Interim Placement and IEP Development

BPA-SD adheres to the legal mandates outlined in Education Code §56000 et seq., the Individuals with Disabilities Act 20 U.S.C. Chapter 33. If a student enrolls with an existing IEP, BPA-SD will notify EDCOE Charter SELPA with five (5) days. As such, when a student with an active IEP transfers to BPA-SD, s/he is provided an interim special education placement and a new IEP will be written on the corresponding EDCOE Charter SELPA forms within 30 days (Education Code, Section §56325). For a student who has an IEP and wants to participate in independent study, a determination as to whether independent study is appropriate must be made within 30 days and written into the IEP.

The IEP team is comprised of the parent (and/or their requested representative[s]), a general education teacher familiar with the student's work, any special education personnel who will be working with the student, an administrative representative and when appropriate, the student (Transition Planning, etc). The Executive Director or designee will act as the charter school's administrative representative. The Director of Special Education facilitates IEP meetings.

The Student's IEP will include the following:

- A statement of the student's present levels of academic achievement and functional performance.
- The rationale for placement decisions.
- The services the student will receive and the means for delivering those services.
- Goals, objectives and frequency/duration of services are designed to maximize educational benefit for the student, based upon areas of his/her need.
- Annual goals and short-term objectives are developed based upon California Grade Level Standards and Frameworks. Progress is periodically monitored, and written documentation of progress toward meeting annual goals is provided to parents as frequently as their general education counterparts.
- Accommodations necessary to measure the academic achievement and functional performance of the pupil on state and district assessments;
- For students 16 years of age and older, measurable postsecondary goals related to training, education, employment and independent living skills, along with transition services needed to assist the student in reaching those goals.

All decisions concerning the special education programs and services to be provided to a student with a disability are to be made by the IEP team. Students at BPA-SD who have IEPs will be served in the Least Restrictive Environment (LRE). BPA-SD will assure that IEP goals and services will be linguistically appropriate, as per Ed Code Section 56345(b). A copy of the IEP will be given to the parent/guardian in accordance with state laws and policies. IEP meetings will be conducted: yearly to review the student's progress, every three years to review the results of a mandatory comprehensive reevaluation, after the student has received a formal assessment or reassessment, within 30 days of a parent's request, when an Individual Transition Plan is (ITP) required at the appropriate age and if a manifestation hearing is required.

IEP Timeline Review

The following is a summary of the general timelines after an IEP is in place:

- Program placement-Written parent permission must be obtained prior to placement. The recommended program placement and services should begin as soon as possible from the date of parent's written approval of the IEP.
- Annual review-Each special education student's educational program must be reviewed at least annually.
- Re-Evaluation- at least every 3 years, a special education student will be re-evaluated. Prior to the three year review, the IEP team shall review existing data on the child and determine what additional data is needed.
- Interim Administrative Placement- When a special education student transfers from one SELPA to another, the following timelines apply:
 - Program Placement-Immediate implementation, to the extent possible, of the student's existing Individualized Education Program. An Interim Placement form is completed immediately upon enrollment and parent signature is obtained.
 - Assessment- Information, records and reports from the prior district may be utilized to make program recommendations. Upon receipt of the signed Individual Assessment Plan, the team will conduct any additional assessment needed to determine educational needs and make program recommendations.
 - IEP team Meeting-Within 30 days, the IEP team will meet to review the placement, review any new completed assessments, and develop new goals and objectives if needed.
- Parent Concerns-Any parent concerns or disagreements raised by parents will be acknowledged by the school within five days followed by a resolution meeting.
- Parent requested IEP meeting-team needs to meet within 30 days of the parent requested IEP meeting.
- Progress Reports-unless otherwise specified on the student's IEP, parents will be informed four times a year of the student's progress towards goals.

Initial and Triennial Assessments

When students require an initial evaluation to determine if they meet eligibility requirements to receive special education, BPA-SD's Director of Special Education will generate a referral for special education; monitor all legal timelines; develop an assessment plan (offering testing in all areas of suspected area of disability [EC §56040 through §56344]; coordinate qualified personnel to provide the required testing [EC §56320]; select assessments and administer so as not to be racially, culturally or sexually discriminatory [EC §56320]; deliver assessments in the student's primary language, and provide a qualified interpreter if needed [EC §52164.1]; use assessment tools for the purposes for which the assessments or measures are valid and reliable [EC §56320]; adapt assessments as necessary for students with impaired sensory, physical or speaking skills [EC §56320]; distribute written assessment reports to the parent prior to the IEP meeting [EC §56327]; generate IEP meeting notices [EC §56195.8]; develop and facilitate the IEP meeting [EC §56345]; and distribute copies of the IEP to appropriate personnel [EC §56347]. BPA-SD will utilize the EDCOE Charter SELPA web-based SEIS IEP System to complete all IEPs and report CASEMIS information.

BPA views parents/guardians as a key stakeholder in IEP meetings and will make every effort to accommodate parent/guardian's schedule and needs so that he/she will be able to participate effectively on IEP team. BPA-SD, in collaboration with the SELPA, will provide an interpreter if

necessary to ensure that all parents/guardians can participate in the IEP process. A copy of the IEP will be given to the parent/guardian in accordance with state and federal laws. Upon the parent's written consent, the IEP will be implemented by BPA-SD in cooperation with SELPA as agreed upon. If the parent/guardian cannot attend the IEP meeting, BPA-SD will ensure his/her participation using other methods such as conference by phone or meeting at a parent/guardian's residence.

At least once every three years, a student may be reassessed to determine their continued eligibility to receive special education services [EC §56301 and EC §56381]. The identical process used during an initial evaluation is replicated at each triennial re-evaluation if a student warrants new assessments. Following any initial or triennial assessment, if a student has a documented learning or related disability but does not meet other eligibility requirements for special education, a 504 Accommodation Plan will be considered by the team. A separate meeting will be held in order to consider eligibility under Section 504 of the Rehabilitation Act of 1973.

Identification of Bilingual Special Education Students

Before a second language student is referred for special education, their level of English proficiency is determined to ensure their acquisition of language skills is not the reason for lower academic performance. Personnel fluent in a student's native language and familiar with their native culture participate during the SST process and during the referral, assessment and identification processes for determining the eligibility for special education.

The LEP/FEP status of a student is used to determine the language he/she will be assessed in when a formal referral to special education is made and documented on the IEP. Bilingual personnel will translate during IEP meetings and are available to transcribe all written documents (assessment reports, IEP forms, Parent Rights and Procedural Safeguards, etc.) when requested by a parent. At all IEP meetings involving second language learners, the IEP and team notes document whether eligible students will be provided special education services in their L-1 (primary) or L-2 (secondary) language. All goals and objectives for bilingual students are developed in collaboration with BCLAD general education staff to insure linguistically appropriate goals and objectives are developed and that the student's language acquisition needs are taken into account when the IEP is developed.

Staffing, Curriculum, Service Provisions, and Student Accountability

Special education services and 504 compliance are overseen by the Special Education Director. All special education services are provided by "highly qualified" staff as outlined in Every Child Succeeds Act (ESSA) and/or State legislation. Special education services are designed to supplement general education and will not supplant other sources of federal, state, and local funds apportioned to BPA-SD. Identified special education students are provided accommodations to allow them access to the same core curriculum as their general education counterparts and as outlined on their IEPs.

If parents of special education students waive their children from standardized testing (CAASPP), students complete alternative norm referenced assessments to measure their annual progress.

All services, supplementary materials or assistive devices required to access core curriculum are provided at no cost to the identified special education student. No facilities utilized for purposes of special education present any physical barrier that would limit an eligible student's full participation in the educational or extracurricular program. Differentiated or weighted grading

policies or practices are not in place for identified special education students.

Disenrollment, Suspension, Expulsion

Attendance for special education services are monitored monthly to insure identified students' access all services outlined on their IEPs. If a special education student misses two sessions in a month, BPA-SD special education department contacts the family. If three consecutive special education meetings with a provider are missed, an IEP meeting is called to insure BPA-SD's personalized learning/blended learning model remains an appropriate placement for the child and to discuss steps the IEP team will take to carefully monitor progress that assures educational benefit for the student.

Suspension and Expulsion policies comply with all portions of Education Code §48918. No identified special education student will be suspended for more than ten (10) school days per calendar year. No identified special education student will be expelled from BPA-SD without a Manifest Determination Meeting to determine if his/her disability is the cause of the misbehavior identified as the reason for the expulsion. A school psychologist will be involved in all phases of expulsion proceedings and parent/student will be assured of their due process rights throughout. In cases where expulsion is recommended following the Manifest Determination Meeting, the BPA-SD Executive Director will be notified and the item will be placed on the next BPA-SD Board agenda.

Maintenance of Special Education Records

The BPA-SD Director of Special Education shall maintain all identified students' special education files, use appropriate forms/software and file reports as necessary to maintain legal compliance. BPA-SD shall verify the accuracy of all reports and submit them in a timely manner as required by the EDCOE Charter SELPA. BPA-SD will assure that it will collaborate with SBE to collect/maintain information required by IDEA and lists: age, grade, type of disability, ELL status, and number of students receiving services, number of students receiving and types of test modifications and exemptions; settings of service; suspension data, and reasons for charter exiting.

Procedural Safeguards

BPA-SD will provide details and assurances of parental written consent and participation and the right to initiate a due process hearing to challenge a decision regarding the identification, evaluation, or educational placement of the child. Any concerns or disagreements raised by parents/guardians will be acknowledged by BPA-SD within five (5) days, followed by a resolution meeting.

Dispute Resolution

Outlines the process that BPA-SD and EDCOE will work together if a parent/guardian requests a due process hearing/mediation including: legal representation, initiating hearing/mediation and appeals.

Complaint Procedures

Parents have the right to file a complaint with BPA-SD, EDCOE and/or CDE.

Funding

BPA-SD shall serve as the Local Education Agency (LEA) for special education purposes.

EDCOE Charter SELPA shall allocate funding to BPA-SD for the provision of special education services in accordance with Assembly Bill (AB) 602.

BPA-SD will contract for special education services with qualified providers who possess appropriate special education credential(s). All expenditures associated with delivery of said special education services will be the responsibility of BPA-SD. BPA-SD shall be responsible for all special education costs in excess of revenues received from the EDCOE Charter SELPA. The EDCOE Charter SELPA and BPA-SD may enter into business agreements whereby the charter school is billed for excess costs associated with providing special education services to identified students, including the administration of special education programs.

BPA-SD, in cooperation with the EDCOE Charter SELPA, shall document that all state and federal special education funds are used for the sole purpose of providing special education instruction and/or services to identified students with disabilities. Such funds shall be used to supplement and not supplant other sources of federal, state and local funds apportioned to BPA-SD.

BPA-SD shall access and oversee all funds generated through the EDCOE Charter SELPA's low incidence funding model. Following the existing guidelines developed within the Charter SELPA, BPA-SD shall ensure that low incidence funds are disbursed solely for students eligible to access these funds. BPA-SD shall be responsible for inventory, maintenance and training on the use of the low incidence equipment. This equipment shall remain the property of the EDCOE Charter SELPA.

The dispute resolution procedures that will apply to any disputes between the SELPA and the BPA-SD LEA regarding the provision of special education services within BPA-SD will be detailed in the special education MOU.

Baypoint Preparatory Academy-
San Diego Petition

ELEMENT 2

Measurable Student Outcomes

The measurable pupil outcomes identified for use by the charter school. "Pupil outcomes," for purposes of this part, means the extent to which all pupils of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school's educational program. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both schoolwide and for all groups of pupils served by the charter school, as that term is defined in subparagraph (B) of paragraph (3) of subdivision (a) of Section 47607. The pupil outcomes shall align with the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school. California Education Code Section 47605 (b)(5)(B)

As a California charter school, BPA-SD will assume an increased level of accountability for all aspects of its programs and for achieving the goals described within the vision and mission of the school.

BPA-SD will adopt a comprehensive set of benchmarks for student and school outcomes that support the achievement of the school's vision and mission, based on the state and common core standards, state priorities, and our definition of an educated person in the 21st Century. Full implementation of the educational program and frequent monitoring of student and school outcomes will ensure that the school is an academic success and is achieving all of its overarching goals. To make certain that the school's primary goal of increased academic achievement for all students is met, student achievement data obtained from standardized assessments will be disaggregated annually to clearly identify the academic performance of students by subgroups (e.g., by ethnicity, gender, English Learners, socio-economically disadvantaged students, and students with disabilities).

Additional internal assessments, such as teacher-created, publisher and online assessment tools, will be analyzed individually by teachers and in collaborative groups during weekly planning in order to target student needs, identify program strengths and gaps, and to plan subsequent instruction. Throughout the year benchmark student achievement data will be analyzed among the school staff during staff meetings and professional development days.

Our staff will use a variety of assessments to measure individual students' attainment of state content standards and the objectives of our curriculum. Students will participate in several formal assessments each year, including the MAP diagnostic assessments. Official checklists and rubrics from the published curriculum programs and online resources such as ST Math and Imagine Learning will play a major role in teachers' determination of student achievement of standards mastery. More informal assessment techniques will also play a major role. In kindergarten, for example, in order to find out how children are progressing, the teachers will observe the children engaged in a variety of events: children working with math manipulatives, using a pointer, children reading from poetry charts; the teacher sitting at a table with a small group of children presenting a mini-lesson or conferencing; and so on. Teachers will observe children as they are engaged in classroom activities and record their behaviors in an anecdotal record. These observations, along with student work samples over a period of time gathered in a portfolio, guide the instruction.

As students become increasingly able to produce independent work samples such as journal entries, written reports, project work and presentations, these products will also be evaluated by

teachers. By the end of the third grade we expect that most students will perform at the proficient level or above in reading, writing and speaking according to the school's identified assessment measures. On-going assessment of daily work and formal evaluation using online assessments, scoring guides, tests and checklists will provide the teacher, parent and student with feedback on student achievement and progress. As students progress into middle school, their evaluations will become more formal, including student-produced projects, final draft writings, science experiments and presentations of research. Projects will reflect both individual and collaborative efforts. Individual portfolios will be used to assess student growth and to assist both the student and the teacher in identifying the next steps for growth. Students will be assessed in a summative manner on a weekly basis in the form of a quiz, test (both written and online), essay, research paper, presentation or project.

The Executive Director, Site Coordinator, Director of Education and staff will be accountable for the academic achievement and psychological well-being of students. The Executive Director is ultimately responsible for meeting target goals, and will be held accountable by the CEO and Governing Board. The Executive Director also will be accountable for meeting all federal requirements under the ESSA.

Student Outcome Goals

BPA-SD will pursue the following school wide and subgroup outcome goals, as measured by multiple and varied benchmark assessments that are aligned to Common Core State Standards (CCSS) and reflect proficiency measures required by the California Assessment of Student Performance and Progress (CAASPP), as well as state priorities detailed in California Education Code § 52060(d). BPA-SD will comply with all applicable laws and regulations related to AB 97 Local Control Funding Formula (LCFF), as they may be amended from time to time, including requirements relating to a Local Control and Accountability Plan (LCAP) pursuant to California Education Code §§ 47604.33 and 47606.5.

For purposes of measuring achievement of these goals, a numerically significant pupil subgroup will be defined as one that meets both of the following criteria:

- “(i) The subgroup consists of at least 30 pupils each of whom has a valid test score.
- (ii) The subgroup constitutes at least 15 percent of the total population of pupils at a school who have valid test scores.” Cal. Education Code § 47607(a)(3)(B).

Goals and Actions to Achieve the State Priorities

STATE PRIORITY #1 - BASIC SERVICES
<i>The degree to which teachers are appropriately assigned (E.C. §44258.9) and fully credentialed, and every pupil has sufficient access to standards-aligned instructional materials (E.C. §60119), and school facilities are maintained in good repair (E.C. §17002(d))</i>
SUBPRIORITY A – TEACHERS

<p>GOAL TO ACHIEVE SUBPRIORITY</p>	<p>For each year of the charter, Baypoint Preparatory Academy-San Diego will ensure 100% of teachers meet credential requirements as defined by the CA commission on Teacher Credentialing, and will maintain assignment requirements as demonstrated by initial and annual verification of core teacher credentials as reported by the CA Commission on Teacher Credentialing and CALPADS Report 3.5 NCLB Core Course Section Compliance.</p>
<p>ACTIONS TO ACHIEVE GOAL</p>	<p>During the hiring process, Baypoint Preparatory Academy-San Diego’s administrative staff will collect resumes, CBEST/CSET results, official transcripts, credentials, and licenses to ensure that teachers are fully qualified for specified assignment.</p> <p>In order to qualify for employment, candidates must be verified as highly qualified as defined by ESSA and California Department of Education and have ELD authorization to effectively work with students learning English.</p> <p>Administrative staff will regularly review credential status/assignments of current teachers.</p>
<p>SUBPRIORITY B – INSTRUCTIONAL MATERIALS</p>	
<p>GOAL TO ACHIEVE SUBPRIORITY</p>	<p>For each year of the charter, Baypoint Preparatory Academy-San Diego will ensure that 100% of students receive and have access to Common Core State Standards-based (CCSS) instructional materials as outlined in the charter petition. Baypoint Preparatory Academy-San Diego, in collaboration with Executive Director, site administration and faculty, will review, and when approved by Board of Directors, will purchase instructional material aligned with CCSS.</p>
<p>ACTIONS TO ACHIEVE GOAL</p>	<p>All instructional materials considered/purchased will be aligned with CA Common Core State Standards.</p>
<p>SUBPRIORITY C – FACILITIES</p>	
<p>GOAL TO ACHIEVE SUBPRIORITY</p>	<p>For each year of the charter, Baypoint Preparatory Academy-San Diego will ensure that facilities are safe and maintained in satisfactory repair as reported in the annual publication of School Accountability Report Card.</p>
<p>ACTIONS TO ACHIEVE GOAL</p>	<p>Baypoint Preparatory Academy-San Diego will ensure that all relevant architecture, building, and health & safety codes are adhered to at all times.</p> <p>Baypoint Preparatory Academy-San Diego’s custodial staff will conduct daily general cleaning and maintain campus cleanliness.</p> <p>The Site Coordinator will conduct monthly and quarterly facility inspections to screen for safety hazards.</p>
<p>STATE PRIORITY #2— IMPLEMENTATION OF COMMON CORE STATE STANDARDS <i>Implementation of Common Core State Standards, including how EL students will be enabled to gain academic content knowledge and English language proficiency</i></p>	

SUBPRIORITY A – CCSS IMPLEMENTATION	
GOAL TO ACHIEVE SUBPRIORITY	For each year of the charter, Baypoint Preparatory Academy-San Diego will continue to participate in CCSS professional development to ensure utilization and delivery of instruction aligned with CCSS curriculum to 100% of students as demonstrated by professional development agendas and curriculum guides/lesson plans.
ACTIONS TO ACHIEVE GOAL	<p>Teachers will identify and participate in CCSS and content specific professional development trainings.</p> <p>Baypoint Preparatory Academy-San Diego will continue to contract with publishers and curriculum providers to develop and guide instruction.</p> <p>All teachers will be trained in the use of instructional materials aligned to the academic content and performance standards adopted by CDE.</p> <p>All teachers will utilize lesson plans based on CA Common Core State Standards.</p>
SUBPRIORITY B – EL STUDENTS & ACADEMIC CONTENT KNOWLEDGE	
GOAL TO ACHIEVE SUBPRIORITY	For each year of the charter, Baypoint Preparatory Academy-San Diego will ensure that 100% of English Learner students will receive instruction in ELD, including specific strategies, such as SDAIE as measured by course materials prepared by EL support teachers.
ACTIONS TO ACHIEVE GOAL	<p>All lesson plans will have objectives and strategies to support English Learner students, both for academic content knowledge and English language proficiency.</p> <p>English Learner students will participate in ELA instruction with appropriate instructional support provided in an assigned EL course and/or an attendance based EL support course based on the ELD standards.</p> <p>EL students will be monitored by teacher observations and/or participation in an EL course.</p>
SUBPRIORITY C – EL STUDENTS & ENGLISH LANGUAGE PROFICIENCY	
GOAL TO ACHIEVE SUBPRIORITY	For each year of the charter, Baypoint Preparatory Academy-San Diego will ensure that 100% of English Learner students progress at least one grade level as demonstrated by student performance on ELPAC and reclassification documentation. English Learner reclassification rates will meet or exceed the local District’s reclassification rate.

