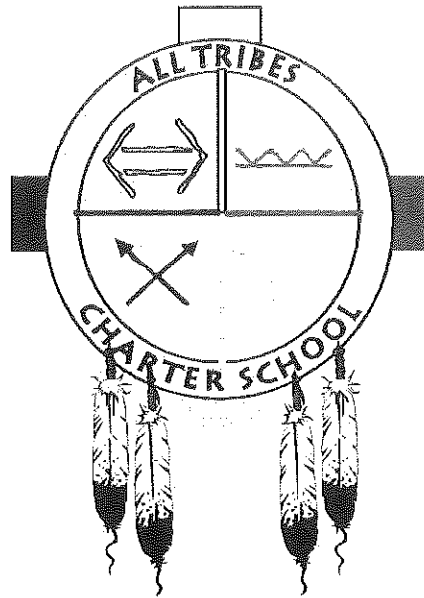


All Tribes Charter School



**July 1, 2020- June 30, 2025
Charter Petition Renewal**

**Presented to
Warner Unified School District
School Board
Via Superintendent David MacLeod**

Submitted: April 1, 2020

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AFFIRMATIONS AND DECLARATION

As the authorized lead petitioner, I, Mary Ann Donohue, hereby certify that the information submitted in this charter renewal document is for a California public charter school named the All Tribes Charter School ("ATCS" or the "Charter School"), operated by the All Tribes American Indian Charter School, Inc. is true to the best of my knowledge and belief. This school is located on the Rincon Indian Reservation within the Valley Center/Pauma Unified School District. In accordance with Education Code Section 47605.1(c)(5)(A), there is an MOU on file with the Warner Superintendent David MacLeod between the Valley Center/Pauma Unified School District and the Warner Unified School District ("WUSD" or the "District") that advises that Valley Center USD does not object to the location of the facility. The All Tribes Charter School will follow any and all federal, and local laws and regulations that apply to the charter school, including but not limited to:

- ATCS shall be non-sectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. Education Code §47605(e)(1)].
- ATCS shall not charge tuition [Ref. Education Code §47605(e)(1)]
- ATCS shall not discriminate on the basis of the characteristics listed in Education Code §220 (actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in §422.55 of the Penal Code, including immigration status, or association with an individual who has any of the aforementioned characteristics). [Ref. Education Code §47605(e)(1)]
- ATCS shall admit all pupils who wish to attend the school, unless the school receives a greater number of applications than there are spaces for students, in which case it will hold a public random drawing to determine admission. Except as required by Education Code §47605(e)(2), admission to ATCS shall not be determined according to the place of residence of the student or of that student's parents or legal guardian within the State. Preference in the public random drawing shall be given as required by Education Code §47605(e)(2)(B)(i)-(iv). In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the school in accordance with Education Code §47605(e)(2)(C). [Ref. Education Code §47605(e)(2)(A)-(C)]
- ATCS shall comply with the Ralph M. Brown Act.
- ATCS shall adhere to all federal law related to students with disabilities including, but not limited to, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990 and the Individuals with Disabilities Education Improvement Act of 2004.
- ATCS shall, for each fiscal year, offer at a minimum, the number of minutes of instruction per grade level as required by Education Code §47612.5(a)(1)(A)-(D) for the appropriate grade levels.
- ATCS shall maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection. [Ref. Education Code §47612.5(a)(2)]
- ATCS shall meet all state standards and conduct the pupil assessments required by California Education Code Sections 60605 and any other statewide standards authorized in statute or pupil

assessments applicable to pupils in non-charter public schools. [Ref. Education Code 47605(d)(1)]

- ATCS 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 11967.51(f)(5)(C)]
- ATCS will ensure that teachers in ATCS hold the Commission on Teacher Credentialing certificate, permit or other document required for the teacher's certificated assignment. The Charter School may use local assignment options authorized in statute and regulations for the purpose of legally assigning certificated teachers, in the same manner as a governing board of a school district. Teachers employed by charter schools during the 2019–20 school year shall have until July 1, 2025, to obtain the certificate required for the teacher's certificated assignment. [Ref. Education Code Section 47605(1) and 47605.4(a)]
- ATCS will maintain all necessary and appropriate insurance coverage.
- All Tribes American Indian Charter School, Inc. declares that it shall be deemed the exclusive public-school employer of the employees of ATCS for purposes of the Educational Employment Relations Act. [Ref. Education Code Section 47605(c)(6)]
- If a pupil is expelled or leaves the charter school without graduating or completing the school year for any reason, the charter school shall notify the Superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including report cards or transcript of grades and health information. If the pupil is subsequently expelled or leaves the school district without graduating or completing the school year for any reason, the school district shall provide this information to ATCS within 30 days if ATCS demonstrates that the pupil had been enrolled in the Charter School. [Ref. Education Code §47605(e)(3)]
- ATCS may encourage parental involvement, but shall notify the parents and guardians of applicant pupils and currently enrolled pupils that parental involvement is not a requirement for acceptance to, or continued enrollment at, the Charter School. [Ref. Education Code Section 47605(n)]
- ATCS shall on a regular basis consult with its parents and teachers regarding the Charter School's education programs. [Ref. Education Code §47605(d)]
- ATCS shall comply with the Public Records Act.
- ATCS shall comply with the Family Educational Rights and Privacy Act. ("FERPA")
- ATCS shall comply with all laws establishing the minimum and maximum age for public school enrollment. [Ref. Education Code §47612(b) and §47610]

- ATCS shall meet or exceed the legally required minimum number of school days per year. [Ref. Title 5 California Code of Regulations §11960]
- ATCS shall comply with the Political Reform Act.
- ATCS shall comply with Government Code Section 1090; *et seq.*, as set forth in Education Code Section 47604.1.
- ATCS shall comply with any applicable jurisdictional limitations to the location of its facilities. [Ref. Education Code §47605 and §47605.1]
- ATCS shall comply with all applicable portions of the Elementary and Secondary Education Act ("ESEA"), as reauthorized and amended by Every Student Succeeds Act ("ESSA").

Signature

Date

Mary Ann Donohue
Administrator



April 30, 2016

Preamble

The *All Tribes Charter School* respectfully submits this charter petition to the Warner Unified School District Board for the approval as an independent, direct funded charter school, serving grades Transitional Kindergarten through 5 at its current location 34320 Valley Center Road, Valley Center, on the Rincon Indian Reservation.

Introduction

Charter Schools are:

- Public schools governed by the California Department of Education.
- Open to any student who wishes to seek admission (no discrimination or district requirement).
- Admission is free to all students.
- Non-sectarian in its programs, admission policies, employment practices, & all operations.
- Taught by State certificated teachers, by the California Commission on Teachers Teachers Credentialing.
- Eligible to receive Federal, State and Local financial aid.
- Curriculum meets or exceeds the State Standards for academic excellence.
- Students will participate in statewide assessment tests (CAASPP, etc.).
- Prepares students for Post High School education.
- May be specifically geared towards the needs of the student population.
- May include Culturally specific courses into curriculum; and
- Encourages more Community and Parental involvement.

The academic success of the Native American students has been exceptionally poor for many generations. This is true throughout the United States. This ethnic group has experienced the highest drop-out rate for many years. Some Native American families have sent their children to Native American Boarding Schools in an attempt to have them exposed to culture instruction and to keep them in school.

As described in our Mission Statement, Education is the key to our students' future. All Tribes strive to enable students to acquire that key by providing an alternative path to high school graduation and setting them on the course of a lifelong practice of self-motivated learning, in an environment that prepares them for a successful life in the global 21st century.

The students of this Charter School are expected to be committed to their own success. The staff will provide a safe and nurturing school environment with the tools and assistance to succeed, however, the effort must be put forth by the individual student to succeed on their own. "Social promotion" is not acceptable at this school.

This Charter Petition has been written to incorporate the vision, goals and objectives of the *All Tribes Charter School* as set forth in the California Charter Schools Act of 1992 as amended through the end of the 2006 regular legislative session). This charter incorporates the provisions of Appendix "B" hereto (By-Laws), Appendix "A" (Articles of Incorporation), Appendix "C" (501(C)3) and Appendix "D" (Memorandum of Understanding), Appendix "E" Three year Budget and Appendix "F" LCAP.

CHARTER HISTORY

The All Tribes American Indian Charter School opened on September 10, 2001 with a total of 19 students. Initially it was for middle school grades, 6th, 7th, and 8th. The plan was to add a new grade each year until we reached 12th grade. The plan was and still is, to remain small, having no more than 20 students per class. This way, we could reach those most deserving of special attention and hopefully ensure their academic success by providing more one-on-one positive instruction. The students we reached out to were predominantly Native and thus they could feel a sense of "belonging". Many Native students, especially boys wear their hair culturally long and in ponytails. This was always an area of contention in traditional public schools. Our motto is, "If students don't learn the way we teach, then we need to teach the way they learn." All Tribes Charter School is located centrally to seven Indian Reservations in north San Diego County. These reservations include: La Jolla, Rincon, San Pasqual, Pala, Pauma, Mesa Grande, Santa Ysabel.

The school schedule was fashioned after the "Twilight School" model where school begins later than the traditional schools, thus ending later in the day. The study showed that this program showed a marked decrease in those students coming to school late, tired or those students sleeping through the first period class. There has been a marked improvement in our student daily attendance. Additionally, the study showed a marked decrease in Teen Pregnancies as students were not returning home during hours that parents are at work or otherwise away from the home in the afternoon. All Tribes has not had any teen pregnancies which could be attributed to occurring after school. As a matter of fact All Tribes has the lowest pregnancy rate in the county, perhaps the State. There has only been one Teen Pregnancy within our student population in our nineteen years of operation. It is interesting to note that San Diego City Schools are changing to a later start time next year.

Initially, All Tribes was housed in three leased double-wide trailers. Four years later we had the opportunity to purchase eleven used relocatable classrooms from a north county Charter School that had recently completed construction of their permanent campus. An Impact Aid Discretionary Construction Grant of \$4.6 million dollars was applied for and granted in 2012-13. A new modern school facility was built on the property that is leased for the school. The school was open for students in April 2016.

Historically, the Native community had a very high drop-out rate beginning with students beginning as early as Middle School. The average drop out percentage ranged between 75%-100% depending on the year in question. We have had students who have transferred out of school or in a few cases have been placed in Rehab or Juvenile Justice facilities. There are many students who arrive credit deficient to our school. The majority of these students are performing two to five-years below grade-level. It is not unusual for these students to take an extra year or perhaps two to complete enough required credits to earn their diploma. We will encourage our students to continue with their studies until they are successful enough to receive their diploma.

For several years we had parents and community members request that we provide a program for adults to complete their high school education. Considering the drop-out rate previously mentioned there are a lot of adults who were drop-outs. Among the first few years of operation our percentage of parents who had not earned a high school diploma was 89%. At the time, the State of California had stopped funding Adult Education, so All Tribes picked up the cost of the program. There have been numerous community members and parents who have earned their high school diploma and walked with our High School Seniors at our annual Graduation.

When All Tribes was started, the goal was to improve the high drop-out rate of the Native Community. As the school continued the goal switched to preparing students for post-secondary education. This included; junior college, university, vocational training, job internships, technical college, or the United States Military. We have had graduates who have been very successful in all these fields. The majority of our graduates have remarked that they never believed they would graduate from high school. To this day, our student who graduated from Brandeis University with honors in four years swears that had it not been for All Tribes she would have dropped out of school and probably never attended college.

There has been some recognition of the All Tribes American Indian Charter School in the past. The *Channel 10 Leadership Award* was presented to the Co-Developers in 2004 after being nominated by a member of the San Diego Grand Jury. The Point Loma Nazarene University awarded the Administrator the *Administrator of the Month* in May of 2006. The Assistant Administrator received *Educator of the Year* by the National Indian Education Association in May 2010 and *KPBS Community Hero for the Native American Community* 2012. The Administrator was awarded AIR, American Indian Recruitment, *Community Leader* in 2015. The California Charter School Association awarded both Administrators the *2019 Hart Vision Leader of the Year, California South* in March 2019. Neither Administrator is interested in the personal Recognition, but rather the well being and success of "their kids" the students of this school.

GROWTH DURING THE CHARTER TERM

Since our latest charter submission in 2015, *All Tribes* has continued to support student achievement and the quest for constant gain. Some of the accolades the school has received in the last five years include, but are not limited to:

- WASC full six-year accreditation
- April 2016 Moved into new 3.8-million-dollar facility (Federal Impact Aid Grant)
- Hired five new teachers and an aide to assist in every classroom, all day
- Began Pre-teen and Teenage Girls group (counseling weekly)
- Created Professional Learning Communities (PLC)
- The Administrator was awarded AIR, American Indian Recruitment, *Community Leader* in 2015
- The California Charter School Association awarded both Administrators the *2019 Hart Vision Leader of the Year, California South* in March 2019.
- Hired On-campus Special Education teacher
- Added an additional day and counselor from Indian Health Clinic to meet with students weekly = Two counselors/two days

RESERVATION RESIDENCE CHART 6-12 GRADES

RINCON	SAN PASQUAL	PAUMA	PALA	LA JOLLA	SANTA YSABEL	*VALLEY CENTER	*OTHER
19	11	9	12	8	1	3	1

* Not on reservation land

Graph 1: School Demographics

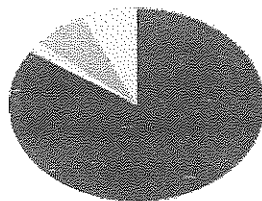
Grade Level	Total In Grade	Asian	African American	Caucasian	Hispanic	American Indian	Other	Pacific Islander	Non Classified
6	11 5/6	0 0/0	0 0/0	0 0/0	0 0/0	11 5/6	0 0/0	0 0/0	0 0/0
7	13 6/7	0 0/0	0 0/0	0 0/0	1 0/1	12 6/6	0 0/0	0 0/0	0 0/0
8	7 3/4	0 0/0	0 0/0	1 0/1	0 0/0	6 3/3	0 0/0	0 0/0	0 0/0
9	8 4/4	0 0/0	0 0/0	1 1/0	0 0/0	7 3/4	0 0/0	0 0/0	0 0/0
10	9 7/2	0 0/0	0 0/0	2 2/0	0 0/0	7 5/2	0 0/0	0 0/0	0 0/0
11	6 2/4	0 0/0	0 0/0	0 0/0	0 0/0	6 2/4	0 0/0	0 0/0	0 0/0
12	10 3/7	0 0/0	0 0/0	0 0/0	0 0/0	10 3/7	0 0/0	0 0/0	0 0/0
Total	64 30/34	0 0/0	0 0/0	4 3/1	1 0/1	59 27/32	0 0/0	0 0/0	0 0/0

Student Count: Blue = Boys Pink = Girls

STUDENT DEMOGRAPHICS

Ethnicity

Ethnicity



- 84.48% American Indian Or Alaska Native
- 01.72% Two Or More Races
- 06.90% Hispanic Or Latino
- 06.90% White

CHARTER RENEWAL CRITERIA

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

Charter petitions must satisfy at least three requirements to be renewed:

1. Education Code Section 47607(a)(3)(A) states: "The authority that granted the charter shall consider increases in pupil academic achievement for all groups of pupils served by the charter school as the most important factor in determining whether to grant a charter renewal."

