



**TEMECULA VALLEY CHARTER SCHOOL
CHARTER PETITION**

July 1, 2018 to June 30, 2023

Approved By

Temecula Valley Unified School District Governing Board

, 2018

**Charter for the Renewal of Temecula Valley Charter School:
A California Public Charter School**

Resolved that the Temecula Valley Unified School District hereby approves and grants this charter petition renewal for a term of five years, from July 1, 2018 through June 30, 2023, by a vote of ___ to ___ on _____.

Be it further resolved that this charter constitutes a binding contract upon the Temecula Valley Unified School District Board of Education and the Temecula Valley Charter School.

Witnessed:

_____ (name)
Temecula Valley Unified School District Board of Education

Temecula Valley Charter School

AFFIRMATIONS/ASSURANCES

As the authorized representatives of the applicant, we hereby certify that the information submitted in this application for the renewal of a charter for Temecula Valley Charter School (“Temecula Valley Charter School,” “TVCS,” or the “Charter School”), which offers a distinctly child centered curriculum and is located at 35755 Abelia Street, Winchester, CA 92596, within the boundaries of the Temecula Valley Unified School District (“TVUSD” or the “District”) is true to the best of our knowledge and belief. We also certify that this application for renewal does not constitute the conversion of a private school to the status of a public charter school; and further, we understand that if awarded renewal, the Charter School:

1. Shall meet all statewide standards and conduct the student assessments required, pursuant to Education Code Section 60605 and any other statewide standards authorized in statute, or student assessments applicable to students in non charter public schools. [Ref. Ed. Code section 47605(c)(1)]
2. Shall be deemed the exclusive public school employer of the employees of TVCS for purposes of the Educational Employment Relations Act. [Ref. Ed. Code section 47605(b)(6)]
3. Shall be nonsectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. Ed. Code section 47605(d)(1)]
4. Shall not charge tuition. [Ref. Ed. Code section 47605(d)(1)]
5. Shall admit all students who wish to attend TVCS, and who submit a timely application, unless TVCS 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 TVCS 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 Ed. Code section 47605(d)(2). 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). (iv) In accordance with Ed. Code section 49011, admission preferences to TVCS shall not require mandatory parental volunteer hours as a criterion for admission or continued enrollment.

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6. Shall not discriminate on the basis of the characteristics listed in Ed. 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. Ed. Code Section 47605(d)(1)]
 7. 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.
 8. 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(t)(5)(C)]
 9. Shall ensure that teachers at TVCS 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 courses. [Ref. Ed. Code Section 47605(1)]
 10. Shall at all times maintain all necessary and appropriate insurance coverage.
 11. Shall, for each fiscal year, offer at a minimum, the number of minutes of instruction per grade level as required by Ed. Code section 47612.5(a)(1)(A)-(D).
 12. Shall notify, within 30 days, the superintendent of the school district of any pupil who is expelled or leaves TVCS without graduating or completing the school year for any reason. The school district notified shall be determined by the pupil's last known address. TVCS 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. Ed. Code section 47605(d)(3)]
 13. Shall maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection. [Ref. Ed. Code section 47612.5(a)]
 14. Shall on a regular basis consult with parents and teachers regarding TVCS's education programs. [Ref. Ed. Code section 47605(c)(2)]
 15. Shall comply with applicable jurisdictional limitations to locations of its facilities. [Ref. Ed. Code section 47605-47605.1]

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16. Shall comply with all laws establishing the minimum and maximum age for public school enrollment. [Ref. Ed. Code sections 47612(b), 47610]
 17. Shall comply in accordance with applicable federal and state requirements for the Elementary and Secondary Education Act (ESSA).
 18. Shall comply with the Public Records Act.
 19. Shall comply with the Family Educational Rights and Privacy Act.
 20. Meetings of the Board of Directors of TVCS shall comply with the Ralph M. Brown Act.
 21. Shall meet or exceed the legally required minimum number of school days. [Ref. Title 5 California Code of Regulations Section 11960]

Lois Hastings, Executive Director/Principal, Temecula Valley Charter School

Date: _____

Mark Horn,
President
Board of Directors
Temecula Valley Charter School

Date: _____

	<ul style="list-style-type: none"> ● TVCS takes campus security and safety seriously. A Comprehensive Safety Plan is revised and board approved annually. A Safety Committee composed of staff and parents meets regularly to review and improve safety and security. ● TVCS recognizes the important role of social-emotional learning. SEL is the process through which children learn and apply the knowledge, attitudes, and skills necessary to understand and manage emotions, set and achieve positive goals, feel and show empathy, establish and maintain positive relationships with peers and adults, and make responsible decisions. SEL is supported at TVCS by increased access to 100% FTE School Psychologists on site, a Positive Behavioral Intervention and Supports (PBIS) framework provided through Boys Town model, and consistent staff training and support. Positive social skills and responses are taught in every classroom. ● TVCS staff have developed a Multi-Tiered System of Supports to address academic needs and behavioral needs. Supports are increasingly targeted to students with identified needs. ● TVCS has established a strong middle school sports program, where our teams have garnered league championships in volleyball and soccer. <ul style="list-style-type: none"> 2014 JV Boys Soccer 2014 Varsity Boys Soccer 2015 Varsity Boys Soccer 2015 Varsity Golf 2016 Varsity Boys Soccer 2016 JV Boys Soccer 2017 JV Girls Soccer
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	<p>Las Vegas, Nevada receiving a Platinum Ranking as well as 1st Overall in their Division and Top Production. "Roaring Harmony" will be competing in a total of 6 competitions in 2017-2018 as the group and the support and enthusiasm surrounding the group continues to grow.</p> <ul style="list-style-type: none">● TVCS supports staff in acquiring training and professional development that positively affects their students' performance. Teachers are surveyed to identify one or two needs and focused training is implemented. Teachers need time to learn, implement and reflect, therefore training is done over a long duration with repeated exposure building on previous skills. Learning is active and supported during implementation. Examples include Boys Town and Depth and Complexity. TVCS recognizes some of the most impactful training comes from our own co-workers.● All grade-level/core subject teachers are appropriately credentialed by the CTC.● TVCS has grown to two classes per grade level, to 2018 enrollment of 540. Class sizes are smaller than other local area schools. Elementary class sizes vary from 20 to 27, intermediate and middle school classes average 29 students per core class.
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II. Charter Renewal

Evidence of Meeting Charter Renewal Standards Pursuant to Education Code Section 47607 and the California Code of Regulations, Title 5, Section 11966.4(b)(1)

(3)

(4) (A) The entity that granted the charter determines that the academic performance of the charter school is at least equal to the academic performance of the public schools that the charter school pupils would otherwise have been required to attend, as well as the academic performance of the schools in the school district in which the charter school is located, taking into account the composition of the pupil population that is served at the charter school.

(B) The determination made pursuant to this paragraph shall be based upon all of the following:

(i) Documented and clear and convincing data.

(ii) Pupil achievement data from assessments, including, but not limited to, the Standardized Testing and Reporting Program established by Article 4 (commencing with Section 60640) of Chapter 5 of Part 33 for demographically similar pupil populations in the comparison schools.

(iii) Information submitted by the charter school.

The following shall serve as documentation confirming that Temecula Valley Charter School exceeds the statutory criteria required for renewal set forth in Education Code Section 47607(b):

ENGLISH LANGUAGE ARTS/LITERACY 2017 Achievement Level**Distribution**

All Grades

	Temecula Valley Charter School	State of California	Temecula Valley Unified School District
<u>Standard Exceeded: Level 4</u>	31.16%	20.12%	28.50%
<u>Standard Exceeded: Level 3</u>	38.28%	28.44%	36.40%
<u>Standard Exceeded: Level 2</u>	21.07%	23.09%	20.51%
<u>Standard Exceeded: Level 1</u>	9.50%	28.35%	14.59%

MATHEMATICS 2017 Achievement Level Distribution

All Grades

	Temecula Valley Charter School	State of California	Temecula Valley Unified School District
<u>Standard Exceeded: Level 4</u>	23.05%	17.60%	23.29%
<u>Standard Exceeded: Level 3</u>	29.94%	19.96%	29.24%
<u>Standard Exceeded: Level 2</u>	29.94%	26.59%	27.91%
<u>Standard Exceeded: Level 1</u>	17.07%	35.86%	19.56%

Data from the CAASPP shows the performance of students at TVCS to be equal or similar to the surrounding schools and the authorizing district.

All numbers are percentages

	TVCS	FVES	LES	TPS	HHSA	TVUSD	CA
2017 ELA							
Standard Exceeded: Level 4	31.16	29.70	24.75	27.03	20.00	28.5	20.12
Standard Met: Level 3	38.28	32.12	31.31	37.63	28.16	36.4	28.44
Standard Nearly Met: Level 2	21.07	23.03	25.25	18.20	26.12	20.51	23.09
Standard Not Met: Level 1	9.50	15.15	18.69	17.14	25.71	14.59	28.35
Percent at or above standard:	69.44	61.82	56.06	64.66	48.16	64.9	48.56
2017 Mathematics							
Standard Exceeded: Level 4	23.05	23.84	16.92	20.28	13.36	23.29	17.6
Standard Met: Level 3	29.94	31.72	31.06	31.92	32.39	29.24	19.96
Standard Nearly Met: Level 2	29.94	29.9	32.58	29.1	34.01	27.91	26.59
Standard Not Met: Level 1	17.07	14.55	19.44	18.69	20.24	19.56	35.86
Percent at or above standard:	52.99	55.56	47.98	52.2	45.75	52.53	37.56
2016 ELA							
Standard Exceeded: Level 4	28	30	29	30	N/A	28	20
Standard Met: Level 3	36	30	32	44	N/A	37	29
Standard Nearly Met: Level 2	23	21	23	18	N/A	20	24
Standard Not Met: Level 1	13	19	16	9	N/A	15	28
Percent at or above standard:	64	60	61	74		65	49
2016 Mathematics							
Standard Exceeded: Level 4	22	23	20	23	N/A	22	17
Standard Met: Level 3	29	34	35	32	N/A	29	20
Standard Nearly Met: Level 2	35	30	28	32	N/A	30	28
Standard Not Met: Level 1	13	13	17	13	N/A	20	35
Percent at or above standard:	51	57	55	55		51	37
2015 ELA							
Standard Exceeded	21	26	26	29	N/A	24	16
Standard Met	39	33	34	38	N/A	37	28
Standard Nearly Met	26	23	22	22	N/A	23	25
Standard Not Met	14	18	18	10	N/A	16	31
Percent at or above standard:	60	59	60	67		61	44
2015 Mathematics							
Standard Exceeded	12	21	22	26	N/A	20	14
Standard Met	31	33	33	35	N/A	28	19
Standard Nearly Met	39	33	28	27	N/A	30	29
Standard Not Met	18	14	16	12	N/A	22	38
Percent at or above standard:	43	54	55	61	N/A	48	33

*Schools compared: French Valley Elementary School, Susan LaVorgna Elementary School, Temecula Preparatory School, Harvest Hill STEAM Academy

As demonstrated in the tables above, Temecula Valley Charter School has met the charter renewal criteria in Education Code Section 47607(b)(4) by being “at least equal to the academic performance of the public schools that the Charter School pupils would otherwise have been required to attend, as well as the academic performance of the schools in the school district in which the Charter School is located, taking into account the composition of the pupil population that is served at the Charter School.”

ELEMENT I - Educational Program of the School

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

Governing Law: 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. Education Code Section 47605(b)(5)(A)(ii).

Introduction:

Since its inception in 1994, Temecula Valley Charter School has always served the needs of its children first and will be accountable for meeting the academic needs of all students. The highest standards for academic success will be instituted and maintained by students, parents, and teachers working together over time in an atmosphere of mutual respect, where every member cares about quality and standards.

This charter is a promise to our children to encourage them, to contribute to and expand their educational opportunities and options. The school will support individuality in learning in a nurturing framework, which teaches responsibility, creativity, and self-initiative. It will be a school for students who can make the most of the available opportunities and resources provided to develop their own sense of responsibility and identity.

The school will be a place of shared decision-making requiring teacher and parent participation on committees, school activities and including parent partnerships with the community members in school site governance. Parents and community members will be involved with the teachers and/or administrator in enriching the curriculum programs.