<p>ACTIONS TO ACHIEVE GOAL</p>	<p>Baypoint Preparatory Academy-San Diego will continue to provide professional development to ensure teachers have the knowledge, skills, and dispositions to work with EL students so that these students are instructed effectively.</p> <p>Teachers will design their instruction for EL students around CCSS standards that outline the rigorous content for which students are responsible.</p> <p>The Director of Education will continue to work with content teachers to develop actions plans/individualized learning plans for our EL students to ensure they are mastering CCSS and gaining English language proficiency.</p>
<p>STATE PRIORITY #7— COURSE ACCESS</p> <p><i>The extent to which pupils have access to, and are enrolled in, a broad course of study, including programs and services developed and provided to unduplicated students (classified as EL, FRPM-eligible, or foster youth; E.C. §42238.02) and students with exceptional needs.</i></p> <p><i>“Broad course of study” includes the following, as applicable:</i></p> <p><i>Grades 1-6: English, mathematics, social sciences, science, visual and performing arts, health, physical education, and other as prescribed by the governing board. (E.C. §51210)</i></p> <p><i>Grades 7-12: English, social sciences, foreign language(s), physical education, science, mathematics, visual and performing arts, applied arts, and career technical education. (E.C. §51220(a)-(i))</i></p>	
<p>GOAL TO ACHIEVE SUBPRIORITY</p>	<p>Baypoint Preparatory Academy-San Diego students, including all student subgroups, unduplicated students, and students with exceptional needs, will have access to enroll in our academic and educational programs outlined in the school’s charter.</p>
<p>ACTIONS TO ACHIEVE GOAL</p>	<p>Baypoint Preparatory Academy-San Diego will ensure that all academic content areas are available to all students, including student subgroups, at all grade levels.</p>
<p>STATE PRIORITY #4— STUDENT ACHIEVEMENT</p> <p><i>Pupil achievement, as measured by all of the following, as applicable:</i></p> <ul style="list-style-type: none"> <i>A. Performance on standardized tests</i> <i>B. California Assessment of Student Performance and Assessment (CAASPP)</i> <i>C. Percentage of pupils who have successfully completed courses that satisfy UC/CSU entrance requirements, or career technical education</i> <i>D. Percentage of English learners that become English proficient</i> <i>E. English learner reclassification rate</i> <i>F. Percentage of pupils who have passed an AP exam with a score of 3 or higher</i> <p><i>Percentage of pupils who participate in and demonstrate college preparedness pursuant to the Early Assessment Program (E.C. §99300 et seq.) or any subsequent assessment of college preparedness</i></p>	
<p style="text-align: center;">SUBPRIORITY A – PERFORMANCE ON STANDARDIZED TESTS</p>	
<p>GOAL TO ACHIEVE SUBPRIORITY</p>	<p>By year two of the charter, 80% of continuously enrolled students will demonstrate progress toward mastery of standards in ELA and Mathematics as demonstrated by local assessments and/or CAASPP results.</p>
<p>ACTIONS TO ACHIEVE GOAL</p>	<p>Baypoint Preparatory Academy-San Diego’s administrative team will provide leadership to teaching staff to ensure that classroom instruction is</p>

	<p>conducive to student learning and teachers provide adequate learning environments.</p> <p>Baypoint Preparatory Academy-San Diego will adopt appropriate CCSS aligned instructional materials, including intervention programs for at-risk students.</p> <p>Baypoint Preparatory Academy-San Diego will continue to use instructional technology in the areas of ELA and Math (ST Math, Imagine Learning, Edgenuity).</p> <p>Baypoint Preparatory Academy-San Diego will employ instructional coaches in the classroom to support instruction and student learning.</p>
SUBPRIORITY B – CAASPP	
GOAL TO ACHIEVE SUBPRIORITY	Baypoint Preparatory Academy-San Diego will continue to increase the percentage of students, including all student subgroups, unduplicated students, and students with exceptional needs, who meet or exceed the achievement standards and demonstrate progress towards mastery of the knowledge and skills in English language arts/literacy and mathematics needed for likely success in future coursework.
ACTIONS TO ACHIEVE GOAL	<p>Baypoint Preparatory Academy-San Diego will continue to contract with Northwest Education Association Common Core Measures of Academic Progress interim assessments to provide a consistent scale that measures not only on- or off-grade proficiency on Common Core standards, but also growth over time.</p> <p>Classroom instruction will incorporate testing strategies in preparation for the CAASPP. During the year, students will take the interim CAASPP Assessments in preparation for the administration of the summative CAASPP each Spring.</p>
SUBPRIORITY C – UC/CSU COURSE REQUIREMENTS (OR CTE)	
GOAL TO ACHIEVE SUBPRIORITY	N/A
ACTIONS TO ACHIEVE GOAL	N/A
SUBPRIORITY D – EL PROFICIENCY RATES	
GOAL TO ACHIEVE SUBPRIORITY	English Learner students will advance at least one performance level per the ELPAC each academic year.
ACTIONS TO ACHIEVE GOAL	English Learner students will receive in-class support provided by instructional aide and teacher, using SDAIE and other ELD instructional strategies.
SUBPRIORITY E – EL RECLASSIFICATION RATES	
GOAL TO ACHIEVE SUBPRIORITY	For each year of the charter, English Learner reclassification rates will meet or exceed the District’s reclassification rate.
ACTIONS TO ACHIEVE GOAL	English Learner students will receive in-class support, including one-on-one or small group instruction, provided by instructional aide and teacher, using SDAIE and other ELD instructional strategies.

SUBPRIORITY F – AP EXAM PASSAGE RATE	
GOAL TO ACHIEVE SUBPRIORITY	N/A
ACTIONS TO ACHIEVE GOAL	N/A
SUBPRIORITY G – COLLEGE PREPAREDNESS	
GOAL TO ACHIEVE SUBPRIORITY	For each year of the charter, students will demonstrate college preparedness.
ACTIONS TO ACHIEVE GOAL	<p>All students will focus on four main components, as outlined below, to ensure they are working towards college preparedness.</p> <ol style="list-style-type: none"> 1. Key Cognitive Strategies - students will be able to think about what they have learned, compare and contrast differing views and methods, exercise precision and accuracy as they apply the skills they learn, and think analytically and logically. 2. Key Content Knowledge - students will be able to identify the big ideas, key concepts, and organizing principles that form each subject area, and make connections between the big ideas. 3. Self-Management Skills - students will become familiar with using their time wisely, prioritizing tasks, and working towards goals and deadlines. 4. Knowledge About Postsecondary Education - students will begin discussing their career interests, exploring and investigating local and national postsecondary institutions, become familiar with entrance requirements, and prepare for college entrance exams through practice assessments. <p>Beginning in sixth grade, individual college preparedness plans, outlining the four components listed above, will be completed with each student and progress will be discussed at parent-teacher conferences.</p>
STATE PRIORITY #8—OTHER STUDENT OUTCOMES	
<i>Pupil outcomes in the subject areas described above in #7, as applicable.</i>	
SUBPRIORITY A – ENGLISH	
GOAL TO ACHIEVE SUBPRIORITY	Baypoint Preparatory Academy-San Diego students, including all student subgroups, unduplicated students, and students with exceptional needs, will demonstrate grade level proficiency in English Language Arts.
ACTIONS TO ACHIEVE GOAL	<p>All students at the elementary and middle school level will participate in rigorous ELA instruction based on the Common Core Standards. Students in grades K-5 will utilize Houghton Mifflin Journeys as their core curriculum, while students in grades 6-8 will participate in the Edgenuity Curriculum.</p> <p>As needed, students will receive supplemental support through one-on-one and additional small group instruction apart from their formal small group instruction.</p> <p>All students in grades K-5 will participate in Imagine Learning curriculum and targeted students in grades 6-8 will participate in Edgenuity MyPath.</p>

Baypoint Preparatory Academy-
San Diego Petition

	In addition to CAASPP, student achievement will be measured using MAPS, Houghton Mifflin Journeys formal assessments, teacher observations, and formative data assessment data from Imagine Learning and/or Edgenuity MyPath.
SUBPRIORITY B – MATHEMATICS	
GOAL TO ACHIEVE SUBPRIORITY	Baypoint Preparatory Academy-San Diego students, including all student subgroups, unduplicated students, and students with exceptional needs, will demonstrate grade level proficiency in Mathematics.
ACTIONS TO ACHIEVE GOAL	<p>All students at the elementary and middle school level will participate in rigorous Mathematics instruction based on the Common Core Standards. Students in grades K-5 will utilize Houghton Mifflin Go Math as their core curriculum, while students in grades 6-8 will participate in the Edgenuity Curriculum.</p> <p>As needed, students will receive supplemental support through one-on-one and additional small group instruction apart from their formal small group instruction.</p> <p>All students in grades K-5 will participate in ST Math curriculum and targeted students in grades 6-8 will participate in Edgenuity MyPath and/or ST Math.</p> <p>In addition to CAASPP, student achievement will be measured using MAPS, Houghton Mifflin Go Math formal assessments, teacher observations, and formative data assessment data from ST Math and/or Edgenuity MyPath.</p>
SUBPRIORITY C – SOCIAL SCIENCES	
GOAL TO ACHIEVE SUBPRIORITY	Baypoint Preparatory Academy-San Diego students, including all student subgroups, unduplicated students, and students with exceptional needs, will demonstrate grade level skills and content knowledge in history, civic and social science.
ACTIONS TO ACHIEVE GOAL	Through direct instruction and an integrated approach, students will study courses outlined in the petition (e.g. U.S. History, World History, Government, and Economics) using the CA History-Social Science Content Standards and CA Literacy Objectives or presently approved stated standards. Strategies included in an integrated approach are: non-fiction and historical fiction texts, computer based information, collaborative and hands-on projects, and field trip experiences.
SUBPRIORITY D – SCIENCE	
GOAL TO ACHIEVE SUBPRIORITY	Baypoint Preparatory Academy-San Diego students, including all student subgroups, unduplicated students, and students with exceptional needs, will demonstrate grade level skills and content knowledge in life science, earth and space science, and physical science.
ACTIONS TO ACHIEVE GOAL	Utilizing research and an inquiry-based approach, students will understand and apply the major concepts in the various branches of science, which may include physics, chemistry, biology, astronomy and earth science. Strategies may include: gathering and analyzing data, integrating skills and concepts as they apply to different subjects, hands-on learning and project based learning.
SUBPRIORITY E – VISUAL AND PERFORMING ARTS	

Baypoint Preparatory Academy-
San Diego Petition

GOAL TO ACHIEVE SUBPRIORITY	Baypoint Preparatory Academy-San Diego students, including all student subgroups, unduplicated students, and students with exceptional needs, will have access to Visual and Performing Arts.
ACTIONS TO ACHIEVE GOAL	All students will have the opportunity to participate in classroom and school-wide visual, dance, music, and theater performances throughout the year.
SUBPRIORITY F – PHYSICAL EDUCATION	
GOAL TO ACHIEVE SUBPRIORITY	Baypoint Preparatory Academy-San Diego students, including all student subgroups, unduplicated students, and students with exceptional needs, will participate in physical fitness as defined by State guidelines.
ACTIONS TO ACHIEVE GOAL	All students will have the opportunity to learn about different methods of exercise and health including team and individual sports.
SUBPRIORITY G – HEALTH (GRADES 1-6 ONLY)	
GOAL TO ACHIEVE SUBPRIORITY	Baypoint Preparatory Academy-San Diego students, including all student subgroups, unduplicated students, and students with exceptional needs, will participate in health science.
ACTIONS TO ACHIEVE GOAL	All students will have knowledge of pertinent issues of health, safety, and the development of behaviors that are the foundation of lifetime healthy living.
SUBPRIORITY H – FOREIGN LANGUAGES (GRADES 7-8 ONLY)	
GOAL TO ACHIEVE SUBPRIORITY	Baypoint Preparatory Academy-San Diego students, including all student subgroups, unduplicated students, and students with exceptional needs, will have the opportunity to learn a foreign language.
ACTIONS TO ACHIEVE GOAL	Students will have a foundation in a language other than English and a knowledge and understanding of other cultures.
SUBPRIORITY I – APPLIED ARTS (GRADES 7-8 ONLY)	
NOT APPLICABLE	
SUBPRIORITY J – CTE (GRADES 7-8 ONLY)	
GOAL TO ACHIEVE SUBPRIORITY	Baypoint Preparatory Academy-San Diego students will have access to career and technological courses that will prepare students for gainful employment in relevant occupations.
ACTIONS TO ACHIEVE GOAL	Baypoint Preparatory Academy-San Diego will offer a variety of career and technological courses that will be relevant to the career desires and needs of students.
SUBPRIORITY K – DRIVERS EDUCATION (GRADES 7-8 ONLY)	
GOAL TO ACHIEVE SUBPRIORITY	N/A
ACTIONS TO ACHIEVE GOAL	N/A
STATE PRIORITY #3— PARENTAL INVOLVEMENT <i>Parental involvement, including efforts to seek parent input for making decisions for schools, and how the school will promote parent participation</i>	
SUBPRIORITY A – ACHIEVING/MAINTAINING PARENTAL INVOLVEMENT	

Baypoint Preparatory Academy-
San Diego Petition

GOAL TO ACHIEVE SUBPRIORITY	For each year of the charter, Baypoint Preparatory Academy-San Diego will continue to maintain parent representation on the Board of Directors (governing board) as evidenced by Board meeting agendas and minutes to identify parent members.
ACTIONS TO ACHIEVE GOAL	The Board of Directors serves as the primary governance body of the Charter School. Baypoint Preparatory Academy-San Diego has included in the charter petition that the Board of Directors will include a parent member.
SUBPRIORITY B – PROMOTING PARENT PARTICIPATION	
GOAL TO ACHIEVE SUBPRIORITY	For each year of the charter, Baypoint Preparatory Academy-San Diego will continue to maintain parent participation on the School Advisory Council, which is responsible for making collaborative recommendations to the Board of Directors in relation to the Charter School’s governance as evidenced by SAC meeting agendas and minutes.
ACTIONS TO ACHIEVE GOAL	<p>The Site Coordinator will continue to provide specific direction to the School Advisory Council as required.</p> <p>The Site Coordinator will continue to chair the School Advisory Council and report directly to the Executive Director and the Governing Board.</p> <p>The Site Coordinator, in collaboration with the parent liaison, will in the event of a vacancy, advertise and recruit parents to join the SAC.</p> <p>The parent liaison will continue to accommodate and encourage collaboration among Spanish speaking parents.</p>
SUBPRIORITY C VOLUNTEERING	
GOAL TO ACHIEVE SUBPRIORITY	For each year of the charter, Baypoint Preparatory Academy-San Diego will continue to ask, but not require parents, to volunteer a minimum of 10 hours per school year as stated in the petition to ensure school-home partnership as evidenced by parent volunteer logs.
ACTIONS TO ACHIEVE GOAL	<p>The Administrative team, in collaboration with parent liaisons, will continue to communicate with parents regarding volunteer opportunities.</p> <p>Parent volunteer opportunities will be posted in easily accessible, highly visible places.</p> <p>Parents will be asked, but not be required, to volunteer a minimum of 10 hours per school year.</p>
SUBPRIORITY D SEEK PARENTAL FEEDBACK	
GOAL TO ACHIEVE SUBPRIORITY	For each year of the charter, Baypoint Preparatory Academy-San Diego will solicit parent feedback via various media, parent meetings, and annual satisfaction surveys for identification of school strengths and areas of need.
ACTIONS TO ACHIEVE GOAL	<p>Parent feedback will be encouraged through an open-door policy as well as an annual survey.</p> <p>Baypoint Preparatory Academy-San Diego will continue to hold monthly roundtable events, such as <i>Coffee with Administration</i>, parent-teacher conferences, and quarterly focus groups, to generate stakeholder input and</p>

Baypoint Preparatory Academy-
San Diego Petition

	<p>receive stakeholder feedback.</p> <p>Parent satisfaction surveys will be distributed and analyzed annually.</p>
<p>STATE PRIORITY #5— STUDENT ENGAGEMENT</p> <p><i>Pupil engagement, as measured by all of the following, as applicable:</i></p> <p>A. School attendance rates</p> <p>B. Chronic absenteeism rates</p> <p>C. Middle school dropout rates (EC §52052.1(a)(3))</p> <p>D. High school dropout rates</p> <p>E. High school graduation rates</p>	
<p>SUBPRIORITY A – STUDENT ATTENDANCE RATES</p>	
<p>GOAL TO ACHIEVE SUBPRIORITY</p>	<p>For each year of the charter, Baypoint Preparatory Academy-San Diego will maintain a 95% ADA rate.</p>
<p>ACTIONS TO ACHIEVE GOAL</p>	<p>Baypoint Preparatory Academy-San Diego will provide a safe and engaging learning environment for all its students and families, including those of the various subgroups enrolled.</p> <p>The school Attendance Coordinator will conduct periodic attendance updates to families reminding them of the importance of in-school attendance as the primary way of learning and success.</p>
<p>SUBPRIORITY B – STUDENT ABSENTEEISM RATES</p>	
<p>GOAL TO ACHIEVE SUBPRIORITY</p>	<p>For each year of the charter, students will have a maximum of 8 unexcused absences per semester.</p>
<p>ACTIONS TO ACHIEVE GOAL</p>	<p>Parents and students will be informed of attendance policies specified in the Parent/Student Handbook at the beginning of every school year and to in-year enrollees.</p> <p>Parents will be informed of chronic absences as specified in Parent/Student Handbook.</p> <p>Baypoint Preparatory Academy-San Diego will provide recognition and incentives for perfect attendance.</p>
<p>SUBPRIORITY C – MIDDLE SCHOOL DROPOUT RATES</p>	
<p>GOAL TO ACHIEVE SUBPRIORITY</p>	<p>After year one, for each year of the charter, Baypoint Preparatory Academy-San Diego will retain 80% of the 7th and 8th grade students as verified by our student information system and CALPADS.</p>
<p>ACTIONS TO ACHIEVE GOAL</p>	<p>Baypoint Preparatory Academy-San Diego will offer academically engaging learning environment for all its students, including members of all subgroups.</p> <p>Baypoint Preparatory Academy-San Diego will have a culture of achieving academic excellence, high expectations and high support, a nurturing environment, and connected school community.</p>
<p>SUBPRIORITY D – HIGH SCHOOL DROPOUT RATES</p>	
<p>GOAL TO ACHIEVE SUBPRIORITY</p>	<p>N/A</p>

Baypoint Preparatory Academy-
San Diego Petition

ACTIONS TO ACHIEVE GOAL	N/A
SUBPRIORITY E – HIGH SCHOOL GRADUATION RATES	
GOAL TO ACHIEVE SUBPRIORITY	N/A
ACTIONS TO ACHIEVE GOAL	N/A
<p>STATE PRIORITY #6— SCHOOL CLIMATE <i>School climate, as measured by all of the following, as applicable:</i> A. <i>Pupil suspension rates</i> B. <i>Pupil expulsion rates</i> <i>Other local measures, including surveys of pupils, parents, and teachers on the sense of safety and school connectedness</i></p>	
SUBPRIORITY A – PUPIL SUSPENSION RATES	
GOAL TO ACHIEVE SUBPRIORITY	For each year of the charter, Baypoint Preparatory Academy-San Diego will maintain an annual suspension rate of less than 1% as evidenced by our Annual School Accountability Report Card, Annual Report, and CALPADS Report 7.1 Discipline Incidents.
ACTIONS TO ACHIEVE GOAL	<p>Baypoint Preparatory Academy-San Diego will provide teachers with ongoing professional development that promotes positive classroom management and appropriate student behavior.</p> <p>Baypoint staff will work as a team empowering students to adhere to Baypoint Preparatory Academy-San Diego’s mission at school, home and in the community.</p> <p>The Site Coordinator will work with teachers and families to manage student behavior issues and concerns.</p>
SUBPRIORITY B – PUPIL EXPULSION RATES	
GOAL TO ACHIEVE SUBPRIORITY	For each year of the charter, Baypoint Preparatory Academy-San Diego will maintain an annual expulsion rate of less than 1% as evidenced by our Annual School Accountability Report Card, Annual Report, and CALPADS Report 7.1 Discipline Incidents.
ACTIONS TO ACHIEVE GOAL	<p>Baypoint Preparatory Academy-San Diego will provide teachers with ongoing professional development that promotes positive classroom management and appropriate student behavior.</p> <p>Baypoint staff will work as a team empowering students to adhere to Baypoint Preparatory Academy-San Diego’s mission at school, home and in the community.</p> <p>The Site Coordinator will work with teachers and families to manage student behavior issues and concerns.</p>
SUBPRIORITY C – SCHOOL SAFETY AND (SURVEYS)	
GOAL TO ACHIEVE SUBPRIORITY	For each year of the charter, Baypoint Preparatory Academy-San Diego will adhere to the School Safety Plan as evidenced through professional

Baypoint Preparatory Academy-
San Diego Petition

	development agendas and annual safety drill calendars. Data from annual surveys will indicate that parents, students, and teachers believe Baypoint Preparatory Academy-San Diego is a safe environment.
ACTIONS TO ACHIEVE GOAL	<p>Baypoint Preparatory Academy-San Diego will provide all school employees training on the elements of the School Safety Plan at least annually.</p> <p>Baypoint Preparatory Academy-San Diego students and staff will participate in monthly fire, earthquake, and/or safety drills.</p> <p>Baypoint Preparatory Academy-San Diego's administrative team will devise and administer satisfaction surveys to parents, students, and teachers at least once a year.</p>
SUBPRIORITY D- SCHOOL CONNECTEDNESS MEASURES	
GOAL TO ACHIEVE SUBPRIORITY	For each year of the charter, Baypoint Preparatory Academy-San Diego will host various community events and activities throughout the school year as demonstrated by the school master calendar.
ACTIONS TO ACHIEVE GOAL	Baypoint Preparatory Academy-San Diego will host at least five community events annually in conjunction with our School Advisory Committee and/or Parent Teacher Committee.
SUBPRIORITY E- SCHOOL COMMUNITY MEASURES (SURVEYS)	
GOAL TO ACHIEVE SUBPRIORITY	For each year of the charter, Baypoint Preparatory Academy-San Diego students, parents, and teachers will feel a sense of community on campus and within the classroom community.
ACTIONS TO ACHIEVE GOAL	<p>Students will participate in on-going community-building activities in their classrooms throughout the year.</p> <p>Baypoint Preparatory Academy-San Diego's administrative team will devise and administer satisfaction surveys to parents, student, and teachers at least once a year.</p> <p>Baypoint Preparatory Academy-San Diego will plan and deliver a variety of fun and engaging co-curricular opportunities that will further enhance students' sense of belonging and community.</p>

To the extent practicable, the method for measuring pupil outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card. Cal. Ed. Code 47605(b)(5)(C).

These student outcomes are directly tied to the program goal of providing students with a rigorous standards-based program while preparing them to successfully learn, excel in school, and prepare to be self-motivated, competent, lifelong learners.