Such increases are documented below.

AND

2. Education Code Section 52052(f) states: "For purposes of paragraphs (1) to (3), inclusive, of subdivision (b) of Section 47607, alternative measures that show increases in pupil academic achievement for all groups of pupils schoolwide and among numerically significant pupil subgroups shall be used."

The alternative measures that show increases at the Charter School are documented below.

OR

3. Education Code Section 47607(b)(4) states: "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."

This determination, which requires a comparison to other public schools, is documented below.

AND

4. Title 5, California Code of Regulations Section 11966.4(b)(1) states: "When considering a petition for renewal, the district board of education shall consider the past performance of the school's academics, finances, and operation in evaluating the likelihood of future success, along with future plans for improvement, if any."

This requirement is met through the documentation presented in the charter renewal petition and appendices.

The following shall serve as documentation confirming that the Charter School meets the statutory criteria required for renewal as set forth in Education Code Sections 47607(a)(3)(A), 52052(f), and 47607(b)(4):

Analysis of ATCS Alternative Measures Data (Education Code Section 52052(f))

ATCS California Assessment of Student Performance and Progress ("CAASPP") Scores, 2015-2019: Percentage of Students Meeting or Exceeding Standards

Demographic	Assessment	2015	2016	2017	2018	2019
Schoolwide	ELA	12%	18%	12.5%	9.09%	13.64%
	Math	6%	0%	0%	0%	0%
American Indian	ELA	13%	19%	10.71%	6.25%	14.29%
	Math	6%	0%	0%	0%	0%
Economically Disadvantaged	ELA	8%	18%	12.5%	10.53%	14.29%
	Math	0%	0%	0%	0%	0%

ATCS has shown increases in pupil academic achievement in the past five years in schoolwide and each student subgroup ELA scores.

B. Additional Justification for Charter Renewal

ATCS is a unique charter school that serves a unique population of students. ATCS' CAASPP scores are admittedly low, but this does not mean the Charter School is not improving the lives

of attending students. Historically, the Native community had a very high drop-out rate beginning with students beginning as early as Middle School. The average drop out percentage ranged between 75%-100% depending on the year in question. We have had students who have transferred out of school or in a few cases have been placed in Rehab or Juvenile Justice facilities. There are many students who arrive credit deficient to our school. The majority of these students are performing two to five years below grade level. It is not unusual for these students to take an extra year or perhaps two to complete enough required credits to earn their diploma. We will encourage our students to continue with their studies until they are successful enough to receive their diploma.

For several years we had parents and community members request that we provide a program for adults to complete their high school education. Considering the drop-out rate previously mentioned there are a lot of adults who were drop-outs. Among the first few years of operation our percentage of parents who had not earned a high school diploma was 89%.

When All Tribes was started, the goal was to improve the high drop-out rate of the Native Community. As the school continued the goal switched to preparing students for post-secondary education. This included; junior college, university, vocational training, job internships, technical college, or the United States Military. We have had graduates who have been very successful in all these fields. The majority of our graduates have remarked that they never believed they would graduate from high school.

Additionally, ATCS is planning to seek to apply for Dashboard Alternative School Status during this coming charter term.

ELEMENT I: Educational Program

“The educational program of the charter school, designed, among other things, to identify those whom the charter 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, lifelong learners.” - Education Code Section 47605(c)(5)(A)(i)

“The annual goals for the charter school 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, 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(c)(5)(A)(ii).

A DESCRIPTION OF THE SCHOOL PROGRAMS

Although All Tribes is a small school, we offer a large variety of programs for all our students. We offer field trips in all our classes for all our subjects so that students do not only learn by book work but are exposed to real world situations. Each teacher/grade level is responsible for planning a minimum of 2 field trips per semester. Our students vary in their academic ability and every class has an aide/academic coach to help support their academic progress. According to our Charter, no class size is above 20 students to one teacher. By keeping the class sizes small, we are more able to differentiate instruction with our students. All students take Math, Science, Language Arts, PE classes and instruction from IHC (Indian Health Clinic). High school students all have to take state requirements for a diploma and will meet all A-G requirements upon graduation. Some of these requirements are met through the Acellus On-line program. New to High School students this 2019-2020 school year, is an at school CTE program that all students are required to take/participate in. We are also an FFA sanctioned chapter, meaning that our students participate in Future Farmers of America. This offers students the opportunities to participate in public speaking and farm equipment contests. Raising “Project animals” and participating in the Youth Livestock Show at the San Diego County Fair is another aspect of the program. This project creates a “Real life” financial situation in purchasing an animal, feeding and caring for the animal to taking it to auction and selling it hopefully for a profit. FFA Courses are approved A-G statewide.

Every student has the opportunity to take AP classes via Acellus. Students may earn certificates in career-technical education. A few of the courses include HVAC and Electrical Engineering. Students also a study Java/coding. Middle schoolers work on a wetlands project and both middle and high school work on Native plants - creating gardens, construction of greenhouses and shade houses. High school also offers a surf program in which students learn to surf and study various elements of the Pacific Ocean. Students can participate in after school Drama class where they learn elements of the theater and stage development/construction.

Throughout the year students will work at the local Softball Park snack bar for fundraising to earn funds for special events they'd like to participate in. Art students are responsible for making posters around the school denoting various events and their curriculum. Stained glass is part of the art class. Middle and high school students also have the opportunity to take yearbook. This year, an ESports after school program was made available to students. Driver's Education is also available for those students who meet State requirements,

Available Courses All classes meet a-g requirements

NAME OF PROGRAM	DESCRIPTION	GRADES
ACELLUS COURSES	ONLINE PROGRAM Video based learning and teaching. Assigned online text as supplement It includes Resource classes through AP and Career courses in 282+ available classes (See Appendix for full list)	6th-College
ART	DRAWING/PAINTING/STAINED GLASS Students learn the basics of drawing/color principals as well as mixed media Stained glass: beginning - advanced	9th-12th
LANGUAGE ARTS High School	9th: Glencoe Literature C5 10th: Glencoe World Literature 11th: Glencoe American Literature 12th: Glencoe British Literature Texts: Readers Choice, Writer's Choice, Close Reading, Project based learning.	9th -12th
LANGUAGE ARTS Middle School	6th: Semester 1: Evan-Moor Language Fundamentals daily practice sheets for Parts of Speech Project based read alouds and other independent research project based on Standards. STAR; IXL, ACHIEVE Semester 2: 7th: Quickwrite book, Grammar Review, Achieve 3000, class set novels, fiction and nonfiction articles, 8th: Quickwrite book, Grammar Review, Achieve 3000, class set novels, fiction and nonfiction articles,	6th-8th

MATHEMATICS High School	<p>ALGEBRA: Focus on various standards and follow the Eureka curriculum throughout the semester. Focus on areas of polynomials, graphing, variables, and other main areas for student achievement found in the Common Core state standards.</p> <p>GEOMETRY: We use the Acellus curriculum (California CCSS approved). It is a great curriculum loaded with video content with easy to use problems following the content given.</p> <p>ALGEBRA II: The Eureka Math curriculum, which has a high level of standards, lessons, and problems to assess development of understanding of the students we serve. It is challenging and rigorous, yet serves as a new interesting curriculum for students.</p> <p>CONSUMER MATH: This course is challenging and fun. Gives students the opportunity to examine finances and provides a unique approach to personal finance with anecdotes and real life situations. (Very valuable for Juniors and Seniors)</p>	9th-12th
MATHEMATICS Middle School	<p>6th: Math-Drills.com for fluency practice, used daily for the first 10 minutes of math time. Go Math program for students identified as needing the greatest intervention. Eureka Math Program for the rest of class. ProdigyMath.com for additional fluency practice post-lessons. IXL, Coding</p> <p>7th: IXL, Eureka, weekly multiplication drills, Acellus, Coding</p> <p>8th: IXL, Eureka, weekly multiplication drills, Acellus, Coding</p>	6th-8th
PE High School	i) SURF	9th-12th

	<p>Focus on the development of surfing. This includes confidence with the ocean, building stamina, strength, and confidence. Confidence will be built outer and inner due to the nature and strength of the ocean. Due to our historical proximity to the ocean, Native People of California share a special place for the ocean from a long line of ancestral ties. It is important for young Native students (all students as well) to get out to the ocean and experience a special relationship through culture and fitness.</p> <p>ii) IHC Develop team and sportsmanship between students and their peers. Focus on a wide array of activities and field sports for an hour twice a week. (Cancelled at the end of January)</p> <p>iii) 9TH PE Focus on healthy habits including keeping up with one's health in life through diet and exercise. We focus on gym workouts, various field sports, and nutrition curriculum. Also check-in's to note and observe students eating, sleeping, and exercise habits in their personal lives.</p>	
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PE Middle School	Sparks PE Program IHC Develop team and sportsmanship between students and their peers. Focus on a wide array of activities and field sports for an hour twice a week. This is especially important for team building and building sportsmanship. (Cancelled at the end of January)	6th-8th
SCIENCE High School	Earth - 9th Focuses on a wide array of subject material of the topography and food chains of the earth and the biospheres that we inhabit as a species. This is done through rigorous studies and assessments. Biology- 10th Discusses the wide array of ecology on the planet. The content dives deep into the single celled organisms and focuses on macro subjects including the food webs in various parts of the earth and everything in between. Sciences this year are done all online with Field trips. Higher classes available including AP Physics and AP Chemistry. FFA labs	9th-12th
SCIENCE Middle School	6th: Crash Course/Crash Course Kids science videos, plus supplemental project-based science activities, including hands-on exploration with writing assignments. 7th: Glencoe Life Science, Coding	

	8th: Glencoe Physical Science, Coding	
STEM/Coding/Java	Coding is available to all students. Students work at a self guided pace. See Library set up for hands on robots and coding tables by Acellus Numerous hands on field trips to Museums and learning Centers. Example: Aquarium, Sea World School Tours,Zoo, La Jolla Playhouse, Balboa Park amongst others.	3rd-12th
SOCIAL STUDIES High School	World History US History Government Economics Consumer Math All Online Classes (Book Curriculum available for IEP students by Glencoe)	9th-12th Grade
SOCIAL STUDIES Middle School	6th: Semester 1: McGraw-Hill textbook and supplements; Discovering Our Past: A History of the World Semester 2: 7th: Glencoe World History, SHEG for primary source documents 8th: Constitutional documents	Glencoe US History, SHEG for primary source documents, supplemental US
FOREIGN LANGUAGE	All Levels of SPANISH: Intro through Spanish iii GERMAN FRENCH (All available Online) Intro to Spanish is available in a simplified book version for IEP students as an alternative	9th-12th (Available Online to all students in lower grades as well)
CTE High School	FFA Culinary arts Home Skills Riding Tractor Oil Changes Hitching up a rig Building structures Landscaping	9th-12th

	Public Speaking Agricultural studies HVAC Medical Terminology Career studies Electrical technology Numerous others: see appendix for course list	
FFA	Speaking Competitions, Raising Animals Building greenhouse, chicken coop, garden, native plant garden, sprinkler line, amongst other activities.	ALL GRADES

BACKGROUND

Research has revealed that "Education, as imposed by the European conquerors, was a tool to separate Indian people from their culture." The church schools and the boarding schools took away all outward signs of cultural identity. Hair was cut, traditional clothing destroyed, the use of native languages forbidden, and youth were separated from their families and home for long periods of time. Often, students who had gone through this system suffered, because they belonged to neither the white world, nor to the Indian world. An article in the California Educator it was written that, "For many of these students (Native Americans), the dominant culture of the public schools is incompatible with their own culture and, in many ways, is antithetical to the various and distinct Indian systems for acquiring knowledge." The article further reveals that Native Americans, "feel education has been used to indoctrinate children and erase their heritage, language and religion. Rather than giving students knowledge about their way of life, schools have served to eliminate their culture."

For American Indians, education always was and still is synonymous with life. The purpose of learning was to enable a person to live harmoniously in the community and for that person to carry out, in good fashion, duties as a member of a family, clan, or tribal entity. There was no separation between home and educational setting. In effect, the process of daily living was an educational process for American Indians.

According to the federal *Indian Self-Determination and Education Act of 1975*, there should be "maximum Indian participation" in educational planning and that:

"A major goal of the United States is to provide the quantity and quality of education service which will permit Indian children to compete and excel in the life areas of their culture, and to achieve the measure of self-determination essential to their social and economic well-being."

The area of North San Diego County where this Charter School is located is central to seven small Indian Reservations. These Reservations are: La Jolla, Mesa Grande, Pala, Pauma, Rincon, San Pasqual and Santa Ysabel. According to San Diego State University statistics, these seven Reservations have a combined population of three thousand, eight hundred ninety-one residents on almost thirty-two thousand acres of land. Studies have shown that the percentage of Native Americans living below the poverty level has increased from 24% to 31% nationwide. The poverty level of these Reservations has been much

higher for years. Nationwide reportedly the drop-out rate of the Native Americans is 17% higher than any other minority. Locally, the drop-out rate hovers between 80% to 95% depending on the given year. Substance abuse, either drugs and/or alcohol has been a way of life for several generations on these Reservations. Teenage pregnancies are commonplace here resulting with grandparents raising grandchildren. That too has been a pattern.

American Indian parents and other community members have realized that the American Indian students experience a very high rate of academic failure, as is evidenced in the drop-out rates or grade point averages which are too low to enable students to compete for a place in higher education. This has been changing over the past nineteen years.

MISSION STATEMENT

The *All Tribes Charter School* will strive to establish a foundation that will promote higher learning standards and achievement through exploring diverse experience, opportunities, and interests while adjusting to the learning needs of our students.