TVCS will be staffed by uniquely qualified teachers, paraprofessionals, and volunteers who are dedicated and committed to developing and providing instructional practices that will address children’s academic, social, emotional, and physical needs. A safe learning environment for all at the school will be ensured by parents, teachers, and students working together.

The school will involve the students in community service projects, and provide instruction in-Leadership, Science, Technology, Engineering, Arts and Mathematics as well as the

opportunity to study World Languages. It will promote the growth of children’s character, knowledge, and understanding of themselves and their relationship to the world. TVCS will provide a framework for building positive social skills. This charter school will be a place where all can discover, experience, and celebrate their own worth as both individuals and as a part of the greater TVCS community.

Vision Statement:

Temecula Valley Charter School will provide an innovative and enriching educational environment expecting all those involved in the learning community to grow and achieve academically, emotionally, socially, and artistically in order to promote personal excellence.

Mission Statement:

The Temecula Valley Charter School is an alliance of parents, educators, and community members dedicated to providing a Kindergarten through 8th grade family centered atmosphere which endeavors to create a dynamic learning environment that meets or exceeds California State Standards¹, and where all students can discover, experience, and celebrate their own worth. The Temecula Valley Charter School will promote the growth of each child’s character, knowledge, and understanding of themselves and their relationship to the world.

Whom the School is Attempting to Educate

TVCS will invite and honor diversity. The school aims to educate students whose families have a strong desire to work in conjunction with the school to achieve optimum academic results and self-reliant, capable children.

The school is targeted towards students of transitional kindergarten through eighth grade to provide a comprehensive, cohesive learning experience with close articulation between all grades and among all classes. TVCS plans to serve approximately 700 students (ADA) through the end of the 2022-2023 school year.

Educational Values

Developmental Education

Through the developmental approach at TVCS, students are educated in a child-centered environment where teachers address and assess the needs of the whole child (academic, physical, social, and emotional). Each child’s unique growth and progress are used to determine what he or she is ready to accomplish.

Multi-Age Approach

Students of various ages, interests, and abilities are purposefully integrated into an assortment of learning activities. They work and learn together in collaborative relationships.

Parent Involvement

TVCS recognizes that enlisting parental support widens the success opportunities for each child. Parent involvement in the educational process will be welcomed, encouraged, and promoted. Parents are encouraged to belong to one of a number of school committees that will be essential to the well-being of the school. Parental expertise will be utilized. Training sessions and opportunities for parental involvement will be provided. Parents (following legal and district guidelines) are welcome on campus as defined in the Parent /Student Handbook. TVCS values, and therefore includes, family members in special events and activities both during and after school hours.

Enriched Curriculum

TVCS' curriculum is based on California State Standards. It is enriched to meet each student's needs, and is enhanced to nurture high standards of student performance. We utilize multiple teaching practices including, but not limited to: Universal Design for Learning, thematic teaching, hands-on activities, learning centers, one-on-one instruction, multi-age activities, integrated technology, simulations, laboratory learning, project-based learning, problem-based learning, and inquiry-based learning.

Instruction in World Languages

Our curriculum provides opportunities to study World Languages.

Teamwork

Staff, parents, and students work together in an atmosphere of mutual respect and trust. Character development and conflict resolution skills are implemented at all age levels. Positive Behavior Interventions and Supports provides a framework for students to learn and acquire positive social skills and abilities.

Small Class Size

Every effort will be made to keep individual class sizes as low as possible.

An Educated Person in the 21st Century

Technological change is accelerating and its impact on society, especially the accessing and processing of information, is increasing. We have evolved from a performance-based society,

where the adult practiced what was learned in school, to a learning society which demands that children develop a flexible set of abstract learning and coping tools and skills. It becomes important to learn how to learn in a changing world.

People will need critical thinking skills to search for solutions to a wide variety of problems. They will need to be willing to expose themselves to success and failure by taking risks. They will need practical ability to define problems, determine steps to find solutions, and then implement these solutions. They will need to be effective communicators with strengths in speaking, writing, reading, and listening, with the ability to collaborate effectively. Educated people will be capable and will perceive themselves as capable, with realistic perceptions of their individual strengths.

Educated people in the 21st century will be their own persons, individuals persistent in their efforts, and careful in their observations. They will be reflective and expressive, capable of questioning, doubting, asking, and wondering. They will have the necessary skills to connect with, and meaningfully contribute to, their community and society.

To live, learn, and work successfully in an increasingly complex and information-rich society, students must be able to use technology effectively. Within an effective educational setting, technology can enable students to become:

- Capable information technology users
- Information seekers, analyzers, and evaluators
- Problem solvers and decision makers
- Creative and effective users of productivity tools
- Communicators, collaborators, publishers, and producers
- Informed, responsible, and contributing citizens

TVCS believes that all students can be successful in the information-rich society that is emerging. Students will be provided a solid grounding in the fundamental skills and application of literacy, mathematics, science, social sciences, and the arts, with an understanding of the major disciplines and areas of knowledge. The challenge facing TVCS is the empowerment of all children to function effectively in their future, a future marked increasingly with change, information growth, and evolving technologies. Technology is a powerful tool with enormous potential for paving high-speed highways from outdated educational systems to systems capable of providing learning opportunities for all, to better serve the needs of 21st century work, communications, learning, and life. Currently, all classrooms have interactive whiteboards, document cameras and computers.

How Learning Best Occurs

Children are motivated by an innate, exploratory yearning which is manifested in their inquisitive natures. Children learn best when they can treat learning playfully in a supportive, positive environment which permits interaction, exploration, and experimentation, with time and encouragement to reflect upon themselves and their experiences. Children can realize that each activity has its own intrinsic rewards.

Children need the freedom to pursue learning for its own sake, freedom to explore without the confines and demands of the adult world, and mastery of basic skills.

Learning proceeds by building on the existing interests, skills, and motivations of the learner until understanding and mastery of concepts is achieved. Learning should be developmentally appropriate and task-appropriate to the individual learner and paced to accommodate the learner's rate of mastery. These tasks will be based on teacher/administrator assessments and focus on the development of the whole child.

The learning environment will be supported by teachers, parents, and students in an atmosphere of support and mutual respect. Regular goal setting, shared decision-making, and self-assessment by all three participating groups will ensure that learning is relevant, on-going, and maximized.

For optimal learning, education needs to be child-centered, and instruction needs to be delivered efficiently and effectively. Teachers, along with paraprofessionals, parents, business and community volunteers all have a vital place in the classroom and have unique skills and contributions to make. A positive, frequent interaction among these key players is of the utmost importance with each member stressing and modeling learning as a lifelong process.

Plan for Serving Students Achieving Below Grade Level

Student Support Team is a program at TVCS that is developed for all students who require additional support to achieve success. Student Support Team is in place to support all students to become productive citizens, critical thinkers, and motivated, competent and lifelong learners through a developmentally appropriate education and understanding of human nature. The Student Study Team utilizes a Multi-Tiered System of Supports to appropriately and systematically address student needs.

Possible student participants include but are not limited to:

- New TVCS students (from private, public or home schools)
- EL Learners
- Students who have failed a class
- Students with behavior concerns
- Students with social or personal concerns
- Students with Health issues

Student At-Risk Identifiers may include but are not limited to:

- Students who may lack organizational skills
- Students who may be engaging in inappropriate behavior
- Academic misplacement causing the student to struggle
- Students who are failing a class due to missing or incomplete work
- New students to TVCS

Student Support Team is based on *Multi-Tiered System of Supports* This approach to At-Risk or Students Performing Below Grade Level is based on a least restrictive environment while using interventions that are evidence-based and generally performed in the general education environment. MTSS is a comprehensive framework that addresses academic as well as the social, emotional, and behavioral development of students from TK through 8th grade. MTSS continuously focuses on sustainable overall school improvement. MTSS requires a focus on collaboration between general education, special education, and administration to address student needs effectively. MTSS provides a system to address student needs. The MTSS approach is used as a system to identify students before a referral for special education services takes place.

Plan for Serving Students Achieving Above Grade Level

Temecula Valley Charter School inspires the growth of children’s character, knowledge, and understanding of themselves and their relationship to the world. A child centered education is meant for any student and works well with the gifted or high achieving student.

Child centered education provides a challenge to be efficient and effective. TVCS teachers make adjustments to their lessons by employing an extensive repertoire of research-based instructional strategies to help reach each student and their educational potential. Modifications for moderately to highly gifted students have to do primarily with pace in the earlier years and depth in the later years. TVCS has the ability to provide individualized instructional groups or ability groupings. Gifted or talented (GATE) students achieving above grade level are addressed in the general education environment with direction from the TVCS Student Support Teams. TVCS teachers are trained in Depth and Complexity teaching techniques.

Plan for Serving English Learners

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

Home Language Survey

The Home Language Survey (“HLS”) shall be administered upon a student’s enrollment into the Charter School (on enrollment forms).

ELPAC Testing

All students who indicate that their home language is other than English will be assessed with the English Language Proficiency Assessments for California (ELPAC) tested within thirty days of initial enrollment¹ and at least annually thereafter between Feb 1 and May 31 until re-designated as fluent English proficient.

The Charter School will notify all parents of its responsibility for ELPAC testing and of ELPAC results within thirty days of receiving results from publisher. The ELPAC shall be used to fulfill the requirements for annual English proficiency testing.

Reclassification Procedures

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

- Assessment of language proficiency using an objective assessment instrument including, but not limited to, the ELPAC.
- Participation of the pupil’s classroom teachers and any other certificated staff with direct responsibility for teaching or placement decisions of the pupil to evaluate the pupil’s curriculum mastery.
- Parental opinion and consultation, achieved through notice to parents or guardians of the language reclassification and placement including a description of the reclassification process and the parents’ opportunity to participate, and encouragement of the participation of parents or guardians in the reclassification procedure including seeking their opinion and consultation during the reclassification process.
- Comparison of the pupil’s performance in basic skills against an empirically established range of performance and basic skills based upon the performance of English proficient pupils of the same age that demonstrate to others that the pupil is sufficiently proficient in English to participate effectively in a curriculum designed for pupils of the same age whose native language is English.

English Learners and Core Instruction

Instruction techniques, assessments, materials and approaches will be focused on communicative competence and academic achievement covering listening, speaking, reading, and writing skills.

¹ The thirty-day requirement applies to students who are entering a California public school for the first time or for students who have not yet been CELDT tested. All other students who have indicated a home language other than English will continue with annual CELDT testing based upon the date last tested at the prior school of enrollment.

In addition, the instructional program for the Charter School is designed to promote language acquisition and proficiency, oral language development, and enriched learning opportunities for all students.

Monitoring and Evaluation of Program Effectiveness

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

- Adhere to Charter School-adopted academic benchmarks by language proficiency level and years in program to determine adequate yearly progress.
- Monitoring of teacher qualifications and the use of appropriate instructional strategies based on program design.
- Monitoring of student identification and placement.
- Monitoring of parental program choice options.
- Monitoring of availability of adequate resources.

Plan for Serving Students With Disabilities

Overview

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

The Charter School is an independent LEA and participates as a local educational agency in the El Dorado Charter Special Education Local Plan Area (“SELPA”) approved by the State Board of Education and thus shall be deemed an LEA for the purposes of compliance with federal law (IDEIA; 20 U.S.C. Section 1400 *et seq.*) and for eligibility for federal and state special education funds pursuant to Education Code Section 47614(a). The Charter School is a member in good standing as an LEA in this SELPA as required by Education Code Section 47614(a).. As such, as an independent LEA member of a SELPA, the Charter School shall follow the plan for “Services for Students under the IDEIA,” as outlined below.

Section 504/ADA and Eligibility

The Charter School shall be solely responsible for its compliance with Section 504 and the ADA.

All facilities of the Charter School shall be accessible for all students with disabilities in accordance with the ADA. Further, the Charter School has adopted and implemented a policy, which outlines the requirements for identifying and serving students with a 504 accommodation plan. The Charter School recognizes its legal responsibility to ensure that no qualified person with a disability shall, on the basis of disability, be excluded from participation, be denied the benefits of, or otherwise be subjected to discrimination under any program of the Charter School. Any student, who has an objectively identified disability, which substantially limits a major life activity such as learning, may be eligible for accommodation or related services by the Charter School in accordance with Section 504. The Charter School shall provide students with a free and appropriate public education.