Operational Outcomes

- BPA-SD will strive to maintain a budget reserve of three to five percent annually during the term of the charter as measured by financial audits and budgets.
- BPA-SD will seek initial WASC accreditation during the first year of operation and full accreditation prior to charter renewal.
- BPA-SD staff will receive ongoing professional development, which may include, El

Dorado County Office of Education Charter SELPA, San Diego County Office of Education, RIMS CTI, CCSA, CSDC, state and local conferences and workshops, Edgenuity Professional Development as well as in-house staff development.

- BPA-SD will strive to receive an overall satisfaction rating from parents of a four (out of five) as measured by the parent satisfaction survey conducted at the end of each school year.
- BPA-SD will work with the State Board of Education (SBE) to ensure timely and accurate submission of all state reports to the satisfaction of all concerned.

Additional Outcomes

The BPA-SD Board, Executive Director and other school leaders will work diligently to assess overall school operations and progress towards achieving our mission and vision. In addition to the specific academic achievement goals detailed above, additional goals include:

- BPA-SD will realize a higher teacher retention rate and higher teacher attendance rate than the district average, and demonstrate high levels of teacher job satisfaction as evidenced by end-of-year surveys.
- BPA-SD will demonstrate a high level of parent satisfaction -- 85% or higher -- based on surveys. The Governing Board will carry out its responsibilities with the utmost degree of good faith, honesty, integrity, loyalty and undivided service to the school as demonstrated by the actions of the Board and adherence to legal requirements.
- Financial planning and annual budgets will reflect the appropriate allocation of resources to ensure achievement of the school's vision and mission as demonstrated by balanced budgets that address the school's priorities and successful external audits.

SBE Visitation/Inspection

BPA-SD will comply with a SBE requested visitation process to enable the SBE to gather information needed to validate the school's performance and compliance with the terms of this charter. However, BPA-SD agrees to and submits to the right of the SBE to make random visits and inspections or observations in order to carry out its statutorily required oversight in accordance with Education Code Section 47607.

Response to Inquiries

Pursuant to Education Code Section 47604.3 BPA-SD shall promptly respond to all reasonable inquiries including, but not limited to inquiries regarding its financial records from SBE, the County Office of Education, County Board of Education, and the State Superintendent of Public Instruction.

These goals and our progress toward goals will be communicated regularly to our entire school community.

ELEMENT 3

Methods to Measure Pupil Progress

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

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

BPA-SD will administer a variety of meaningful assessments to document and analyze student academic progress over time. Student achievement data gathered through internal and external assessments will provide teachers the opportunity to modify classroom instruction in response to student outcomes and allow the school to modify its program to best address student needs.

At BPA-SD, we believe that learning is a lifelong process that includes far more than the acquisition of knowledge. We are committed to supporting each student in continual growth of essential and 21st century skills, as well as habits of heart and mind. We know that this comprehensive focus will support and empower our students as they develop and share their own individual gifts. Tracking each student's growth in a holistic way is accomplished through a combination of the following:

- *Progress reports* that capture teacher, student and family reflections on development of both skills and habits of heart and mind
- *Adaptive assessment tool* (see "MAP" section below) that is geared more towards measuring growth in skills, versus a one-time snapshot of proficiency provided by standardized tests
- *Student projects/presentations and individual portfolios* provide tangible evidence of each student's growth over time in a way that honors each student for the unique individual that they are
- *Ongoing informal observation and communication* between students, teachers and families

Progress Reports

We believe the purpose of progress reports is to report progress and growth. Our progress reports will focus on skill mastery which will measure and evaluate growth in both content area knowledge and the processes students use to arrive at their understanding of the information. Provided quarterly, progress reports will be given at the end of the first and third quarters and formal report cards will be given at the end of the second and fourth quarters. Teachers will prepare progress reports by using insights from the following:

- *Projects and presentations of Learning* by the student throughout the year, which provide students with valuable opportunities to share their insights and learning, while also further developing key 21st century skills
- *Data collected* from MAPS (see "MAP" section below), standards based benchmark assessments, core curriculum embedded assessments, and one-on-one oral assessments
- *In-class work, as well as home/school work samples*, which provide the opportunity to track growth in essential skills
- *In-class interactions and observations*, which provide teachers with the opportunity to track growth in habits of heart and mind.

Measures of Academic Progress (MAP)

In order to provide a personalized education experience and to understand better when students have achieved specific competencies and are ready to advance, and where they need help, we will use NWEA’s MAP testing. It is a fully adaptive assessment tool that produces a measure of student growth and achievement. This information is used to personalize learning plans, create focused instructional groupings, as needed, and be a consideration in determining placement. Focused on growth rather than “proficiency,” this assessment is administered at the beginning of the year, mid-year, and in the spring, providing an opportunity to track growth throughout the year.

Mandated State Assessments

As required by the state charter law, BPA-SD will meet all statewide standards, including the Common Core, and conduct the state student assessments required pursuant to Section 60602.5, including the California Academic Assessment Student performance and Progress (CAASPP) tests and other mandated-state assessments. Additional support structures (i.e., tutoring) will be in place to ensure that students are meeting or making progress toward the standards measured by the state assessments. Proficiency for our English Learners will be measured in accordance with the ELPAC, CAASPP test data, teacher observations, and other school-based measures. BPA-SD will comply with all regulations, reporting and processes associated with the state’s new Charter School Accountability Plan under the Local Control Funding Formula.

The Matrix below includes the currently required state assessments.

Measurable Outcomes	Assessment Tools
Students will achieve proficiency in English/Language Arts	Smarter Balanced Assessments /(CAASPP) Pre- and post-diagnostics In-class assessments Portfolios, presentations, projects and other authentic assessments
Students will achieve proficiency in Mathematics	Smarter Balanced Assessments/(CAASPP) Pre- and post-diagnostics In-class assessments Portfolios, presentations , projects and other authentic assessments
Students will achieve proficiency in Science	Smarter Balanced Assessments/(CAASPP) Pre- and post-diagnostics In-class assessments Portfolios, presentations, projects and other authentic assessments
Students will achieve proficiency in History/Social Science	Smarter Balanced Assessments/(CAASPP) Pre- and post-diagnostics In-class assessments Portfolios, presentations, projects and other authentic assessments
ELL students will make substantial progress toward fluency in English	English Language Proficiency Assessment for California (ELPAC)/(CAASPP) Benchmark assessments In-class assessments & letters Portfolios, presentations, projects and other authentic assessments
Special education students will achieve or make progress toward the learning goals in their	IEP progress and review

Individualized Education Plans	
Students will develop social and emotional skills	Portfolios, presentations and projects Teacher Narratives Presentations
Students will develop critical thinking and creativity skills	Portfolios, presentations and projects Presentations Writing Assignments Art Projects
Students will become competent, self-motivated, “lifelong learners”	Portfolios, presentations and projects Demonstrations of learned skills Self-assessments

The staff will use all pieces of the assessment system in an ongoing effort to examine student performance and revise instructional practices to address student needs. Our goal is continuous improvement to achieve the highest quality educational program that is possible. Staff continuously will be challenged to rethink current pedagogical practices to meet the changing needs of individual students.

Use and Reporting of Data

BPA-SD will utilize School Pathways student information system to store student information such as registration, class schedule, medical information, and emergency contacts. We will also utilize Edgenuity to collect, analyze, and report a variety of reports on student achievement, including disaggregated data by content strand, student subgroup, grade-level, and classroom-level analyses. BPA-SD will use all pieces of the assessment system in an ongoing effort to examine student performance and revise instructional practices to address student needs. The goal is to foster continuous improvement to achieve the highest quality educational program that is possible. As a result, the staff will continuously be challenged to rethink current pedagogical practices to meet the changing needs of new and existing student populations. While the Site Coordinator and/or Director of Education will have primary responsibility for overseeing all student achievement data entry, analysis, reporting and reflection on data, all teachers will receive intensive training on student achievement data and effective usage of School Pathways, Edgenuity and other online systems.

On a daily and weekly basis, student data will be collected using resources and assessment tools including, but not limited to, ST Math, Imagine Learning, Lexia, Edgenuity, and in class observations. This data will be reviewed by teachers and instructional support staff to make informed decisions on intervention/enrichment supports, student groupings, instructional strategies, pacing, and program effectiveness.

NWEA MAPS will be used three times a year as a benchmark assessment to track student growth. MAPS data is analyzed by the teaching staff to make informed instructional decisions and shared with students and parents once the assessments are completed. Teachers, parents, and students will have the opportunity to meet at conferences to reflect on the data, discuss future academic goals and strategize ways in which they can further support student growth.

BPA-SD teachers and school leaders will analyze trends, significant changes, apparent conflicts, and anomalies to track individual student growth over time, evaluate specific, aggregated and disaggregated groups of students, measure performance on the state tests, CAASPP, and school-based growth data and authentic assessments to assess the whole school from year to year. Our data analysis will also include attendance rates and comparative data, as appropriate. BPA-SD

will survey major stakeholder groups (e.g., parents/guardians, students and teachers) at least once annually about our effectiveness and opportunities for improvement. This data will be used by school leaders and staff to address challenges and areas of improvement; all results will be reported to the Board and school community to ensure transparency and accountability.

In addition to local progress monitoring, CAASPP, ICA and IAB assessments will be administered annually in grades 3-8. Data from these reports will be reviewed by teachers and instructional staff. Data reports issued by CAASPP will be sent home to parents and reviewed at parent conferences.

BPA-SD believes strongly in creating a two-way dialogue between the school staff and our parents/guardians. Parental involvement and commitment to this rigorous academic school is necessary if their children are to succeed. We expect them to be actively involved in supporting their children's education. Dialogue with the teacher and Site Coordinator and/or Director of Education will be ongoing for parents/guardians as they support their child through each academic year. At parent-teacher conferences, parents/guardians review with the classroom teacher the progress of their child, sharing and discussing test scores, projects, schoolwork, and areas for improvement. At these meetings, home and school strategies will be discussed so that the student has the best chance of continuously improving his/her performance. Our educational philosophy, curriculum, and anticipated student outcomes grow out of our experience working with children. We understand the commitment and standards that need to be maintained in order for students to achieve academic success. Once a student realizes that they are capable of "doing the work," they become confident, insightful, and inspired learners.

Annual Performance Report

BPA-SD shall provide SBE with an annual report on progress toward the outcomes described herein. This report shall additionally include any information requested by SBE with regard to the operations of the school. BPA-SD shall also publish annually a School Accountability Report Card (SARC) in accordance with the timelines set forth in law.

Requests for Information/ Inspections

BPA-SD shall comply with Education Code Section 47604.3 in promptly responding to reasonable requests of SBE, and Education Code Section 47607(a)(1) in agreeing to unannounced periodic inspections by the SBE.

Baypoint Preparatory Academy-
San Diego Petition

ELEMENT 4

Governance Structure

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

California Education Code Section 47605 (b)(5)(D)

Pursuant to §47604(a), BPA-SD charter school shall be operated by the nonprofit public benefit corporation Baypoint Preparatory Academy, formed on August 25, 2014 and organized pursuant to the Nonprofit Benefit Corporation Law (Part 2 (commencing with §5110) of Division 2 of Title 1) of the Corporations Code. (See Appendix E4.)

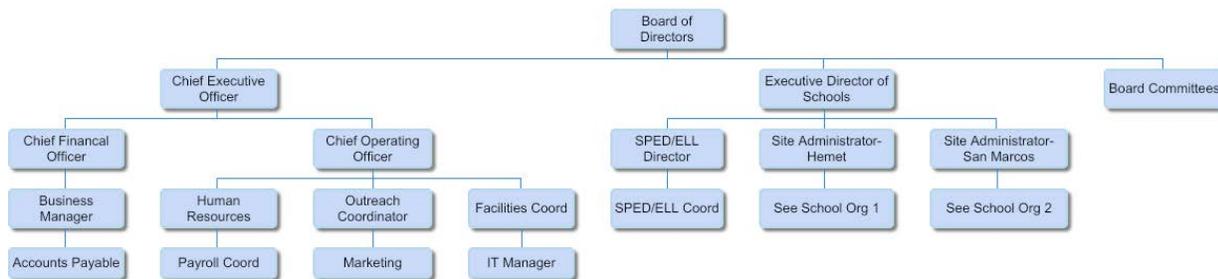
BPA-SD is a separate and distinct legal entity from SBE. It will be autonomous and responsible for all matters concerning its governance, on-site administration, staff development, curriculum development and delivery of instruction. BPA-SD cannot contractually bind or extend the faith and credit of SBE to any third person or entity. The Executive Director of BPA-SD will be the administrator for any employee of BPA-SD.

Pursuant to California Education Code Section 47604(c), SBE shall not be liable for the debts and obligations of BPA-SD, or for claims arising from the performance of acts, errors, or omissions by BPA-SD as long as SBE has complied with all oversight responsibilities required by law.

Organizational Structure

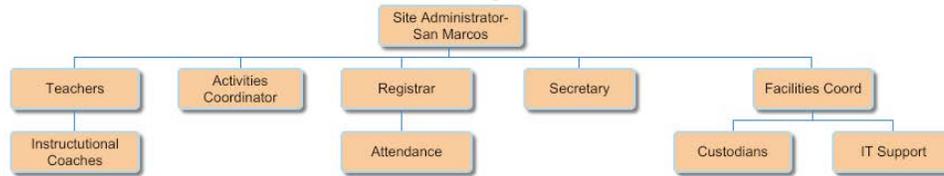
BPA- SD will be operated by the California, nonprofit, public benefit corporation Baypoint Preparatory Academy. Baypoint Preparatory Academy operates two other locally authorized charter schools, Bayshore Preparatory and Baypoint Preparatory. No funds are commingled among the schools and all schools are separately audited pursuant to the requirements of the Charter Schools Act. The Chief Executive Officer (CEO) oversees the operations of the schools while the Executive Director (ED) oversees the educational programs at the schools. Each school pays a pro rata share of the CEO and ED salaries. In addition, the Special Education Director oversees the special education services at the schools and each school pays a pro rata share of his/her compensation.

Baypoint Preparatory Academy Nonprofit Public Organizational Chart



Baypoint Preparatory Academy-San Diego Organizational Chart

Baypoint Preparatory Academy- San Diego Petition



Role of the Governing Board

BPA-SD is governed by its Board. The Board shall be no less than three (3) and no more than nine (9) voting members unless changed by amendments to the bylaws. If SBE exercises its right to appoint a representative, a voting representative shall be added for this purpose, pursuant to Education Code section 47604. The Board meetings will be held within the jurisdictional boundaries of the charter school.

Desired areas of expertise to fulfill the mission and vision of the school for our students among the board members include education management and instruction, real estate and construction, public relations and marketing, business, grant writing, school development, legal services, accounting and school finance, nonprofit community development, and nonprofit compliance.

BPA's Bylaws are developed by the Board (See Appendix E4) and shall be consistent with this charter. The Board may initiate and carry on any program and activity, or may otherwise act in any matter that does not conflict with the Corporations Code or other applicable law or regulation or the purposes for which charter schools are established. The Board may execute any powers delegated by law to it and shall discharge any duty imposed by law upon it and may delegate to any officer or employee of BPA-SD any of those duties with the exception of budget approval or revision, approval of the fiscal and performance audits, and the adoption of Board policies as permitted by law. The Board, however, retains ultimate responsibility over the performance of those powers or duties so delegated. Any such delegation will:

- Be in writing
- Specify the entity designated
- Describe in specific terms the authority of the Board of Directors being delegated, any conditions on the delegated authority or its exercise and the beginning and ending dates of the delegation
- Require an affirmative vote of a majority of Board members

All meetings of the Board will be held and conducted in accordance with the terms and provisions of the Ralph M. Brown Act, California Government Code sections 54950, *et. seq.* as said chapter may be modified by subsequent legislation. Members of the Board shall also comply with the applicable ethics and conflict of interest standards set forth in the California Corporations Code and the California Political Reform Act. In addition, beginning January 1, 2020, the BPA-SD Board will comply with Ed Code Section 47604.1 which further clarifies and the Ralph M Brown Act, the California Public Records Act, the Political Reform Act of 1974, Section 8730 of the Government Code, Conflict of Interest Code and Governing Board meetings.

Vision and Strategic Plan

- The Board drafts, modifies, and approves BPA-SD's Mission Statement and in each subsequent year, re-evaluates the Mission Statement.
- The Board adopts policies to successfully implement BPA-SD's Mission Statement and Strategic Plans.

- The Board oversees the Executive Director or his/her designee to ensure that BPA-SD's Mission Statement and Strategic Plans are reflected in the day to day operations of BPA-SD, including ensuring that the curriculum aligns with BPA-SD's Mission Statement.
- The Board approves any significant changes to policies and programs as needed.
- The Board is involved in all legal actions and actions taken by the BPA-SD that may result in legal action.

Academic Performance Monitoring

- The Board, or a committee thereof, annually reviews student performance based on state and federally mandated assessments.
- The Board approves all academic performance reports to all federal, state and local agencies as required by law.
- The Board, or a committee thereof, researches or develops student data collection systems and annually reviews them to ensure their effectiveness.

Staffing and Personnel

- The Board reviews and approves personnel policies and any amendments thereto.
- The Board hires, evaluates, and terminates the employment of the Executive Director and other designated Directors.
- The Board establishes performance goals for the Chief Executive Officer and the Executive Director and other designated Directors and communicates the goals to these employees.
- The Board annually reviews the employment contracts of the Chief Executive Officer and the Executive Director and other designated Directors.
- The Board approves the salaries and compensation policies for all school personnel in compliance with any applicable state laws. The Board may hear and resolve employee grievances, as applicable, and participates in the dispute resolution process which is enumerated in this charter.

Parent, Student and Community Relations

- The Board, or a committee thereof, hears and decides student expulsion recommendations, as applicable.
- The Board reviews and approves student and parent policies and any proposed amendments thereto.
- As needed, the Board communicates with the media and community at large, consistent with BPA-SD's Mission and Vision.
- The Board ensures that BPA-SD consistently engages in timely reporting of required information to SBE, CDE, and other agencies.

Finance and Budget

- The Board reviews and approves the fiscal management and internal controls policies and any proposed amendments thereto. (See Appendix E4)
- The Board reviews and approves the school's annual academic calendar.
- The Board, or a committee thereof, solicits and selects the school's independent financial auditor with experience in education finance, oversees the auditor's work, and receives the auditor's report(s).
- The Board, or a committee thereof, reviews, adopts and amends the annual budget as well as interim budgets and pre-audit annual financial statements.
- The Board, or a committee thereof, reviews and approves the audit report.

- The Board monitors the responses to the audit report and implementation thereof.
- The Board approves a contract policy that sets forth specific procedures for contract approval, including but not limited to the amounts above which the contract must be pre-approved by the Board.

Facilities

- The Board, or a committee thereof, approves major construction and remodeling of facilities.
- The Board, or a committee thereof, researches school sites as needed, and funding and facilities options.
- The Board, or a committee thereof, makes decisions on facilities needs and policies.

Board Internal Business

- The Board drafts, reviews and approves board policies and amendments thereto.
- The Board recruits prospective Board members.
- The Board orients new Board members.
- The Board, as needed, provides training to its members.
- The Board approves bylaws, resolutions, and policies and procedures for BPA-SD operation.
- The Board annually reviews BPA-SD's performance reports.
- The Board, as needed, reviews BPA-SD's renewal proposals and reports.

Membership of the Board

The membership of this Board will be no fewer than three and no greater than nine persons and may include each of the following classifications:

- At least one parent/guardian of a student enrolled in BPA-SD chosen by majority ballot of the parent/guardians of students enrolled at BPA-SD or appointed by the Board as applicable.
- At least one community member who has skills that complement or add to the existing composition of the Board.

Board Chair: Frank Ogwaro

Mr. Frank Ogwaro has been involved at Bayshore Preparatory Charter School since its founding year in 2005 and participated directly in the school surpassing the measures mandated by the school's current Authorizer. Mr. Ogwaro joins the community and parents in this effort to bring the same team of educators that have set a precedent of Charter school leadership success to this petition. With 9 years of Charter school leadership, Mr. Ogwaro is dedicated to education options and its direct benefit to the community it serves.

In 2014, Mr. Ogwaro was invited by the community members and parents to replicate the successful college prep academic program in Hemet, California. In 2015, Baypoint Preparatory Academy (BPA), (a replication of Bayshore Prep Charter School) opened its doors, serving all K-12 grades. BPA received WASC accreditation in its 1st year and increased enrollment by 50% in its 2nd year.

Mr. Ogwaro continues to be an advocate for families, maintaining that regardless of a community's socioeconomic spectrum, all should have the opportunity, access and education options that meet

their student's personalized learning style. Mr. Ogwaro joins BPA's Founding Board that has the skill sets and experiences which together will enable Baypoint Preparatory Academy to be fiscally sound and academically strong. Mr. Ogwaro now serves both schools as its President/CEO.

Mr. Ogwaro has over 19 years of small business experience and holds positions as the President/CEO of Ogwaro Group Inc., Principal of Ogwaro Holdings LLC and Founder/Director at REDMutual LLC. Over the years his business experience has brought on opportunities in banking, consulting, and investments in various for-profit businesses and nonprofit projects.

Mr. Ogwaro was born in Moscow, Russia, grew up in Uganda, East Africa and moved to the United States in 1986. He and his wife live in San Marcos with their 2 children. They continue to be an advocate for families, maintaining that regardless of the socioeconomic status, all should have an opportunity to sustainable economic success, triggered by all children having access to a sound and rigorous college prep education.

Among several volunteer positions, Mr. Ogwaro leads groups involved in guiding parents in education, commerce and business. Mr. Ogwaro believes that families' economic environments can be improved by involving and educating parents in commerce and business that will eventually affect generations that continue to prosper and establish self-sufficiency. This starts with education at the earliest level.