All Tribes provides a unique culturally enhanced program where student is encouraged to use the skills taught to master grade level standards as determined by a variety of practical and alternative assessments.

Students will gain the knowledge, motivation and inspiration to be self-confident contributing members of society.

SCHOOL VISION STATEMENT

The Charter School environment is found to be welcoming, clean, safe, and student centered. Students will attend school regularly, be motivated, and engaged in learning. Students will model positive behavior, appropriate interpersonal skills, and respect the diversity of the school community.

All Tribes Charter School strives to provide a unique culturally enhanced program where students are encouraged to explore and increase their own cultural awareness. Students will be free to express their tribal beliefs and practice Native American values.

All Tribes Charter School will be a center of community involvement and develop ongoing partnerships with parents and community sponsors. There will be close collaboration among all stakeholders. Training will be provided to stakeholders to support the learning community.

All Tribes Charter School students will be taught standards-based curriculum that is consistent and coordinated across grade levels. Teachers will collaborate and use appropriate standards-based materials. Student progress will be consistently monitored with the use of standards-based assessments. *All Tribes* has a systematic process for differentiated learning to support all students. We strive to prepare students to be balanced, life-long learners and productive community members.

ALL TRIBES VALUES

1) *We value quality in education.* We want our students to be properly challenged so that they are adequately prepared to face their next step in life, whether it is in college or career. We value quality teachers who are eager to see their students succeed. We expect students to produce work to the best of their ability, and not turn in assignments with the intent of doing just enough to get by.

2) *We value honesty and integrity.* Students are reminded at "You get more trouble for lying than for whatever the offense/violation you were involved in". Students are constantly reminded of the "Golden Rule" and what it means. They are held to consequences for their behavior. The most difficult, or the stiffest punishment we can present to our students is to insist that there be an apology to one another. However, the more they are encouraged to say it, the easier and more sincere it becomes. As the year progresses we do see where our students are really trying to "Think" before they act and the incidence

of conflicts drops The school has established a clear, coherent vision and mission (purpose) of what students should know and demonstrate; it is based upon high-quality standards and is congruent with research, practices, the student/community profile data, and a belief that all students can learn and be college and career ready. We begin at a young age teaching the students that anything is possible and if they want to go to college or get a good paying job, they just need to work for it.

CLIMATE FOR LEARNING

Students know and understand our Mascot (Wolves) acronym which sums up our SLOs. This is the attitude and behavior we hope we can create and maintain on our campus.

Wait, stop, think, make a plan (Think before you act)

Oh! The places you will go! (Where do they want to ultimately end up)

Love everyone equally (The majority of our students are Native)

Value your culture and community (Stop with "It's us against you")

Even when it gets hard, try harder (Never give up. You have support)

School is a safe place to study and be successful (Everyone should feel safe and protected at school)

Positive attitudes and productive behaviors are expected of all adults and students at *All Tribes Charter School*. Self-discipline is a major goal. School discipline is clearly outlined in our student handbook. The school Student/Parent/Teacher Contract defines the roles and responsibilities of each individual in the educational process and is signed by each stakeholder. The suspension (usually on-campus) process is used when behavior interventions have been exhausted, students do not respond to counseling, and continue inappropriate behaviors. Teachers provide expectations for behavior and academic achievement through posted classroom rules and home/school communication indicating student progress. Students are recognized for achievement in academics, culture, citizenship, P.E. and service to their school during monthly awards assemblies. Information packets, student handbooks and agendas are provided to students and their parents listing rules, regulations and organizational strategies for A.T.C.S. students. Monthly correspondence from the office and classroom offer suggestions, techniques and methods to assist everyone involved on how to help make their children successful in school.

Students **show up** to school, **suit up** in their uniforms, and are **ready to learn**. Students understand that once they walk in the doors of All Tribes Elementary, they know that there are high expectations placed upon them. Students understand that they are WOLVES.

All Tribes staff works to instill a strong set of expectations. For instance, in previous years, there have been issues with cell phones. Due to these issues involving students on cell phones and fighting over cell phone, administration realized it has become a distraction from learning. As a result, the administrator of the school has recently made it mandatory for students to insert their phones into Yonder pouches once the students arrive on campus. Yonder pouches are magnetized and secure, Students can then hold onto their device all day but will have no access to it until the pouch is unlocked at the close of school by a staff member.

Students themselves have indicated that they concentrate and focus much better without the cell phone distraction in class.

School uniforms are another great way All Tribes has established high expectations when students step foot onto the campus. Students know they need to be dressed in a collar polo shirt with the school logo and school colors. Graphic T-shirts and sweatshirts are prohibited. Having school uniforms and a dress code, enables all students to feel more equal and sense of belonging when they step onto campus. ATCS complies with all pupil fee laws.

A TYPICAL SCHOOL DAY

Available Courses

NAME OF PROGRAM	DESCRIPTION	GRADES
ACELLUS COURSES	ONLINE PROGRAM Video based learning and teaching. Assigned online text as supplement It includes Resource classes through AP and Career courses in 282+ available classes (See Appendix for full list)	6th-College
ART	DRAWING/PAINTING/STAINED GLASS Students learn the basics of drawing/color principals as well as mixed media Stained glass: beginning - advanced	9th-12th
LANGUAGE ARTS High School	9th: Glencoe Literature C5 10th: Glencoe World Literature 11th: Glencoe American Literature 12th: Glencoe British Literature Texts: Readers Choice, Writer's Choice, Close Reading, Project based learning.	9th -12th
LANGUAGE ARTS Middle School	6th: Semester 1: Evan-Moor Language Fundamentals daily practice sheets for Parts of Speech Project based read alouds and other independent research project based on Standards. STAR; IXL, ACHIEVE Semester 2:	6th-8th

	<p>7th: Quickwrite book, Grammar Review, Achieve 3000, class set novels, fiction and nonfiction articles,</p> <p>8th: Quickwrite book, Grammar Review, Achieve 3000, class set novels, fiction and nonfiction articles,</p>	
<p>MATHEMATICS High School</p>	<p>ALGEBRA: Focus on various standards and follow the Eureka curriculum throughout the semester. Focus on areas of polynomials, graphing, variables, and other main areas for student achievement found in the Common Core state standards.</p> <p>GEOMETRY: We use the Acellus curriculum (California CCSS approved). It is a great curriculum loaded with video content with easy to use problems following the content given.</p> <p>ALGEBRA II: The Eureka Math curriculum, which has a high level of standards, lessons, and problems to assess development of understanding of the students we serve. It is challenging and rigorous, yet serves as a new interesting curriculum for students.</p> <p>CONSUMER MATH: This course is challenging and fun. Gives students the opportunity to examine finances and provides a unique approach to personal finance with anecdotes and real life situations. (Very valuable for Juniors and Seniors)</p>	<p>9th-12th</p>
<p>MATHEMATICS Middle School</p>	<p>6th:</p>	<p>6th-8th</p>

	<p>Math-Drills.com for fluency practice, used daily for the first 10 minutes of math time. Go Math program for students identified as needing the greatest intervention. Eureka Math Program for the rest of class. ProdigyMath.com for additional fluency practice post-lessons.</p> <p>IXL, Coding</p> <p>7th: IXL, Eureka, weekly multiplication drills, Acellus, Coding</p> <p>8th: IXL, Eureka, weekly multiplication drills, Acellus, Coding</p>	
<p>PE</p> <p>High School</p>	<p>i) SURF Focus on the development of surfing. This includes confidence with the ocean, building stamina, strength, and confidence. Confidence will be built outer and inner due to the nature and strength of the ocean. Due to our historical proximity to the ocean, Native People of California share a special place for the ocean from a long line of ancestral ties. It is important for young Native students (all students as well) to get out to the ocean and experience a special relationship through culture and fitness.</p> <p>ii) IHC Develop team and sportsmanship between students and their peers. Focus on a wide array of activities and field sports for an hour twice a week. (Cancelled at the end of January)</p> <p>iii) 9TH PE</p>	<p>9th-12th</p>

	Focus on healthy habits including keeping up with one's health in life through diet and exercise. We focus on gym workouts, various field sports, and nutrition curriculum. Also check-in's to note and observe students eating, sleeping, and exercise habits in their personal lives.	
PE Middle School	Sparks PE Program IHC Develop team and sportsmanship between students and their peers. Focus on a wide array of activities and field sports for an hour twice a week. This is especially important for team building and building sportsmanship. (Cancelled at the end of January)	6th-8th
SCIENCE High School	Earth - 9th Focuses on a wide array of subject material of the topography and food chains of the earth and the biospheres that we inhabit as a species. This is done through rigorous studies and assessments. Biology- 10th Discusses the wide array of ecology on the planet. The content dives deep into the single celled organisms and focuses on macro subjects including the food webs in various parts of the earth and everything in between. Sciences this year	9th-12th

	<p>are done all online with Field trips.</p> <p>Higher classes available including AP Physics and AP Chemistry.</p> <p>FFA labs</p>	
<p>SCIENCE</p> <p>Middle School</p>	<p>6th: Crash Course/Crash Course Kids science videos, plus supplemental project-based science activities, including hands-on exploration with writing assignments.</p> <p>7th: Glencoe Life Science, Coding</p> <p>8th: Glencoe Physical Science, Coding</p>	
<p>STEM/Coding/Java</p>	<p>Coding is available to all students. Students work at a self-guided pace. See Library set up for hands on robots and coding tables by Acellus</p> <p>Numerous hands on field trips to Museums and learning Centers. Example: Aquarium, Sea World School Tours, Zoo, La Jolla Playhouse, Balboa Park amongst others.</p>	<p>3rd-12th</p>
<p>SOCIAL STUDIES</p> <p>High School</p>	<p>World History</p> <p>US History</p> <p>Government</p> <p>Economics</p> <p>Consumer Math</p> <p>All Online Classes</p> <p>(Book Curriculum available for IEP students by Glencoe)</p>	<p>9th-12th Grade</p>
<p>SOCIAL STUDIES</p> <p>Middle School</p>	<p>6th: Semester 1: McGraw-Hill textbook and supplements; Discovering Our Past: A History of the World</p> <p>Semester 2:</p>	<p>Glencoe US History, SHEG for primary source documents, supplemental US</p>

	7th: Glencoe World History, SHEG for primary source documents 8th: Constitutional documents	
FOREIGN LANGUAGE	All Levels of SPANISH: Intro through Spanish III GERMAN FRENCH (All available Online) Intro to Spanish is available in a simplified book version for IEP students as an alternative	9th-12th (Available Online to all students in lower grades as well)
CTE High School	FFA Culinary arts Home Skills Riding Tractor Oil Changes Hitching up a rig Building structures Landscaping Public Speaking Agricultural studies HVAC Medical Terminology Career studies Electrical technology Numerous others: see appendix for course list	9th-12th
FFA	Speaking Competitions, Raising Animals Building greenhouse, chicken coop, garden, native plant garden, sprinkler line, amongst other activities.	ALL GRADES

All Tribes Charter uses a modified block time schedule which meets and surpasses the required minute schedule of the State of California. Students begin class at 8:45AM and are released at 3:45PM. Breakfast is served from 7:30-8:30. Most of our students come for breakfast which is offered free of charge.

Students receive rigorous, standards-based language arts and mathematics instruction during the morning hours. During the rest of the day, students can be seen receiving a rigorous standards-based program in science, art, physical education, and health at various times. On alternating days and during

times when students complete their assignments early, students may work on Internet resources such as: IXL, Achieve 3000, Prodigy, Acellus. These programs support the classroom instruction and, in many cases, offer remedial aid to our student.

PHILOSOPHY

What does it mean to be an "educated person" in the 21st century? The educated person is one who is committed to life-long learning and has the basic tools that this requires.

*Tell me and I'll forget
Show me, and I may not remember.
Involve me and I'll understand.*

Native American Saying

An educated person in the 21st century is creative, self-actualized, and enlightened. The student is a self-motivated, literate, bilingually fluent, and a lifelong learner who is resourceful, technologically proficient, and globally competitive. An educated person in the 21st century must also possess the necessary skills and understanding to participate and work productively in a multi-cultural globally oriented environment using technology to its full potential.

Rooted in his/her culture, a 21st century educated person has a strong sense of moral ethics and respects the diverse culture present in today's society. Perceiving their self as a part of a larger community, that person is socially responsible, politically aware and an environmental steward. He/she utilizes critical thinking and creativity to positively impact his/her surroundings, make healthy personal choices and find balance in the appreciation for his/her own well-being.

Honest and respectful, the educated person in the 21st century makes sound ethical/moral choices. Their concern for social justice enables them to create sustainable solutions through cross- cultural collaboration, respect for divergent opinion and peaceful co-existence.

The educated person in the 21st century embraces the "traditional" and seeks new challenges and new paradigms. Driven by hope and courage, he or she is resilient in facing obstacles and makes life-sustaining decisions. At *All Tribes Elementary* we are confident that the environment that we cultivate, positively influences the potential for each student to become enabled to walk and work in "both worlds". That being the world of the 1) Native American from the Reservation environment and 2) mainstream society.

An educated person in the 21st century will also need a solid foundation of knowledge in math, science, history, and language arts to provide a context to understand and interpret new information and problems and to communicate with others. To build on this foundation and adapt to the changing world, an educated person will need to have a passion for: learning how to learn, and for asking questions and getting information. An educated person is self-motivated and driven to learn throughout his or her life.

The philosophy of the *All Tribes Elementary Charter School* is shared with the *All Tribes Charter School* as a medicine wheel. The medicine wheel manifests itself through different powers:

The first **Power** is that **of the Four Ages**. It will take a lifetime (birth, adoption, adult, elder) for each person to develop to his/her fulfillment.

The **Power of Endurance** challenge of day-to-day face to face encounters

The **Power of Learning** opens new doors of knowledge.