A disabled student protected by Section 504 is one who: (a) has a physical or mental impairment that substantially limits one or more major life activities, including learning, (b) has a record of such an impairment, or (c) is regarded as having such an impairment. (34 CFR 104.3) Major life activities are functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working. Examples of students with such impairments include, but are not limited to:

- Students with a normal ability to learn but who have mobility impairment.
- Students with a normal ability to learn academically, but who require occupational or physical therapy in order to function physically.
- Students with emotional disabilities manifested by behavior problems which result in exclusion from classes or school.

Indications of a possible disability that significantly interferes with learning include, but are not limited to:

- Medical conditions such as diabetes, allergies, severe asthma or heart disease.
- Temporary medical condition due to illness or accident.
- Poor or failing grades over a lengthy period of time.
- Behavior issues that interfere with a student's learning.
- Attention issues that interfere with a student's learning.

Referral and Identification

- Any student may be referred by a parent/guardian, teacher, other certificated school employee or community agency for consideration of eligibility as a disabled student under Section 504. This referral should be made to the school principal.
- The Student Support Team (SST) shall promptly consider the referral and determine whether an evaluation under this procedure is appropriate. This determination shall be based on a review of the student's school records (including academic, social and behavioral records) and the student's needs. Students requiring evaluation shall be referred to appropriate evaluation specialists.

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- If a request for evaluation is denied, the school site committee shall inform the parents/guardians of this decision and of their procedural rights as described below.

Section 504 Plan

- When a student is identified as disabled within the meaning of Section 504, the Section 504 team shall determine what services are necessary to ensure that the student's individual education needs are met as adequately as the needs of non-disabled students.
- In making this determination, the Section 504 team shall consider all significant factors relating to the learning process for the student, including his/her adaptive behavior and cultural and language background. The evaluation may include, but is not limited to, classroom and playground observation, performance-based testing, academic assessment information, and data offered by the parent/guardian.
- The parents/guardians shall be invited to participate in the Section 504 meeting where services for the student will be determined and shall be given an opportunity to examine all relevant records.
- The Section 504 team shall develop a written plan describing the disability and specifying the services needed by the student. A copy of this plan shall be kept in the student's cumulative file. The student's teacher and any other staff who provide services to the student shall be informed of the services necessary for the student, to the extent that they need to be informed in order to provide for the student in the school setting.
- If the Section 504 team determines that no services are necessary for the student, the record of the team's meeting shall reflect the identification of the student as a disabled person under Section 504 and shall state the basis for the decision that no special services are presently needed.
- The disabled student shall be placed in the regular educational environment unless the school demonstrates that a more restrictive placement is required in order to meet the student's need. The disabled student shall be educated with those who are not disabled to the maximum extent appropriate to his/her individual needs. The Charter School will provide parents/guardians an opportunity to participate in decisions regarding significant changes in placement.
- The parents/guardians shall be notified in writing of the final decision concerning services to be provided, if any, and of the Section 504 procedural safeguards, including the right to an impartial hearing to challenge the decision.
- The school shall complete the identification, evaluation, and placement process within a reasonable time frame.
- The student's plan shall include a schedule for periodic review of the student's needs and indicate that this review may occur sooner at the request of the parent/guardian or school staff.

Services for Students under the IDEIA

The Charter School intends to provide special education instruction and related services in accordance with the provision of special education instruction and related services in accordance with the IDEIA, Education Code requirements, and applicable policies and practices of the Special Education Local Plan Area (“SELPA”). The Charter School will adopt its own policies and procedures which will align with SELPA policies and procedures, and shall utilize SELPA forms in seeking out and identifying and serving students who may qualify for special education programs and services and for responding to record requests and maintaining the confidentiality of pupil records.

The Charter School agrees to promptly respond to all SELPA inquiries, and to comply with SELPA directives. The Charter School will be exclusively responsible for the provision of services (including but not limited to referral, identification, assessment, case management, Individualized Education Plan (“IEP”) development, modification and implementation).

Staffing

All special education services at the Charter School will be delivered by individuals or agencies qualified to provide special education services as required by California’s Education Code and the IDEIA. Charter School staff shall participate in in-service training relating to special education by the Charter School and/or the SELPA.

The Charter School will be responsible for the hiring, training, and employment of site staff necessary to provide special education services to its students, including, without limitation, special education teachers, paraprofessionals, and resource specialists. The Charter School shall ensure that all special education staff hired by the Charter School is qualified pursuant to SELPA policies, as well as meet all legal requirements. Documentation of qualifications shall be maintained on site for inspection.

Response to Requests

The Charter School shall promptly address all requests it receives for assessment, services, complaints, IEP meetings, reimbursement, compensatory education, mediation, and/or due process, whether these requests are verbal or in writing.

Identification and Referral

The Charter School shall have the responsibility to identify, refer, and work cooperatively in locating Charter School students who have or may have exceptional needs that qualify them to receive special education services. The Charter School will adopt and implement policies and procedures to align with SELPA policies and procedures to ensure timely identification and referral of students who have, or may have, such exceptional needs. A pupil shall be referred by the Charter School for special education only after the resources of the regular education program have been considered, and where appropriate, utilized.

The Charter School will follow child-find procedures to identify all students who may require assessment to consider special education eligibility and special education and related services in the case that general education interventions do not provide a free appropriate public education to the student in question.

Assessments

The term “assessments” shall have the same meaning as the term “evaluation” in the IDEIA, as provided in Section 1414, Title 20 of the United States Code. The Charter School will determine what assessments, if any, are necessary and arrange for such assessments for referred or eligible students in accordance with applicable law. The Charter School shall work to obtain parent/guardian consent to assess Charter School students when it suspects the student may have a qualifying disability under the IDEIA, and the Charter School may utilize due process procedures to address a student if the parent/guardian does not provide consent.

IEP Meetings and Implementation

The Charter School shall arrange and notice the necessary IEP meetings. IEP team membership shall be in compliance with state and federal law. The Charter School shall be responsible for having the following individuals in attendance at the IEP meetings: the Charter School designated representative with appropriate administrative authority as required by the IDEIA; the student’s special education teacher; the student’s general education teacher if the student is or may be in a regular education classroom; the student’s parent/guardian; the student, if appropriate; and other Charter School representatives who are knowledgeable about the regular education program at the Charter School and/or about the student. The Charter School shall also arrange for the attendance or participation of all other necessary staff that may include, but are not limited to, an appropriate administrator to comply with the requirements of the IDEIA, a speech therapist, psychologist, resource specialist, and behavior specialist; and shall document the IEP meeting and provide the notice of parental rights.

The Charter School shall be responsible for implementation of IEPs and supervision of services. The Charter School shall provide the parents with timely reports on the student’s progress as provided in the student’s IEP, and at least quarterly or as frequently as progress reports are provided for the Charter School’s non-special education students. The IEP team will discuss and consider the full continuum of placement options.

Interim and Initial Placements of New Charter School Students

For students who enroll during the school year in the Charter School from another school district outside of the SELPA with a current IEP, the Charter School shall conduct an IEP meeting within thirty days. Prior to such meeting and pending agreement on a new IEP, the Charter School shall provide services comparable to this described in a previously agreed to and implemented IEP or as otherwise agreed between the Charter School and parent/guardian.

Non-discrimination

It is understood and agreed that all children will have access to the Charter School and no student shall be denied admission nor counseled out of the Charter School due to the nature, extent, or severity of his/her disability or due to the student's request for, or actual need for, special education services.

Parent/Guardian Concerns and Complaints

The Charter School shall adopt policies and procedures in alignment with SELPA policies as they apply to responding to parental concerns or complaints related to special education services. The Charter School's designated representative shall investigate as necessary, respond to, and address the parent/guardian concern or complaint. The Charter School shall timely schedule meetings with parents/guardians or their representatives to address the parent/guardian concerns or complaints so that a representative of each entity may attend. The Charter School, as the LEA, shall be ultimately responsible for determining how to respond to parent concerns or complaints. The Charter School shall respond to any complaint to or investigation by the California Department of Education, the United States Department of Education, Office of Civil Rights or any other agency.

Due Process Hearings

The Charter School may initiate a due process hearing or request for mediation with respect to a student enrolled in Charter School if it determines such action is legally necessary or advisable. In the event that the parents/guardians file for a due process hearing, or request mediation, the Charter School shall defend the case. In the event that the Charter School determines that legal representation is needed, it shall select appropriate legal counsel.

Exiting a Student from Special Education

Prior to exiting a student from special education, the Charter School will conduct a reevaluation in all areas of suspected disability and convene an IEP meeting to review the assessment and any other relevant data to determine whether the student is no longer a child with a disability. If the IEP team determines the student is no longer qualifies for special education, it shall provide parents with a prior written notice in accordance with Section 300.503 of the Title 34 of the Code of Federal Regulations.

Parent Revocation of Consent to Special Education and Related Services

The Charter School will ensure that it receives a written revocation of consent from an eligible Charter School student's parent or guardian if, at any time subsequent to the initial provision of special education and related services to the student, the parent or guardian of that student informs the Charter School that they wish to withdraw that student from special education. Such revocation of consent for the continued provision of special education and related services must be in writing. Should a parent or guardian revoke consent to special education and related services in writing, the Charter School understands that the Charter School may not continue to

provide special education and related services to the child after providing prior written notice to the parent in accordance with Section 300.503 of the Title 34 of the Code of Federal Regulations. The Charter School agrees to forward any such written revocation of consent to the District within 24 hours of receipt.

SELPA Representation

The Charter School shall represent itself at all SELPA meetings.

LCFF Compliance

Charter School Goals and Actions to Achieve the Eight State Priorities
Local Control and Accountability Plan (LCAP)

In accordance with Education Code Section 47606.5, TVCS shall comply with all elements of the LCAP pursuant to regulations and a template adopted by the California State Board of Education and reserves the right to establish additional and/or amend school-specific goals and corresponding assessments throughout the duration of the charter. TVCS shall submit the LCAP to the District and the County Superintendent of Schools annually on or before July 1, as required by Education Code Section 47604.33. The school 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).

Please see the section “Goals, Actions and Measurable Outcomes Aligned with the Eight State Priorities” in Element 2 of the charter for a description of TVCS’s annual goals to be achieved in the Eight State Priorities school-wide and for all pupil subgroups, as described in Education Code Section 52060(d), and specific annual actions to achieve those goals, in accordance with Education Code Section 47605(b)(5)(A)(ii).

ELEMENT II – Measurable Pupil Outcomes

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

Pupil Outcomes

State standards are taught. TVCS shall actively pursue student proficiency in all subject areas as its minimum pupil outcomes.

Students will be held responsible for producing quality work with a high level of personal responsibility and integrity. Students at TVCS will be entrepreneurial self-starters, who are creative, independent thinkers, systemic problem solvers, who work across disciplines to identify root causes, self-actualizing learners, who are self-governing, self-motivating and self-aware, critical thinkers and researchers, who discern underlying patterns, and global stewards, who collaborate across cultures and who add value to their local communities.

Assessment of physical and academic development will reassure the school and parents alike that personal growth, maturity, discipline, focus, character and integrity are developing normally.

School Wide Outcomes

TVCS will pursue a school wide outcome to be similar to or exceed the performance or surrounding schools and the authorizing district.

Charter School Annual Goals and Actions

TVCS has clearly defined school-wide outcome goals in compliance with California Education code sections 47605(b)(5)(B) and 52060(d).

TVCS will pursue the following school-wide and subgroup outcome goals, as measured by multiple and varied benchmark assessments that are aligned to state and federal standards (including the new Common Core) and reflect proficiency measures required by the [selected assessment(s)], as well as applicable state priorities detailed in California Education Code §

52060(d) that apply for the grade levels served, or the nature of the program operated, by the charter school. 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 50 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).

The following chart delineates the TVCS school-wide and subgroup outcome goals and performance targets aligned to the state’s priorities that apply for the grade levels served, or the nature of the program operated by the charter school, methods for measuring progress, and the individual(s) with primary responsibility for each, all aligned with the state’s priorities defined in Cal. Ed. Code Section 52060(d). As the State and District finalize new standardized assessment tools (e.g., assessments) and new school performance measures, and finalize the format for the new Local Control Accountability Plans as applicable to charter schools, TVCS will work with the District to ensure that it creates and updates its plans and goals accordingly. The LCAP shall not be deemed part of the charter, and therefore, annual amendments to the LCAP shall not be considered a “material revision to the charter” as defined in section 47607.