Board Secretary: Tom Estill

Tom Estill has been a board member at Bayshore Preparatory Charter School since 2009 and was a founding board member at Baypoint Preparatory Academy. He currently serves as board Secretary for both schools. Mr. Estill has worked in the Pest Management industry since 1978. During this time he has held various teaching and management positions. Mr. Estill currently works for Ensystem, an international company that manufactures and distributes pest management products. He is the Director of Stewardship and Training for the Western United States, Hawaii and the Caribbean. In addition to being responsible for training, Mr. Estill is the governmental liaison for the company.

Board Member: Bill Jagger

William S. "Bill" Jagger was born and raised in New Jersey. He attended one year of college before being drafted, at the age of 19, into the U.S. Army. Immediately after training, he was sent to Vietnam, where he spent the next 14 months assigned to the 196th Light Infantry Brigade. He returned to New Jersey and within a year was married to his wife, Darlene, a certificated teacher. Mr. Jagger worked full-time and concurrently completed college on the GI Bill. Mr. Jagger earned his BA in History and holds teaching credentials in New Jersey and Washington.

After graduating from college, Mr. Jagger and the family moved to upstate New York where he continued working for Dayton Superior Corp., a large manufacturer of construction products. Mr. Jagger was still in the Army Reserves, where he completed Officers Candidate School, and was eventually discharged as a Captain.

After five years in New York, Mr. Jagger relocated to Southern California, where his wife Darlene continued to teach. He obtained his MBA through Pepperdine University, where he graduated in 1983. Mr. Jagger received several promotions and was relocated to Seattle. He oversaw the regional manufacturing plants in four states, then was transferred back to Southern California as a Division Manager, supervising four manufacturing plants in 13 states. Throughout their marriage,

Darlene continued to teach in public, private, and homeschool programs, until her retirement in 2013.

In 2009, using his extensive list of relationships, Mr. Jagger formed his own company, All Forces Supply. He served as the President of All Forces Supply, which is a Disabled Veteran Business Enterprise designed to sell construction projects directly to the Government. Mr. Jagger retired in 2016 and now resides in La Quinta, CA. He and his wife enjoy spending leisure time at their second home on Lopez Island, WA.

Board Member: Vacant

To be filled with an individual with an educational background. Preference given to someone with charter knowledge and/or experience.

Additional Board Member: Vacant

To be filled by a parent/guardian of a student enrolled at Baypoint Preparatory Academy-San Diego or a San Marcos community member.

In addition, SBE may nominate a representative to sit as a member of the Board. (Ref. Ed. Code Section 47604(b)).

The Board will meet quarterly during the fiscal year but may convene additional meetings to conduct school business in a timely fashion. Each year the Board will approve a calendar of regular board meetings for the coming fiscal year. The Board will follow the procedures specified in the Bylaws of BPA-SD for filling mid-term vacancies. The Board will be responsible for all recommendations to materially revise this charter. Any material revisions to the charter will require a majority vote of the Board. Any such material revisions to this charter must be approved by SBE's Board of Education prior to implementation.

The Board shall adhere to the corporation's adopted Conflict of Interest Code; and BPA-SD will adhere to any conflict of interest regulations promulgated by the Fair Political Practices Commission and applicable to California charter schools. (See Appendix E4)

Other Guiding Principles

- Members of the BPA-SD Board, any administrators, managers or employees, and any other committees of BPA-SD shall comply with federal and state laws.
- BPA-SD and/or its non-profit corporation will be solely responsible for the debts and obligations of BPA-SD.

Charter schools are governed by boards, not by individual board members. While understanding their separate roles, the Board and the Executive Director work together as a governance team in operating BPA-SD. This team assumes collective responsibility for building unity and creating a positive organizational culture in order to govern effectively.

Professional Development

All BPA-SD Board members shall complete governance training including, but not limited to, compliance with the Brown Act. (Gov. Code § 54950 et seq.)

Responding to Inquiries

BPA-SD shall promptly respond to all reasonable inquiries from SBE including, but not limited to, inquiries regarding financial records and shall consult with SBE regarding any inquiries.

Operating Structure

The Executive Director is the administrative head of the school. The Site Coordinator and Director of Education will be responsible for the day-to-day functioning of the school, student guidance, teachers and community relations. These responsibilities include, but are not limited to, progress reports and conferences, enrollment planning including room assignments and grade level assignments, as well as financial planning, including seeking grants and donations, and monitoring of site-level expenditures as compared to the most recent approved budget. The Executive Director will be responsible for staff evaluations and the development of curriculum and assessment in conjunction with the staff. The Executive Director will act as a liaison with educational partners, and will enact the policies of the Board.

Parent Involvement

A Parent Advisory Committee (PAC) will be established to make recommendations to the Board concerning the school. The PAC will consist of parents/guardians of students enrolled at BPA-SD and at least one certificated and/or classified employee of BPA-SD. Parent/guardian members may be chosen by ballot of parents of students enrolled. The employees of BPA-SD who serve on the PAC shall be appointed by the Executive Director.

The PAC will meet not less than four (4) times per year. They may elect from their ranks a Chair, Vice-Chair, and Secretary to serve one year terms. Each member will have one vote and all decisions will require a simple majority of the members voting. The PAC may adopt its own procedures for filling mid-term vacancies. The Chair will report their proceedings directly to the Board within 30 days of their meetings. Members will serve for one year and will not receive compensation for their services on the PAC.

Process for Amendments to Charter

Any material revisions to this Charter will be submitted by the Charter Board for consideration for approval by the SBE Board pursuant to the standards, criteria, and timelines in Education Code Section 47605.

Severability

The terms of this Charter contract are severable. In the event that any of the provisions are determined to be unenforceable or invalid for any reason, the remainder of the Charter will remain in effect. SBE and BPA-SD agree to meet to discuss and resolve any issues or differences relating to invalidated provisions in a timely, good faith fashion.

BPA-SD looks forward to a positive and mutually respectful partnership with SBE.

Employee Qualifications

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

BPA-SD will employ a group of professionals passionate about educating all students and dedicated to fulfilling our college preparatory mission. Education research consistently demonstrates that teacher quality has the most school-based factor on student achievement. (Thernstrom, A. and Thernstrom, S., *No Excuses*, Simon & Schuster (2003), p. 43). As a result, it will be a top priority to recruit, select, hire, train, support, and retain the best teachers, administrators, and support staff available.

Qualifications of School Employees

All employees of the Charter School shall be employees of BPA-SD, an equal employment opportunity employer. Discrimination or harassment based on race, color, religion, sex, gender identity, pregnancy, national origin, ancestry, citizenship, age, marital status, physical disability, mental disability, medical condition, sexual orientation, genetic information, or any other characteristic protected by state or federal law is strictly prohibited.

BPA-SD will assure that teacher credentials will be equal to those required by SBE as applicable by required law for core and college prep courses. BPA-SD will comply with all applicable state and federal laws regarding background checks and clearance of all personnel. BPA-SD will comply with all state and federal laws concerning the maintenance and disclosure of employ records. BPA-SD will comply with all state and federal mandates and legal guidelines relative to ESSA.

BPA-SD will utilize Edjoin, Charter School Development Center job board, California Charter School Association's job board, university teacher training and intern programs to post positions and recruit highly qualified credentialed teachers. A priority will be placed on hiring instructional coaches interested in or already pursuing a career in teaching.

Staff training and support will be a high priority at BPA-SD. Teachers and instructional coaches will be required to attend 8 professional development days prior to the beginning of the school year. These days will be devoted to training on curriculum, instructional strategies and delivery, mandated reporting, assessments, use of data to drive instruction, SST/RTI procedures, SPED/IEP implementation, school procedures and policies, subject/grade level collaboration and EL instruction.

Throughout the school year, days will be set aside for additional professional development and data analysis. Preliminary credentialed teachers will participate in RCOE induction program as needed. In addition, staff will be given the opportunity to attend off site professional development to support student learning. (See Appendix E1)

Employee job duties and work will be negotiated in individual employment agreements. Job descriptions will be developed for the administrative staff, teachers, other certificated staff, office personnel, and classified staff. Sample job descriptions are included in the Appendices. (See Appendix E5)

The Governing Board will be responsible for hiring and supervising the Chief Executive Officer (CEO) and the Executive Director (ED). Both the CEO and the ED shall embody, advocate, and put into operation the mission, vision and strategic direction of BPA-SD, and oversee all aspects of the organization, including financial, operational, educational operations, and strategic planning. The CEO and the ED shall not be members of the Governing Board but shall fulfill the role of the corporation's general managers and shall have general supervision, direction and control over the corporation's business and officers, subject to the control of the Governing Board.

The Executive Director will hire, supervise, discipline and, as needed, dismiss the school's Site Coordinator and Director of Education. The Site Coordinator and Director of Education may, in collaboration with the Executive Director, hire, promote, discipline and, as needed, dismiss staff and teachers at the school. A formal evaluation process will be developed and the Governing Board will ensure that the Executive Director is evaluated formally at least once annually, and the Executive Director, in turn, shall evaluate lead school staff.

Executive Director

The Executive Director reports to the Governing Board and is responsible for the overall operations of the school, collaborating with the Site Coordinator and Director of Education, who are the instructional leaders of the school. The Executive Director bears primary responsibility for ensuring the organization meets annual revenue goals and generates an appropriate surplus without compromising the quality of the program, securing the school's long-term sustainability.

Responsibilities include:

Planning and Operations:

- Collaborate with the Board to plan and publicize all Board meetings, prepare agendas, arrange logistics, and attend all regularly scheduled Board meetings
- Facilitate strategic planning with the Board
- Diagnose the gaps between where the school is, versus where it aspires to be, and ensure that strategies and practices are implemented to close these gaps.
- Oversee school compliance with all applicable laws, regulatory reporting, contractual obligations, and donor restrictions
- Recruit, develop, evaluate, retain (and as needed, discipline and terminate) high-performing individuals who are passionate about BPA-SD and its mission
- Recruit, hire (in collaboration with the Board), supervise and evaluate the school's Site Coordinator and Director of Education
- Collaborate with the Site Coordinator and Director of Education to assist him/her in fulfilling the educational mission of the school, including working collectively to resolve any personnel issues or other disputes that may arise
- Assist the Site Coordinator and Director of Education with data analysis and oversee all reporting related to student performance
- Ensure that an effective performance management system is in place for all staff under his/her direct supervision and ensure that formal evaluations are conducted at least once annually
- Oversee self-evaluation efforts of the school relating to operations, including parent surveys
- Collaborate with Site Coordinator to establish school computer systems, including classroom computers, data systems, records management and reporting, telecommunications, etc.

Financial Oversight:

- Develop appropriate budget projections, in collaboration with back-office services provider to ensure long-term financial sustainability.
- Develop and maintain relationships with philanthropic, business, and public sectors to increase awareness of the school and increase its donor base within a competitive non-profit (specifically charter school) funding environment.
- Work with the Board on fundraising, including a capital campaign to secure and develop a permanent school site.
- Oversee and manage the operating budget, payroll, contracts and all other financial and accounting operations, supervising the efforts of back-office staff.

Facilities:

- Pursue appropriate temporary facilities for the school as needed.
- Secure a permanent site for school.
- Oversee relevant planning, construction and other activities to obtain CUP for school site (if needed) and occupancy.
- Secure appropriate furnishing, materials, supplies and equipment for school operations.

Outreach and Collaboration:

- Develop and maintain effective relationships with the SBE Charter Office, and oversee all aspects of charter renewal, review and compliance.
- Oversee the WASC accreditation process and any related activities.
- Represent the school as a leader in the California charter school community in all advocacy efforts (e.g., legislative efforts to sustain charter school funding levels) as well as with community leaders to maintain support from the local community.
- Assist Site Coordinator and Director of Education as requested in coordinating parent involvement and volunteering.
- Establish and maintain partnerships with community service organizations, businesses and local councils and residents

Communications:

- Maintain open lines of communication between stakeholders and work to resolve conflicts and disputes that may arise.
- Assist Site Coordinator and Director of Education in coordinating parent education workshops, Town Hall meetings and other forums to discuss the school's mission, vision and operations with parents and other stakeholders.

Qualifications include:

The ideal candidate will have extensive experience in nonprofit management, fundraising, budgeting, government relations, communications and marketing. S/he will have the ability to inspire excellence from a diverse staff and to leverage the talents of the Board. S/he will be a confident decision-maker and possess the ability to facilitate collaboration and teamwork. The ability to multi-task and handle a diverse array of responsibilities is critical, including attention to numerous details with the ability to shift to big picture, long-term thinking.

The candidate must demonstrate an ability to communicate a genuine passion for BPA-SD's

mission and vision. Knowledge of the California and SBE education, government, and nonprofit funding environment would be valuable in this position. The Executive Director must oversee building and maintaining relationships with parents, foundations, members of the private sector, community leaders, and government staff as an essential part of his/her role. Excellent oral and written communication skills are imperative. A Master's Degree or equivalent experience in a relevant field is preferred.

Chief Executive Officer

The Executive - President/CEO reports to the Governing Board and is responsible overall for the organization and the schools. The President/CEO works closely with the Executive Director, and all leadership that report to the Executive Director, to ensure accountability, and that the schools meet the academic mission and growth goals. The President/CEO works closely with the Director of Operations and financial back office services provider to ensure the organization meets its financial growth goals, securing the schools long-term operations.

Responsibilities include:

General:

- Oversee the framework of the vision, mission, and core values of the school.
- Shall be responsible for overseeing the school and working with the leadership team collaboratively to create sustainable, scalable systems and policies that will support the schools and enable them to maintain their focus on delivering high quality instruction.
- Shall be responsible for the hiring and discharge of all personnel and contractors, either directly or through his/her designees.
- Shall have the right and authority to contract and make other commitments on behalf of the school that are consistent with its goals, missions, budget and financial policies.
- Shall exercise supervisory responsibility and management authority over the school and shall perform such other duties commensurate with his/her position as may reasonably be assigned to him/her from time to time by the schools Board of Directors.
- Shall address all strategic challenges the organization will face.
- Strategic Planning: In partnership with the Board of Directors, the President/CEO will finalize a strategic plan to set the stage for both short and long term growth.
- Team Building: The President/CEO will be responsible for creating the team necessary to carry out the expansion of the organization and provide ongoing operations and instructional support to the established schools.
- Advancement: The President/CEO will further advance the mission of the organization by identifying and securing new sources of funding from foundations, corporations and individual donors, and by forming additional strategic partnerships.
- Governance: The President/CEO will work with the Board of Directors to ensure that the members fulfill its governance functions. S/he will be responsible for facilitating optimum performance of the Board, its committees, and individual members.
- External Relations: The President/CEO will serve as the chief spokesperson for the organization, ensuring proper representation of the organization to the local civic, business and political community, the greater education reform sector and other external constituents, including parents and families.
- Financial Management: The President/CEO will oversee the financial systems of the organization, including the development of the annual budget;
- School Support: The President/CEO will provide support to instructional team as needed

in the areas of staff management and evaluation, hiring, HR issues, and other tasks that are necessary to ensure that the mission of schools' are fulfilled.

- Compliance: The President/CEO will ensure schools are educationally and operationally compliant.

Duties: Without limiting the foregoing, the President/CEO duties include but are not limited to:

- To act as trustee under any trust incidental to the principal object of the corporation, and to receive, hold, administer, exchange, and expend funds and property subject to such trust as approved by the Board.
- To recommend for approval and implement policies and procedures that are aligned with the school's mission.
- To recommend for approval personnel policies and monitor their implementation; to select employees and to prescribe duties; to fix their compensation; and to require from them security for faithful service.
- To borrow money and incur indebtedness for the corporation's purposes, and to cause to be executed and delivered therefor, in the corporate name, promissory notes, bonds, debentures, deeds of trust, mortgages, pledges, hypothecations, and other evidences of debt and security as approved by the Board.
- To carry on a business at a profit and apply any profit that results from such business activity to any activity that it may lawfully engage in as approved by the Board.
- To acquire by purchase, exchange, lease, gift, devise, bequest, or otherwise, and to hold, improve, lease, sublease, mortgage, transfer in trust, encumber, convey, or otherwise dispose of real and personal property as approved by the Board.
- To enter into any contracts or other instruments, and do any and all other things incidental to or expedient for attainment of the corporation's purposes as approved by the Board.
- To communicate the vision, mission and core values of the school to staff; to contributors, to funders, and to governmental entities.
- To work with the Board to establish the school's Board of Directors.
- To provide advice and counsel the Board of Directors and its Committees.
- To develop and evaluate staff leaders.
- To oversee the development and provision of standards for appropriate technology systems and information technology services.
- To evaluate and approve licensing, development and management of the educational curriculum, instructional model, strategies, classroom structure and behavior management methods.
- To evaluate and coordinate with real estate and financial consultants to identify facilities, negotiation and execution of financing for lease and/or purchase of facilities as approved by the Board.
- To evaluate and oversee management of all the facilities and real estate, including all facility operations, maintenance, inspection, security, repairs and improvements, coordination of maintenance schedule and staff, development and updates of facility safety and emergency procedures, retention of facility records, and coordination of facility inspections as necessary.
- To procure startup funding and operational funding for the schools.
- To oversee researching and securing grants to support the schools.
- To draft, review and revise charter petitions, as necessary, to comply with applicable law.
- To maintain the core principles of best practices in instruction and financial management.
- To maintain authorizer relations.

- To oversee the startup of new schools, including the oversight of student recruitment, master program planning, ordering textbooks and supplies, initial baseline student assessment, locating vendors, technical assistance and hands-on support to establish operational systems for payroll and general accounting.
- To develop marketing strategies, management of public relations, community outreach to parents and community members through local organizations in target communities, and oversight of the schools' local community relationship building and political advocacy.
- To oversee and assist in the identification, recruitment and training of leaders to operate the charter schools.
- To oversee leadership development program for principals, and provide assistance to principals in developing and implementing the professional development programs for teachers.
- To ensure the schools' special education programs compliance with applicable laws.
- To assist with development of emergency procedures, food programs, and health services for the schools.
- To Procure outsourced vendors to generate economies of scale in purchasing products and services.
- To retain appropriate legal counsel, as well as liability, property and professional insurance policies.
- To ensure the schools are in compliance with applicable local, state and federal laws, regulations, financial standards, and reporting requirements.
- To develop, coordinate and present to the school's Board all school operational and financial policies and procedures.
- To evaluate any provision of other programmatic and educational support services, staff, teacher and administrative services, supervisory oversight, and other duties as requested by the Board of Directors.

Expectations: The President/CEO will be expected to:

- Galvanize the team behind a shared vision and build a dynamic organizational culture that is embraced by school level and central office staff.
- Evaluate potential expansion models and execute on a growth strategy in order to increase the number of students served.
- Achieve aggressive academic targets by supporting the instructional team.
- Engage stakeholders at all levels.
- Create a culture of openness and trust where there is collaboration between the central office and school staff, and where all employees feel supported and empowered with the tools they need to be successful.

Qualities & Qualifications: The President/CEO demonstrates the following:

- **Commitment to Education:** Belief that reversing the socio-economic achievement gap can be achieved with providing high quality education options to all students.
- **Philosophical Alignment:** Belief that every single student should be held to the highest academic and behavioral expectations and that a structured environment is essential for learning;
- **Relentlessness & Composure:** Drive to do whatever it takes, regardless of circumstances, to fulfill responsibilities and to achieve results. Ability to remain calm even when faced with the relentlessness of the work and with unexpected challenges.

- **High Emotional Intelligence:** The requisite self-awareness, confidence, and maturity to work productively with a wide variety of people and personalities;
- **Natural Transparency:** An open, honest and transparent style that is effective with a wide range of audiences;
- **Collaborative Style:** A management style that is collaborative, inclusive, supportive and empowering.
- At least 15 years of work experience including a track record of leadership, ideally in an entrepreneurial, start-up and/or high growth organization;
- Specific and substantial management experience in The executive presence to inspire confidence and passion in both *internal* and *external* audiences;
- Holds advanced experience in management, information technology, general operations, strategic planning, and marketing.