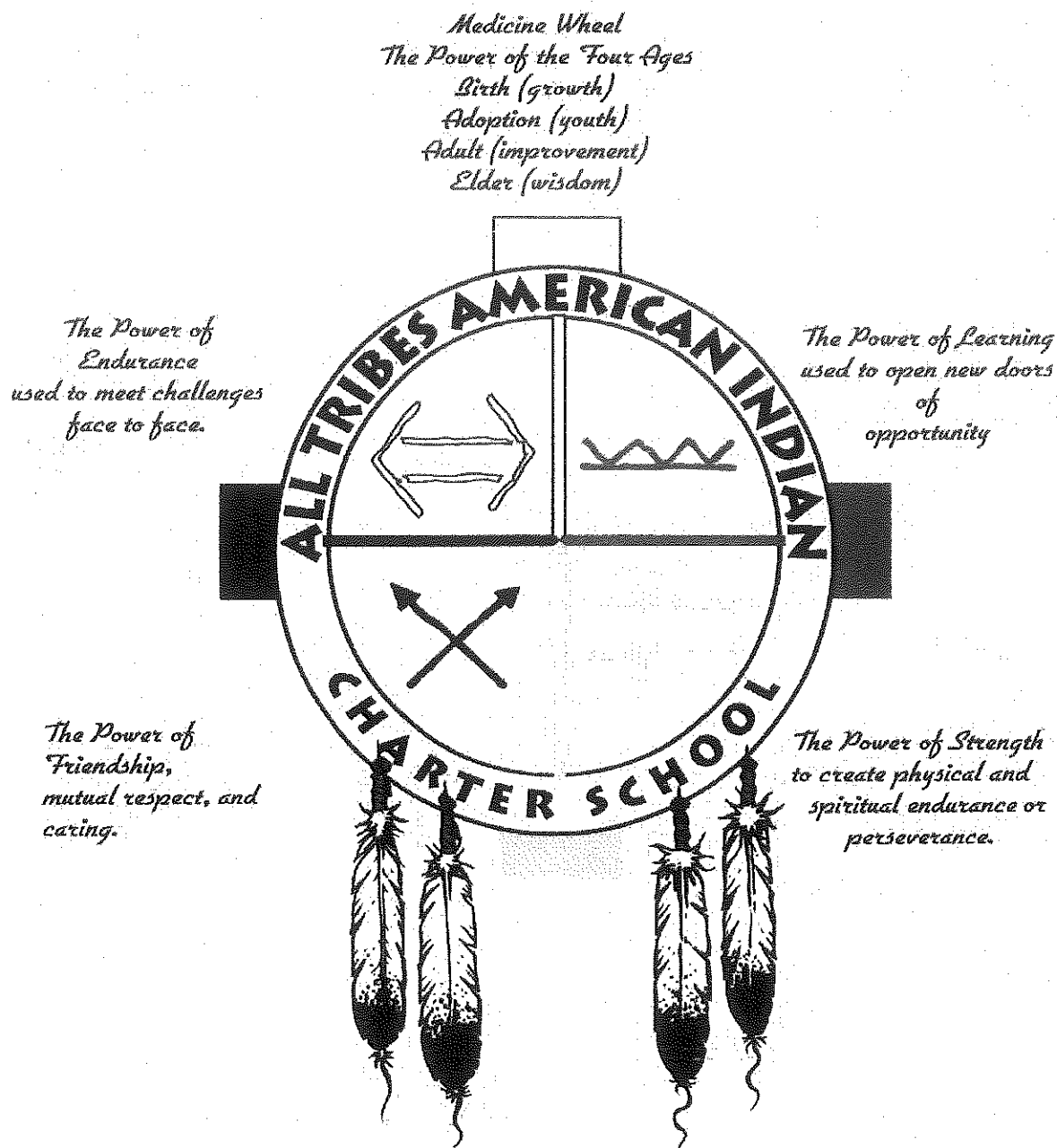
The **Power of Friendship** offers mutual respect of caring of all living and non-living creatures.

The **Power of Strength** offers physical and spiritual perseverance and endurance.

The last *Power* is that *of the Four Ages*. It will take a lifetime (birth, adoption, adult, elder) for each person to develop to his/her fulfillment.

This entire philosophy is represented by a circle. The circle indicates that these powers come to fulfillment through the completion of all phases of each power.

The basis of the logo is in the form of a circle that represents *Perfection and Harmony*. The Native American culture believes that the circle is life, family, extended family, attunement to Nature, oneness or wholeness. The idea of "all for one and one for all."



Logo designed by Robert Parada 2001

The Governance Council further believes that all students can succeed regardless of race, background or ability. Additionally, in order to create the environment necessary for effective schools, it endorses and prescribes strong instructional leadership, a safe and nurturing climate, school-wide emphasis on basic skills, high teacher and student expectations for student achievement, and continuous assessment of student progress.

OUR MOTTO:

. "If students don't learn the way we teach them,
we must teach them the way they learn

Dr. Kenneth Dunn

The school has established a clear, coherent vision and mission (purpose) of what students should know and demonstrate; it is based upon high-quality standards and is congruent with research, practices, the student/community profile data, and a belief that all students can learn and be college and career ready. We begin at a young age teaching the students that anything is possible and if they want to go to college or get a good paying job, they just need to work for it.

INTERGRATION OF COMPUTER TECHNOLOGY INTO THE LEARNING AND PROJECT ENVIRONMENT

Technology is a "power tool for learning." Our vision is students and educators using technology for many learning tasks. A well-designed technological infrastructure helps create a model 21st-century learning environment, encouraging students to learn efficiently in order to prepare to be part of a technologically based workforce. Technology also serves as a catalyst to foster authentic constructivist, project-based learning in a variety of disciplines. The creative process is reinforced through the students' use and development of interactive electronic media to complete and submit project assignments.

PARENT INVOLVMENT

Many studies have shown that a student's academic performance is improved to a large extent when, "the children's communities (especially their parents and extended family) are involved with running their children's school. When educators involve minority parents as partners in their children's education, parents appear to communicate to their children a positive attitude toward education that leads to improvement in the student's academic achievement." The developers of this Charter School have gone to great effort to contact community members and parents to solicit their suggestions, needs and concerns. The overwhelming concern from all the parents who voiced their opinion regarding education has been that there is no consideration for the needs for the Native American students in the traditional school setting. These parents expressed that their complaints/concerns fell on deaf ears at the School District. Everyone has been very supportive of the concept of this Charter School from the extended school day and school year, year-round schedule and our curriculum.

Keeping with the philosophy that students are best able to reach their full potential when there is a high level of involvement by their parents in their education, students and parents will be asked to participate in a Student/Parent/Teacher contract. This contract is designed to empower parents with respect to their children's education by strengthening the partnership among parents, students, and teachers.

Understanding that the Charter School may encourage parental involvement, but shall not make it a requirement for acceptance to, or continued enrollment at, the ATCS, the Students/Parents/Teachers contract shall include, but will not be limited to the following requests of the parent(s) or the guardian(s) who have students enrolled in this Charter School:

- Read the Charter to understand the educational plan of the school, its operation and the roles, rights, and responsibilities of parents and students.
- Attend a mandatory orientation meeting to learn about charter schools, this school's educational program, the Students/Parents/Teachers Contract, and ways in which parents can contribute to the success of both their student and this school.
- Complete and return all forms, questionnaires, and other requests for information that may be required by the school as approved by the Governance Council.
- Ensure the completion of homework and class projects.
- Reinforce at home the importance of education on a daily basis and discuss with each student what was taught at school.
- Assure that each student arrives at school on time, dressed appropriately, and ready to learn.
- Understand and reinforce the Student Code of Conduct.
- Attend all Parent/Teacher conferences each year for each student.
- Attend Back-to-School Night and Open House each year.

- Keep informed about the school by reading the school newsletter and reading the materials distributed to each Student each week.

Parents choose to send their children to the *All Tribes Elementary* because they have high expectations of the school and the benefits that they and their children will receive from this school. In turn the school too, has high expectations of parents to voluntarily contribute to the team effort needed to fulfill those expectations. Excellence in a charter school cannot be accomplished nor maintained without the active participation of the parents of our enrolled students.

Parents may contribute in many different ways to the collective responsibility of running a charter school and making its educational program a success. Unique to this Charter school is the need for those individuals who are familiar with the Native American "ways" to come forward and volunteer to assist in cultural instruction.

Recognizing that each parent, like each child, is unique in terms of background, experience, and ability, parents are asked to contribute to the school's success by volunteering their skills, time and resources to better the academic success of these students.

This Charter School hopes to improve the involvement of parents by having the Charter School closer to their homes, actually located on the Rincon Indian Reservation. It is the desire to seek employees for this campus from within the Native American community, who may be the best qualified individuals for our jobs, students and school. Classroom volunteers will be strongly encouraged from the community. Many subjects will be augmented with instruction from Tribal Elders and community members.

An open line of communication will be encouraged between parents, the community teachers, administration, governance board and the school district. This school has an "Open Door" policy where we invite people to come visit our school after first checking into the office.

SPECIAL EDUCATION PROGRAM

Available Courses

NAME OF PROGRAM	DESCRIPTION	GRADES
ACELLUS COURSES	ONLINE PROGRAM Video based learning and teaching. Assigned online text as supplement It includes Resource classes through AP and Career courses in 282+ available classes (See Appendix for full list)	6th-College
ART	DRAWING/PAINTING/STAINED GLASS Students learn the basics of drawing/color principals as well as mixed media	9th-12th

	Stained glass: beginning - advanced	
LANGUAGE ARTS High School	9th: Glencoe Literature C5 10th: Glencoe World Literature 11th: Glencoe American Literature 12th: Glencoe British Literature Texts: Readers Choice, Writer's Choice, Close Reading, Project based learning.	9th -12th
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	<p>problems following the content given.</p> <p>ALGEBRA II: The Eureka Math curriculum, which has a high level of standards, lessons, and problems to assess development of understanding of the students we serve. It is challenging and rigorous, yet serves as a new interesting curriculum for students.</p> <p>CONSUMER MATH: This course is challenging and fun. Gives students the opportunity to examine finances and provides a unique approach to personal finance with anecdotes and real life situations. (Very valuable for Juniors and Seniors)</p>	
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SCIENCE Middle School	6th: Crash Course/Crash Course Kids science videos, plus	

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	<p>Students learn the basics of drawing/color principals as well as mixed media</p> <p>Stained glass: beginning - advanced</p>	
<p>LANGUAGE ARTS High School</p>	<p>9th: Glencoe Literature C5 10th: Glencoe World Literature 11th: Glencoe American Literature 12th: Glencoe British Literature Texts: Readers Choice, Writer's Choice, Close Reading, Project based learning.</p>	<p>9th -12th</p>
<p>LANGUAGE ARTS Middle School</p>	<p>6th: Semester 1: Evan-Moor Language Fundamentals daily practice sheets for Parts of Speech Project based read alouds and other independent research project based on Standards. STAR; IXL, ACHIEVE Semester 2: 7th: Quickwrite book, Grammar Review, Achieve 3000, class set novels, fiction and nonfiction articles, 8th: Quickwrite book, Grammar Review, Achieve 3000, class set novels, fiction and nonfiction articles,</p>	<p>6th-8th</p>
<p>MATHEMATICS High School</p>	<p>ALGEBRA: Focus on various standards and follow the Eureka curriculum throughout the semester. Focus on areas of polynomials, graphing, variables, and other main areas for student achievement found in the Common Core-state standards. GEOMETRY: We use the Acellus curriculum (California CCSS</p>	<p>9th-12th</p>

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MATHEMATICS Middle School	<p>6th: Math-Drills.com for fluency practice, used daily for the first 10 minutes of math time. Go Math program for students identified as needing the greatest intervention. Eureka Math Program for the rest of class. ProdigyMath.com for additional fluency practice post-lessons. IXL, Coding</p> <p>7th: IXL, Eureka, weekly multiplication drills, Acellus, Coding</p> <p>8th: IXL, Eureka, weekly multiplication drills, Acellus, Coding</p>	6th-8th
PE High School	<p>i) SURF Focus on the development of surfing. This includes confidence with the ocean,</p>	9th-12th

	<p>building stamina, strength, and confidence. Confidence will be built outer and inner due to the nature and strength of the ocean. Due to our historical proximity to the ocean, Native People of California share a special place for the ocean from a long line of ancestral ties. It is important for young Native students (all students as well) to get out to the ocean and experience a special relationship through culture and fitness.</p> <p>ii) IHC Develop team and sportsmanship between students and their peers. Focus on a wide array of activities and field sports for an hour twice a week. (Cancelled at the end of January)</p> <p>iii) 9TH PE Focus on healthy habits including keeping up with one's health in life through diet and exercise. We focus on gym workouts, various field sports, and nutrition curriculum. Also check-in's to note and observe students eating, sleeping, and exercise habits in their personal lives.</p>	
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PE Middle School	Sparks PE Program IHC Develop team and sportsmanship between students and their peers. Focus on a wide array of activities and field sports for an hour twice a week. This is especially important for team building and building sportsmanship. (Cancelled at the end of January)	6th-8th
SCIENCE High School	Earth - 9th Focuses on a wide array of subject material of the topography and food chains of the earth and the biospheres that we inhabit as a species. This is done through rigorous studies and assessments. Biology- 10th Discusses the wide array of ecology on the planet. The content dives deep into the single celled organisms and focuses on macro subjects including the food webs in various parts of the earth and everything in between. Sciences this year are done all online with Field trips . Higher classes available including AP Physics and AP Chemistry. FFA labs	9th-12th
SCIENCE Middle School	6th: Crash Course/Crash Course Kids science videos, plus	

	supplemental project-based science activities, including hands-on exploration with writing assignments. 7th: Glencoe Life Science, Coding 8th: Glencoe Physical Science, Coding	
STEM/Coding/Java	Coding is available to all students. Students work at a self-guided pace. See Library set up for hands on robots and coding tables by Acellus Numerous hands on field trips to Museums and learning Centers. Example: Aquarium, Sea World School Tours, Zoo, La Jolla Playhouse, Balboa Park amongst others.	3rd-12th
SOCIAL STUDIES High School	World History US History Government Economics Consumer Math All Online Classes (Book Curriculum available for IEP students by Glencoe)	9th-12th Grade
SOCIAL STUDIES Middle School	6th: Semester 1: McGraw-Hill textbook and supplements; Discovering Our Past: A History of the World Semester 2: 7th: Glencoe World History, SHEG for primary source documents 8th: Constitutional documents	Glencoe US History, SHEG for primary source documents, supplemental US
FOREIGN LANGUAGE	All Levels of SPANISH: Intro through Spanish III GERMAN FRENCH (All available Online)	9th-12th (Available Online to all students in lower grades as well)

	Intro to Spanish is available in a simplified book version for IEP students as an alternative	
CTE High School	FFA Culinary arts Home Skills Riding Tractor Oil Changes Hitching up a rig Building structures Landscaping Public Speaking Agricultural studies HVAC Medical Terminology Career studies Electrical technology Numerous others: see appendix for course list	9th-12th
FFA	Speaking Competitions, Raising Animals Building greenhouse, chicken coop, garden, native plant garden, sprinkler line, amongst other activities.	ALL GRADES

Available Courses

NAME OF PROGRAM	DESCRIPTION	GRADES
ACELLUS COURSES	ONLINE PROGRAM Video based learning and teaching. Assigned online text as supplement It includes Resource classes through AP and Career courses in 282+ available classes (See Appendix for full list)	6th-College
ART	DRAWING/PAINTING/STAINED GLASS	9th-12th

	<p>Students learn the basics of drawing/color principals as well as mixed media</p> <p>Stained glass: beginning - advanced</p>	
<p>LANGUAGE ARTS High School</p>	<p>9th: Glencoe Literature C5</p> <p>10th: Glencoe World Literature</p> <p>11th: Glencoe American Literature</p> <p>12th: Glencoe British Literature</p> <p>Texts: Readers Choice, Writer's Choice, Close Reading, Project based learning.</p>	<p>9th -12th</p>
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Children are eligible to receive special education and related services when they meet state and federal criteria established by law. There are thirteen eligibility criteria for special education as found in the IDEA: Hearing impaired, visually impaired, specific learning disabled, speech/language impaired, other health impaired, emotionally disturbed, intellectual or mental disability, orthopedically impaired, multi-handicapped, autism, deaf, deaf/blind, and traumatic brain injury. Most students are served in school's programs, including Resource Specialist Programs, Special Day Classes, and Speech. Some students, whose needs cannot be met in school's programs, are served in either county or non-public school programs.