Charter School Annual Goals and Actions to Achieve State Priorities

The TVCS Annual Goals and Actions to achieve the State priorities are included in Appendix F.

ELEMENT III: Methods of Learning Assessment

Governing Law: 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. Education Code Section 47605(b)(5)(C).

Assessment is necessary to evaluate student progress towards mastery. It provides necessary feedback rather than a means for comparing learners, and should include self-evaluation by students, in addition to an evaluation by staff and parents. As students practice self-assessment they become skilled in monitoring and measuring their achievement and take pride in their own accomplishments. Students, together with parents and educators, will understand the learning objectives, criteria, and assessment procedures to meet learning goals. Student assessment will promote continuous improvement of the instructional process.

Authentic assessment involves a wide range of measures of students' knowledge, capacity, and growth. Performance-based assessment is vital for children to exhibit their skills and learning. Assessments used by TVCS include, but are not limited to, the following:

- Standardized test assessments: TVCS will assess students with standardized tests required by the state, will meet statewide performance standards, and will conduct pupil assessments applicable to students in non-charter public schools as required pursuant to Education Code Sections 60605 and 60851.
- Official reports, such as progress reports and report cards, will document students' learning progress.
- Portfolio assessment is based on representative samples of student work in all areas. Students will submit work showing a variety of assignments. Scoring rubrics will specify the requirements of task mastery, measuring students' knowledge, their adherence/compliance, and the ability to apply their learning.
- Collaborative/cooperative group performance opportunities will allow students to be responsible for monitoring and evaluating their progress, for setting priorities, goals, creating options, and taking responsibility for pursuing their goals. Working cooperatively in teams, students will reflect on their conflict resolution and mediation strategies, practicing decision-making processes to become effective participants in a democratic society.
- Anecdotal records will highlight particular qualities and strengths that students exhibit during school activities.
- Student journals will show how students reflect on their own performance, becoming empowered to recognize and be responsible for their own learning. Students involved in directing their own learning, including planning and carrying out tasks, become self-directed achievers.

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- Student demonstrations will include video and audio recordings that showcase oral reading, acting, presentations, and athletics.
 - Parent interviews will support on-going student performance evaluation and will occur through regular parent-teacher conferences, telephone communication, integrated communication via electronic mail, and informal feedback during parents' presence on campus.
 - Community service will involve students and their families in community service projects.
 - School service will be supported, as students will be urged to contribute their time, energies, and talents to improve the quality of life at TVCS.

ELEMENT IV – Governance Structure

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

Nonprofit Public Benefit Corporation

While the Charter School intends to collaborate with the District, the Charter School operates as a separate legal entity, independent of the District. The Charter School is operated as a duly constituted California nonprofit public benefit corporation, and is governed in accordance with applicable California Corporations Code Sections and its adopted bylaws, which shall be consistent with the terms of this charter. As provided for in the California Corporations Code, the Charter School is governed by its Board of Directors (or “Board”), whose members have a legal and fiduciary responsibility for the well-being of the Charter School.

Pursuant to Education Code Section 47604(c), the District in performing its oversight of the Charter School as required by Education Code Section 47604.32, shall not be liable for the debts and obligations of the Charter School or for claims arising from the performance of acts, errors, omissions by the Charter School.

The Charter School’s Articles of Incorporation, Bylaws, and Conflict of Interest Code are included in the Appendices.

Board of Directors

The Charter School is governed by a Board of Directors, composed of parents and community members, which according to its bylaws is composed of a minimum of three (3) and a maximum of five (5) directors. In accordance with applicable provisions of the Corporations Code, all directors shall be voting. The directors are directly responsible for operation of the Charter School and shall promptly respond to any reasonable inquiries by the TVUSD Board of Trustees. The Board of Directors is a working Board, intimately involved in the ongoing operations of the Charter School and able to contribute professional expertise essential to a high level of academic performance. The Executive Director/Principal reports directly to the Board of Directors.

Parents will hold a minimum of two board positions and community members will hold a minimum of two board positions. One position will be at-large (either a community member or a parent). Board members are appointed to the board by a majority vote of the current Board. Additionally, in accordance with Education Code section 47604(b) each charter authorizer has the right to appoint a representative to the Board. Directors serve staggered two (2) or three (3) year terms of service as specific in the bylaws.

The Board may initiate and carry on any program or activity or may otherwise act in a manner which is not in conflict with or inconsistent with or preempted by any law, and which are not in conflict with the purposes for which 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 an employee of the Charter School 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. The Board however, retains ultimate responsibility over the performance of those powers or duties so delegated. 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; and
- Require an affirmative vote of a majority of Board members.

Temecula Valley Charter School Board of Directors meetings shall comply with the Brown Act.

Temecula Valley Charter School shall adopt a conflict of interest code and shall comply with the Political Reform Act, Corporations Code Conflicts of Interest rules, and any charter school specific conflict of interest regulations.

Board Compliance

The Board shall comply with its adopted set of corporate bylaws to assist in establishing administrative policies and rules of operation.

Parent Involvement in Governance

TVCS values meaningful parent participation. Parents are encouraged to participate in their child's educational program as volunteers in a variety of ways; including classroom assistance, facilitating field trips, participating on special events committees, and other avenues. TVCS has a Resource Development Coordinator on staff to assist parents and coordinate school efforts to involve parents. Additionally, parents are involved in school governance as a part of the governing board.

The Executive Director/Principal

The Executive Director/Principal will assume the lead responsibility for administering Temecula Valley Charter School adopted board policies, as defined by their respective job descriptions.

The Executive Director/Principal will be a contract employee, and the individual will be approved by the Board of Directors. The Executive Director/Principal will be responsible for the administration and operations of TVCS. The Executive Director/Principal reports to the Board

of Directors. A job description for the Executive Director/Principal shall be written by the Board of Directors and amended as needed. The Executive Director/Principal shall have his or her contract reviewed annually by the Board of Directors.

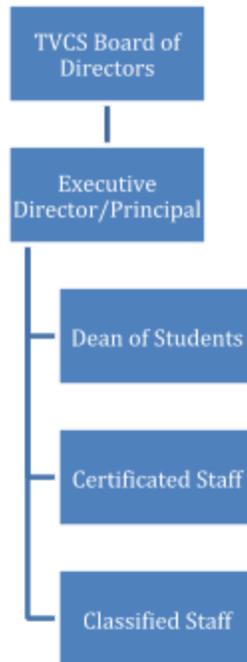
The Executive Director/Principal works in conjunction with the Board of Directors, teachers, staff, students, parents, and TVCS committees to fulfill the TVCS charter. The Executive Director/Principal assists the Board of Directors to develop agendas, attend Board meetings, report on school operations, and provide input on agenda items.

The Executive Director/Principal is assigned to perform tasks directed from the Board of Directors and is required to undertake some or all of the tasks detailed below. These tasks may include but are not limited to the following:

- Ensure the charter school enacts its mission;
- Communicate and report to Board of Directors;
- Oversee school finances to ensure financial stability;
- Approve all financial expenditures
- Oversee and participate in professional development as needed;
- Oversee the hiring, promotion, discipline, and dismissal of all employees of TVCS.
- Ensure compliance with all applicable state and federal laws and help secure local grants;
- Take responsible steps to secure full and regular attendance at school of the students enrolled in accordance with policies established by the Board of Directors;
- Complete and submit required documents as requested or required by the Charter and/or Board of Directors and/or the TVUSD District;
- Oversee the staffing needs of the school
- Maintain up-to-date financial records;
- Ensure that appropriate evaluation techniques are used for both students and staff;
- Ensure the security of the school building;
- Promote and publish the school's programs in the community and promote positive public relations and interact effectively with media;
- Encourage and support teacher professional development;
- Attend District Administrative meetings as requested by the District and stay in direct contact with the District regarding changes, progress, etc.;
- Develop the School Accountability Report Card;
- Present independent fiscal audit to the Board of Directors and after review by the Board of Directors present audit to the District Board of Education and the County Superintendent of Schools, the State Controller and the California Department of Education;
- Participate in the suspension and expulsion process;
- Participate in IEP meetings as necessary.

The above duties may be delegated. In the event the Executive Director/Principal is not on the campus, a Designee will act in the Executive Director/Principal's place.

Organizational Chart



ELEMENT V: Staff Qualifications

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

A high level of effort and commitment will be required to maintain the exemplary qualities of the school. All individuals employed by the school must possess the personal characteristics, knowledge base, qualifications, commitment to the school's philosophy and successful experience in the responsibilities identified in the job description and exhibited by:

- Effective, innovative classroom instruction and assessment,
- Participation in, or knowledge of, a developmental learning team approach,
- Collaboration with parents and community agencies,
- Sensitivity to special needs, including diverse learning styles and multiple intelligences.

The employees of the school will be classified in three categories:

1. Certificated employees, with a valid California teaching credential, directly responsible for teaching students.
2. Classified employees: instructional aides, office personnel and others, serving in support roles to keep the school operating efficiently.
3. At will contractors, demonstrating possession of an exceptional skill from which the school community will benefit, and with talents which they will pass on to the children. Contracts will be approved by the Board of Directors based on their academic or practical qualifications, a portfolio of their accomplishments as appropriate, and/or a demonstration of effective teaching at TVCS. At will contractors will be used as the need arises.

Teachers

Teachers shall be required to hold a California Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold. Teachers of core academic subjects at the Charter School shall also satisfy requirements for “highly qualified teachers” as defined by the State Board of Education. These documents will be maintained on file at the Charter School and shall be subject to periodic inspection by the District. The Charter School and District recognize that as allowed by Education Code Section 47605(1), flexibility will be given to non-core teachers.

Executive Director/Principal

The Executive Director/Principal is the executive and educational leader of the school. The Executive Director/Principal, who serves as the lead administrator of the school, is hired and reports directly to the Board of Directors. The position entails general and specific

responsibilities as required the TVCS Board of Directors. These responsibilities are unique to this school and its population.

In addition, the Executive Director/Principal is the instructional leader of the school.

The Executive Director/Principal shall have:

- A Master's Degree in Education or Administration from an accredited College/University
- An Administrative Credential
- Demonstrated experience in educational leadership
- A CA Teaching Credential

The Executive Director/Principal shall have knowledge of:

- State of CA Laws and Regulations for Public Schools
- CA Charter School Laws and Regulations
- Budget development and management
- Implementation of standards-based curriculum
- Best practices for staff training and development
- Current evaluation techniques

The Executive Director/Principal shall have the ability to:

- Work effectively with TVCS Board of Directors
- Maintain open communication with the Executive Director/Principal, Directors, and Coordinators
- Develop and maintain positive and productive relationships with Temecula Valley USD, staff, students, parents, and the community
- Effectively lead change
- Effectively lead a staff made up of certificated, classified, and at-will contract employees
- Communicate effectively with all stakeholders: students, parents, staff, TVUSD, and broader community

Office Personnel

Secretary, Resource Development Coordinator, Clerk, and other office personnel will be selected by an application and interview basis in consultation with other staff members, teachers, and community members as appropriate. Selection will be based on experience, professional attitude, skills and ability to perform the job duties for the position.

Minimum Qualifications:

- High school diploma; AA degree or two years of college preferred.
- Minimum of three years' experience in a similar position.
- Excellent communication skills; computer skills including data management; attention to detail; highly organized and efficient; and able to multi-task.

Dean of Students

The Dean of Students will work with the Principal to instill a climate in the School that is conducive to student learning emphasizing mutual respect and safety. Promotes good attendance rates. Identify students with attendance issues or disciplinary problems and addresses those issues with teachers and parents to create a positive outcome. Conduct follow up to referrals from staff pertaining to student conduct and discipline. Attend Annual IEPs in the role of Admin Designee as requested by the Principal. Participate in the planning and development of scheduling, Staff training and Professional Development.