Site Coordinator

It is the responsibility of the Site Coordinator to oversee, support and manage the educational and operational program at BPA-SD under the guidance of the Executive Director and in conjunction with the Director of Education. He/she may delegate responsibility for administering various segments of BPA-SD education and operational program but shall be responsible to the Executive Director for the results produced. Responsibilities include:

Educational Leadership:

- In conjunction with the Executive Director and Director of Education, recruit, hire, train and supervise talented instructional staff in implementing best practices consistent with BPA-SD's educational philosophies
- In conjunction with the Director of Education, provide hands-on guidance to teachers as they create and implement a blended learning curriculum
- Use multiple sources of data to develop a plan for the improvement of student achievement and oversee the collection, analysis and utilization of this data in relation to specific students, teachers and curricula
- Develop and implement an evaluation process for all instructional/classified staff and ensure that formal evaluations are conducted at least annually
- In conjunction with the Director of Education and Executive Director, develop partnerships with charter organizations, other area schools and educational consultants to support teacher's professional development
- Support BPA-SD policies and programs related to Special Education
- In conjunction with the Director of Education, oversee and assist teachers with behavior management, including handling student suspension, expulsion and other disciplinary issues as needed
- Promote the school mission and philosophy throughout the school community

Communications and Outreach

- In conjunction with the Director of Education, lead the Parent Advisory Council (PAC) and oversee parent volunteer efforts
- In conjunction with the Director of Education, schedule and participate in regular family education and Town Hall meetings designed to communicate the school's mission, vision and curricula to families, provide updates on school progress and operations, and cover other areas of interest to community stakeholders
- Ensure open and clear lines of communication with all stakeholders, including working to

resolve conflicts and disputes as they may arise between community members

- In conjunction with the Director of Education, oversee the school's website, email/listserves, newsletter and other means of communication with the parents, teachers, volunteers and other community members.
- Maintain positive relationships with SBE and its related entities
- Actively participate in charter organization activities (CCSA, CSDC, etc.) and become an active leader in the charter community
- Work effectively with the media
- Conduct outreach and serve as a liaison with local leadership, school faculty and staff, students, parents and community members

School Management

- Oversee the day-to-day management of the school site with a commitment to ensuring the health and safety of students, faculty and staff, including supervision of janitorial/custodial staff
- Work with the Executive Director, Director of Education and Board in the strategic planning for the growth of the school
- Assist with the preparation and updating of the Employee Handbook, Health and Safety Handbook and Student/Parent Handbook and ensure that all parties receive and acknowledge receipt
- Assist with establishing and overseeing compliance with the school's emergency and safety plans
- Develop and implement procedures for maintenance and organization of all school records to ensure accuracy and compliance
- Coordinates student enrollment and withdrawals
- As requested, attend all regularly scheduled Board meetings and give appropriate updates and reports on school activities
- Assist the Executive Director and Director of Education with budgets, charter renewal, outreach, LCAP, LEAP, WASC, SBE reports and other duties as required
- Support the Executive Director and Director of Education in coordinating the school calendar, managing dates and materials for meetings as well as arranging field trips and substitutes
- Oversee onsite technology support and BPA-SD's technology Plan development and implementation
- Assist with Edgenuity course selection, implementation and oversight
- Coordinates NWEA testing and data collection and analysis in conjunction with the Director of Education and the Administrative Assistant.
- Assist in activities designated as necessary by the Executive Director
- Other duties as assigned

Skills and Qualifications:

- An ideal Site Coordinator is a visionary educational leader whose experience, knowledge, and drive will set the tone for a supportive school climate that challenges and motivates our students, teachers, and families to achieve BPA-SD's mission and vision
- Resourcefulness, flexibility, and an entrepreneurial spirit are key qualities for a Site Coordinator
- A commitment to the educational philosophy of our school and demonstrated passion about our ideals is imperative
- Teaching and school leadership experience, ideally in a TK-8 school setting

- Experience with school operations, budgets and organizational management
- Excellent communication skills and experience motivating and working with a variety of diverse stakeholders and local community members
- Experience recruiting, hiring, training and supervising teachers in a charter, public or private school
- Knowledge of, or experience with, diverse populations, English learners, special education and GATE students
- Leadership skills, collaborative skills, and the ability to develop and oversee the implementation of effective policies and procedures

Director of Education

It is the responsibility of the Director of Education to oversee and manage the educational program at BPA-SD under the guidance of the Executive Director and in conjunction with the Site Coordinator. He/she may delegate responsibility for administering various segments of BPA-SD education program but shall be responsible to the Executive Director for the results produced. Responsibilities include:

Educational Leadership:

- In conjunction with the Executive Director and Site Coordinator, recruit, hire, train and supervise talented instructional staff in implementing best practices consistent with BPA-SD's educational philosophies
- Provide hands-on guidance to teachers as they create and implement a blended learning curriculum
- Provide hands-on guidance to teachers in the development of multiple assessments
- Use multiple sources of data to develop a plan for the improvement of student achievement and oversee the collection, analysis and utilization of this data in relation to specific students, teachers and curricula
- Oversee/support teacher professional development via in-house training sessions, visiting lecturers, external professional development opportunities and other resources (articles, web-based resources, and development of a school professional resources library)
- Develop and implement an evaluation process for all instructional staff and ensure that formal evaluations are conducted at least annually
- In conjunction with the Site Coordinator and Executive Director, develop partnerships with charter organizations, other area schools and educational consultants to support teacher's professional development
- Oversee BPA-SD's policies and programs relating to English Learners, low achieving and Gifted and high-achieving students and other sub-groups
- Support BPA-SD policies and programs related to Special Education
- In conjunction with the Site Coordinator, oversee and assist teachers with behavior management, including handling student suspension, expulsion and other disciplinary issues as needed
- Promote the school mission and philosophy throughout the school community

Communications and Outreach:

- In conjunction with the Site Coordinator, oversee the Parent Advisory Committee (PAC) and parent volunteer efforts
- In conjunction with the Site Coordinator, schedule and participate in regular family education and Town Hall meetings designed to communicate the school's mission, vision and curricula to families, provide updates on school progress and operations, and cover

other areas of interest to community stakeholders

- Ensure open and clear lines of communication with all stakeholders, including working to resolve conflicts and disputes as they may arise between community members
- In conjunction with the Site Coordinator, coordinate the school's website, email/list-serves, newsletter and other means of communication with the parents, teachers, volunteers and other community members
- Maintain positive relationships with the SBE and SDCOE and related entities
- Actively participate in charter organization activities (CCSA, CSDC, etc.) and become an active leader in the charter community
- Work effectively with the media
- Conduct outreach and serve as a liaison with local leadership, school staff, students, parents and community members

School Management:

- Assist with the day-to-day management of the school site with a commitment to ensuring the health and safety of students and staff
- Work with the Executive Director, Site Coordinator and Board in the strategic planning for the growth of the school
- Assist with the preparation and updating of the Employee Handbook, Emergency Handbook and Student/Parent Handbook and ensure that all parties receive and acknowledge receipt
- Assist with establishing and oversight compliance with the school's emergency and safety plans
- As requested, attend all regularly scheduled Board meetings and give appropriate updates and reports on school activities
- Assist with the NWEA testing and data collection and analysis in conjunction with the Director of Education and the Administrative Assistant.
- Assist the Executive Director and Site Coordinator with budgets, charter renewal, outreach, LCAP, LEAP, WASC, SBE reports and other duties as required
- Support the Executive Director and Site Coordinator in coordinating the school calendar, managing dates and materials for meetings as well as arranging field trips and substitutes
- Ensure proper paperwork is filed for field trips (drivers, insurance and license etc)
- Assist in activities designated as necessary by the Executive Director
- Other duties as assigned

Skills and Qualifications:

- An ideal Director of Education is a visionary educational leader whose experience, knowledge, and drive will set the tone for a supportive school climate that challenges and motivates our students, teachers, and families to achieve BPA-SD's mission and vision
- Resourcefulness, flexibility, and an entrepreneurial spirit are key qualities for a Director of Education
- A commitment to the educational philosophy of our school and demonstrated passion about our ideals is imperative
- At least five years of teaching experience, ideally in a TK-8 school setting
- Experience with school operations, budgets and organizational management
- Excellent communication skills and experience motivating and working with a variety of diverse stakeholders and local community members
- Experience recruiting, hiring, training and supervising teachers in a charter, public or private school

- Knowledge of, or experience with, diverse populations, English learners, special education and GATE students
- Leadership skills, collaborative skills, and the ability to develop and oversee the implementation of effective policies and procedures

Director of Special Education

Qualifications:

The minimum requirement for a Baypoint Preparatory Academy Director of Special Education is a valid and current California teaching credential issued by the California Commission on Teaching Credentialing. A Baypoint Preparatory Director of Special Education needs to have demonstrated success, in either prior Special Education Administration, Special Education teaching, and/or related experiences, in meeting the intellectual, emotional, and physical needs of individual students.

Typical Duties and Responsibilities:

- Manage the implementation of the Baypoint/Bayshore's IDEA procedures, including procedures for IEP development, placement, evaluation and re-evaluation of students with disabilities
- Coordinate Baypoint/Bayshore's Special Education Program in conjunction with EDCOE Charter SELPA
- Represent Baypoint/Bayshore on the EDCOE Charter SELPA Steering Committee
- Maintain documentation within the IEP program and the SEIS system that captures and organizes special education timelines and data;
- Coordinate/conduct IEP meetings
- Coordinate all IEP student assessments;
- Coordinate the setup and delivery of IEP mandated services to students
- Communicate and consult with teachers regarding the instructional program for students with disabilities or other special needs
- Oversee the development, tracking, dissemination and proper implementation of IEP or 504 plan mandated accommodations for students with special needs during state testing events
- Coordinate implementation and proper administration of the Student Support Team (SST) process; participate in SST meetings as required
- Collaborate with EDCOE Charter SELPA and the school team concerning all facets of programming for students with special needs, from pre-referral intervention to transition and dismissal
- Work directly with parents, as needed, to answer questions and ensure that all school actions are in compliance and that students are learning in the Least Restrictive Environment
- Develop a working knowledge of Baypoint/Bayshore's curriculum and how it can be adapted and implemented to meet specific student needs
- Provide supervision/services to special education students
- Travel to Baypoint/Bayshore on an as needed basis
- Participate in school-wide staff development as required by the Executive Director
- Plan, implement, and evaluate staff in-service activities
- Perform other duties as assigned by the Executive Director

Physical Demands:

- Sitting for extended periods of time
- Ability to speak clearly
- Ability to bend, stoop, lift, stand and sit for prolonged periods
- Reaching overhead, above the shoulders, and horizontally
- Ability to hear well enough to communicate effectively in person and on the telephone
- Visual acuity to inspect records and reports; depth perception to file
- Climbing on step stools or step ladders
- Dexterity of hands and fingers to operate standard office equipment, write, file
- Gripping and grasping
- Light work – lifting, carrying pushing, and/or pulling up to approximately 25 pounds

Teachers

BPA-SD will retain or employ teaching staff who hold appropriate California Commission on Teacher Credentialing certificates, permits, or other documents, equivalent to that which a teacher in other public schools would be required to hold. In addition, teachers will possess the specific requirements related to Special Education and CLAD/BCLAD as appropriate. BPA-SD shall also comply with the applicable highly qualified requirements under Every Student Succeeds Act (ESSA). A BPA-SD teacher needs to have demonstrated success, either in prior teaching, student teaching, and/or related experiences, in meeting the intellectual, emotional, and physical needs of individual students. This position reports to the Site Coordinator and/or the Director of Education.

Responsibilities

- Maintain accurate and up-to-date documentation of student learning for his/her personal education plan and academic progress (or lack thereof).
- Reflect continually in order to ensure a culture of high academic and behavioral standards.
- Teach and guide in accordance with the abilities and achievements of the students assigned to him or her, and in conformance with BPA-SD's philosophy, goals and objectives.
- Use detailed data analysis of student performance to inform best practices.
- Upon completion of the personal education plan, undertake those activities that result in the student achieving his/her academic and career goals.
- Perform accurate and timely accounting of student documents, i.e. attendance records, academic records, work completion, grades, parent/guardian contact logs, and other documents deemed necessary.
- Demonstrate evidence of team building, collaboration, creative problem solving, flexibility, conflict resolution, cultural sensitivity, and genuine care for each student.
- Maintain a professional demeanor and high expectations in his/her interactions that are conducive to learning, and work cooperatively with administrators in attempting to resolve problems.
- Identify and attempt to meet special needs of pupils, and initiate referrals to special programs and services as necessary.
- Communicate with students and parents regarding the educational and social progress of the student. Prepare formal progress reports and provide other information appropriate for inclusion in the cumulative records of the pupils assigned to his/her student list.
- Assist in interpreting the programs and goals of the school to the community.

- Maintain lesson plans, records, paperwork and instructional materials in such a way that they can be utilized by substitute personnel when the need arises.
- Assist in maintaining acceptable pupil behavior in all school areas.
- Attend meetings called by the Site Coordinator and/or the Director of Education or other administrators.
- Supervise extracurricular activities as directed.
- Serve, as requested, on school and organization-wide committees and project teams.
- Attend and participate in required in-service training activities and work with his/her Site Coordinator and/or the Director of Education in planning his/her own in-service program.

All teaching credentials will be maintained on file at all times at the school office and will be available upon request for inspection by SBE. BPA-SD will adopt its own procedures for selection of its teachers. In matters regarding accountability and evaluation of personnel, BPA-SD will adopt its own procedures.

Additional Certificated

BPA-SD may hire additional certificated personnel to assist in providing supplementary instruction, management, and support services. All staff will have the necessary qualifications, skills, experience, and credentials to fulfill the requirements described in their job description.

Non-Certificated Personnel

During the first year of the charter, BPA-SD anticipates hiring non-certificated positions. This list is not all inclusive and the job descriptions are a summary of duties and responsibilities. Once positions are created, detailed job descriptions will list the necessary qualifications, skills and experience for each position. Sample job descriptions are included in the appendices

Administrative Assistant

The Administrative Assistant will assist and support the Site Coordinator and the Director of Education as needed. Other areas of oversight will be Human Resources, Accounts Payable, Student Information Systems, uploading and maintaining data files and records, coordination of State testing administration, budget management, and public relations.

Attendance/Events Coordinator

The Attendance/Events Coordinator will provide assistance with varied and responsible clerical support services; ensure accurate attendance accounting, resolve attendance related issues and maintain records in compliance with Board approved policies. In addition, this position will maintain the school's global calendar of events and activities.

Custodian

The responsibilities of this position are to maintain an attractive, sanitary and safe facility; providing adequate arrangements for meetings, classroom activities and events; and minimizing property damage, loss and liability exposure; and performing other related work as required.

Receptionist

The Receptionist will provide assistance with varied and responsible secretarial and clerical support services as well as provide information and assistance to students, parents, faculty,

administrators, staff and school visitors. This position is responsible for the oversight of the school reception area and is required to have the ability to perform complex specialized clerical activities in support of student records information. This individual will prepare and maintain files and records and review and verify accuracy and completeness of various student documents and data.

Instructional Coach

The Instructional Coach will assist with the instruction of students, both individually and/or in group settings in a classroom or similar setting. While full responsibility for appropriate instruction, training, curriculum materials and evaluation procedures remain with the teacher, this position will actively and appropriately support student learning. This position is directly involved with student supervision and any related responsibilities.

Compensation and Benefits

BPA-SD will endeavor to compensate the administrators, teachers, and support staff of the school comparably with their counterparts in similar positions within California charter schools. The BPA-SD Governing Board will review a salary schedule and staffing plan for BPA-SD that will maximize quality while assuring the financial stability of the school. Full-time staff will receive benefits, including retirement benefits as described in Element 11.

BPA-SD will make all employer contributions as required by workers' compensation insurance, unemployment insurance and any other payroll obligations required of an employer.

Pursuant to Ed. Code Section 47605(e), no SBE employee will be required to work at BPA-SD.

ELEMENT 6

Health and Safety

The procedures that the school will follow to ensure the health and safety of pupils and staff. These procedures shall include the require all of the following: (i) That each employee of the school furnish the school with a criminal record summary as described in Section 44237. (ii) The development of a school safety plan, which shall include the safety topics listed in subparagraphs (A) to (H), inclusive, of paragraph (2) of subdivision (a) of Section 32282 and procedures for conducting tactical responses to criminal incidents. (iii) That the school safety plan be reviewed and updated by March 1 of every year by the charter school. California Education Code Section 47605(b)(5)(F)

Health, Safety, and Risk Management

BPA-SD will implement a comprehensive set of health, safety and risk management policies. A draft of these policies will be submitted to SBE at least 30 days prior to operation and a copy of the most recent edition will be available in the main office. These policies will, at a minimum, address and/or include the following:

School Safety Plan

BPA-SD shall have a comprehensive School Safety Plan that will include the following elements:

- a) Child abuse and reporting;
- b) Disaster procedures, including earthquake preparedness, procedures for allowing school grounds to be used as a disaster shelter, and adaptations for students with disabilities in accordance with the federal Americans with Disabilities Act;
- c) Policies for students who committed certain serious acts that would lead to suspension, expulsion or mandatory expulsion recommendations;
- d) Procedures to notify teachers of dangerous students;
- e) A discrimination and harassment policy;
- f) The provisions of any schoolwide dress code that prohibits students from wearing “gang-related apparel,” if the school has adopted that type of a dress code;
- g) Procedures for safe ingress and egress of students, parents and school employees to and from school;
- h) A safe and orderly environment conducive to learning at the school; and
- i) Procedures for conducting tactical responses to criminal incidents.

Annually, BPA-SD’s School Safety Plan (Plan) will be reviewed and updated by the school no later than March 1. The Plan will be developed and updated with input from the administration, school staff local first responders, legal counsel and experts in school safety. BPA-SD will ensure that all staff members receive annual training on the Plan and the specific contents therein. BPA-SD will periodically review, update and update and/or modify as necessary the Plan as well as keep it readily available for use and review by the SBE upon request. (Education Code Section 4760 and 47605.6 and 332282(a)(2)(A) through (H))

Procedures for Background Checks

Employees and contracted service providers of BPA-SD will be required to submit to a criminal background check and furnish a criminal record summary as required by Ed. Code 44237 and 45125.1. BPA-SD will comply with all State and federal laws concerning the maintenance and disclosure of employee records. BPA-SD’s Administrative Assistant shall serve as the custodian

of record. New employees must submit two sets of fingerprints to the California Department of Justice to obtain a criminal record summary. The Site Coordinator and/or the Director of Education of the school shall monitor compliance with this policy and report to the Board of Directors on an annual basis. The BPA-SD Board Chair shall monitor the fingerprinting and background clearance of the Executive Director. The Executive Director will monitor the fingerprinting and background clearance of the Site Coordinator and Director of Education.

Any individuals other than employees (including but not limited to volunteers) who will be in close proximity to students outside of the direct supervision of an employee shall be fingerprinted and receive background clearance prior to any contact with students without the direct supervision of a previously cleared employee.

Role of Staff as Mandated Child Abuse Reporters

BPA-SD will adhere to the requirements of California Penal Code Section 11164 and 11166 regarding child abuse reporting. All employees must report to the proper authorities if they suspect that a student is subject to any of the following:

- Sexual assault
- Neglect
- Willful cruelty or unjustifiable punishment
- Cruel or inhuman corporal punishment or injury
- Abuse in out-of-home care

The reporting person needs only be "reasonably suspect" that abuse or neglect has occurred; the reporting person does not have to prove abuse. The Site Coordinator and Director of Education will work with all faculty and staff members to make sure all appropriate steps are taken if a child abuse situation occurs. Annually, BPA-SD will provide mandated reporter training to all employees in accordance with Education Code Section 44691. All faculty and staff will understand that it is their duty and responsibility to report any suspicions of child abuse. Staff will understand that under California law, anyone who fails to report an incident of known or reasonably suspected child abuse or neglect is guilty of a misdemeanor punishable by up to six months confinement in a county jail or by a fine of one thousand dollars (\$1,000) or by both. Staff will not be required to investigate any incident, only report to the Site Coordinator and/or Director of Education and proper authorities.

BPA-SD staff will complete a written report of the situation and immediately notify the Department of Children Services. If necessary, the San Diego County Sheriff's Department will be informed of the situation as well. The reporting person will be responsible for providing all the necessary information and child abuse reports to the Department of Children Services and/or San Diego County Sheriff's Department since he/she will be most knowledgeable of the situation.

Should it be necessary to remove the child from school, BPA-SD staff will obtain the contact information of the agency person removing the child. This information will be placed in the student's record and made available to the parents.

TB Testing

All employees and volunteers of BPA-SD will be tested for tuberculosis prior to commencing employment and working with students as required by Education Code Section 49406. BPA-SD shall maintain TB clearance records and certifications on file.

Immunizations and Medical Records

All students enrolled at BPA-SD will be required to provide records documenting immunizations as is required at public schools pursuant to Health and Safety Code Section 120325-120375, and Title 17, California Code of Regulations Section 6000-6075. Students' medical records will be kept on file at the school and made available to school staff as necessary to protect student safety and confidentiality.

Medication in School

BPA-SD will adhere to Education Code Section 49423 regarding administration of medication in school.

Students requiring prescription medications and other medicines during school hours will be accommodated. Parents must bring medication to the office in the original containers, with the name of the prescribing physician, the name of the student, and dispensing instructions. Parents will complete the appropriate form authorizing school staff to administer medication. Designated staff will put medications in a locked cabinet or refrigerator as needed. Designated staff will log times for administering medications for each student and will establish a reminder system to ensure that students are called and medications are dispensed at the appropriate times. In cases where medications are long-term prescriptions, designated staff will provide parents with one week's notice to alert them that additional medications are needed.

Vision, Hearing/Scoliosis

BPA-SD will adhere to Education Code Section 49450, et seq., as applicable to the grade levels served by the school. Students will be screened for vision, hearing and scoliosis to the same extent as students attending non-charter public schools.

Diabetes

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

- A description of type 2 diabetes.
- A description of the risk factors and warning signs associated with type 2 diabetes.
- 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.
- A description of treatments and prevention of methods of type 2 diabetes.
- A description of the different types of diabetes screening tests available.

Blood-borne Pathogens

BPA-SD shall meet state and federal standards for dealing with blood borne pathogens and other potentially infectious materials in the workplace. The Board shall establish a written infectious control plan designed to protect employees and students from possible infection due to contact with blood borne viruses, including human immunodeficiency virus (HIV) and hepatitis B virus (HBV).

Whenever exposed to blood or other bodily fluids through injury or accident, staff and students shall follow the most recent medical protocol for disinfecting procedures.

Drug Free/Alcohol Free/Smoke Free Environment

BPA-SD shall function as a drug, alcohol and tobacco free workplace.

Facility Safety

BPA-SD shall comply with Education Code Section 47610 by utilizing facilities that are compliant with the California Building Standards Code or local building codes. BPA-SD will hold a Certificate of Occupancy before the school year commences. BPA-SD agrees to test sprinkler systems, fire extinguishers, and fire alarms annually at its facilities to ensure that they are maintained in an operable condition at all times. BPA-SD will comply with all fire inspection policies. BPA-SD shall regularly conduct fire, earthquake and lockdown drills (in conjunction with SMUSD if located in a District facility) as required under Education Code Section 32001.