Special Education is founded on some very important basic principles. The first is the concept of a Free, Appropriate Public Education, commonly referred to as FAPE. The concept of FAPE means any appropriate service that is required to assist a disabled child to realize reasonable benefit from his or her education. The second principle is that of the provision of services to students in the least restrictive environment (LRE). LRE is interpreted by congress as the education of students with disabilities alongside non-disabled peers. At the cornerstone of delivering appropriate services is the development of the individualized Education Program (IEP). Designated Instructional Services (DIS) may be included in the IEP. DIS may include but are not limited to language and speech development and remediation, audio logical services, orientation and mobility instruction, instruction in the home or hospital, adapted physical education, physical and occupational therapy, specialized driver training instruction, counseling

and guidance, parent counseling and training, health and nursing services, social worker services, specially designed vocational education and career development, recreation services, and specialized services for low incidence disabilities, such as readers, transcribers, and vision and hearing services. The IEP is developed by the IEP team consisting of qualified professionals, student and parents.

We implement the basic provisions of the IEP and these basic principles of FAPE and LRE through a variety of programs and services that represent a full continuum. This continuum refers not only to the type of service, but also to the manner in which the services are provided. Again, the placement, types of services, and the manner in which they are provided are identified in the IEP.

Service delivery to children varies across the continuum of programs. Some children are provided services in a general education classroom. Some children are provided services "pulled out" of their general education classrooms. Some have a blended program, provided in a variety of creative ways. Parents are a crucial part of the IEP team that determines how each student needs may be met. We now have a Special Ed teacher contracted to work directly with our students.

A. Overview

ATCS shall comply with all applicable state and federal laws in serving students with disabilities, including, but not limited to, Section 504 of the Rehabilitation Act ("Section 504"), the Americans with Disabilities Act ("ADA") and the Individuals with Disabilities Education Improvement Act ("IDEA").

The Charter School is categorized as a public school of the District in accordance with Education Code Section 47641(b). In the event that the Charter School is not categorized as a public school of the District for purposes of special education (e.g., if the Charter School petition is not approved by the District), the Charter School shall be its own local educational agency ("LEA") and will apply directly for membership in a Special Education Local Plan Area ("SELPA") in conformity with Education Code Section 47641(a). The Charter School will consider membership in the following SELPAs: Southwest SELPA, and El Dorado County Charter SELPA.

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

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

B. Section 504 of the Rehabilitation Act

The Charter School recognizes its legal responsibility to ensure that no qualified person with a disability shall, on the basis of disability, be excluded from participation, be denied the benefits of, or otherwise be subjected to discrimination under any program of the Charter School. A student who has a physical or mental impairment that substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment, is eligible for protections under Section 504.

A 504 team will be assembled by the Administrator and shall include the parent/guardian, the student (where appropriate) and other qualified persons knowledgeable about the student, the meaning of the evaluation data, placement options, and accommodations. The 504 team will review the student's existing records; including academic, social and behavioral records, and is responsible for making a determination as to whether an evaluation for 504 services is appropriate. If the student has already been evaluated under the IDEA but found ineligible for special education instruction or related services under the IDEA, those evaluations may be used to help determine eligibility under Section 504. The

student evaluation shall be carried out by the 504 team, which will evaluate the nature of the student's disability and the impact upon the student's education. This evaluation will include consideration of any behaviors that interfere with regular participation in the educational program and/or activities. The 504 team may also consider the following information in its evaluation:

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

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

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

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

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

C. Services for Students under the "IDEA" as a Public School of the District Pursuant to Education Code Section 47641(b)

The language that follows is not meant to unilaterally bind the District, or to preclude alternative arrangements between the District and the Charter School as agreed upon in a MOU:

The Charter School shall provide special education instruction and related services in accordance with the IDEA, Education Code requirements, and applicable policies and practices of the Special Education Local Plan Area ("SELPA"). The Charter School shall remain, by default, a public school of the District for purposes of Special Education pursuant to Education Code Section 47641(b). However, the Charter School reserves the right to make written verifiable assurances that the Charter School shall become an

independent LEA and join a SELPA pursuant to Education Code Section 47641(a) either on its own or with a grouping of charter school LEAs as a consortium.

As a public school of the District, solely for purposes of providing special education and related services under the IDEA pursuant to Education Code Section 47641(b), in accordance with Education Code Section 47646 and 20 U.S.C. Section 1413, the Charter School seeks services from the District for special education students enrolled in the Charter School in the same manner as is provided to students in other District schools. The Charter School will follow the District and 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 parent complaints, and maintaining the confidentiality of pupil records. The Charter School will comply with District protocol as to the delineation of duties between the District central office and the local school site in providing special education instruction and related services to identified pupils. An annual meeting between the Charter School and the District to review special education policies, procedures, protocols, and forms of the District and the SELPA and District protocol, will ensure that the Charter School and the District have an ongoing mutual understanding of District protocol and will facilitate ongoing compliance.

As long as the Charter School functions as a public school of the District solely for purposes of providing special education and related services under the IDEA pursuant to Education Code Section 47641(b), then we would anticipate that a Memorandum of Understanding ("MOU") would be developed between the District and the Charter School which spells out in detail the responsibilities for provision of special education services and the manner in which special education funding will flow to the students of the Charter School.

The District shall be designated the Local Educational Agency ("LEA") serving Charter School students. Accordingly, the Charter School shall be deemed a public school of the District pursuant to Education Code Section 47641(b) and 47646(a). The Charter School agrees to adhere to the requirements of the Local Plan for Special Education and to District policies. As a public school of the District, solely for purposes of providing special education and related services under the IDEA pursuant to Education Code Section 47641(b), in accordance with Education Code Section 47646 and 20 U.S.C. Section 1413, the Charter School seeks services from the District for special education students enrolled in the Charter School in the same manner as is provided to students in other District schools.

The Charter School acknowledges the importance of cooperating with the District so that the District can provide special education services to Charter School students. The Charter School agrees to promptly respond to all District inquiries, to comply with reasonable District directives, and to allow the District access to Charter School students, staff, facilities, equipment and records as required to fulfill all District obligations under this Agreement or imposed by law. The Charter School believes that the allocation of responsibility for the provision of services (including but not limited to referral, identification, assessment, case management, Individualized Education Program ("IEP") development, modification and implementation) shall be divided in a manner consistent with their allocation between the District and its school sites.

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 IDEA. Charter School staff shall participate in all mandatory District in-service training relating to special education.

It is the Charter School's understanding that the District 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 unless the District

directs the Charter School that current District practice is for the individual school sites to hire site special education staff or the District and the Charter School agree that the Charter School must hire on-site special education staff. In that instance, the Charter School shall ensure that all special education staff hired by the Charter School is qualified pursuant to District and SELPA policies, as well as meet all legal requirements. The District may review the qualifications of all special education staff hired by the Charter School (with the agreement of the District) and may require pre-approval by the District of all hires to ensure consistency with District and SELPA policies. The District shall be responsible for the hiring, training, and employment of itinerant staff necessary to provide special education services to Charter School students, including, without limitation, speech therapists, occupational therapists, behavioral therapists, and psychologists.

Notification and Coordination

The Charter School shall follow District policies as they apply to all District schools for responding to implementation of special education services. The Charter School will adopt and implement District policies relating to notification of the District for all special education issues and referrals.

The Charter School shall follow District policies as they apply to all District schools for notifying District personnel regarding the discipline of special education students to ensure District pre-approval prior to imposing a suspension or expulsion. The Charter School shall assist in the coordination of any communications and immediately act according to District administrative policies relating to disciplining special education students.

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 implement District and 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 for special education only after the resources of the general education program have been considered, and where appropriate, utilized.

It is the Charter School's understanding that the District shall provide the Charter School with any assistance that it generally provides its schools in the identification and referral processes, and will ensure that the Charter School is provided with notification and relevant files of all students who have an existing IEP and who are transferring to the Charter School from a District school. The District shall have unfettered access to all Charter School student records and information in order to serve all of Charter School's students' special needs.

In the event that the Charter School receives a parent written request for assessment, it will work collaboratively with the District and the parent to address the request. Unless otherwise appropriate pursuant to applicable State and Federal law, the Charter School and the District will provide the parent with a written assessment plan within fifteen days of receipt of the written request and shall hold an IEP within sixty days of parent's consent to the assessment plan to consider the results of any assessment.

The Charter School will follow District 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 IDEA, as provided in Section 1414, Title 20 of the United States Code. The District will determine what assessments, if any, are necessary and arrange for such assessments for referred or eligible students in accordance with the District's general practice and procedure and applicable law. The Charter School shall work in collaboration with the District to obtain parent/guardian consent to assess Charter School students. The Charter School shall not conduct special education assessments unless directed by the District.

IEP Meetings

It is the Charter School's understanding that the District 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 or as otherwise agreed upon by the District and Charter School: the Administrator and/or the Charter School designated representative with appropriate administrative authority as required by the IDEA; the student's special education teacher; the student's general education teacher if the student is or may be in a general education classroom; the student, if appropriate; and other Charter School representatives who are knowledgeable about the general education program at the Charter School and/or about the student. It is the Charter School's understanding that the District shall 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 IDEA, a speech therapist, psychologist, resource specialist, and behavior specialist; and shall document the IEP meeting and provide of notice of parental rights.

IEP Development

The Charter School understands that the decisions regarding eligibility, goals/objectives, program, services, placement, and exit from special education shall be the decision of the IEP team, pursuant to the District's IEP process. Programs, services and placements shall be provided to all eligible Charter School students in accordance with the policies, procedures and requirements of the District and of the SELPA and State and Federal law.

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

IEP Implementation

Pursuant to District policy and how the District operates special education at all other public schools in the District, the District shall be responsible for all school site implementation of the IEP. The Charter School shall assist the District in implementing IEPs, pursuant to District and SELPA policies in the same manner as any other school of the District. The District and Charter School will need to be jointly involved in all aspects of the special education program, with the District holding ultimate authority over implementation and supervision of services. As part of this responsibility, the Charter School shall provide the District and the parents with timely reports on the student's progress as provided in the student's IEP at least as frequently as report cards are provided for the Charter School's non-special education students. The Charter School shall also provide all home-school coordination and information exchange unless directed otherwise by the District. The Charter School shall also be responsible for providing all curriculum, classroom materials, classroom modifications, and assistive technology unless directed otherwise by the District. The Charter School shall comply with any directive of the District as relates to the coordination of the Charter School and District for IEP implementation including but not limited to adequate notification of student progress and immediate notification of any considered discipline of special education students in such matters, the petitioners would notify the District of relevant circumstances and communications immediately and act according to District administrative authority.

Interim and Initial Placements of New Charter School Students

The Charter School shall comply with Education Code Section 56325 with regard to students transferring into the Charter School within the academic school year. In accordance with Education Code Section 56325(a)(1), for students who enroll in the Charter School from another school district within the State, but outside of the SELPA with a current IEP within the same academic year, the District and the Charter School shall provide the pupil with a free appropriate public education, including services comparable to those described in the previously approved IEP, in consultation with the parent, for a period not to exceed thirty (30) days, by which time the District and Charter School shall adopt the previously approved IEP or shall develop, adopt, and implement a new IEP that is consistent with federal and state law. In accordance with Education Code Section 56325(a)(2), in the case of an individual with exceptional needs who has an IEP and transfers into the Charter School from a district operated program under the same special education local plan area of the District within the same academic year, the District and the Charter School shall continue, without delay, to provide services comparable to those described in the existing approved IEP, unless the parent and the District agree to develop, adopt, and implement a new IEP that is consistent with federal and state law. For students transferring to the Charter School with an IEP from outside of California during the same academic year, the District and the Charter School shall provide the pupil with a free appropriate public education, including services comparable to those described in the previously approved IEP in consultation with the parents, until the District conducts an assessment pursuant to paragraph (1) of subsection (a) of Section 1414 of Title 20 of the United States Code, if determined to be necessary by the District, and develops a new IEP, if appropriate that is consistent with federal and state law.

Non-Public Placements/Non-Public Agencies

The District shall be solely responsible for selecting, contracting with, and overseeing all non-public schools and non-public agencies used to serve special education students. The Charter School shall not hire, request services from, or pay any non-public school or agency to provide education or services to special education students without the prior written approval of the District. The Charter School shall immediately notify the District of all parental requests for services from non-public schools or agencies, unilateral placements, and/or requests for reimbursement.

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 follow District policies as they apply to all District schools for responding to parental concerns or complaints related to special education services. The Charter School shall instruct parents/guardians to raise concerns regarding special education services, related services and rights to the District unless otherwise directed by the District. The Charter School shall immediately notify the District of any concerns raised by parents. In addition, the Charter School and the District shall immediately bring to the other's attention any concern or complaint by a parent/guardian that is in writing and/or which involves a potential violation of state or federal law.