The Dean of Students:

- Enforces and reinforces student conduct consistent with TVCS policies as well as state statutes.
- Understands and applies due process in a considerate and dignified manner.
- Communicates with students, staff and parents in a positive and professional manner.
- Promotes high expectations, demonstrate a caring attitude and establish an environment that supports high achievement in students.
- Uses positive and productive techniques for improving student behavior.
- Works collaboratively with parents and staff
- Advocates for the school, its staff, students and programs.
- Reports regularly to parents using a variety of strategies and is responsive to parental concerns.
- Enforces school rules, manages student behavior (including assigning of consequences), and maintains accurate records of student attendance, conduct and academic performance records.
- Maintains a daily visible presence in the classrooms, corridors and playgrounds.
- Provides direction to a variety of faculty, staff, and student programs and services; participates in formal and informal classroom visitations and observations; provides recommendations and suggestions for improvement as appropriate. Writes and reviews evaluations with staff in partnership with the Principal (within scope of certification).
- Analyzes and understands student assessment data and effectively use it to inform actions within the school.
- Works in partnership with teachers to create and administer common formative assessments (benchmark tests) multiple times per year.
- Serves as resource to staff in dealing with classroom management.
- Participates as needed in Individual Educational Plan meetings and Student Study Teams.
- Actively participates as a team member during meetings with faculty, staff and administration in reaching educational goals.
- Is enthusiastic, flexible and committed to students reaching high learning standards.
- Experience and knowledge of Boys Town Educational Model for Positive Behavior Supports
- Other duties as assigned, e.g.

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- Willingly acts as substitute teacher in emergency situations for short time periods while a substitute teacher is found.
 - Participates in the planning, posting and interviewing phases of hiring new staff

Education/Experience:

- A minimum of a bachelor's degree and either a MS or SS California State Teaching Certificate. A Master's Degree is preferred, but not required. An administrative certificate is preferred, but not required.
- Prior experience as an administrator preferred, but not required.

Job Requirements: Be capable of working extended hours to accommodate both administrative and non-administrative needs and maintain reliable attendance

Qualification Requirements:

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Reasoning Ability: Ability to define problems, collect data, establish facts and draw valid conclusions. Ability to interpret history concepts and convey that meaning to students. Must be capable of making decisions that can affect student's educational process and emergency situations that may occur when working with students.

Physical Demands: The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. While performing the duties of this job, the employee is regularly required to talk and hear in order to communicate effectively with students, parents, administrators, staff and community members. The employee frequently is required to walk. The employee is required to be able to sit; use hands to keyboard, handle, or feel objects, tools, or controls; and reach with hands and arms and carry objects. The employee must occasionally lift and/or move up to 40 pounds. Specific vision abilities required by this job include close vision and the ability to adjust focus. Must be capable of being mobile to move throughout the school facilities, grounds, and community settings.

Work Environment: The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. The noise level in the work environment is usually moderate.

**TEMECULA VALLEY CHARTER SCHOOL
SCHOOL SECRETARY JOB DESCRIPTION**

THE POSITION: Under general supervision of the Executive Director/Designee, plans and oversees all fiscal/administrative support, and office services for central office. Duties include support of administrative staff, mail, bookkeeping, and/or other related functions. Directly participates in departmental administrative decision making; implements, and enforces office policies and procedures, and sets workflow priorities and standards. Performs tasks which require advanced skills in organization and planning, in-depth knowledge of school operations and objectives. May in addition provide direct, high-level administrative assistance to the executive director/principal.

RESPONSIBLE TO: Executive Director/Principal

EXAMPLES OF DUTIES:

- Assists in the daily administrative operations of the office including establishing work priorities; assigns substitutes, assists in resolving problems related to the day-to-day operations of the school.
- Coordinates the execution of program policy, procedures, and operations; monitors compliance with school policies, procedures, regulations, and appropriate laws.
- Coordinates payroll time sheets, sick and annual leave documents, travel reimbursements, purchasing documents, and/or employment documents for faculty, staff, and students with the Business Services Provider.
- As appropriate to the individual position, provides and/or oversees the provision of administrative assistance and support to the Executive Director/Principal, to include problem solving, project planning and management, fiscal management, day-to-day office coordination, and secretarial services.
- Assists with the development and implementation of reporting procedures; assists with maintenance of department records and/or inventories in coordination with the Business Services Provider.
- Performs support in human resources, risk management, credentialing and other computer-based functions such as scheduled and special reports, correspondence, and database management.
- Coordinates department programs, seminars, workshops, travel arrangements, special projects, and/or events; may coordinate program/project development and planning.
- Serves as confidential secretary to Administration; performs a variety of secretarial and office management services of a difficult and complex nature.
- Performs complex and advanced-level clerical accounting duties in support of the assigned school's programs and services; processes or prepares more complex or technical financial accounting documents, including purchasing, accounts payable, accounts receivable, deposits, reports and special projects.
- May participate and/or serve on school committees and task forces.
- Assembles and maintains district Compliance Review documentation.

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- Maintains neat and orderly office environment.
 - Completes Civil Rights Data collection and reporting as required
 - Assists, plans and oversees facility maintenance
 - Facilitates and assists staff in utilizing the subfinder (AESOP/Frontline) system
 - Orient new and substitute teachers, provide greeting, directions, keys and instructional materials
 - Performs miscellaneous job-related duties as assigned.
 - Maintains regular attendance.

JOB REQUIREMENTS:

- High School Diploma or equivalent required
- Two (2) years or more college in business, finance, accounting, human resources, purchasing, customer service, or administration fields preferred.
- Two (2) years of equivalent-level work experience.

KNOWLEDGE, SKILLS, AND ABILITIES REQUIRED:

- Ability to gather data, compile information, and prepare reports
- Ability to type 50 WPM
- Ability to prepare routine administrative paperwork
- Knowledge of supplies, equipment, and/or services ordering and inventory control
- Knowledge of management principles and practices
- Records maintenance skills
- Organizing and coordinating skills
- Program planning and implementation skills
- Basic knowledge of finance, accounting, budgeting, and cost control procedures.
- Basic Employee development and performance management skills
- Ability to analyze, develop, establish, and maintain efficient office workflow and administrative processes
- Skilled in the use of personal computers and related software applications
- Ability to foster a cooperative work environment
- Ability to analyze and solve problems
- Ability to communicate effectively, both orally and in writing
- Maintains reliable attendance
- Ability to lift 25 lbs

**Resource Development Coordinator
JOB DESCRIPTION**

DEFINITION

Is responsible for the operations and management of all TVCS activities, field trips, volunteers, fundraising and general school management. This work includes staff management, the drafting and implementation of policies and procedures, creation of annual fundraising goals, strategic objectives, financial oversight, and the coordination of parent involvement with the organization. Is further responsible for developing and managing all fundraising activities, including establishing clear benchmarks and milestones to measure progress and performance. The Resource Development Coordinator (“RDC”) will enforce as well as abide by all provisions of law, rules and regulations relating to the management of TVCS and other educational, social, financial and recreational activities under the direction of the Board.

DUTIES AND RESPONSIBILITIES

Operations and Administrative Management

- Coordinate with Executive Director/Principal to create and implement policies, procedures and handbooks governing student/parent/community involvement
- Review and report to board regarding fundraising efforts and activities, field trips and student/parent involvement, including but not limited to volunteer work
- Coordinate with Back office provider to ensure ongoing appropriate recordation of fundraising activities
- Interface with legal counsel when and if needed
- Customarily and regularly exercises discretion and independent judgment
- Customarily and Regularly directs the work of two or more TVCS employees
- Liaison, cooperate and collaborate with all Administrative Assistants
- Coordinate staff appreciation activities.
- Maintain a neat and orderly work room.
- Manage inventory and supply in work room.
- Assist with office coverage as needed.
- Other duties as assigned by the Executive Director and/or Dean of Students

Recordkeeping/Database Management:

Ensure TVCS implements and maintains all recordkeeping systems related to school activities, field trips, extra-curricular activities, fundraising efforts and events, and parent and student volunteers; uses both computer and manual filing systems which allow for efficient collection, retention, and retrieval of information; completes forms which include purchase orders, online orders, field trip/conference/travel claims, mileage claims, rosters and other related forms; maintain records for parent and/or student volunteers, field trip volunteers, fundraising, field trip and volunteer attendance, and other related records as needed.

Document Preparation:

Prepare, create, and compose letters, reports, bulletins, presentations and other documents for the school; answer routine correspondence for the administrator; prepare documents from rough draft, notes, recordings, or oral instructions; submit print requests; prepare reports from confidential records; operate computer and standard office equipment; may provide technical support to staff.

- Collaborate with Executive Director/Principal in the daily operation and organization of the School
- Accurately interpret and implement school policies and procedures
- Foster culture of positivity, collaboration and high standards
- Receive and direct visitors, parents and students, when necessary
- Handle requests for information and data
- Prepare and modify documents including correspondence, reports, drafts, memos and emails.
- Perform a variety of technical and clerical duties as needed and when requested in order to support the School, and the Board of Directors, including but not limited to collaboration in the drafting of the Board agenda, aspects of accounts payable, parent/student handbooks, volunteers, etc.
- Maintain security by following policies and procedures and controlling access
- Maintain a variety of records, schedules and files (manual and computer) for the purpose of providing reliable information in compliance with school policies
- Attend meetings as required
- Organize and lead General Meetings
- Learn and apply emerging technologies and advances (e.g. computer software applications) as necessary to perform duties in an efficient, organized and timely manner
- Maintain accurate records of completed work
- Provide support for school events and functions as needed
- Provide support and/or coverage for other employees as needed and directed
- Liaison with back office providers, authorizing school district offices, insurance providers and legal counsel, as needed
- Prepare necessary reports for outside agencies
- Perform related duties as assigned
- Maintains reliable attendance

Management and Oversight of Parent/Student/Community Volunteers

- Coordinate Parent Volunteer Orientation prior to the beginning of the school year for both new and returning families.
- Interview all new and returning families; explain requirements and the Policies and Information Guide. File signatures on parent contracts following the meeting.
- Prepare General Meeting agendas.
- Coordinate all volunteer training; oversee all parent involvement at the school.

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- Work with staff to fill volunteer support needs in the classroom.

Field Trips

- Manages, Coordinates and oversees all field trip excursions.
- Prepare a field trip budget proposal annually prior to May.
- Recruit and assign grade level Field Trip Coordinators. Share up to date information electronically with appropriate staff (front office and teachers).
- Train grade level field trip coordinators.
- Work with parents to ensure understanding and follow-through regarding TVCS' field trip policies, and conference with/counsel parents who violate those policies.
- Collect and maintain driver records and database, both within TVCS and in coordination with the district office.
- Provide driver lists to Field Trip Coordinators.

Public Relations, Marketing and School Promotion

- Oversee TVCS website in the following areas: 1. information regarding parent involvement; 2. agendas/meeting summaries for General Meetings; 3. posting current charter documents.
- Oversee and maintain social media.
- Oversee information disseminated to TVCS families and the public, including printed and email newsletters.
- Coordinate and oversee public relations, including regular photos and articles reported to local news media of events at TVCS.
- Assist the Executive Director and Dean of Students in preparing materials for distribution.

Fundraising

- Act as a resource for the Fundraising Committee and complete fundraising duties as designated by the Committee.
- Support school wide events such as Field Day, Promotion, special events and *Family Night* activities both at the school and in the community as designated by the Fundraising Committee.

SKILLS QUALIFICATIONS AND COMPETENCIES

1. Possesses a dynamic personality and the commitment to the advancement of PTC mission, vision, and educational philosophy
2. Proficient in computer technology including software associated with spreadsheets, databases, word-processing, internet and networking basics
3. Proficient in utilizing technology and financial software including Microsoft Office, Microsoft Excel, Microsoft Word and Outlook

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4. Knowledge of fiscal management, strategic planning
 5. Strong verbal and written communication skills
 6. Detail oriented, organized, resourceful, problem-solver, and possess the ability to multitask
 7. Minimum of a High School Diploma. Preferred Bachelor degree in Administration/HR or related field, or Associate degree with at least 1 to 2 years of experience in office management
 8. 2 years of experience working in Administrative Assistant or similar position. Public and/or Charter School experience preferred
 9. Excellent time management and organizational skills. Must be able to manage multiple tasks and projects concurrently
 10. Results oriented and demonstrates a positive attitude showing adaptability, flexibility, ingenuity and resourcefulness
 11. Ability to maintain confidentiality
 12. Is consistently at work and on time; Ensures work responsibilities are covered when absent; Arrives at meetings and appointments on time
 13. Follows instructions, responds to management direction; Takes responsibility for own actions; Keeps commitments
 14. Commits to long hours of work when necessary to reach goals
 15. Completes tasks on time or notifies appropriate person with an alternate plan
 16. Approaches others in a tactful manner; Reacts well under pressure; Treats others with respect and consideration regardless of their status or position
 17. Balances team and individual responsibilities; Exhibits objectivity and openness to others' views; Gives and welcomes feedback; Contributes to building a positive team spirit; Puts success of team above own interests; Able to build morale and group commitments to goals and objectives; Supports everyone's efforts to succeed
 18. Treats people with respect; Keeps commitments; Inspires the trust of others; Works with integrity and ethically
 19. Follows policies and procedures; Completes administrative tasks correctly and on time; Upholds and supports organization's goals and values
 20. Identifies and resolves problems in a timely manner; Gathers and analyzes information skillfully; Develops alternative solutions; Works well in group problem solving situations; Uses reason even when dealing with emotional topics

The Charter School will review employee contracts annually. All teacher and staff hiring will be done by the School. Tenure, or its equivalent in any form, is not available. TVCS employees may be selected by a hiring committee as defined by the Board of Directors.