Auxiliary Services

BPA-SD staff will conduct annual reviews to ensure all auxiliary services are safe (food services, transportation, custodial services, hazardous materials) by developing appropriate policies and awareness training.

Emergency Preparedness

BPA-SD shall adhere to its safety policies relating to emergency responses. They will be specifically drafted to the needs of the site and will be developed in conjunction with law enforcement and the Fire Marshall. The Emergency Preparedness Handbook shall include, but not be limited to the following responses: fire, flood, earthquake, terrorist threats and hostage situations. All instructional and administrative staff will receive training in emergency response, including appropriate “first responder” training or its equivalent.

Comprehensive Sexual Harassment Policies and Procedures

BPA-SD is committed to providing a school that is free from sexual harassment, as well as any harassment based upon such factors as race, religion, creed, color, national origin, ancestry, age, medical condition, marital status, gender identity, gender expression, sexual orientation, or disability or any other characteristic listed in Education Code Section 220. BPA-SD has developed a comprehensive policy to prevent and immediately remediate any concerns about sexual discrimination or harassment at the school (including employee to employee, employee to student and student to employee). Misconduct of this nature is very serious and will be addressed in accordance with the BPA-SD sexual harassment policy.

Suicide Prevention Policy (for grades 6-12)

BPA-SD will adopt a policy on student suicide prevention in accordance with Education Code Section 215. This policy has been update in conjunction with a variety of stakeholders and addresses the needs of specific high-risk groups. In the event that BPA-SD issues student identification cards, the telephone number for the National Suicide Prevention Lifeline will be printed on the cards.

Human Trafficking Prevention Policy (for grades 6-12)

BPA-SD will develop a policy that will include the most appropriate methods of informing parents/guardians of human trafficking prevention resources as well as an implementation plan of those methods by January 1, 2020. (Education Code Section 49381)

Anti-bullying Procedures

BPA-SD will adopt procedures for preventing act of bullying, including cyberbullying on or before December 31, 2019. BPA-SD will annually make available the online training module developed by the CDE to certificated school site employees and other school site employees who have regular interaction with students. (Education Code Sections 234.4 and 32283.5)

Mental Health Services

BPA-SD will notify both students and parents/guardians of students on how to initiate access to available student mental health services and resources on campus and in the community. This notification will be provided at least twice annually during the school year. Information, resources and brochures will be posted at the school site as well as on the school website and sent home with students. Resources will include links to mental health resources within the community. (Education Code Section 49428)

Educational Equity: Immigration and Citizenship Status

BPA-SD has developed and adopted policies and procedures to provide all students the right to a free public education regardless of immigration status or religious beliefs. These policies prohibits charter school officials and staff from collecting information or documents regarding the immigration status of all students and their family members in order to provide a safe and protected learning environment. (AB 699)

These policies will be incorporated, as appropriate, into the BPA-SD's student and staff handbooks and will be reviewed on an ongoing basis in the school's staff development efforts and Governing Board policies.

Baypoint Preparatory Academy-
San Diego Petition
ELEMENT 7

Racial and Ethnic Balance

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

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

Assurances

Baypoint Preparatory Academy-San Diego (BPA-SD) will work with neighborhood organizations to educate families about the availability of the charter school and actively recruit students from these traditionally underserved areas, as defined by the area demographic data, in order to enroll a student population that reflects the racial, ethnic, economic, and academic balance of the surrounding community.

Anticipated Student Population

As described in our community description (located in Element One) and recruitment plan (located in Element Seven), BPA-SD seeks to serve the families of San Marcos and the surrounding communities with a particular emphasis on reaching out to and recruiting in SMUSD. The local public school population is 45.7% Latino, 41% white, 5.1% Asian, 2.4% Filipino, 2.1% African American, 37.4% qualify for free or reduced lunch, and 17.3% are English Language Learners. BPA-SD anticipates that our students will reflect similar socioeconomic statistics. BPA-SD will actively seek to match the racial and ethnic backgrounds of pupils enrolled in SMUSD. This will be accomplished through an open enrollment policy and active recruitment of underrepresented minorities (See Appendix E7). These recruitment activities will be evaluated on an annual basis and adjustments will be made accordingly. Recruitment shall include the following:

- Development of promotional and informational material in multiple languages that appeals to the racial and ethnic groups represented in SMUSD.
- Distribution of these materials at a wide variety of venues, such as local events, community centers/library, parks and recreation activities, social service agencies, shopping centers, apartment complexes and other dwellings, etc.
- Translations, interpreters at meetings, posting at schools and community gathering places, etc. will be done in both English and Spanish.
- Outreach meetings for prospective students and parents.

In addition, every effort will be made to hire bilingual personnel to be sure families who primarily converse in Spanish are accurately informed in all matters of school business.

Federal Compliance

To the extent that BPA-SD is a recipient of federal funds, including federal Title I, Part A funds, BPA-SD has agreed to meet all of the programmatic, fiscal and other regulatory requirements of the Every Student Succeeds Act (ESSA) and other applicable federal grant programs. BPA-SD agrees that it will keep and make available to the SBE any documentation necessary to demonstrate compliance with the requirements of the ESSA and other applicable federal programs, including, but not limited to, documentation related to required parental notifications, appropriate credentialing of teaching and paraprofessional staff, the implementation of Public School Choice and Supplemental Educational Services, where applicable, or any other mandated federal program

requirement. The mandated requirements of ESSA include, but are not limited to, the following:

- Notify parents at the beginning of each school year of their “right to know” the professional qualifications of their child’s classroom teacher including a timely notice to each individual parent that the parent’s child has been assigned, or taught for four or more consecutive weeks by, a teacher who is not highly qualified.
- Develop jointly with, and distribute to, parents of participating children, a school-parent compact.
- Hold an annual Title I meeting for parents of participating Title I students.
- Develop jointly with, agree on with, and distribute to, parents of participating children a written parent involvement policy.

BPA-SD also understands that as part of its oversight of the school, SBE may conduct a program review of federal and state compliance issues.

Baypoint Preparatory Academy-
San Diego Petition

ELEMENT 8

Admission Requirements

Admission requirements, if applicable
California Education Code Section 47605(b)(5)(H)

Baypoint Preparatory Academy-San Diego (BPA-SD) will be open to all students residing in California who wish to attend the school, as outlined in Education Code § 47605(d)(2)(A). BPA-SD shall not discriminate on the basis of the characteristics, whether actual or perceived, as listed in Education Code Section 220, including , but not necessarily limited to the following: disability, gender, nationality, race or ethnicity, religion, sexual orientation, immigration status or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics. No parent/guardian involvement is required for admission to, or continued enrollment at BPA-SD. BPA-SD will adhere to all state and federal laws regarding the minimum age of students.

Non-discrimination

BPA-SD will not require a parent/legal guardian/student to provide information regarding a student’s disability, gender, gender identity, gender expression, nationality, legal or economic status, primary language or English Learner status, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in section 422.55 of the Penal Code, or any other information that would violate federal or state law, prior to admission, participation in any admissions or attendance lottery, or pre-enrollment event or process, or as a condition of admission or enrollment. BPA-SD may request, at the time of, and as part of, conducting its lottery process, the provision of information necessary to apply specific admissions preferences set forth in the charter.

Admissions

BPA-SD will be an open enrollment, tuition-free public school with no specific requirements for admission (e.g., minimum grade point average, test scores, discipline records, etc.). Enrollment in the school shall be open to any resident of the State of California. Enrollment will be on a first come, first serve basis. BPA-SD will enroll all students who wish to attend to the extent that space allows. CA Ed. Code § 47605(d)(2)(A).

BPA-SD is fully committed to serving all students who wish to attend, regardless of socioeconomic status, race/ethnicity, academic achievement, special education needs or other “risk factors.” Based on the need in San Marcos and the surrounding community for an educational option, BPA-SD will focus and prioritize recruitment and enrollment of students in the San Marcos Community. If the number of students who wish to attend BPA-SD exceeds the school’s capacity, attendance (except for existing students of BPA-SD) shall be determined by a public random drawing in accordance with Education Code Section 47605(d)(2) and all other federal requirements.

Lottery Preferences and Procedures

Lottery Exemptions: If there are more seats available for a grade level than exempt student applicants, then all students with an exemption to the lottery will be offered a seat without being required to participate in the lottery drawing.

In the case where there are not enough grade level seats to accommodate all exempt student applicants, an initial lottery drawing will be held for the exempt students. Those students who are drawn, up to the amount of seats available, will be offered a seat and the remaining exempt applicants will be placed at the top of the charter school's waitlist.

Lottery Exemption includes: Currently attending BPA-SD students.

Lottery Preferences after all applicants with exemptions have been offered seats: All general applicants will be entered into a lottery drawing based upon the below lottery preferences:

1. Siblings of a currently attending BPA-SD student.
2. Students who are currently enrolled in or who reside in the elementary school attendance area of the Public elementary school(s) in which BPA-SD is located (for purposes of the Charter School Facility Grant Program)
3. Pupils who reside in the District
4. Children or wards of BPA-SD employees, limited to 10% of the charter school's total enrollment.

Transitional Kindergarten students who turn five between September 2-December 2 will be given priority during open enrollment. Students who will turn five after December 2, but before the end of the school year, will be placed on a waitlist until space is available. Depending on enrollment numbers, students will be enrolled into a TK class upon their 5th birthday. Should multiple students share a 5th birthday and space is not available for each of these students, then enrollment will be granted to students in order of application date. Director of Education reserves the right to determine which students will be admitted depending on the advantages and disadvantages to each child. Additionally, all entering TK students must be fully toilet trained upon first day of attendance with exception to those with specified accommodations addressed in an IEP/504.

Admission Process and Open Enrollment

In order to be included in the admissions lottery (if a lottery is necessary), families must submit an application that includes the student's name, grade, birthday, and contact information for the family. Application materials will be made available in English and Spanish. The enrollment period will be advertised in English and Spanish through flyers, posters in prominent locations throughout the community, during informational meetings for parents, and announced on the school's website. BPA-SD also will attempt to advertise through local media as the school's budget permits. In the event that the enrollment deadline is extended due to available space, the revised deadline to apply will also be announced to the community using similar venues.

Open enrollment will occur beginning the first business day after January 1 each year (or, prior to Year 1, if the charter has not been approved prior to January 1, open enrollment will commence immediately following charter approval) and continue through the first Friday of March of the same year. All interested families will be required to submit a completed Admissions Application Form directly to the school before 4:30 p.m. on the date of the annual deadline, which will be clearly indicated on the form and in all communications and notices (websites, flyers, etc.) regarding admission to the school. Submitted Admission Application Forms will be date-and time-stamped and student names will be added to an application roster to track receipt. Families who apply after the enrollment deadline will be added to the wait list in the order the applications are received.

Following the open enrollment period, applications will be counted to determine if any grade level has received a number of applications that exceed available seats. If the number of students who have applied for any grade exceed capacity as of the date of the application deadline, the school will hold a public random lottery to determine enrollment for the impacted grade level. In the event that the school has not received sufficient enrollment forms to fill to capacity, the enrollment period may be extended beyond the March deadline. In the case of an extended deadline for open enrollment, the date for the public random drawing, if required, may also be extended accordingly. All families who have applied for admission will be advised by mail of any changes to the date and time for the public random drawing.

All admissions timelines will be subject to annual review and adjustment by the Governing Board to meet the needs of the school while providing ample time for applicants. Changes will be reflected in adopted Board policies.

Public Random Drawing Procedures

As stated, should the number of pupils who wish to attend BPA-SD exceed the school's capacity, then admission will be determined by a public random drawing in accordance with Education Code § 47605(d)(2)(B). Lottery rules and deadlines will be communicated via the Admissions Application Form, flyers/posters, and the BPA-SD website. Public notice will be posted regarding the date and time of the public drawing once the enrollment deadline date has passed. Notice will include an explanation that parents/guardians do not need to be present at the lottery, but may attend if they choose to do so.

The BPA-SD Site Coordinator and/or the Director of Education and at least one other school employee will conduct the admissions lottery as a public event to ensure that lottery procedures are fairly executed.

The BPA-SD lottery will occur during the month of March of each year following the close of the open enrollment period. The lottery will be conducted at a time that is convenient for a majority of interested parties and will be open to the public (either on the weekend or after 6 pm on a weekday). BPA-SD will inform parents of all applicants and all interested parties of the rules to be followed during the lottery process, location, date and time of the lottery via mail/email at least two weeks prior to the lottery date.

The lottery will be held at the school site if the school facility can accommodate all interested parties. BPA-SD will invite SBE representatives and respected members of the community as official observers of the lottery to verify lottery procedures are fairly executed.

Admissions Application Forms, the manual record of all lottery participants and their assigned lottery numbers, and other lottery-related documents will be physically filed on campus, and lottery results and waiting lists will be readily available in the school's main office for inspection upon request. Each applicant's admissions application will be kept on file for the academic year with his or her assigned lottery number in the school database and on his or her enrollment application.

Students who are offered enrollment spots will be notified by mail and asked to complete an Enrollment Packet by a predetermined deadline (approximately two weeks for initial post-lottery enrollment; an expedited timeline will be required for families offered enrollment spots from the

waitlist) to secure their enrollment spots. BPA-SD staff will be available to assist families in completing this paperwork if needed.

Waitlist

The random public lottery determines applicants' wait list status. Those who apply after the lottery deadline are added to the end of the lottery wait list in the order they are received. Vacancies that occur during the school year will be filled according to the waitlist. When an offer occurs during the school year, families will be contacted in the order of the waitlist and typically will be given 48 hours to decide whether or not to accept a space at the school. In the event that no such wait list exists where the space is available, the space will be made available on a first come, first served basis to the next interested family at the appropriate grade level.

The waitlist for the current school year remains active until BPA-SD's admissions period commences for the following year. Applications are only valid for the current school year. Applicants must reapply for the lottery annually if the school is unable to offer them admission for the current school year.

McKinney Vento Homeless Assistance Act

BPA-SD will adhere to the provisions of the McKinney-Vento Homeless Assistance Act and ensure that each child of a homeless individual and each homeless youth has equal access to the same free, appropriate public education as provided to other children and youth. BPA-SD will comply with all applicable provisions of Education Code sections 48850-48859.

Every Student Succeeds Act

BPA-SD will adhere to all admission and enrollment provisions of Every Student Succeeds Act (ESSA) pertaining to Public School Choice and other legal requirements.

ELEMENT 9

Financial Audit, Financial Planning and Reporting, Facilities and Administrative Services

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

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

The manner in which administrative services of the School are to be provided and potential civil liability effects.

California Education Code Section 47605(g).

Attendance Accounting

BPA-SD will utilize an appropriate student information system for attendance tracking and reporting purposes. Attendance accounting procedures will satisfy requirements for SBE, SDCOE, and CDE. Required reports will be completed regarding daily attendance and submitted to the requesting agencies.

Annual Independent Audit

Fiscal Audit - An annual independent fiscal audit of the books and records of BPA-SD will be conducted as required under the Charter Schools Act, section 47605(b)(5)(I) and 47605(m). The books and records of BPA-SD will be kept in accordance with generally accepted accounting principles and, as required by applicable law, 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 “*Standards and Procedures for Audits of California K-12 Local Education Agencies*” K-12 Audit Guide, prepared by the State Controller’s office and approved by the Education Audit and Appeals Panel annually. The selected Auditor will have experience in education finance. Funds have been allocated for the cost of the audit.

It is anticipated that the annual audit will be completed within four months of the close of the fiscal year and that a copy of the complete audit report including any of the auditor's findings will be forwarded to SBE, the County Superintendent of Schools, the State Controller, and to the CDE by the 15th of December of each year.

Audit Exceptions and Deficiencies - The Executive Director, along with the audit committee, will review any audit exceptions or deficiencies and report to BPA-SD’s Board with recommendations on how to resolve them. The Board will submit a report to SBE describing how the exceptions and deficiencies have been or will be resolved to the satisfaction of SBE, along with an anticipated timeline for the same.

Budget

Annual Budget - For each upcoming fiscal year, the Executive Director, the Site Coordinator, the Director of Education and the budget committee, in collaboration with BPA-SD’s on-site staff or a third-party back office service provider, will prepare and submit a proposed budget to the BPA-SD’s Board. The Board will review and modify the budget as needed, approving the final budget on or before July 1. Each approved budget shall contain estimated actuals for the fiscal year just ending, budget detail and a monthly cash flow projection for the upcoming fiscal year, and a multi-

year projection for the subsequent two fiscal years.

A proposed three year financial projection, including budgets and cash flows as required by the Charter Schools Act, is included in this petition. (See Appendix E9)

Fiscal Year - The fiscal year for BPA-SD will be July 1 through June 30.

Financial Reporting - BPA-SD shall provide reports to SBE in accordance with Education Code Section 47604.33, and shall provide additional fiscal reports as requested by SBE:

- By July 1, a preliminary budget for the current fiscal year as described above under “Annual Budget”.
- By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. Additionally, on December 15, a copy of BPA-SD’s annual, independent financial audit report for the preceding fiscal year shall be delivered to SBE, State Controller, State Department of Education and County Superintendent of Schools.
- By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31.
- By September 15, a final unaudited report for the full prior year. The report submitted to SBE shall include an annual statement of all BPA-SD’s receipts and expenditures for the preceding fiscal year.

Insurance

BPA-SD shall maintain general liability, workers’ compensation, and other necessary insurance of the types and in the amounts required for an enterprise of similar purpose and circumstance. SBE shall be named as an additional insured on all policies of BPA-SD.

Administrative Services

Plan for Sound Fiscal Management - To ensure effective financial management, BPA-SD will contract with a third party administrative back office services provider, when needed, with expertise in finance, facilities, business management, and administration. At all times, BPA-SD will retain final authority and control over these functions. BPA-SD has also developed internal controls and effective practices to ensure sound financial management.

Auxiliary Services

BPA-SD staff will conduct annual reviews to ensure all auxiliary services are safe (food services, transportation, custodial services, hazardous materials) by developing appropriate policies and awareness training.

Fundraising

BPA-SD’s fundraising efforts will not require any parent, guardian, or student to make a financial donation to BPA-SD for admission and/or continued enrollment.

Facilities

At petition submission time, the actual location for BPA-SD has not been finalized. BPA-SD is considering all facilities available within the SMUSD boundaries that are conducive to educational use and that meet the educational use permits requirements. BPA-SD reserves the right to request

a facility from the District under Proposition 39. The facility will be located in an attractive and safe area, providing good access for administrators, teachers, students and parents. In addition to the educational use permit, the facility will maintain a certificate of occupancy and be ADA compliant as required by law.

BPA-SD will not operate satellite schools, campuses, sites, resource centers, or meeting spaces not identified in the charter without the prior written approval of the Executive Director of the SBE based primarily on the advice of the Charter Schools Division (CSD) staff.

Financial Impact on the Sponsoring District

Facilities - BPA-SD is eligible for facilities under Proposition 39. In the event that BPA-SD receives District facilities pursuant to Proposition 39, BPA-SD shall pay a pro-rata facilities charge designed to mitigate the fiscal impact of BPA-SD's occupancy on District facilities costs.

Budget - SBE will provide supervisory oversight as required by law, in exchange for its actual costs of supervisory oversight up to one percent² of BPA-SD's revenue as defined in Education Code Section 47613(f). BPA-SD will enter into a Memorandum of Understanding (MOU) with SBE which outlines the fiscal relationship between SBE and BPA-SD.

Civil Liability

BPA-SD shall be operated by a California nonprofit 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 BPA-SD or for claims arising from the performance of acts, errors or omissions by BPA-SD if the authority has complied with all oversight responsibilities required by law. BPA-SD shall work diligently to assist SBE in meeting any and all oversight obligations under the law, reporting, or other SBE requested protocol to ensure SBE shall not be liable for the operation of BPA-SD.

CDE Reporting

Baypoint agrees to provide quarterly operational data to the CDE demonstrating the actions Baypoint is taking to achieve at least 5% reserve by the beginning of the 2019-20 school year.

² To be increased to 3% if the District provides BPA-SD with substantially rent-free facilities. Facilities provided pursuant to Proposition 39 do not qualify as substantially rent-free.

Baypoint Preparatory Academy-
San Diego Petition
ELEMENT 10

Pupil Suspension and Expulsion

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

Discipline Policy

BPA-SD will create a school culture where students are able to focus on learning. Our goal is to create a school culture that reinforces positive behavior and eliminates the distractions caused by student misbehavior. Expectations for appropriate behavior will be clearly articulated to students and families during orientation and will be provided as written policy in a Student/Parent Handbook. Staff shall enforce rules and procedures fairly and consistently among all students.

Teachers will be trained to use effective classroom management strategies to maximize instruction and minimize student misbehavior. There will be school-wide systems for assigning both positive and negative consequences. Students who do not adhere to stated expectations for behavior and who violate the school rules may expect consequences for their behavior. Consequences may include, but are not limited to:

- Warning, verbal and/or written
- Individual conferences with the teacher
- Loss of privileges
- Referral to the Site Coordinator, Director of Education and/or Administration
- Notices to parents by telephone or letter
- Detention
- Parent conference
- Suspension
- Expulsion

Prior to opening, BPA-SD will approve a formal discipline policy that seeks to reinforce the strength of the school's culture and protect the safety and best interests of the school's students and staff. This policy will clearly describe at a minimum the progressive disciplinary measures, grounds for suspension and expulsion from the school, the maximum number of consecutive days of suspension, the contents and procedures for any notice to parents of suspension or recommendation for expulsion, including but not necessarily limited to the specific reasons for suspension or a recommendation for expulsion, the appeal process, if any, the length of suspension and provisions for the student's education while suspended. This policy, and the list of offenses for which students may be suspended or expelled, will be reviewed and modified as needed, by a Student Discipline Committee, comprised of the Site Coordinator or Director of Education or Administration, Executive Director, a board member, with additional opportunities for input from staff, families, and students as appropriate.