The District's designated representative, in consultation with the Charter School's designated representative, shall investigate as necessary, respond to, and address the parent/guardian concern or

complaint. The Charter School shall allow the District access to all facilities, equipment, students, personnel, and records to conduct such an investigation.

The Charter School and the District shall timely notify the other of any meetings scheduled with parents/guardians or their representatives to address the parent/guardian concerns or complaints so that a representative of each entity may attend. The District, as the LEA, shall be ultimately responsible for determining how to respond to parent concerns or complaints, and the Charter School shall comply with the District's decision.

The Charter School and the District shall cooperate in responding to any complaint to or investigation by the California Department of Education, the United States Department of Education, or any other agency, and shall provide timely notice to the other upon receipt of such a complaint or request for investigation.

Due Process Hearings

The District may initiate a due process hearing or request for mediation with respect to a student enrolled in Charter School if the District determines such action is legally necessary or advisable. The Charter School agrees to cooperate fully with the District in such a proceeding. In the event that the parents/guardians file for a due process hearing, or request mediation, the District and the Charter School shall work together to defend the case. In the event that the District determines that legal representation is needed, the Charter School agrees that it shall be jointly represented by legal counsel of the District's choosing.

The Charter School understands that the District shall have sole discretion to settle any matter in mediation or due process. The District shall also have sole discretion to file an appeal from a due process hearing or take other legal action involving any Charter School student necessary to protect its rights.

SELPA Representation

It is the Charter School's understanding that the District shall represent the Charter School at all SELPA meetings and report to the Charter School of SELPA activities in the same manner as is reported to all schools within the District.

Funding

The Charter School understands that it will enter into a MOU with the District regarding Special Education funding, and cannot at this time unilaterally dictate the funding relationship between the District and the Charter School. The Charter School anticipates, based upon State and Federal law that the fiscal relationship could be summarized as follows:

Retention of Special Education Funds by the District

The District shall retain all state and federal special education funding allocated for Charter School students through the SELPA Annual Budget Plan, and shall be entitled to count Charter School students as its own for all such purposes.

Retention of ADA Funds by the District for Non-Public Placements

The Parties acknowledge that the District may be required to pay for or provide Charter School students with placements at locations other than at the Charter School's school site in order to provide them with a free appropriate public education. Such placements could include, without limitation, programs or services in other District schools, in other public school districts within the SELPA, in a County Office of

Education program, in a non-public school, at home, at a hospital, or in a residential program. When such programs or services are provided at District expense, the District shall be entitled to receive from the Charter School the pro rata share of all funding received for such student, including, without limitation, all ADA funds, based on the number of instructional days or minutes per day that the student is not at the Charter School site.

Contribution to Encroachment

The Charter School shall contribute its fair share to offset special education's encroachment upon the District's general fund. Accordingly, the Charter School shall pay to the District a pro-rata share of the District's unfunded special education costs ("encroachment"). At the end of each fiscal year, the District shall invoice the Charter School for the Charter School's pro-rata share of the District-wide encroachment for that year as calculated by the total unfunded special education costs of the District (including those costs attributable to Charter School) divided by the total number of District ADA (including Charter School students), and multiplied by the total number of Charter School ADA. The Charter School ADA shall include all Charter School students, regardless of home district.

CHARTER SCHOOL GOALS & ACTIONS TO ACHIEVE THE STATE PRIORITIES

Pursuant to Education Code Section 47605(c)(5)(A)(ii), ATCS has provided a reasonably comprehensive description of the Charter School's annual goals to be achieved in the 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, as well as outcomes in the state priorities.

Local Control Accountability Plan (LCAP)

On or before July 1st every year, the Charter School will produce a Local Control Accountability Plan (LCAP) using the LCAP template adopted by the State Board of Education. The ATCS LCAP is included in this charter renewal petition as Appendix D. Pursuant to Education Code Section 47606.5, on or before July 1, the Charter School shall update the LCAP and shall submit the LCAP to the District and the San Diego County Superintendent of Schools annually, as required by Education Code Section 47604.33.

The LCAP and any revisions necessary to implement the LCAP shall not be considered a material revision to the charter and shall be maintained by the Charter School at the school site.

Current LCAP located in Appendix D

ELEMENT II: Measurable Pupil Outcomes

The measurable pupil outcomes identified for use by the charter school. "Pupil outcomes," for purposes of this part, means the extent to which all pupils of the charter school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the charter school's educational program. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both schoolwide and for all pupil subgroups served by the charter school, as that term is defined in subdivision (a) of §52052. The pupil outcomes shall align with the State priorities, as described in subdivision (d) of §52060, that apply for the grade levels served by the charter school. -Education Code Section 47605(c)(5)(B)

INSTRUCTION

Teachers must use appropriate research-based strategies during their instructional delivery to meet students' needs and still ensure that the California standards have been taught and learned. Our school uses "Research-Based Strategies for Increasing Student Achievement", by Robert J. Marzano, Debra J. Pickering, and Jane E. Pollack, published by the Association for Supervision and Curriculum Development 2001.

The instructional strategies in ***Classroom Instruction That Works*** are based on selected research analyzed by the Mid-continent Research for Education and Learning (McREL). The McREL study identified nine categories teachers at the elementary and secondary levels could use to produce high academic success with their students.

These nine instructional strategies are:

1. Identifying similarities and differences (Chapter 2)
2. Summarizing and note taking (Chapter 3)
3. Reinforcing effort and providing recognition (Chapter 4)
4. Homework and practice (Chapter 5)
5. Nonlinguistic representations (Chapter 6)
6. Cooperative learning (Chapter 7)
7. Setting objectives and providing feedback (Chapter 8)
8. Generating and testing hypotheses (Chapter 9)
9. Cues, questions, and advance organizers (Chapter 10)

III Methods to Assess Pupil Progress

"The method by which pupil progress in meeting those pupil outcomes is to be measured. To the extent practicable, the method for measuring pupil outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card." - Education Code Section 47605(c)(5)(C)

- Upon enrollment, all students will be asked to take an assessment test in basic skills which includes a math assessment and writing example are used to determine what level the student is currently performing. This test is strictly an assessment tool for placement in the best setting for the student. Acceptance of application will not be based on the result of this test. The results of assessment test are used as a baseline and evaluation.
- The Acellus Academy is a On-line Internet educational program of the International Academy of Science, a Kansas City based non-profit organization that has been advancing science and education for over thirty years. Acellus Academy graduates have been welcomed into top universities.
- "Acellus Academy courses integrate Prism Diagnostics, an innovative technology that identifies holes in each student's background knowledge. When the system identifies one of these deficiencies, custom personal instruction is provided to fill the gap in the student's understanding. As a result, students receive their own custom version of each course, which is tuned to their specific needs and level."
- "Acellus integrates professionally filmed videos into online coursework to spark the interest of each student for any given subject. Acellus works with some of the most qualified teachers in the county to create engaging footage to make Acellus Academy's online curriculum relevant to students. These captivating videos, combined with talented teachers and interactive course materials, provide an online school experience that inspires a love for learning."
- Data driven decision making will be at the forefront of our assessment. Much of the decisions we make regarding instruction will be generated by the CAASPP and CAST yearly results. Additionally, programs such as Achieve3000, Accelerated Reader, IXL and Prodigy and various formative classroom assessments used by the teachers.
- The students will meet the statewide performance standards developed by the California Department of Education as students from a similar situated student population. These standards include the subject areas of Language Arts, Mathematics, Science, Social Studies and Physical Education.
- Assessment and accountability are important components of our school's instructional program. The State of California in January 2014 established a new assessment program. The CAASPP Summative Assessments which are delivered by computer consist of two sections: a computer-adaptive test and a Performance Task based on the Common Core State Standards for English language arts/literacy and mathematics. The computer-adaptive section includes a range of items types such as selected response, constructed response, table, fill-in, graphing, etc. The PT are extended activities that measure a student's ability to integrate knowledge and skills across multiple standards—a key component of college and career readiness.
-

Quality of Instructional Leadership

All Tribes Charter School Leadership Team (PLC) meets weekly to discuss issues that surface in the individual teams or on a school wide level. Each vertical and horizontal team has the task to constantly improve their assigned parts of the school system. The Leadership Team is composed of grade level

leaders, facilitators for the Curriculum, Property, and Community Committees, a Culture teacher, and a special education Representative. These teachers are all very eager teachers and leaders. The team makes recommendations to the staff. The staff then makes recommendations to the Governance Council for final approval. Information is exchanged back and forth among all stakeholders during the decision-making process.

Expectations for quality instruction and student success in behavior and academics are in place in this school. Staff and committee meetings are held to analyze and improve instruction collaboratively. Regular visitations by the site administrator(s) are made to classrooms where informal and formal observations provide support and suggestions for improvement. The administrators and teachers work as a team to improve instruction.

Yearly school goals are developed and are supported through specific action plans (LCAP) to be implemented throughout the school year. These actions are evaluated through leadership team, grade level meetings, committees, and school governance council. The State of California

Students on academic probation or those who have been retained receive additional interventions during the school day and/or extended day programs. English Language Learners receive English language development during the instructional day and additional support in an extended day program. Teachers are trained in specific strategies to give all students access to the core curriculum.

Charter School Curriculum:

Our school's curriculum is the course of study for all subject areas at each grade level. In California, the course of study is provided in the Content Standards. These standards were designed to encourage the highest level of academic achievement of every student by:

- defining the knowledge that should be acquired by the student.
- defining the relevant cultural education that should be acquired by the student.
- defining the concepts that should be acquired by the student; and
- defining the skills that should be acquired by the student.

Our school follows the State of California's curriculum cycle for curriculum development and review. The state develops Standards in the following subject areas:

- English/Language Arts
- Foreign Language
- Health
- History/Social Science
- Mathematics
- Physical Education
- Science
- Visual and Performing Arts
- Multilingual
- Non-State Curriculum

American Indian Culture and Native Language

Material selection is done by committees of teachers and administrators from all grade levels, K-12, and shared with parents and the community. The following process is used to assist our school in the selection and implementation of standards-based instructional materials:

- Review state content standards
- Review the state frameworks
- Meet with publisher representatives who present materials to committees

- Review state-approved textbooks and instructional materials
- Pilot textbooks and instructional materials in classrooms throughout our school
- Committee feedback about the different programs and make recommendations to
- Curriculum Council and the Governing Council
- Plan professional development for teachers and administrators
-

Curriculum Maps

"A goal without a plan is just a wish" -- Antoine de Saint-Exupery

The Pacing Schedules are teacher-developed, grade level curriculum maps for English-language arts and mathematics based on the California content standards and the adopted textbook materials. The purpose of the Pacing Schedule is to ensure all students receive consistent language arts and mathematics instruction across the grade levels, ensure that the grade levels are able to administer Benchmark Assessments, and look at data in a timely manner. Pacing Schedules and Instructional Guides are "tools", just as the textbooks and technology are tools, to effectively plan and deliver instruction. The Pacing Schedules are designed to coordinate teaching efforts resulting in school-wide in concentrated time, effort, and resources to maximize student learning

Charter School Community and Environment will:

Create an atmosphere where "two way" communication is encouraged, and trust is built on mutual *Respect*.

Students will feel comfortable to come to staff with questions or problems.

Be responsive to students' developmental needs and concerns.

- Promote an atmosphere where all students feel respected, valued, safe, and supported.
- Provide opportunities for students to experience their self-worth and understand their relationship to their environment, their cultural heritage and the larger world.
- Encourage respect for diversity and the values of others, promote an atmosphere of mutual respect and cooperation.
- Reinforce traditional American Indian values and the lessons taught in the home.
- Develop healthy, confident students with good self-esteem.
- Develop a clearly defined, school wide decision-making process.
- Involve parents and the larger community as educational partners in the development of the school.
- Support the concept of the school as a community of learners, encompassing staff and parents, as well as students.

ELEMENTARY ASSESSMENT AND ACCOUNTABILITY

Students are assessed frequently using multiple measures for performance. Curriculum embedded assessments are administered every six weeks. The data collected from assessments is analyzed to adjust instruction to meet individual students' needs. Teachers meet with parents and students to formulate learning goals based upon current assessment data. Grade levels work together to plan and deliver interventions based upon current performance results. Mid-year and end of year data results are entered into the school's record system to record student progress. Student Study Teams are held to monitor the progress of at - risk students and ensure that interventions are in place. Parents are mailed the results of the State testing in the summer. Local newspapers share school data with the community. The Administrator reviews State data with our school staff, the School Site Council, and parents at school events. Data from curriculum embedded assessments as well as State data is shared with parents at fall parent/teacher conferences.

Benchmark Assessments progress report cards are sent home throughout the school year monitor students' progress toward mastering the grade level standards. This data allows teachers, in their grade

level or department teams, to discuss strategies, share ideas on how to help students who are struggling, and write SMART goals. This on-going collaboration is a powerful way to improve instruction. Spring parent/teacher conferences are held to communicate student progress toward grade level standards.

INDEPENDENT STUDY PROGRAM

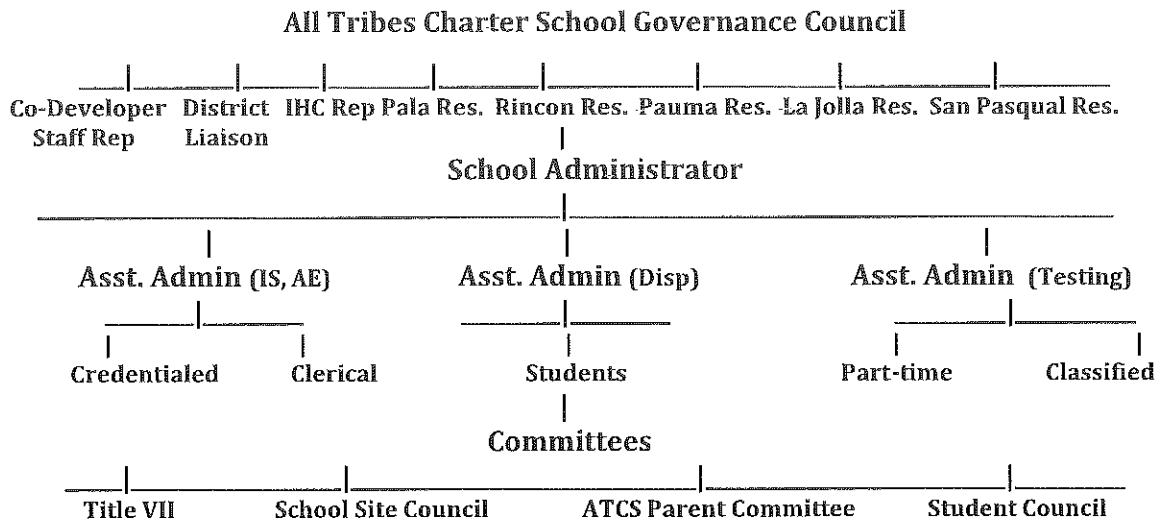
Independent Study is not encouraged among our students but there are occasions when it is necessary. under those circumstances all Independent Study Contracts follow the requirements of Education Code Section 51745, *et seq.* The master agreements meet all legal requirements. (Ed.Code 47612.5) We will adhere to all applicable CA Independent Study regulations, in accordance with CCR Title 5, Sections 11700-11705. This includes the execution of master agreements, creation and adoption of Council policies regarding Independent Study, appropriate maintenance of work products, staffing that complies with the required pupil to teacher ratios, and the geographic limitations on the place of residence of the pupils. Additionally, we will comply with Ed. Code section 51747.3 and will not provide any "thing of value" to pupils that a school district could not legally provide to its pupils.