TVCS reserves the right to add additional personnel as needed, such as Director of Business Services, Director of Human Resources, and/or Director of Technology.

Specific requirements and commitments by staff, parents and students must be regularly monitored. To meet these goals, the Charter School will require the maximum degree of local authority, and will operate its instructional program without the constraints imposed by California State mandates, except as prescribed by the Charter Schools Act or other applicable law.

ELEMENT VI: Health & Safety

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

The Charter School is committed to providing a safe, nurturing, healthy and productive atmosphere in which all members can grow and prosper. It is imperative that the Charter School campus be adequately supervised so that safety is assured as completely as is humanly possible. The Charter School shall implement its policies and procedures to fulfill its commitment to a safe and nurturing environment. These policies include but are not limited to the following:

Procedures for Background Checks

The Charter School will comply with the provisions of Education Code Section 44237 and 45125.1 regarding the fingerprinting and background clearance of employees, contractors, and volunteers prior to employment or any more than limited contact with pupils of the Charter School. Each new employee must submit fingerprints to the Department of Justice for the purpose of obtaining a criminal record summary prior to employment. Volunteers who will volunteer outside of the direct supervision of a credentialed employee shall be fingerprinted and receive background clearance prior to volunteering without the direct supervision of a credentialed employee.

Role of Staff as Mandated Child Abuse Reporters

All classified and certificated staff will be mandated child abuse reporters and will follow all applicable reporting laws, and the same policies and procedures used by the District.

TB Testing

The Charter School will follow all the requirements of Education Code Section 49406 in requiring tuberculosis risk assessments of all employees prior to commencing employment, including but not limited to the requirements that risk assessments shall be performed within the past 60 days, and, if tuberculosis risk factors are identified, that the individual has been examined to determine that he or she is free of infectious tuberculosis by a physician and surgeon licensed under Chapter 5 (commencing with Section 2000) of Division 2 of the Business and Professions Code.

School Safety Committee

TVCS is always concerned about safeguarding and promoting the safety and health of pupils, staff, families and visitors. Within the school environment, the scope of safety programs range from violence prevention to minimizing chemical exposures. The TVCS School Safety

Committee is responsible for preparing a comprehensive school safety plan relevant to the needs and resources of TVCS, including an Injury and Illness Prevention Program (IIPP) pursuant to 8 CCR section 3203.

The TVCS Safety Committee includes the Site Administrator or designee, a teacher representative, a classified personnel representative and a parent of an attending student. The School Safety Committee shall consult with local law enforcement. The Committee is chaired by the Site Administrator or designee.

The school safety committee meets several times during the year and is responsible for the following:

- preparing and annually updating the TVCS Comprehensive Safety Plan by February 1st of each year
- reviewing and updating the CSP annually by February 1st of each year
- reviewing work-related injury and illness reports and summary statistics, and making recommendations to the Site Administrator on necessary corrective actions
- conducting periodic site inspections

Immunizations

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

Medication in School

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

Vision, Hearing, and Scoliosis

Students will be screened for vision, hearing and scoliosis in the same manner as provided to other students in the district. The Charter School will adhere to Education Code Section 49450, et seq., as applicable to the grade levels served by the school.

Diabetes

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

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

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5. A description of the different types of diabetes screening tests available.

Emergency Preparedness

The Charter School adheres to the District's "Injury and Illness Preparedness Plan," "Bloodborne Pathogen Exposure Control Plan" and "Hazardous Communication Plan." The Charter School also adheres to a "Disaster Preparedness Plan" that is modeled from the District's "Emergency Operations Plan." The Charter School has developed its own Emergency Preparedness Plan using a coordinated emergency plan from the local fire department.

Blood Borne Pathogens

The Charter School shall meet state and federal standards for dealing with blood borne pathogens and other potentially infectious materials in the workplace. The Board shall establish a written "Exposure Control Plan" designed to protect employees 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 body fluids through injury or accident, students and staff should follow the latest medical protocol for disinfecting procedures.

Drug/Alcohol/Smoke Free Environment

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

Facility Safety

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

Comprehensive Sexual Harassment/Discrimination Policies and Procedures

The Charter School is committed to providing a work environment free of harassment, discrimination, retaliation and disrespectful or other unprofessional conduct based on sex (including pregnancy, childbirth, breastfeeding or related medical conditions), sex stereotype, race, religion (including religious dress and grooming practices), color, gender (including gender identity, gender expression and transgender), national origin (including language use restrictions and possession of a driver's license issued under Vehicle Code section 12801.9), ancestry, physical or mental disability, medical condition, genetic information, marital status, registered domestic partner status, age, sexual orientation, military and veteran status or any other basis protected by federal, state or local law or ordinance or regulation. It also prohibits discrimination, harassment, disrespectful or unprofessional conduct based on the perception that anyone has any of those characteristics, or is associated with a person who has or is perceived as having any of those characteristics.

The Charter School has developed a comprehensive policy to prevent and immediately remediate any concerns about discrimination or harassment at the Charter School (including employee to employee, employee to student, and student to employee misconduct). Misconduct of this nature is very serious and will be addressed in accordance with the Charter School sexual harassment policy. These policies and procedures are incorporated as appropriate into the school's Policy Manual/Teacher Handbook, Parent Information Guide and are reviewed on an ongoing basis.

ELEMENT VII: Students Served and Racial/Ethnic Balance

Governing Law: 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).

Temecula Valley Charter School shall not discriminate on the basis of the characteristics listed in Section 220 (actual or perceived disability, gender, gender expression, gender identity, 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).

Outreach Plan

The Charter School shall adhere to an Outreach Plan that combines effective recruitment strategies with resources to attract a diverse population to ensure that the population of students is reflective of the general population within the territorial jurisdiction of the District, both with regard to racial and ethnic diversity, but also with regard to socio-economic diversity and English Learners. The Charter School shall rigorously recruit students in impacted areas and provides assistance to families in completing and returning registration applications. The Outreach Plan will be reviewed and updated annually based upon the success and/or failures of the prior year.

The Temecula Valley Charter School Outreach Plan shall include the following strategies:

- An enrollment timeline and process that allow for a broad-based recruiting and application process.
- Distribution of enrollment brochures and forms in various languages in the District including English and Spanish.
- Advertising by posting flyers and hosting tables at various locations including local libraries and community centers.
- Announcing enrollment and recruiting information in local newspapers, online news sources, and social media. We will continue to add sources to stay current with the latest technologies and trends.
- Hosting parent information nights and community events throughout the community with locations, dates and times scheduled in a manner that ensures, to the greatest extent

possible, the greatest amount of community knowledge and interest in the Charter School.

ELEMENT VIII: Admission Requirements

Governing Law: TVCS will be an open enrollment, tuition-free, public school, with no specific requirements for admission. TVCS will adhere to all state and federal laws regarding the minimum age of students. Education Code Section 47605(b)(5)(H).

TVCS shall admit all pupils who wish to attend the Charter School, subject to capacity. No student will be denied admission to TVCS based on ethnicity, creed, gender, disability, or any of the characteristics listed in Education Code Section 220. Admission tests will not be required. There will be no tuition charges at TVCS.

Applications will be accepted during a publicly advertised open application period each year for enrollment in the following school year. Following the open enrollment period each year, applications shall be counted to determine whether any grade level has received more applications than availability. TVCS enrollment capacity, both schoolwide and by grade level shall be determined by the Board of Directors. If a public random drawing is deemed necessary, pursuant to Education Code Section 47605(d)(2)(C), the chartering authority shall make reasonable efforts to accommodate the growth of the charter school and in no event shall take any action to impede the charter school from expanding enrollment to meet pupil demand. In the event the school receives more applications than availability, the Charter School will hold a public random drawing to determine enrollment for the impacted grade level, with the exception of existing students who are guaranteed enrollment in the following school year.

Admissions preferences shall be granted to pupils currently attending the charter school and pupils who reside in the school district except as provided for in Ed. Code section 47614.5.

Per Education Code Section 47605(d)(B)(2), an additional enrollment preference, which must be approved by the chartering authority at a public hearing, will be extended to siblings of existing TVCS students.

Per Education Code Section 47605(d)(B)(2), an additional enrollment preference, which must be approved by the chartering authority at a public hearing, will be extended to children of current TVCS employees.

Pursuant to Ed. Code section 47605(d)(2)(B)(iv) and in accordance with Ed. Code section 49011, preferences shall not require mandatory parental volunteer hours as a criterion for admission or continued enrollment.

Pursuant to Ed. Code section Ed. Code section 47605(d)(2)(B)(iii), no preferences described herein shall result in limiting enrollment access for pupils with disabilities, academically low-achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, or pupils

who are economically disadvantaged, as determined by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation.

After the random selection process, a waiting list for future openings will be established in the same manner. Any person wanting to enroll after the open enrollment period will be placed at the end of the waiting list. Under no circumstances shall a waiting list carry over to the following school year.

ELEMENT IX: Annual Independent Fiscal Audit and Financial Reporting

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

The Charter School will facilitate an annual independent audit of the school's financial affairs as required by Education Code sections 47605(b)(5)(I) and 47605(m). The books and records of the Charter School will be kept in accordance with generally accepted accounting principles, and as required by applicable law, and the audit will employ generally accepted accounting procedures. The audit shall be conducted in accordance with applicable provisions within the California Code of Regulations governing audits of charter schools as published in the State Controller's K-12 Audit Guide.

The Executive Director/Principal will select an independent auditor through a request for proposal format.

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

The audit will verify the accuracy of the Charter School's financial statements, attendance, and enrollment accounting practices, and review the Charter School's internal controls. The Audit will be conducted in accordance with generally accepted accounting principles applicable to the Charter School. It is anticipated that the annual audit will be completed four months after the close of the fiscal year and that a copy of the auditor's findings will be forwarded to the District, the County Superintendent of Schools, the State Controller and to the CDE by December 15th of each year. The Charter School's Executive Director/Principal will review any audit exceptions or deficiencies and report to the Charter School's Board with recommendations on how to resolve them. The Charter School's Board will submit a report to the District describing how the exceptions and deficiencies have been or will be resolved to the satisfaction of the District along with an anticipated timeline for the same. Any disputes regarding the resolution of audit exceptions and deficiencies will be referred to the dispute resolution process contained in this charter. Audit appeals or requests for summary review shall be submitted to the Education Audit Appeals Panel ("EAAP") in accordance with applicable law.

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

ELEMENT X: Suspension and Expulsion Procedures

Governing Law: he procedures by which pupils can be suspended or expelled from the charter school for disciplinary reasons or otherwise involuntarily removed from the charter school for any reason. These procedures, at a minimum, shall include an explanation of how the charter school will comply with federal and state constitutional procedural and substantive due process requirements that is consistent with all of the following:

(i) For suspensions of fewer than 10 days, 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.

(ii) For suspensions of 10 days or more and all other expulsions for disciplinary reasons, both of the following:

(I) Provide timely, written notice of the charges against the pupil and an explanation of the pupil's basic rights.

(II) 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.

(iii) Contain a clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five 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 initiate the procedures specified in clause (ii) before the effective date of the action. If the pupil's parent, guardian, or educational rights holder initiates the procedures specified in clause (ii), the pupil shall remain enrolled and shall not be removed until the charter school issues a final decision. For purposes of this clause, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions specified in clauses (i) and (ii). – California

Education Code Section 47605(b)(5)(J).