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

Suspension and Expulsion Procedures and Policy

These Pupil Suspension and Expulsion Policies and Procedures ("Policy") have been established

to promote learning and protect the safety and well-being of all students at Baypoint Preparatory Academy San Diego (BPA-SD). When a student commits one of the enumerated offenses described herein, it may be necessary to suspend or expel a student from regular classroom instruction.

BPA-SD will follow applicable federal and state laws 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.

This Policy may be amended without materially revising the Charter Petition in order to reflect updates in the law and so long as the amendments comport with legal requirements.

This Policy will be printed and distributed as part of the BPA-SD's Parent-Student Handbook and will clearly describe discipline expectations. BPA-SD staff shall enforce disciplinary rules and procedures fairly and consistently among all students. 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.

BPA-SD 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 is available on request at the Site Administrator'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.

Grounds for Suspension and Expulsion of Students

A student may be suspended or expelled for any of the acts enumerated below related to school activity or school attendance that occur at any time 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.

A. Enumerated Offenses

1. Discretionary Suspension and Recommendation for Expulsion Offenses

Students may be suspended from school or recommended for expulsion for any of the following acts when it is determined the pupil:

- a) Either:
 - i) Caused, attempted to cause, or threatened to cause physical injury to another person.
 - ii) Willfully used force or violence upon the person of another, except in self-defense.
- b) Caused or attempted to cause damage to school property or private property.
- c) Stole or attempted to steal school property or private property or knowingly received stolen school property or private property.
- d) Possessed or used tobacco, or products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes,

smokeless tobacco, snuff, chew packets, and betel. However, the pupil is not prohibited from the use or possession by that pupil of his or her own prescription products.

- e) Committed an obscene act or engaged in habitual profanity or vulgarity.
- f) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
- g) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties, except that a pupil enrolled in kindergarten or any of grades 1 to 3, inclusive, shall not be suspended for disrupting school activities or otherwise willfully defying the valid authority of supervisors, teachers, administrators, school officials, or other school personnel, nor shall these act constitute grounds for a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended for expulsion.
- h) Possessed an imitation firearm. "Imitation firearm" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- i) Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for purposes of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.
- j) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- k) Engaged in, or attempted to engage in, hazing. For 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, that is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this subdivision, "hazing" does not include athletic events or school-sanctioned events.
- l) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
 - i) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
 - (1) Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
 - (2) Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
 - (3) Causing a reasonable student to experience substantial interference with his or her academic performance.
 - (4) Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by BPA-SD.

- ii) “Electronic Act” means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
- (1) A message, text, sound, video, or image.
 - (2) A post on a social network Internet Web site including, but not limited to:
 - 1) Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
 - 2) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
 - 3) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
- iii) An act of cyber sexual bullying.
- (1) For purposes of this clause, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
 - (2) For purposes of this clause, “cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
- iv) Notwithstanding the above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
- v) “Reasonable pupil” for purposes of this subsection means a pupil, including, but not limited to, an exceptional needs pupil, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.
- m) 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 (a).
- n) In addition to the reasons specified above, a pupil may be suspended from school or recommended for expulsion from school if the Site Administrator or designee

determines that the pupil has committed sexual harassment as defined in Ed. Code section 212.5. 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 enumerated offense shall not apply to pupils enrolled in kindergarten and grades 1 to 3, inclusive.

- o) In addition to the reasons set forth above, a pupil in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion from school if the Site Administrator or designee determines that the pupil has caused, attempted to cause, threatened to cause, or participated in an act of, hate violence, as defined in subdivision (e) of Education Code section 233.
- p) In addition to the grounds specified above, a pupil enrolled in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion from school if the Site Administrator or designee determines that the pupil has intentionally engaged in harassment, threats, or intimidation, directed against school personnel or pupils, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of either school personnel or pupils by creating an intimidating or hostile educational environment.
- q) In addition to the grounds specified above, a pupil may be suspended from school or recommended for expulsion if BPA-SD determines that the pupil has made terroristic threats against school officials or school property, or both.
 - i) "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 district property, or the personal property of the person threatened or his or her immediate family.
 - ii) "School property" includes, but is not limited to, electronic files and databases.
- r) For a pupil subject to discipline, the Site Administrator may use his or her discretion to provide alternatives to suspension or expulsion that are age appropriate and designed to address and correct the pupil's specific misbehavior.

2. Shall Recommend for Expulsion Offenses

The Site Administrator or designee shall recommend the expulsion of a pupil for any of the following acts unless the Site Administrator or designee determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct:

- (1) Causing serious physical injury to another person, except in self-defense.
- (2) Possession of any knife or other dangerous object of no reasonable use to the pupil.

- (3) Unlawful possession of any controlled substance listed in Health and Safety Code section 11053 et seq. (except one ounce of marijuana or over the counter dictations or medication prescribed to student).
- (4) Robbery or extortion.
- (5) Assault or battery (as defined in Penal Code section 240 and 242) upon any school employee.

3. Immediate Suspension and Mandatory Recommendation for Expulsion Offenses

- (1) Possessing, selling, or furnishing a firearm.³
- (2) Brandishing a knife⁴ at another person.
- (3) Unlawfully selling a controlled substance listed in Health and Safety Code section 11053 et seq.
- (4) Committing or attempting to commit a sexual assault or committing a sexual battery, as defined in the enumerated offenses above.
- (5) Possession of an explosive.⁵

B. Additional Policy Considerations

1. Teacher Recommendations for Suspension and Teacher Suspensions

A teacher may also refer a pupil, for any of the acts enumerated in the “Discretionary Suspension and Recommendation for Expulsion Offenses” to the Site Administrator or the designee of the Site Administrator for consideration of a suspension from BPA-SD.

The BPA-SD Governing Board may adopt a policy authorizing a teacher to suspend any pupil from class, for any of the acts enumerated in the “Discretionary Suspension and Recommendation for Expulsion Offenses,” for the day of the suspension and the day following. The policy shall specify that:

- a) The teacher shall immediately report the suspension to the Site Administrator of the school and send the pupil to the Site Administrator or the designee of the Site Administrator for appropriate action. If that action requires the continued presence of the pupil at the school site, the pupil shall be under appropriate supervision, as defined in policies and related regulations adopted by the BPA-SD’s governing board. As soon as possible, the teacher shall ask the parent or guardian of the pupil to attend a parent-teacher conference regarding the suspension. If practicable, a school counselor or a school psychologist may attend the conference. A school administrator shall attend the conference if the teacher or the parent or guardian so requests. The pupil shall not be returned to the class from which he or she was suspended, during the period of the suspension, without the concurrence of the teacher of the class and the Site Administrator or designee.

³ 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; or (c) any firearm muffler or firearm silencer. Such term does not include an antique firearm.

⁴ “Knife” means any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing, a weapon with a blade fitted primarily for stabbing, a weapon with a blade longer than 3 1/2 inches, a folding knife with a blade that locks into place, or a razor with an unguarded blade.

⁵ The term “explosive” means “destructive device” as described in Section 921 of Title 18 of the United States Code.

- b) A pupil suspended from a class pursuant to this policy shall not be placed in another regular class during the period of suspension. However, if the pupil is assigned to more than one class per day this subdivision shall apply only to other regular classes scheduled at the same time as the class from which the pupil was suspended.

2. Parent/Guardian Classroom Attendance

The BPA-SD Governing Board may adopt a board policy authorizing teachers to require the parent or guardian of a pupil who has been suspended by a teacher for committing an obscene act or engaging in habitual profanity or vulgarity or disrupting school activities or otherwise willfully defying the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties, subject to the grade limitations specified above, to attend a portion of a school day in the classroom of his or her child or ward. The policy shall take into account reasonable factors that may prevent compliance with a notice to attend. The attendance of the parent or guardian shall be limited to the class from which the pupil was suspended.

Parents and guardians shall be notified of this policy prior to its implementation. A teacher shall apply any policy adopted pursuant to the policy uniformly to all pupils within the classroom.

The adopted policy shall include the procedures that BPA-SD will follow to accomplish the following:

- (1) Ensure that parents or guardians who attend school meet with the school administrator or his or her designee after completing the classroom visitation and before leaving the school site.
- (2) Contact parents or guardians who do not respond to the request to attend school.

If a teacher imposes the procedure, the Site Administrator shall send a written notice to the parent or guardian stating that attendance by the parent or guardian is pursuant to board policy. This notice shall apply only to a parent or guardian who is actually living with the pupil.

The notice may specify that the attendance of the parent or guardian be on the day the pupil is scheduled to return to class, or within a reasonable period of time thereafter, as established by the policy of the board.

C. Alternatives to Suspension or Expulsion

Suspension shall be imposed only when other means of correction fail to bring about proper conduct. BPA-SD may document the other means of correction used and place that documentation in the pupil's record. However, a pupil, including an individual with exceptional needs, as defined in Ed. Code section 56026, may be suspended, subject to Section 1415 of Title 20 of the United States Code, upon a first offense if the Site Administrator or designee determines that the pupil's presence causes a danger to persons, which may include any of the following acts:

- (1) Caused, attempted to cause, or threatened to cause physical injury to another person.
- (2) Willfully used force or violence upon the person of another, except in self-defense.
- (3) Possessed, sold, or otherwise furnished a firearm, knife, explosive, or other dangerous object, unless, in the case of possession of an object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the Site Administrator or designee.

- (4) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.
- (5) Unlawfully offered, arranged, or negotiated to sell a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.
- (6) Committed or attempted to commit robbery or extortion.

Other means of correction include, but are not limited to, the following:

- (1) A conference between school personnel, the pupil's parent or guardian, and the pupil.
- (2) Referrals to the school counselor, psychologist, social worker, child welfare attendance personnel, or other school support service personnel for case management and counseling.
- (3) Study teams, guidance teams, resource panel teams, or other intervention-related teams that assess the behavior, and develop and implement individualized plans to address the behavior in partnership with the pupil and his or her parents.
- (4) Referral for a comprehensive psychosocial or psychoeducational assessment, including for purposes of creating an individualized education program, or a plan adopted pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794(a)).
- (5) Enrollment in a program for teaching prosocial behavior or anger management.
- (6) Participation in a restorative justice program.
- (7) A positive behavior support approach with tiered interventions that occur during the school day on campus.
- (8) After-school programs that address specific behavioral issues or expose pupils to positive activities and behaviors, including, but not limited to, those operated in collaboration with local parent and community groups.
- (9) Performing community service on school grounds or, with written permission of the parent or guardian of the pupil, off school grounds, during the pupil's non-school hours. "Community service" may include, but is not limited to, work performed in the community or on school grounds in the areas of outdoor beautification, community or campus betterment, and teacher, peer, or youth assistance programs. Community service may not be assigned if a pupil has been suspended, pending expulsion, for any of the acts enumerated in the "Shall Recommend for Expulsion Offenses" or the "Immediate Suspension and Mandatory Recommendation for Expulsion Offenses." However, if the recommended expulsion is not implemented or is, itself, suspended by stipulation or other administrative action then community service may be assigned.

D. In-Class Suspensions

A pupil suspended from a school for any of the reasons enumerated in the "Discretionary Suspension and Recommendation for Expulsion Offenses" may be assigned, by the Site Administrator or designee, to a supervised suspension classroom for the entire period of suspension if the pupil poses no imminent danger or threat to the campus, pupils, or staff, or if an action to expel the pupil has not been initiated.

Pupils assigned to a supervised suspension classroom shall be separated from other pupils at the school site for the period of suspension in a separate classroom, building, or site for pupils under suspension.

At the time a pupil is assigned to a supervised suspension classroom, a school employee shall notify, in person or by telephone, the pupil's parent or guardian. Whenever a pupil is assigned to a supervised suspension classroom for longer than one class period, a school employee shall notify, in writing, the pupil's parent or guardian.

E. Suspension Procedure

The following suspension procedures shall be followed:

1. Suspensions for violations of the offenses listed in the "Discretionary Suspension and Recommendation for Expulsion Offenses" stated herein shall be for no more than 5 (five) consecutive days, unless the suspension includes a recommendation for expulsion.
2. For suspensions of fewer than 10 days, the charter school shall provide oral or written notice of the charges against the pupil and, if the pupil denies the charges, an explanation of the evidence that supports the charges and an opportunity for the pupil to present his or her side of the story.
3. For suspensions of 10 days or more and all other expulsions for disciplinary reasons, the charter school shall do both of the following:
 - a) Provide timely, written notice of the charges against the pupil and an explanation of the pupil's basic rights.
 - b) Provide a hearing adjudicated by a neutral officer within a reasonable number of days at which the pupil has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate.
4. The total number of days for which a pupil may be suspended from school shall not exceed twenty (20) school days during the school year.

Suspensions shall be initiated according to the following procedures:

1. Conference

Suspension shall be preceded, if possible, by an informal conference conducted by the Site Administrator or designee with the student and his or her parent and, whenever practical, the teacher, supervisor or BPA-SD employee who referred the student to the Site Administrator or designee.

The conference may be omitted if the Site Administrator 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 BPA-SD 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 (2) 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, the Site 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 BPA-SD 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 Site Administrator or 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 Site Administrator 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.

F. Expulsion Procedures

The Site Administrator or designee is responsible for recommending expulsion for committing an expellable offense. The Site Administrator or designee must make one of the following findings in order to recommend expulsion:

1. Other means of conduct support and correction are not feasible and have repeatedly failed to bring about an improvement in conduct.
2. Due to the nature of the violation, the presence of the student causes a continuing danger to the health and/or safety of the student, other students in the schools, and/or faculty.

Upon this determination, the student will be suspended, pending the results of an expulsion hearing. The Site Administrator or designee's recommendation to expel the student will satisfy all the procedural requirements stated herein.

Upon a recommendation of expulsion by the Site Administrator or designee for committing an expellable offense as defined herein, the pupil and the pupil's parent/guardian or representative will be invited to a pre-expulsion conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. This determination will be made by the Site Administrator 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.

G. Expulsion Hearing – Rules and Regulations

The family of a student who has been expelled will be notified of the student's right to request a

hearing to determine whether the expulsion recommendation was justified and whether the expulsion will be upheld. The hearing will be held, if requested, within 30 days from the original expulsion decision. The hearing will be presided over by an administrative panel (three to five impartial individuals) appointed by the Site Administrator or designee.

A document will be prepared by the Site Administrator or Designee that includes a full description of the reasons for the expulsion, including dates, previous conferences and actions taken, and events.

1. The pupil shall be entitled to a hearing to determine whether the pupil should be expelled. An expulsion hearing shall be held within 30 school days after the date the Site Administrator determines that the pupil has committed any of the acts enumerated herein, unless the pupil requests, in writing, that the hearing be postponed. The adopted rules and regulations shall specify that the pupil is entitled to at least one postponement of an expulsion hearing, for a period of not more than 30 calendar days. Any additional postponement may be granted at the discretion of the Site Administrator or designee. The administrative panel shall make its decision to expel within 3 school days after the hearing's conclusion, unless the pupil requests in writing that the decision be postponed.
2. If compliance by the administrative panel with the time requirements for the conducting of an expulsion hearing and a decision to expel is impracticable during the regular school year, the Site Administrator or designee may, for good cause, extend the time period for the holding of the expulsion hearing for an additional five school days. If compliance by the administrative panel with the time requirements for the conducting of an expulsion hearing is impractical due to a summer recess of more than two weeks, the days during the recess period shall not be counted as school days in meeting the time requirements. The days not counted as school days in meeting the time requirements for an expulsion hearing because of a summer recess shall not exceed 20 school days, and unless the pupil requests in writing that the expulsion hearing be postponed, the hearing shall be held not later than 20 calendar days before the first day of school for the school year. Reasons for the extension of the time for the hearing shall be included as a part of the record at the time the expulsion hearing is conducted. Upon the commencement of the hearing, all matters shall be pursued and conducted with reasonable diligence and shall be concluded without any unnecessary delay.
3. Written notice of the hearing shall be forwarded to the pupil at least 10 calendar days before the date of the hearing. The notice shall include all of the following:
 - The date and place of the hearing.
 - A statement of the specific facts and charges upon which the proposed expulsion is based.
 - A copy of the disciplinary rules that relate to the alleged violation.
 - A notice of the parent, guardian, or pupil's obligations pursuant to Ed. Code section 48915.1(b).
 - Notice of the opportunity for the pupil or the pupil's parent or guardian to appear in person or to be represented by legal counsel or by a non-attorney adviser, to inspect and obtain copies of all documents to be used at the hearing, to confront and question all witnesses who testify at the hearing, to question all other evidence presented, and to present oral and documentary evidence on the pupil's behalf, including witnesses. In a hearing in which a pupil is alleged to have committed or attempted to commit a sexual assault as specified in subdivision (n) of Section 48900 or to have committed a

sexual battery as defined in subdivision (n) of Section 48900, a complaining witness shall be given five days' notice before being called to testify, and shall be entitled to have up to two adult support persons, including, but not limited to, a parent, guardian, or legal counsel, present during his or her testimony. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential. This subdivision shall not preclude the person presiding over an expulsion hearing from removing a support person whom the presiding person finds is disrupting the hearing. If one or both of the support persons is also a witness, the provisions of Section 868.5 of the Penal Code shall be followed for the hearing. The pupil or the pupil's parent or guardian is not required to be represented by legal counsel or by a non-attorney adviser at the hearing.

- "Legal counsel" means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California.
 - "Non-attorney adviser" means an individual who is not an attorney or lawyer, but who is familiar with the facts of the case, and has been selected by the pupil or pupil's parent or guardian to provide assistance at the hearing.
4. The administrative panel shall conduct a hearing to consider the expulsion of a pupil in a session closed to the public, unless the pupil requests, in writing, at least five days before the date of the hearing, that the hearing be conducted at a public meeting. Regardless of whether the expulsion hearing is conducted in a closed or public session, the administrative panel may meet in closed session (confidentially without pupil and pupil's parent/guardian) for the purpose of deliberating and determining whether the pupil should be expelled.
 - If the administrative panel admits any other person to a closed deliberation session, the parent or guardian of the pupil, the pupil, and the counsel of the pupil also shall be allowed to attend the closed deliberations.
 - If the hearing is to be conducted at a public meeting, and there is a charge of committing or attempting to commit a sexual assault as defined in subdivision (n) of Ed. Code section 48900 or to commit a sexual battery as defined in subdivision (n) of Ed. Code section 48900, a complaining witness shall have the right to have his or her testimony heard in a session closed to the public 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, including, but not limited to, videotaped deposition or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.
 5. If the administrative panel decides not to expel, the expulsion proceedings shall be terminated, and the pupil immediately shall be reinstated and permitted to return to the classroom instructional program from which the expulsion referral was made. The decision not to recommend expulsion shall be final.
 6. If the administrative panel determines to expel, findings of fact in support of the recommendation shall be prepared. All findings of fact and recommendations shall be based solely on the evidence adduced at the hearing. 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.
 7. The decision of the administrative panel to expel a pupil shall be based upon substantial evidence relevant to the charges adduced at the expulsion hearing or hearings. Except as

provided herein, no evidence to expel shall be based solely upon hearsay evidence. The administrative panel may, upon a finding that good cause exists, determine that the disclosure of either the identity of a 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 administrative panel. Copies of these sworn declarations, edited to delete the name and identity of the witness, shall be made available to the pupil.

8. A record of the hearing shall be made. The record may be maintained by any means, including electronic recording, so long as a reasonably accurate and complete written transcription of the proceedings can be made.
9. Technical rules of evidence shall not apply to the hearing, but relevant evidence may be admitted and given probative effect only if it is the kind of evidence upon which reasonable persons are accustomed to rely in the conduct of serious affairs. A decision of the administrative panel to expel shall be supported by substantial evidence showing that the pupil committed any of the acts enumerated herein.
10. In hearings that include an allegation of committing or attempting to commit a sexual assault as defined in subdivision (n) of Ed. Code section 48900 or to commit a sexual battery as defined in subdivision (n) of Ed. Code section 48900, evidence of specific instances, of a complaining witness's prior sexual conduct is to be 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 the person conducting the hearing makes the determination on whether extraordinary circumstances exist requiring that specific instances of a complaining witness's prior sexual conduct be heard, the complaining 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, guardian, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.
11. The governing board of the BPA-SD shall maintain a record of each expulsion, including the cause for the expulsion. Records of expulsions shall be non-privileged, disclosable public records.
 - 11.1. The expulsion order and the causes for the expulsion shall be recorded in the pupil's mandatory interim record and shall be forwarded to any school in which the pupil subsequently enrolls upon receipt of a request from the admitting school for the pupil's school records.

H. Decision of the Administrative Panel

The final decision by the administrative panel will be made within 3 school days following the conclusion of the hearing, unless the pupil requests in writing that the decision be postponed.

The administrative panel will make one of two determinations:

1. Uphold the expulsion.
2. Determine the expulsion was not within BPA-SD's guidelines, overturn it, and order that records and documents regarding the proceedings be destroyed and removed from student's record.

Following the final decision of the administrative panel, the administrative panel will send written Findings of Fact to the parent that contain the following information:

1. The outcome of the hearing and the decision of the administrative panel
2. The specific offenses committed by the student for any of the acts listed in the above “Reasons for Suspension and/or Expulsion” section (if expulsion is decided)
3. Notification of the family’s responsibility to inform any new district in which the student seeks to enroll of the student’s status with BPA-SD (if expulsion is decided)
4. Reinstatement eligibility review date (if expulsion is decided)
5. A copy of the rehabilitation plan (if expulsion is decided)
6. The type of educational placement during the period of expulsion (if expulsion is decided)
7. Pupils who are expelled shall be responsible for seeking alternative education programs

I. Alternative Education

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

J. Rehabilitation Plans

Students who are expelled from BPA-SD shall be given a rehabilitation plan upon expulsion as developed by the administrative panel at the time of the expulsion order, which may include, but is not limited to, periodic review as well as assessment at the time of review for readmission. 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.