All Tribes reserves the right to expand with Independent Study sites for instruction of students in rural areas of neighboring Indian Reservations or Federal property in counties adjacent to San Diego. If the need exists other such off-site Independent Study programs may be organized

ELEMENT IV Governance Structure

"The governance structure of the charter school, including, but not limited to, the process to be followed by the charter school to ensure parental involvement." – Education Code Section 47605(c)(5)(D)

Organizational Chart



The Governance Council will consist of at least seven members. These members will include the one charter developer/staff representative, a representative from the Indian Health Clinic (at Rincon) and one representative from each of the five local tribes. A representative from the Warner Unified School District will be welcomed to sit on the Council in accordance with Education Code Section 47604(C) in an effort to facilitate communication and mutual understanding between the Charter School and the Charter-granting agency or LEA. The Governance Council shall be governed by the rules and procedures set forth in the corporate By-Laws attached hereto as Appendix "B" and Articles of Incorporation herein by Appendix "A".

The Charter School Governance Council may initiate and carry on any program, activity, or any otherwise act in any manner which is not in conflict with or inconsistent with, or preempted by, any law and which is not in conflict with the purposes for which charter schools are established. Further, the Governance Council may execute any powers delegated by law to it and shall discharge any duty imposed by law upon it and may delegate to an officer or employee of the charter school any of those duties. The Governance Council, however, retains ultimate responsibility over the performance of those powers or duties so delegated.

The Charter School will comply with the Political Reform Act and Government Code Section 1090, et seq., as set forth in Education Code Section 47604.1, and the Corporations Code conflict of interest rules, which shall be updated with any charter school-specific conflict of interest laws or regulations.

NON-PROFIT PUBLIC BENEFIT CORPORATION

All Tribes Charter will be operated by *All Tribes American Indian Charter School, Inc.*, which has constituted itself as a California non-profit public benefit corporation pursuant to California law and has had its 501(c)(3) tax-exempt status recognized by the Internal Revenue Service and the Franchise Tax Board (Appendix C). ATCS will be governed pursuant to its adopted Bylaws, as subsequently amended

from time to time, which will be consistent with this Charter.

ATCS will operate autonomously from the chartering authority, with the exception of the supervisory oversight as required by statute and other contracted services as negotiated between the chartering authority and ATCS. Pursuant to California Education Code § 47604(c), the chartering authority will not be liable for the debts and obligations of ATCS, or for claims arising from the performance of acts, errors, or omissions by ATCS as long as the chartering agency has complied with all oversight responsibilities required by law.

MANAGERIAL EXPERTISE/EXECUTIVE TEAM

The Charter School has contracted the services from Charter School Management Companies (CSMC) for "Back office" duties. These duties include: Accounts payables, payroll, CALPADS, accounting, and attendance. All Tribes has contracted additionally with Power School via CSMC.

GOVERNANCE COUNCIL

The current ATCS Governance Council consists of seven members. Each council member brings significant experience and a strong commitment to ATCS. Five seats on the Governance Council are permanently reserved for representatives of the five local Indian Reservations (La Jolla, San Pasqual, Rincon, Pala, Pauma), and each respective reservation shall have one representative. The ATCS Governance Council/or the Tribe itself will select a representative to fill these five seats. Parents have a key role in the governance of all ATCS through their service as members of the Governance Council, and parents shall be provided consideration when the ATCS Governance Council becomes vacant. Recommendations will be provided to the respective Tribal Council.

In addition to the five tribal representatives, the school co-founder/Staff Representative Michelle Parada shall sit on the Governance Council, in the manner permitted by Education Code Section 47604.1. The Indian Health Center Director (or designee) also serves on the Governance Council.

2020 GOVERNANCE COUNCIL MEMBERS

Council Position	Council Member	Tribal Affiliation
Chairperson	April Kolb	Rincon Indian Reservation
Asst. Chairperson	Ushla Reed	Pauma Indian Reservation
Secretary	Sachelle Jaime	San Pasqual Reservation
Member	Daniel Calac, MD	Indian Health Clinic/Pauma
Member	Clifford Nejo	Pala Indian Reservation
Member	Vacant	La Jolla Indian Reservation
Co-Developer/Staff Rep	Michelle Parada	All Tribes/Rincon

ATAICS' Bylaws permit one representative of the of District, as chartering authority for the existing school(s), to serve on the Governance Council. The District representative may sit on the Council as a member who facilitates communications and mutual understanding between ATAICS, the schools, and the District. As outlined in the Bylaws, members of the Council serve indefinite terms. An annual organization meeting, the appointment of Members and the election of corporate officers occurs at the Council meeting each August, in accordance with the Bylaws. The Governance Council is committed to recruiting parents of students attending ATCS to serve on the Council.

The Council will be fully responsible for the operation and fiscal affairs of both schools including, but not limited to, the following:

1. Recruiting, hiring, and evaluating the Administrator.

2. Financial and operational management of ATCS.
3. Adoption of ATCS's annual financial budget.
4. Oversee receipt of operating funds by the school in accordance with the terms and procedures of the Charter Schools Act.
5. Oversee solicitation and receipt of grants and donations to ATCS.
6. Personnel policies and procedures and employee disciplinary matters.
7. Approval of hiring and dismissal recommendations made by the Administrator.
8. Approval of contracts with outside entities or persons.
9. Financial audit oversight.
10. Relations with the chartering entity.
11. All matters related to charter approval, amendment, or revocation; and
12. Defend ATCS from any adverse legal actions.

The Council may initiate and carry on any program or activity, or otherwise act in any manner which is neither in conflict with, nor inconsistent with, nor preempted by, any law and which is not in conflict with the purposes for which charter schools are established.

The Council may execute any powers delegated to it by law and will discharge any duty imposed by law upon it and may delegate to any employee any of those duties. The Council, however, retains ultimate responsibility over the performance of those powers or duties so delegated.

The Council will address program concerns regarding the operation and improvement of ATCS. The Council is the final policy-making authority for ATCS. The Council will recommend programs, policies, and schedules designed to meet the evolving educational needs of ATCS's students, parents, and teachers.

All Council meetings will be held in accordance with the Brown Act and Education Code Section 47604.1(c) and will be open to the public and each agenda will include time for community input with regard to ATAICS. However, the Council reserves the right to meet in closed session and discuss items for which closed sessions are permitted under the Brown Act. Decisions made in closed session will be reported in open session at the conclusion of the closed session if appropriate. The Governance Council meetings will be held in compliance with the Bylaws.

Administrator

The Administrator is the Chief Executive Officer of ATAICS. The Administrator reports to the Council and is responsible for providing overall leadership and direction to the organization in the fulfillment of the Council policies and priorities. The Administrator promotes the vision of the Council and is the chief advisor, overseeing the strategic and operational plans of the school.

The Administrator has overall day-to-day management responsibilities of the corporation and the school, determined by the Council as outlined in the Bylaws, job specifications and the employment contract. The Administrator will ensure the corporation operates in fulfillment of the mission as spelled out in the charter(s) and in compliance with charter school law, ATCS Bylaws and applicable education law. The Administrator will work with the Council and its committees to ensure the corporation makes sound strategic decisions, based on the effective use of student, programmatic and fiscal data. The Administrator will ensure that the schools maintain a focus on student achievement. The Administrator will serve as a spokesperson for ATAICS to further the school(s) prominence within the local, state and national education and charter school communities.

Specifically, the responsibilities of the Administrator, or his designee, will include, but are not limited to, the following: Oversee the strategic and operational plans of ATCS.

- Oversee the implementation of an educational program consistent with ATCS

mission and vision.

- Oversee the day to day management of ATCS, including the operation of its school.
- Develop Council meeting agenda in conjunction with the Chairperson in compliance with the Brown Act.
- Supervise and evaluate the teachers and other employees of the school.
- Propose policies for adoption by the Council.
- Provide comments and recommendations regarding policies presented by others to the Council.
- Communicate with legal counsel and any outside consultants.
- Stay abreast of education laws and regulations.
- Oversee all purchasing, pay warrants, requisitions and other expenditures.
- Participate in the dispute resolution procedure and the Uniform Complaint procedure when necessary.
- Establish and execute enrollment procedures.
- Oversee all necessary financial reports as required for proper ADA reporting.
- Develop and administer the budget in accordance with generally accepted accounting principles.
- Present a monthly financial report to the Board.
- Supervise student disciplinary matters when necessary.
- Attend all Council meetings and attend WUSD Board of Trustees meetings, as necessary, as the charter representative.
- Establish procedures designed to carry out Council policies.
- Oversee all responsibilities, obligations, and duties not assigned to the Board.

The Council and the Administrator will work together to set annual goals. These annual goals for the Administrator are approved by the Council. The Council should evaluate the Administrator's performance at least annually.

PARENTAL INVOLVEMENT REGARDING THE EDUCATION PROGRAM

As required by Education Code Section 47605, ATCS will use a range of methods to consult with and receive parental input. These methods are currently in use for parents attending existing ATCS schools and include parent/student/teacher conferences, open houses, email and phone (Blackboard) communication, parent and student surveys, parent participation on committees, parent participation on the Council.

Parent/Student/Teacher Conferences: Parent/student/teacher conferences will be scheduled upon request of a teacher or a parent. These conferences may occur at any time during the year but will be clustered at the end of grading periods.

Open House: ATAICS will conduct an all campus Open House at least once per year. Teachers will be available, and all parents will be invited.

Email and Phone Communication: All teachers will have access to email and phones in order to communicate with families.

Parent and Student Survey: As are all current parents of ATCS students, all ATCS parents will be surveyed regarding their levels of satisfaction and to obtain their input on how we can improve annually.

Parent Participation on Committees: Parents also participate on a wide range of school committees. These include the Strategic Planning Committee, the curriculum committee and the site safety committee.

Parent Participation on the Governance Council: The membership of the Governance Council has always included a significant number of parents of current students. The Council will recruit one or more ATCS parent to serve on the Board upon opening of the school.

ELEMENT V: EMPLOYEE QUALIFICATIONS

“The qualifications to be met by individuals to be employed by the charter school.” – Education Code Section 47605(c)(5)(E)

Hiring Process and Employee Qualifications

ATCS will recruit professional, effective and qualified personnel for all administrative, instructional, instructional support, and non-instructional support capacities that believe in the instructional philosophy outlined in our educational philosophy. In accordance with Education Code Section 47605(e)(1), ATCS will be nonsectarian in its employment practices and all other operations. ATCS will not discriminate against any individual (employee or pupil) on the basis of ethnicity, national origin, gender disability, or any other protected classification. All employees of the charter schools will be employees of ATCS and will be at-will employees and will work under an employment contract.

Teachers

ATCS shall comply with Education Code Section 47605(l) and 47605.4(a), by ensuring that teachers in the Charter School hold the Commission on Teacher Credentialing certificate, permit or other document required for the teacher's certificated assignment. The Charter School may use local assignment options authorized in statute and regulations for the purpose of legally assigning certificated teachers, in the same manner as a governing board of a school district. Teachers employed by charter schools during the 2019–20 school year shall have until July 1, 2025, to obtain the certificate required for the teacher's certificated assignment. The documents required for the teacher's certificated assignment shall be maintained on file at the charter school and shall be subject to periodic inspection by the chartering authority.

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

1. Subject instruction
2. Curriculum planning
3. Collaboration with fellow faculty and administrators
4. Student assessment
5. Communication with parents

Candidates for these positions will possess:

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

These individuals must meet all of the following minimum requirements:

- Bachelor's Degree
- Valid California Teaching Credential or equivalent.
- Hold a Commission on Teacher Credentialing certificate, permit or other document required for the teacher's certificated assignment.