This Pupil Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and well-being of all students at the Charter School. Compliance with the procedures set forth in this section of this Charter shall be the only processes for TVCS to involuntarily dismiss, remove or otherwise exclude a student who attends TVCS from further attendance at TVCS for any reason, including but not limited to, disciplinary causes. The Charter School shall comply with the provisions of *Education Code* section 48900 *et seq.* for any student disciplinary matter involving suspension or expulsion, as summarized below.

A student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education

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

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

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

Corporal punishment shall not be used as a disciplinary measure against any 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.

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 prohibited misconduct if the act is:

- A. related to school activity;

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- B related to school attendance occurring at TVCS or any other school; or
 - C. a TVCS sponsored event. A student may be suspended or expelled for acts that are enumerated below and occur at any time including but not limited to the following:
 - 1) while on school grounds;
 - 2) while going to or coming from school;
 - 3) during the lunch period, whether on or off the school campus;
 - 4) during, going to, or coming from a school-sponsored activity.

Enumerated Offenses

A. 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:
 - 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.
- b) Possessed, sold, or otherwise furnished a firearm, knife, explosive, or other dangerous object.
- c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.
- d) Unlawfully offered, arranged, or negotiated to sell a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.
- e) Committed or attempted to commit robbery or extortion.
- f) Caused or attempted to cause damage to school property or private property.
- g) Stole or attempted to steal school property or private property.
- h) Possessed or used tobacco, or products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit the use or possession by a pupil of his or her own prescription products.
- i) Committed an obscene act or engaged in habitual profanity or vulgarity.

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- j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
 - k) Knowingly received stolen school property or private property.
 - l) Possessed an imitation firearm. As used in this section, “imitation firearm” means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
 - m) Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.
 - n) 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.
 - o) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
 - p) 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.
 - q) 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.

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- (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 the Charter School.
- 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:
 - (a) 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.
 - (b) 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.
 - (c) 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

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- 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.
- r) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, pursuant to this section, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (a).
 - s) As used in this section, “school property” includes, but is not limited to, electronic files and databases.
 - t) For a pupil subject to discipline under this section, the Executive Director/Principal 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.
 - u) In addition to the reasons specified above, a pupil may be suspended from school or recommended for expulsion from school if the Executive Director/Principal or Designee determines that the pupil has committed sexual harassment as defined in Ed. Code section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall not apply to pupils enrolled in kindergarten and grades 1 to 3, inclusive.
 - v) 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 Executive Director/Principal 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.
 - w) 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 Executive Director/Principal 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.
 - x) In addition to the grounds specified above, a pupil may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has made terroristic threats against school officials or school property, or both.

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- 1) For the purposes of this section, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family’s safety, or for the protection of school district property, or the personal property of the person threatened or his or her immediate family.

2. Shall Recommend for Expulsion Offenses

The administration shall recommend the expulsion of a pupil for any of the following acts committed at school or at a school activity off school grounds, unless the administration 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 medications or medication prescribed to student).
- 4) Robbery or extortion.
- 5) Assault or battery (Penal Code section 240 and 242).

3. Immediate Suspension and Mandatory Recommendation for Expulsion Offenses

- 1) Possessing, selling, or furnishing a firearm, as defined below. E.C. 48915(c)(1)
- 2) Brandishing a knife² at another person. E.C. 48915(c)(2)
- 3) Unlawfully selling a controlled substance listed in Health and Safety Code section 11053 et seq. E.C. 48915(c)(3)
- 4) Committing or attempting to commit a sexual assault or committing a sexual battery, as defined in the enumerated offenses above. E.C. 48915(c)(4)

² As used in this section, “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 31/2 inches, a folding knife with a blade that locks into place, or a razor with an unguarded blade.

5) Possession of an explosive³. E.C. 48915(c)(5)

C. 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 five consecutive days.

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 notice shall contain a clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five (5) school days 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 initiate the procedures specified in clause (2) before the effective date of the action. If the pupil’s parent, guardian, or educational rights holder initiates the procedures specified in clause (2), the pupil shall remain enrolled and shall not be removed until the charter school issues a final decision. For purposes of this clause, “involuntarily removed” includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions specified in clauses (1) and (2).

³ As used in this section, the term “explosive” means “destructive device” as described in Section 921 of Title 18 of the United States Code.

5. The total number of days for which a pupil may be suspended from school shall not exceed twenty (20) schooldays.

Suspensions shall be initiated according to the following procedures:

1. Conference

Suspension shall be preceded, if possible, by an informal conference conducted by the Executive Director/Principal or Designee with the student and his or her parent and, whenever practical, the teacher, supervisor or Charter School employee who referred the student to the Executive Director/Principal or Designee.

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

At the conference, the pupil shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given the opportunity to present his or her version and evidence in his or her defense. This conference shall be held within (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, an administrator or Designee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension and the date of return following suspension. This notice shall state the specific offense committed by the student. In addition, the notice may also state the date and time when the student may return to school. If Charter School officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may request that the parent/guardian respond to such requests without delay.

3. Suspension Time Limits/Recommendation for Expulsion

Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension. Upon a recommendation of Expulsion by the Executive Director/Principal 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 Executive Director/Principal or Designee upon either of the following: 1) the pupil's presence will be disruptive to the education process; or 2) the pupil poses a threat or danger to others. Upon either determination, the pupil's suspension will be extended pending the results of an expulsion hearing.

D. Expulsion Procedures

Students will be recommended for expulsion after the Executive Director/Principal or Designee conducts an investigation process by gathering written statements, meeting with witnesses, and conducting a pre-expulsion conference with the student and family. A recommendation for expulsion by the Executive Director/Principal or Designee will be based on one or both of the following findings:

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 Executive Director/Principal's or Designee's recommendation to expel the student will satisfy all the procedural requirements stated herein.

E. 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 Executive Director/Principal. A document will be

prepared by the Executive Director/Principal or Designee that includes a full description of the reasons for the expulsion, including dates, previous conferences and actions taken, and events. The Charter School's governing board shall establish rules and regulations governing procedures for the expulsion of pupils. These procedures shall include, but are not necessarily limited to, all of the following:

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 principal 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 principal. The administrative panel shall make its decision to expel within 3 school days after the hearing 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 principal or the principal's designee may, for good cause, extend the time period for the holding of the expulsion hearing for an additional five schooldays. 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 schooldays, 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.
 - 2.1. 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:
 - 2.2. The date and place of the hearing.
 - 2.3. A statement of the specific facts and charges upon which the proposed expulsion is based.
 - 2.4. A copy of the disciplinary rules of the school that relate to the alleged violation.
 - 2.5. A notice of the parent, guardian, or pupil's obligations pursuant to Ed. Code section 48915.1(b).
 - 2.6. 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. This section does not require a pupil or the pupil's parent or guardian to be represented by legal counsel or by a non attorney adviser at the hearing.

For purposes of this section, "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.

For purposes of this section, "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.

3. 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 for the purpose of deliberating and determining whether the pupil should be expelled.
 - 3.1. 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.
 - 3.2. 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.

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4. 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.
 5. 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.
 6. 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 in this section, 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.
 7. 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.
 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.

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11. Before the hearing has commenced, the administrative panel may issue subpoenas at the request of either the principal or principal's designee or the pupil, for the personal appearance of percipient witnesses at the hearing. After the hearing has commenced, the administrative panel may, upon request of either the principal or principal's designee or the pupil, issue subpoenas. All subpoenas shall be issued in accordance with Sections 1985, 1985.1, and 1985.2 of the Code of Civil Procedure. Enforcement of subpoenas shall be done in accordance with Section 11455.20 of the Government Code.
 - 11.1. Any objection raised by the principal or principal's designee or the pupil to the issuance of subpoenas may be considered by the administrative panel in closed session, or in open session, if so requested by the pupil before the meeting. Any decision by the administrative panel in response to an objection to the issuance of subpoenas shall be final and binding.
 - 11.2. If the administrative panel determines that a percipient witness would be subject to an unreasonable risk of harm by testifying at the hearing, a subpoena shall not be issued to compel the personal attendance of that witness at the hearing. However, that witness may be compelled to testify by means of a sworn declaration as provided for herein.
 - 11.3. Service of process shall be extended to all parts of the state and shall be served in accordance with Section 1987 of the Code of Civil Procedure. All witnesses appearing pursuant to subpoena, other than the parties or officers or employees of the state or any political subdivision of the state, shall receive fees, and all witnesses appearing pursuant to subpoena, except the parties, shall receive mileage in the same amount and under the same circumstances as prescribed for witnesses in civil actions in a superior court. Fees and mileage shall be paid by the party at whose request the witness is subpoenaed.
 12. Final action to expel a pupil shall be taken only by the administrative panel in a public session. 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 principal or his or her designee to the pupil or the pupil's parent or guardian and shall be accompanied by all of the following:
 - 12.1. Notice of the right to appeal the expulsion to the Charter School Governing Board.
 - 12.2. Notice of the education alternative placement to be provided to the pupil during the time of expulsion, if applicable.
 - 12.3. 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.
 13. The governing board of the Charter School shall maintain a record of each expulsion, including the cause for the expulsion. Records of expulsions shall be nonprivileged, disclosable public records.
 - 13.1. 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.

F. Decision of the 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 the Charter School'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 the Charter School (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

G. 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. The school shall work cooperatively with parents/guardians as requested by parents/guardians or by the school district of residence to assist with locating alternative placements during expulsion.

H. Rehabilitation Plans

Students who are expelled from the Charter School 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.

I. 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 Charter School 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 Charter School Board following the meeting regarding his or her determination. The pupil's readmission is also contingent upon the Charter School enrollment capacity at the time the student seeks readmission.

J. Notice of Expulsion to Last Known District of Residence

The Charter School 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.

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

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

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive five days' notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.
2. the Charter School must also provide the victim a room separate from the hearing room for the complaining witness'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.

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5. The person conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
 6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the person presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The person conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.
 7. If one or both of the support persons is also a witness, the Charter School must present evidence that the witness'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.

L. 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 Ed. Code section 48900 or violates any of the school's rules and regulations 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 the Charter School.

M. Expulsion Appeals

If a pupil is expelled from the Charter School, 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 the Charter School, which shall hold a hearing thereon and render its decision.

The Governing Board shall hold the hearing within 20 school days following the filing of a formal request under this section.

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 schooldays 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.

N. 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. The Charter School shall provide the pupil with the transcripts, 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 or regulations 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 the Charter School for review by the Charter School 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 the Charter School 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 the Charter School reimburse the pupil for the cost of such transcription.

O. 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.

P. 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. Final action to expel a pupil shall be taken only by the administrative panel in a public session. 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 nonprivileged, 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 Executive Director/Principal 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.

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

As an independent LEA member of a SELPA, the Charter School shall immediately notify the SELPA and coordinate the procedures in this policy with the SELPA of the discipline of any student with a disability or student who the Charter School or SELPA would be deemed to have knowledge that the student had a disability.

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

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

- a. Conduct a functional behavioral assessment or a functional analysis assessment, and implement a behavioral intervention plan for such child, provided that the

Charter School had not conducted such assessment prior to such determination before the behavior that resulted in a change in placement;

- b. If a behavioral intervention plan has been developed, review the behavioral intervention plan if the child already has such a behavioral intervention plan, and modify it, as necessary, to address the behavior; and
- c. Return the child to the placement from which the child was removed, unless the parent and the Charter School agree to a change of placement as part of the modification of the behavioral intervention plan.

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

3. Due Process Appeals

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

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

4. Special Circumstances

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

The Executive Director/Principal 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:

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- 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 the Charter School had knowledge that the student was disabled before the behavior occurred.

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

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

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

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

The Charter School shall not be deemed to have knowledge 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.

ELEMENT XI: Retirement Program

Governing Law: The manner by which staff members of the Charter School 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).

Certificated employees at TVCS will be covered by the State Teachers' Retirement System (STRS). Classified employees will be covered by federal social security. The Charter School shall inform all applicants for positions within the Charter School of the retirement system options for employees of the Charter School. The Executive Director/Principal shall be responsible for ensuring that appropriate arrangements for coverage have been made. TVCS will make all employer contributions as required by STRS and Federal Social Security. TVCS will also make contributions for workers' compensation insurance, unemployment insurance, and any other payroll obligations of an employer.

ELEMENT XII: Public School Attendance Alternatives

Governing Law: 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).