K. 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 BPA-SD Board following a meeting with the CEO 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 CEO or designee shall make a recommendation to the BPA-SD Board following the meeting regarding his or her determination. The pupil’s readmission is also contingent upon the BPA-SD enrollment capacity at the time the student seeks readmission.

L. Notice of Expulsion to Last Known District of Residence

BPA-SD shall, in accordance with Education Code § 47605(d)(3), notify the superintendent of the school district of the pupil’s last known address within 30 days of expulsion, and shall, upon request of the district, provide the district with a copy of the student’s cumulative record, including a transcript of grades or report card and health information.

M. Special Procedures for Expulsion Hearings Involving Sexual Assault or Battery Offenses

BPA-SD 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 BPA-SD 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. BPA-SD must also provide the victim a room separate from the hearing room for the complaining witness's 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, BPA SD must present evidence that the witness's presence is both desired by the witness and will be helpful to the school. The person presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.
 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 not alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing by means of closed-circuit television.
 10. Evidence of specific instances of a complaining witness's 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 circumstances 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.

11. If the pupil being expelled requests a public hearing, the complaining witness shall have the right to have his/her testimony heard in a closed session or alternative methods videotaped, etc.

N. Probation

The administrative panel, upon voting to expel a pupil, may suspend the enforcement of the expulsion order for a period of not more than one calendar year and may, as a condition of the suspension of enforcement, assign the pupil to a school, class, or program that is deemed appropriate for the rehabilitation of the pupil. The rehabilitation program to which the pupil is assigned may provide for the involvement of the pupil's parent or guardian in his or her child's education in ways that are specified in the rehabilitation program. A parent or guardian's refusal to participate in the rehabilitation program shall not be considered in the administrative panel's determination as to whether the pupil has satisfactorily completed the rehabilitation program.

The administrative panel shall apply the criteria for suspending the enforcement of the expulsion order equally to all pupils, including individuals with exceptional needs as defined in Cal. Ed. Code section 56026.

During the period of the suspension of the expulsion order, the pupil is deemed to be on probationary status.

The administrative panel may revoke the suspension of an expulsion order if the pupil commits any of the acts enumerated in this policy or violates any of the school's policies governing pupil conduct. When the administrative panel revokes the suspension of an expulsion order, a pupil may be expelled under the terms of the original expulsion order. Upon satisfactory completion of the rehabilitation assignment of a pupil, the administrative panel shall reinstate the pupil in the school and may also order the expungement of any or all records of the expulsion proceedings.

A decision of the administrative panel to suspend an expulsion order does not affect the time period and requirements for the filing of an appeal of the expulsion order with the Governing Board of BPA-SD.

O. Expulsion Appeals

If a pupil is expelled from BPA-SD, the pupil or the pupil's parent or guardian may, within 30 days following the decision of the administrative panel to expel, file an appeal to the Governing Board of BPA-SD, which shall hold a hearing thereon and render its decision.

The Governing Board shall hold the hearing within 20 schooldays following the filing of a formal request.

The Governing Board shall hear an appeal of an expulsion order in closed session, unless the pupil requests, in writing, at least five (5) days prior to the date of the hearing, that the hearing be conducted in a public meeting. Upon the timely submission of a request for a public meeting, the Governing Board shall be required to honor the request. Whether the hearing is conducted in closed or public session, the Governing Board may meet in closed session for the purpose of deliberations. If the Governing Board admits any representative of the pupil or the school district, the board shall, at the same time, admit representatives from the opposing party. The Governing

Board shall render a decision within three school days of the hearing unless the pupil requests a postponement.

The period within which an appeal is to be filed shall be determined from the date the student is provided notice of the decision of the administrative panel to expel, even if enforcement of the expulsion action is suspended and the pupil is placed on probation. A pupil who fails to appeal the original action of the panel within the prescribed time may not subsequently appeal a decision of the panel to revoke probation and impose the original order of expulsion.

P. Transcripts

The pupil shall submit a written request for a copy of the written transcripts and supporting documents from the administrative panel simultaneously with the filing of the notice of appeal with the Governing Board. BPA-SD shall provide the pupil with the transcriptions, supporting documents, and records within 10 school days following the pupil's written request.

The Governing Board shall determine the appeal from a pupil expulsion upon the record of the hearing before the administrative panel, together with such applicable documentation as may be ordered. No evidence other than that contained in the record of the proceedings of the administrative panel may be heard unless a *de novo* proceeding is granted as provided herein.

It shall be the responsibility of the pupil to request a written transcription from BPA-SD for review by the BPA-SD Governing Board. The cost of the transcript, if any, shall be borne by the pupil except in either of the following situations:

- (1) Where the pupil's parent or guardian certifies to BPA-SD that he or she cannot reasonably afford the cost of the transcript because of limited income or exceptional necessary expenses, or both.
- (2) In a case in which the Governing Board reverses the decision of the administrative panel, the Governing Board shall require that BPA-SD reimburse the pupil for the cost of such transcription.

Q. Standard of Review

The review by the Governing Board of the decision of the administrative panel shall be limited to the following questions:

- (1) Whether the administrative panel acted without or in excess of its jurisdiction.
- (2) Whether there was a fair hearing before the administrative panel.
- (3) Whether there was a prejudicial abuse of discretion in the hearing.
- (4) Whether there is relevant and material evidence which, in the exercise of reasonable diligence, could not have been produced or which was improperly excluded at the hearing before the administrative panel.

As used herein, a proceeding "without or in excess of jurisdiction" includes, but is not limited to, a situation where an expulsion hearing is not commenced within the time periods prescribed by this article, a situation where an expulsion order is not based upon the acts enumerated herein, or a situation involving acts not related to school activity or attendance.

As used herein, an "abuse of discretion" is established in any of the following situations:

- (1) If school officials have not met the procedural requirements of this article.
- (2) If the decision to expel a pupil is not supported by the findings prescribed herein as grounds for expulsion.
- (3) If the findings are not supported by the evidence.

The Governing Board may not reverse the decision of the administrative panel to expel a pupil based upon a finding of an abuse of discretion unless the Governing Board also determines that the abuse of discretion was prejudicial.

R. Decision on Appeal

The decision of the Governing Board shall be limited as follows:

1. If the Governing Board finds that relevant and material evidence exists which, in the exercise of reasonable diligence, could not have been produced or which was improperly excluded at the hearing before the governing board, it may do either of the following:
 - A. Remand the matter to the administrative panel for reconsideration and may in addition order the pupil reinstated pending the reconsideration.
 - B. Grant a hearing *de novo* upon reasonable notice thereof to the pupil and to the administrative panel. The hearing shall be conducted in conformance with the rules and regulations stated herein.
2. If the Governing Board determines that the decision of the administrative panel is not supported by the findings required to be made herein, but evidence supporting the required findings exists in the record of the proceedings, the Governing Board shall remand the matter to the administrative panel for adoption of the required findings. This remand for the adoption and inclusion of the required findings shall not result in an additional hearing, except that final action to expel the pupil based on the revised findings of fact shall meet all of the following requirements:
 - A. Written notice of any decision to expel or to suspend the enforcement of an expulsion order during a period of probation shall be sent by the administrative panel to the pupil or the pupil's parent or guardian and shall be accompanied by all of the following: 1) Notice of the right to appeal the expulsion to the Governing Board; 2) Notice of the education alternative placement to be provided to the pupil during the time of expulsion, if applicable; 3) Notice of the obligation of the parent, guardian, or pupil, upon the pupil's enrollment in a new school district, to inform that school district of the pupil's expulsion.
 - B. The Charter School shall maintain a record of each expulsion, including the cause for the expulsion. Records of expulsions shall be non-privileged, disclosable public records.
3. In all other cases, the Governing Board shall enter an order either affirming or reversing the decision of the administrative panel. In any case in which the Governing Board enters a decision reversing the administrative panel, the Governing Board may direct the administrative panel to expunge the record of the pupil and the records of the school of any references to the expulsion action and the expulsion shall be deemed not to have occurred.

The decision of the Governing Board shall be final and binding upon the pupil and upon the administrative panel. The pupil and the administrative panel shall be notified of the final order of the Governing Board, in writing, either by personal service or by certified mail. The order shall

become final when rendered.

The Site Administrator or designee shall send a copy of the written notice of the decision to expel to the school district of student's last known residence, within thirty (30) days.

S. Special Procedures for the Consideration of Suspension and Expulsion of Students with Disabilities

As an independent LEA member of a SELPA, BPA-SD 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 BPA-SD or SELPA would be deemed to have knowledge that the student had a disability.

1. Services During Suspension

Students with disabilities suspended and/or placed in an interim alternative setting shall continue to receive services so as to provide FAPE and enable the student to continue to participate in the general education curriculum and to progress toward meeting the goals set out in the child's IEP/504. Any discipline that includes removal from school for more than ten (10) consecutive days, including placement in an interim alternative educational setting, constitutes a change in placement and a manifestation determination shall be conducted.

An IEP or 504 meeting is required within ten (10) days of initial suspension or placement in an interim alternative educational setting.

2. 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, BPA-SD, 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, 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.

If BPA-SD, 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 BPA-SD, 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 BPA-SD agree to a change of placement as part of the modification of the behavioral intervention plan.

If BPA-SD, 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, then BPA-SD 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.

3. Due Process Appeals

The parent of a child with a disability who disagrees with any decision regarding placement, or the manifestation determination, or BPA-SD believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, may request a hearing. A hearing officer shall make a determination regarding an appeal requested under 20 USC 1415(k)(3)(A).

The hearing officer may order a change in placement of the child and either return the child to the placement from which the child was removed, or order a change in placement of a child with a disability to an appropriate interim alternative educational setting for not more than 45 school days if the hearing officer determines that maintaining the current placement of such child is substantially likely to result in injury to the child or to others.

When an appeal has been requested by either the parent or BPA-SD, the child shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the time period provided for in 20 USC 1415(k)(1)(C), whichever occurs first, unless the parent and the State or local educational agency agree otherwise, and the State or BPA-SD shall arrange for an expedited hearing, which shall occur within 20 school days of the date the hearing is requested and shall result in a determination within 10 school days after the hearing. In effect, this would allow for a maximum placement in an interim alternative educational setting pending a decision for no more than 30 school days.

4. Special Circumstances

BPA-SD 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 Site Administrator 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.

5. Interim Alternative Educational Setting

The student's interim alternative educational setting or change of placement shall be determined by the student's IEP/504 team. A change of placement is a removal from education for more than ten (10) consecutive days or a pattern of removal, even if for less than ten (10) days. For effective change of placement, there first need be:

- a. Notice
- b. Manifestation determination
- c. Continued receipt of special education services

6. 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 District's disciplinary procedures may assert the procedural safeguards granted under these procedures only if BPA-SD had knowledge that the student was disabled before the behavior occurred.

BPA-SD shall be deemed to have knowledge that the student had a disability if one of the following conditions exists:

1. 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 BPA-SD supervisory or administrative personnel, or to one of the child's teachers, that the student is in need of special education or related services; or
2. The parent has requested an evaluation of the child; or
3. The child's teacher, or other BPA-SD personnel, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the director of special education or to other BPA-SD supervisory personnel.

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

BPA-SD shall not be deemed to have knowledge 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.

T. Involuntary Student Disenrollment, Dismissal, or Transfer

No pupil shall be involuntarily removed by BPA-SD for any reason unless the parent or guardian of the pupil has been provided written notice in-person and/or by mail of intent to remove the pupil no less than five (5) schooldays before the effective date of the action. The written notice shall be in the native language of the pupil or the pupil's parent or guardian or, if the pupil is a foster child or youth or a homeless child or youth, the pupil's educational rights holder, and shall inform him or her of the right to request a hearing adjudicated by a neutral officer before the effective date of the action as set forth above. If a hearing is requested, the pupil will remain enrolled until the school issues a final decision. For purposes of this charter, "involuntarily removed" includes

disenrolled, dismissed, transferred, or terminated, but does not include suspensions for disciplinary reasons.

Baypoint Preparatory Academy-
San Diego Petition

ELEMENT 11

Employee Retirement System

The manner by which staff members of the charter schools will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security.

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

Retirement Benefits

BPA-SD's Board of Directors shall determine which school-sponsored retirement plans will be available to various types of staff. BPA-SD's Board of Directors retains the option for BPA-SD to participate in the State Teachers' Retirement System (CalSTRS), or a 403b retirement plan that may offer rates competitive within the existing marketplace, or to implement any other retirement plan at its discretion. BPA-SD will coordinate such participation as appropriate with the Social Security system or other reciprocal system, so that at a minimum, all staff will be covered by STRS and/or PERS, or alternatively, by federal social security, pursuant to Education Code section 47605(b)(5)(K). All employees who are not members of STRS or PERS must contribute to the federal social security system. If the Board of Directors determines to participate in STRS for certificated employees who are eligible, and STRS is no longer available for Charter Schools, BPA-SD may offer a matching rate on the 403b plan that would be competitive within the existing marketplace. Currently, BPA-SD does not intend to participate in the Public Employees Retirement System (CalPERS). BPA-SD will be responsible for contracting retirement plan services with an experienced provider selected by the Board.

BPA-SD will make appropriate arrangements with the County Office of Education to insure proper reporting in accordance with Education Code Section 47611.3, as applicable. The County Office shall cooperate as necessary to forward any required payroll deductions and related data to the appropriate agencies in exchange for its actual costs for providing the service.

Certificated, classified, and other staff members of the school shall retain all previously vested rights in their respective retirement systems, including, but not limited to, STRS, PERS, and the Social Security System.

Other Benefits

Life, health, dental and vision benefits will also be provided to all full-time employees. The Board of Directors will determine the amount paid to employee benefits on an annual basis.

BPA-SD will also make contributions for workers' compensation insurance, Medicare, unemployment insurance, and any other payroll obligations of an employer as required by law.

Oversight of Benefits

BPA-SD will contract with a back office service company to handle payroll and accounting services as well as handle some aspects in house. The Site Coordinator, Director of Education or Administration will be responsible for ensuring that all appropriate arrangements for retirement coverage have been made for employees. The Board of Directors may, in its discretion, contract with another qualified provider for payroll and accounting services.

Policies may change during the term of the charter. BPA-SD will routinely review potential

retirement options for its employees and will provide the most valuable and convenient options available.

BPA-SD will inform prospective employees of the retirement system in place for employees of the BPA-SD prior to employment, as required by Education Code Section 47611.

Public School Attendance Alternatives

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

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

Public School Attendance Alternatives

No student shall be required to attend BPA-SD. Students who reside within SMUSD who choose not to attend BPA-SD may attend a school within SMUSD according to SMUSD policy or at another school district or school within SMUSD through SMUSD's intra and inter-district policies. Parents and guardians of each student enrolled in BPA-SD will be informed on admissions forms that the students have no right to admission in a particular school of any local education agency as a consequence of enrollment in BPA-SD, except to the extent that such a right is extended by the local education agency.

ELEMENT 13

Employee Return Rights

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

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

Employee Return Rights

No SBE employee shall be required to work at BPA-SD. Employees of SBE who choose to leave the employment of SBE to work at BPA-SD will have no automatic rights of return to SBE after employment by BPA-SD unless specifically granted by SBE through a leave of absence or other agreement in accordance with the Board policies and collective bargaining agreements of SBE.

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

Baypoint Preparatory Academy-
San Diego Petition
ELEMENT 14

Dispute Procedures

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

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

Disputes between the SBE and BPA-SD

BPA-SD and SBE will be encouraged to attempt to resolve any disputes with SBE amicably and reasonably without resorting to formal procedures.

In the event of a dispute between BPA-SD and SBE, BPA-SD staff, employees and Board members of BPA-SD and SBE may agree to first frame the issue in written format (“dispute statement”) and may refer the issue to the SBE Superintendent and Executive Director of BPA-SD. In the event that the SBE Board of Trustees believes that the dispute relates to an issue that could lead to revocation of the charter in accordance with Education Code Section 47607, BPA-SD requests this be noted in the written dispute statement. However, BPA-SD understands participation in the dispute resolution procedures outlined in this section shall not impede or act as a prerequisite to SBE’s ability to proceed with revocation in accordance with Education Code Section 47607.

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

If this joint meeting fails to resolve the dispute, the Superintendent and the Executive Director may meet jointly to identify a neutral third party mediator to engage the Parties in a voluntary mediation session designed to facilitate resolution of the dispute. The format of the mediation session shall be developed jointly by the Superintendent and the Executive Director. Mediation shall be held within sixty business days of receipt of the dispute statement. While the SBE cannot be pre-bound to a contractual obligation to split the cost of mediation or agree to mediation to resolve a dispute, BPA-SD and SBE may agree to mediation and may agree to split equally the costs of the mediator. Each party shall be responsible for its own legal representation, if any. If mediation does not resolve the dispute either party may pursue any other remedy available under the law. All timelines and procedures in this section may be revised upon mutual written agreement of SBE and BPA-SD. A designee may be utilized by the Superintendent or Executive Director in following this process. During this process, both parties will not make any public comments.

Charter School Term, Renewal and Closure

A description of the procedures to be used if the charter school closes. The procedures shall ensure a final audit of the school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records.

California Education Code Section 47605(b)(5)(P)

Term of the Charter

The term of this Charter will be five years, commencing July 1, 2018.

Charter Renewal

The Charter School must submit its renewal petition to the District's Charter Schools Division no earlier than September of the year before the charter expires.

Closure Procedures

All documentation noted below will be forwarded to charterdata@cde.ca.gov.

The revocation or non-renewal of BPA-SD will be documented by an official action of SBE. Notice of the charter school's closure for any reason must be provided by SBE to the California Department of Education (CDE). In addition, BPA-SD will send a notice of its closure to:

1. Parents or guardians of students
2. SBE
3. The county office of education
4. The special education local plan area in which BPA-SD participates
5. The retirement systems in which BPA-SD employees participate
6. The CDE

This notice must be received by the CDE within ten calendar days of any official action taken by SBE. Notification of all the parties above must include at least the following:

1. The effective date of the closure
2. The name(s) of and contact information for the person(s) handling inquiries regarding the closure
3. The students' school districts of residence
4. How parents or guardians may obtain copies of student records, including specific information on completed courses and credits that meet graduation requirements

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

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

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

1. Information on how to transfer the student to an appropriate school
2. A certified packet of student information that may include grade reports, discipline records, immunization records, and any other appropriate information
3. Information on student completion of college entrance requirements for all high school

students affected by the closure

BPA-SD or SBE will announce the closure to any school districts that may be responsible for providing education services to the former students of the charter school so that these districts can then assist in facilitating student transfers. Closure should occur at the end of an academic year if it is feasible to maintain a legally compliant program until then.

School and Student Records Retention and Transfer

Closure procedures include the following plans for the transfer and maintenance of school and student records:

1. BPA-SD will provide parents, students and SBE 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 nonprofit corporation operating BPA-SD shall serve as the “responsible entity” to conduct closure-related activities and submit proof that BPA-SD has secured the services of said entity to conduct closure-related activities. The Board Chair will be the individual responsible for overseeing these procedures. All records of BPA-SD shall be maintained by the non-profit corporation, Baypoint Preparatory Academy, which operates BPA-SD upon BPA-SD closure. Baypoint Preparatory Academy shall maintain all records until the charter is dissolved and shall determine a suitable location for storage of the same. SBE shall maintain all records, including financial and attendance records, according to the requirements and timelines in 5 CCR 16023 to 16026.
2. Provision of a list of students in each grade level and the classes they have completed to the entity responsible for conducting the closure
3. Provision of the students’ districts of residence to the entity responsible for conducting the closure
4. Transfer and maintenance of all student records, state assessment results, and any special education records to the custody of the entity responsible for conducting the closure
5. Transfer and maintenance of records or assessment results required to be transferred to a different entity are excluded from requirement (4) above
6. The transfer and maintenance of personnel records shall be made in accordance with applicable law

Submission of personnel records will include any employee records maintained by BPA-SD. These include, but are not limited to, records related to performance and grievance.

Financial Closeout

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

BPA-SD will ensure completion of an independent final audit within six months after the closure of the school that includes:

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

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

This audit may serve as the school's annual audit.

BPA-SD complete and file any and all annual reports required by law, including:

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

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

BPA-SD will also have the independent audit completed within six months after closure. BPA-SD will pay for the final audit. The audit will be prepared by a qualified Certified Public Accountant selected by BPA-SD and will be provided to SBE 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 BPA-SD.

BPA-SD will complete and file any annual reports required pursuant to Education Code section 47604.33.

Disposition of Liabilities and Assets

Upon closure of BPA-SD, all assets of BPA-SD, including but not limited to all leaseholds, personal property, intellectual property and all ADA apportionments and other revenues generated by students attending BPA-SD, remain the sole property of BPA-SD and shall be distributed in accordance with the Articles of Incorporation upon the dissolution of the non-profit public benefit corporation. Any assets that are SBE's property will be promptly returned to SBE. 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.

Upon closure, BPA-SD shall remain solely responsible for all liabilities arising from the operation of BPA-SD.

As BPA-SD is operated by a nonprofit public benefit corporation, should the corporation dissolve

with the closure of BPA-SD, the Board will follow the procedures set forth in the California Corporations Code for the dissolution of a nonprofit public benefit corporation and file all necessary filings with the appropriate state and federal agencies.

As specified in the proposed budget, BPA-SD will utilize the reserve fund to undertake any expenses associated with the closure procedures identified above.