No student may be required to attend the Charter School. Attendance at the Charter School is a matter of parental choice. An education will be provided in a student's district of residence school or other public schools through an inter- or intra-district (in accordance with local policies) transfer for students who choose not to attend the Charter School. Parents and guardians of each student enrolled in the Charter School will be informed on admissions forms that the students have no right to admission in a particular school of a local education agency as a consequence of enrollment in the Charter School, except to the extent that such a right is extended by the local education agency.

ELEMENT XIII: Employee Rights

Governing Law: A description of the rights of an 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).

TVCS staff will have individual at-will employment contracts and/or agreements with TVCS and any employee rights shall be specifically identified within that contractual agreement. TVCS does not require any public school district employee to work for TVCS. Persons employed by TVCS are not considered employees of TVUSD for any purpose whatsoever, nor are they granted any rights, privileges, or benefits that are specified within TVUSD. Employees of TVUSD who resign from District employment to work at TVCS and who later wish to return to the District shall be treated the same as any other former District employee seeking reemployment in accordance with District policy, applicable law, and applicable bargaining agreements. The Charter School shall not have any authority to confer any rights to return on District employees.

Sick or vacation leave or years of service credit at the District or any other school district will not be transferred to the Charter School. Employment by the Charter School provides no rights of employment at any other entity, including but not limited to any rights in the case of closure of the Charter School.

TVCS shall, to the fullest extent permitted by law, indemnify, defend, and hold harmless the District, its officers, directors, employees, attorneys, agents, representatives, volunteers, successors and assigns (collectively hereinafter “District” and “District Personnel”) from and against any and all actions, suits, claims, demands, losses, costs, penalties, obligations, errors, omissions, or liabilities, including legal costs, attorney’s fees, and expert witness fees, whether or not suit is actually filed, and/or any judgment rendered against District and/or District Personnel, that may be asserted or claimed by any person, firm or entity arising out of, or in connection with, TVCS’s new status as the exclusive public school employer of the employees of the Charter School for the purposes of the Educational Employment Relations Act (EERA), as provided in this Charter, or any acts, errors, negligence, omissions or intentional acts by TVCS, its Board of Directors, administrators, employees, agents, representatives, volunteers, successors and assigns. This indemnity and hold harmless provision shall exclude actions brought by third persons against the District arising out of any negligent or intentional acts or errors of the District and/or District Personnel or solely out of any acts or omissions of the District and/or District Personnel that are not otherwise related to or connected with TVCS and/or its Personnel.

ELEMENT XIV: Resolution of Disputes

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

The Charter School recognizes that it cannot bind the District to a dispute resolution procedure to which the District does not agree. The policy below is intended as a starting point for a discussion of dispute resolution procedures. The Charter School is willing to consider changes to the process outlined below as suggested by the District. The Charter School and the District will be encouraged to attempt to resolve any disputes with the District amicably and reasonably without resorting to formal procedures.

In the event of a dispute between the Charter School and the District, Charter School staff, employees and Board members of the Charter School and the District agree to first frame the issue in written format (“dispute statement”) and to refer the issue to the District Superintendent and Executive Director/Principal of the Charter School. In the event that the District 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, the Charter School requests that this shall be noted in the written dispute statement, although it recognizes it cannot legally bind the District to do so. However, participation in the dispute resolution procedures outlined in this section shall not be interpreted to impede or act as a prerequisite to the District’s ability to proceed with revocation in accordance with Education Code Section 47607.

The Charter School Executive Director/Principal and Superintendent shall informally meet and confer in a timely fashion to attempt to resolve the dispute, not later than 30 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/Principal of the Charter School and attempt to resolve the dispute within 60 business days from receipt of the dispute statement.

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



ELEMENT XV: Exclusive Public School Employer

Governing Law: A declaration whether or not the charter school shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act. – California Education Code Section 47605(b)(6).

Temecula Valley Charter School shall be deemed the exclusive public school employer of the employees of the Charter School for the purposes of the Educational Employment Relations Act (EERA). TVCS shall comply with the EERA.

TVCS shall, to the fullest extent permitted by law, indemnify, defend, and hold harmless the District, its officers, directors, employees, attorneys, agents, representatives, volunteers, successors and assigns (collectively hereinafter “District” and “District Personnel”) from and against any and all actions, suits, claims, demands, losses, costs, penalties, obligations, errors, omissions, or liabilities, including legal costs, attorney’s fees, and expert witness fees, whether or not suit is actually filed, and/or any judgment rendered against District and/or District Personnel, that may be asserted or claimed by any person, firm or entity arising out of, or in connection with, TVCS’s new status as the exclusive public school employer of the employees of the Charter School for the purposes of the Educational Employment Relations Act (EERA), as provided in this Charter, or any acts, errors, negligence, omissions or intentional acts by TVCS, its Board of Directors, administrators, employees, agents, representatives, volunteers, successors and assigns. This indemnity and hold harmless provision shall exclude actions brought by third persons against the District arising out of any negligent or intentional acts or errors of the District and/or District Personnel or solely out of any acts or omissions of the District and/or District Personnel that are not otherwise related to or connected with TVCS and/or its Personnel.

ELEMENT XVI: School Closing Protocol

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

Temecula Valley Charter School's governing board shall designate an entity or individual to be responsible for conducting closure activities in the event that the school ceases operation, and the board determines that there is no successor charter school. The designated entity or individual shall be known as the "Authorized Closer." The Authorized Closer shall commence closure proceedings by notifying parents and guardians of pupils, the District, the Riverside County Office of Education, the SELPA(s) in which the school participates, the retirement systems in which the school's employees participate, and the California Department of Education.

This notice shall include at least the following information:

- (1) The effective date of the closure;
- (2) The name(s) of and contact information for the person(s) to whom reasonable inquiries may be made regarding the closure;
- (3) The pupils' school districts of residence; and
- (4) The manner in which parents (guardians) may obtain copies of pupil records, including specific information on completed courses and credits that meet graduation requirements.

The school shall provide the Authorized Closer with a list of pupils in each grade level and the classes they have completed, as well as the pupils' districts of residence.

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

The school shall complete an independent final audit within six months of the school's closure. The audit may also serve as the annual audit. The audit must include at least the following:

- An accounting of all financial assets, including cash and accounts receivable, and an inventory of property, equipment, and other items of material value.

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- 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.
 - An assessment of the disposition of any restricted funds received by or due to the school.

The Authorized Closer must provide for the completion and filing of any annual reports required by Education Code Section 47604.33. If in connection with the closure, the school's governing board determines that it will dissolve the school corporation ("Dissolution"), then (i) the Dissolution shall be conducted in accordance with the requirements of the California Nonprofit Public Benefit Corporation Law ("Law") including, without limitation, Corporations Code sections 6610 et seq. and sections 6710 et seq. and (ii) the Board may select the Authorized Closer to assist with the wind-up and dissolution of the school corporation.

Any net assets remaining after all debts and liabilities of the school corporation (i) have been paid to the extent of the school corporation's assets, or (ii) have been adequately provided for, shall be distributed in accordance with the school corporation's Articles of Incorporation.

The disposal of any net assets remaining after all liabilities of the charter school have been paid or otherwise addressed shall include but is not limited to:

- (1) The 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.
- (2) The return of any donated materials and property in accordance with any conditions established when the donation of such materials or property was accepted.

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

ELEMENT XVII: OTHER REQUIRED CHARTER PROVISIONS

A. Budgets and Financial Reporting

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

Attached, as Appendix D, please find a three-year budget and cash-flow.

The Executive Director/Principal, along with the Board of Directors, will work to develop a balanced annual operating budget, and will approve all expenditures. TVCS shall provide reports to the District as follows as required by Education Code Section 47604.33, and may provide additional fiscal reports as requested by the District:

1. By July 1, a preliminary budget for the current fiscal year. For a charter school in its first year of operation, financial statements submitted with the charter petition pursuant to Education Code Section 47605(g) will satisfy this requirement.
2. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. Additionally, on December 15, a copy of the Charter School's annual, independent financial audit report for the preceding fiscal year shall be delivered to the District, State Controller, State Department of Education and County Superintendent of Schools.
3. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31.
4. By September 15, a final unaudited report for the full prior year. The report submitted to the District shall include an annual statement of all the Charter School's receipts and expenditures for the preceding fiscal year.

B. Insurance

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

C. Administrative Services

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

TVCS procures administrative services from the District, including but not limited to food. The specific terms and cost for purchased services from the District is subject to an annual services agreement negotiated and approved separately from this charter. TVCS intends to execute a Services MOU with the District no later than July 1, 2018 to delineate the services needed by TVCS and provided by the District. TVCS reserves the right to purchase and provide administrative services either through its own staff or through an appropriately qualified third-party contractor.

Pursuant to California law, the authorizer will be required to provide oversight and performance monitoring services, including monitoring school and student performance data, reviewing the school's audit reports, performing annual site visits, engaging in any necessary dispute resolution processes, and considering charter amendment and renewal requests.

D. Facilities

Governing Law: The facilities to be utilized by the school. The description of the facilities to be used by the charter school shall specify where the school intends to locate. – California Education Code Section 47605(g).

TVCS is currently located on District-owned property at 35755 Abelia Street, Winchester, California 92596 pursuant to a separately negotiated and approved facilities use agreement entered into between TVCS and the District under Proposition 39. TVCS intends to execute a Facilities MOU with the District no later than July 1, 2018, which term shall be through June 30, 2019.

TVCS is currently seeking a Public Use Permit to construct a new school facility at 34155 Winchester Rd, Winchester, California (APN 476-010-013-0 and APN 476-010-059-2) (the "Property"). Public Use Permit 00931 for the Property was originally approved by the Riverside County Planning Commission on September 6, 2017 and was set for ratification by the Board of the Riverside County Board of Supervisors (the "Board") on October 24, 2017. Immediately after ratification by the Board, the PUP was appealed by a local neighborhood group. The appeal was initially heard by the Board on November 14, 2017 and was continued at that time to

February 25, 2018 to allow the parties to work on a revised site plan. Since that time, TVCS has worked diligently to redesign the site plan to accommodate the neighbor's concerns and is now in the process of developing a revised site plan for submission to County Planning so that the County can prepare new Conditions of Approval based on the revised application. The Public Use Permit is expected to be approved in or around March or April 2018 by the Riverside County Board of Supervisors. The planned facility will have a maximum capacity of 800 students.

The facilities project is being financed with private activity bonds issued by the California Public Finance Authority through BB&T Capital Markets, the underwriter. TVCS will take title to the property and facility using a tax exempt 501(c)(2) title-holding limited liability company, 34155 Winchester Rd, LLC. The entity is in good standing with the Secretary of State and is tax exempt currently. 34155 Winchester Rd, LLC is a disregarded entity of TVCS and thus will have its income and expenses reported on the TVCS tax returns, as required by the Internal Revenue Code. The District will thus have complete transparency into the finances of both TVCS and 34155 Winchester Rd, LLC.

An architect's rendering of the new school facility is included in Appendix D.

E. Transportation

The Charter School will not provide transportation to and from school, except as required by law for students with disabilities in accordance with a student's IEP.

F. Attendance Accounting

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

G. Reporting

The Charter School will provide reporting to the District as required by law and as requested by the District including but not limited to the following: California Basic Educational Data System (CBEDS), actual Average Daily Attendance reports, all financial reports required by Education Code Sections 47604.33 and 47605(m) and the School Accountability Report Card (SARC).

The Charter School agrees to and submits to the right of the District to make random visits and inspections in order to carry out its statutorily required oversight in accordance with Education Code Section 47604.32.

Pursuant to Education Code Section 47604.3 the Charter School shall promptly respond to all reasonable inquiries including, but not limited to, inquiries regarding its financial records from the District.

H. Potential Civil Liability Effects

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

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

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

Further, the Charter School and the District shall enter into a memorandum of understanding, wherein the Charter School shall indemnify the District for the actions of the Charter School under this charter. TVCS intends to execute an Operations MOU no later than July 1, 2013 in order to delineate TVCS's operations agreement with the District.

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

As stated above, insurance amounts will be determined by recommendation of the District and the Charter School's insurance company for schools of similar size, location, and student population. The District shall be named an additional insured on the general liability insurance of the Charter School.

The Charter School Board will institute appropriate risk management practices as discussed herein, including screening of employees, establishing codes of conduct for students, and dispute resolution.