CERTIFICATED STAFF

NAME	# Years in Education/At All Tribes	SPECIALITY/POSITION	CREDENTIAL
MARYANN DONOHUE	30/20	Administrator/Teacher	Administrative Services Credential Multiple Subject Credential CLAD
MICHELLE PARADA	23/20	Assistant Administrator-Student Ag Specialist Athletic Director FFA Advisor	Administrative Services Credential Designated subjects Vocational Education Teaching Credential
LIANNE LANGE	34/15	ELA 9-12 Teacher Assistant Administrator IS and ADULT EDUCATION ACELLUS Administrator	Single Subject Teaching Credential: ELA Administrative Teaching Credential Multiple Subject Teaching Credential CLAD AA -Early Childhood Acellus Certified
TOMMY COOPER	8/6	Math Teacher Assistant Administrator Testing ACELLUS Teacher IS Supervisor E-Sports Teacher SURF Instructor FFA Advisor	Multiple Subject Credential Admin Credential Pending Acellus Certified
JIRAH COOPER	7/3	Kindergarten Teacher	Multiple Subject Credential In process
CRIMSON HAMILTON	6/1	Transitional Kindergarten Teacher	Multiple Subject Credential. In Process-RICA req

RANDI MARTINEZ	4/1	1 st / 2 nd Teacher	Multiple Subject Credential Bilingual Spanish
ALFONSO GOMEZ	5/1	3 rd / 4 th Teacher	Multiple Subject Credential In Process-RICA needed Bilingual Spanish
SHERILYN FRIEND	16/1	5-6 TEACHER	Multiple Subject CLAD Supplementals: Language Arts Math
LINDA DEMARTINI	1/1	7-8 TEACHER	Multiple Subject Credential Single Subjects: History Language Arts CTC Credential
*CAROL PROUD	40/1	SPED	Lifetime Multiple Subject Credential SPED: Mild/Moderate Mod/Severe Administrative Credential
*TIFFANY LUDWIG	14/3	SPEECH	CCC-SLP
*KELLY MARSAGLIA	6+/2	SCHOOL PSYCHOLOGIST	MA: School Psychology
*MICHAEL CARLISH	24/5	CLINICAL PSYCHOLOGIST	MA: Clinical Psychology
*CHRISTINA BELL	2+/1	OCCUPATIONAL THERAPIST	MA, OT/L

*Independent Contractor for Services

CLASSIFIED STAFF

NAME	#Years in Education/ Time at All Tribes	SPECIALITY/CLASS/GRADE
ASHLEY BELARDES	6/3	Receptionist Nurse Aide
SARAH HARDMAN	3/2	Campus supervisor Bus Monitor Reception substitute
BECKIE COUCH	2/2	Administrative Secretary Girls Group Therapy Psych/Soc Certificate AOD Certified (Alcohol and other drugs)
MARK DUSEK	10/10	Librarian: Media Aide Playground Supervisor Transportation Driver
HEATHER DIAZ	5/5	Academic Coach HS Transportation Driver Home Economics Instructor FFA/Livestock Coach Receptionist Sub
NINA SCIARRA	2/2	Academic Coach 1-2 grades Transportation Monitor
JENNIFER ACOSTA	15/4	Academic Coach 3-6 grades Substitute Transportation Driver Head Start/Early Childhood Certificate
BRENDA CASH	21/3	Academic Coach 7-8 AA Liberal Arts BA Multiple Subjects
LISA HERNANDEZ	14/14	Cafeteria Cook Student records manager
KELLY CULLY	7/7	Cafeteria aide
CLIFF NEJO	10/8	PE Coach
ALLEN MATTESON	8/8	Campus Maintenance FFA/ Automotive Class support Transportation Driver
MORIAH ARVISO	1/1	TK Academic coach

AZARAEAL JAVIER	4/3	Kindergarten Academic coach
DEBRA MARTIN	7/1	Transportation Driver Campus supervisor
MARIA CALDERON LIZ CALDERON	10/10 4/4	Custodian Custodian aide

EMPLOYEE COMPENSATION AND BENEFITS

ATCS provides competitive salaries and benefits to its employees. ATCS currently provides a comprehensive package of benefits including sick leave, health, dental, vision and life insurance. ATCS also pays all applicable employment and retirement taxes and fees (e.g., PERS, STRS).

Employees are informed of their benefits, their rights and policies and procedures through the ATCS Employee Handbook (the "Handbook"). The Handbook includes information regarding recruitment, working conditions, salaries, benefits, and employment policies. Salaries, benefits, and working conditions are reviewed annually by administration, and recommendations for changes are made to the Council. Usually raises are at the COLA rate as set by the State.

Payroll for all ATCS employees is processed through the payroll department of Charter School Management Corp. Payroll have gone from monthly to bi-weekly. All full-time teachers will be paid salary and offered annual employment contracts. Employees are hired with an At-Risk contract, year to year. There is no tenure. Other employees are compensated in alignment with their job descriptions.

We are competitive with other schools, but generally we do pay a little less. We provide 100% insurance because most staff have to drive a distance to get to school and we wanted to try to compensate them for that. We are fortunate that the majority of the staff who works with All Tribes do so because they want to work with our students. They want to help the students succeed. Our staff loves the kids they work with and the work they do. Most staff come to us looking for a job. We don't have to recruit regularly.

ELEMENT VI: Health and Safety Procedures

"The procedures that the charter school will follow to ensure the health and safety of pupils and staff. These procedures shall require all of the following:

- (i) That each employee of the charter school furnish the charter school with a criminal record summary as described in Section 44237.*
- (ii) The development of a school safety plan, which shall include the safety topics listed in subparagraphs (A) to (J), inclusive, of paragraph (2) of subdivision (a) of Section 32282.*
- (iii) That the school safety plan be reviewed and updated by March 1 of every year by the charter school."* – Education Code Section 47605(c)(5)(F)

In order to provide safety for all students and staff, the Charter School has adopted and implemented full health and safety policies and procedures and risk management policies at its school site in consultation with its insurance carriers and risk management experts. These procedures will be incorporated into the Charter School's student and staff handbooks and will be reviewed on an ongoing basis by the Administrator and Governing Council. The Charter School shall ensure that staff are trained annually on the health and safety policies.

The following is a summary of the health and safety policies of the Charter School:

Procedures for Background Checks

Employees and contractors of the Charter School will be required to submit to a criminal background check and to furnish a criminal record summary as required by Education Code Sections 44237 and 45125.1. Applicants for employment must submit two sets of fingerprints to the California Department of Justice for the purpose of obtaining a criminal record summary. The Charter School shall not hire any person, in either a certificated or classified position, who has been convicted of a violent or serious felony except as otherwise provided by law, pursuant to Education Code Sections 44830.1 and 45122.1. The Administrator of the Charter School shall monitor compliance with this policy and report to the Charter School Governing Council on a regular basis. The Governance Council President shall monitor the fingerprinting and background clearance of the Administrator. 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 employees will be mandated child abuse reporters and will follow all applicable reporting laws, the same policies and procedures used by the District. The Charter School shall provide mandated reporter training to all employees annually in accordance with Education Code Section 44691.

Tuberculosis Risk Assessment and Examination

Employees, and volunteers who have frequent or prolonged contact with students, will be assessed and examined (if necessary) for tuberculosis prior to commencing employment and working with students, and for employees at least once each four years thereafter, as required by Education Code Section 49406.

Immunizations

All enrolled students who receive classroom-based instruction will be required to provide records documenting immunizations as is required at public schools pursuant to Health and Safety Code Sections

120325-120375, and Title 17, California Code of Regulations Sections 6000-6075. All rising 7th grade students must be immunized with a pertussis (whooping cough) vaccine booster.

Medication in School

The Charter School will adhere to Education Code Section 49423 regarding administration of medication in school. The Charter School will adhere to Education Code Section 49414 regarding epinephrine auto-injectors and training for staff members.

Vision, Hearing, and Scoliosis

Students will be screened for vision, hearing and scoliosis. The Charter School will adhere to Education Code Section 49450 *et seq.* as applicable to the grade levels served by the Charter School.

Diabetes

The Charter School will provide an information sheet regarding type 2 diabetes to the parent or guardian of incoming 7th grade students, pursuant to Education Code Section 49452.7. The information sheet shall include, but 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 methods of type 2 diabetes.
5. A description of the different types of diabetes screening tests available.

Suicide Prevention Policy

The Charter School shall maintain a policy on student suicide prevention in accordance with Education Code Section 215. The Charter School shall review, at minimum every fifth year, its policy on pupil suicide prevention and, if necessary, update its policy.

Prevention of Human Trafficking

The Charter School shall identify and implement the most appropriate methods of informing parents and guardians of students in grades 6 through 12 of human trafficking prevention resources.

Feminine Hygiene Products

The Charter School will stock at least 50% of its restrooms with feminine hygiene products, and shall not charge students for these products, pursuant to Education Code Section 35292.6.

Nutritionally Adequate Free or Reduced Price Meal

The Charter School shall provide each needy student, as defined in Education Code Section 49552, with one nutritionally adequate free or reduced-price meal, as defined in Education Code Section 49553(a),

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during each schoolday. The Charter School shall provide this meal for any eligible student on any schoolday that the student is scheduled for educational activities, as defined in Education Code Section 49010, lasting two or more hours, at a schoolsite, resource center, meeting space, or other satellite facility operated by the Charter School.

California Healthy Youth Act

The Charter School shall teach sexual health education and human immunodeficiency virus ("HIV") prevention education to students in grades 7-12, at least once in middle school and at least once in high school, pursuant to the California Healthy Youth Act (Education Code Section 51930, *et seq.*).

School Safety Plan

The Charter School shall adopt a School Safety Plan, to be reviewed and updated by March 1 of every year, which shall include identification of appropriate strategies and programs that will provide or maintain a high level of school safety and address the Charter School's procedures for complying with applicable laws related to school safety, including the development of all of the following pursuant to Education Code Section 32282(a)(2)(A)-(J):

- child abuse reporting procedures
- routine and emergency disaster procedures
- policies for students who committed an act under Education Code Section 48915 and other Charter School-designated serious acts leading to suspension, expulsion, or mandatory expulsion recommendations
- procedures to notify teachers of dangerous students pursuant to Education Code Section 49079
- a discrimination and harassment policy consistent with Education Code Section 200
- provisions of any schoolwide dress code that prohibits students from wearing "gang-related apparel," if applicable
- procedures for safe ingress and egress of pupils, parents, and employees to and from the Charter School
- a safe and orderly environment conducive to learning
- the rules and procedures on school discipline adopted pursuant to Education Code Sections 35291, 35291.5, 47605, and 47605.6
- procedures for conducting tactical responses to criminal incidents

Emergency Preparedness

The Charter School shall adhere to an Emergency Preparedness Handbook/School Safety Plan drafted specifically to the needs of the facility in conjunction with law enforcement and the Fire Marshal. This handbook shall include, but not be limited to the following responses: fire, flood, earthquake, terrorist threats, and hostage situations. If assuming a facility that was previously used as a school site, any existing emergency preparedness plan for the school site shall be used as a starting basis for updating the handbook for the Charter School.

Staff shall receive training in emergency response, including appropriate "first responder" training or its equivalent.

Bloodborne Pathogens

The Charter School shall meet state and federal standards for dealing with bloodborne pathogens and other potentially infectious materials in the work place. The Governing Council shall establish a written infectious control plan designed to protect employees and students from possible infection due to contact with bloodborne viruses, including human immunodeficiency virus ("HIV") and hepatitis B virus ("HBV"). Whenever exposed to blood or other bodily fluids through injury or accident, staff and students shall follow the latest medical protocol for disinfecting procedures.

Drug-, Alcohol-, and Smoke-Free Environment

The Charter School shall function as a drug-, alcohol-, and smoke-free environment.

Facility Safety

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

Comprehensive Anti-Discrimination and Harassment Policies and Procedures

The Charter School is committed to providing a school that is free from discrimination and sexual harassment, as well as any harassment based upon the actual or perceived characteristics of race, religion, creed, color, gender, gender identity, gender expression, nationality, national origin, ancestry, ethnic group identification, genetic information, age, medical condition, marital status, sexual orientation, sex and pregnancy, physical or mental disability, childbirth or related medical conditions, military and veteran status, denial of family and medical care leave, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, or any other basis protected by federal, state, local law, ordinance or regulation. The Charter School shall develop 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's anti-discrimination and harassment policies. A copy of the policy shall be provided as part of any orientation program conducted for new and continuing pupils at the beginning of each quarter, semester, or summer session, as applicable, and to each faculty member, all members of the administrative staff, and all members of the support staff at the beginning of the first quarter or semester of the school year, or at the time that there is a new employee hired. The Charter School shall create a poster that notifies students of the applicable policy on sexual harassment in accordance with Education Code Section 231.6, and shall prominently and conspicuously display the poster in each bathroom and locker room at the schoolsite and in public areas at the schoolsite that are accessible to, and commonly frequented by, pupils.

Bullying Prevention

The Charter School shall adopt procedures for preventing acts of bullying, including cyberbullying. The Charter School shall annually make available the online training module developed by the CDE pursuant to Education Code Section 32283.5(a) to certificated schoolsite employees and all other schoolsite employees who have regular interaction with children.

ELEMENT VII: Means to Achieve Racial/Ethnic Balance Reflective of District

“The means by which the school will achieve a balance of racial and ethnic pupils, special education pupils, and English learner pupils, including redesignated, fluent English proficient pupils, as defined in the evaluation rubrics in Section 52064.5, that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted. Upon renewal, for a charter school not deemed to be a local educational agency for purposes of special education pursuant to Section 47641, the chartering authority may consider the effect of school placements made by the chartering authority in providing a free and appropriate public education as required by the federal Individuals with Disabilities Education Act (Public Law 101-476), on the balance of pupils with disabilities at the charter school.” – Education Code Section 47605(c)(5)(G)

All Tribes Charter School will strive, through recruitment and admissions practices, to achieve a population balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the Charter School. Students will be considered for admissions without regard to ethnicity, national origin, gender, disability, sexual orientation, or any other protected classification.

ELEMENT VIII: ADMISSION POLICIES AND PROCEDURES

“Admission policies and procedures, consistent with [Education Code Section 47605] subdivision (e).” – Education Code Section 47605(c)(5)(H)

The Charter School will be nonsectarian in its programs, admission policies, and all other operations, and will not charge tuition or discriminate against any student based upon any of the characteristics listed in Education Code Section 220.

The Charter School shall admit all pupils who wish to attend the Charter School. No test or assessment shall be administered to students prior to acceptance and enrollment into the Charter School. The Charter School will comply with all laws establishing minimum and maximum age for public school attendance in charter schools. Admission, except in the case of a public random drawing, shall not be determined by the place of residence of the pupil or his or her parent or legal guardian within the state. In accordance with Education Code Sections 49011 and 47605(e)(2)(B)(iv), admission preferences shall not require mandatory parental volunteer hours as a criterion for admission or continued enrollment.

In accordance with Education Code Section 47605(e)(4)(A), the Charter School shall not discourage a pupil from enrolling or seeking to enroll in the charter school for any reason, including, but not limited to, academic performance of the pupil or because the pupil exhibits any of the characteristics described in Education Code Section 47605(e)(2)(B)(iii), including 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. Similarly, in accordance with Section 47605(e)(4)(C), the Charter School shall not encourage a pupil currently attending the Charter School to disenroll from the Charter School or transfer to another school for any reason, including, but not limited to the academic performance of the pupil or because the pupil exhibits any of the characteristics described in Education Code Section 47605(e)(2)(B)(iii), as listed above.

Pursuant to Education Code Section 47605(e)(4)(D), the Charter School shall post a notice developed by the CDE on the Charter School website, outlining the requirements of Section 47605(e)(4), and make this notice available to parents.

The Charter School shall require students who wish to attend the Charter School to complete an application form. After admission, students will be required to submit an enrollment packet, which shall include the following:

1. Student enrollment form
2. Proof of Immunization
3. Home Language Survey
4. Completion of Emergency Medical Information Form
5. Proof of minimum age requirements
6. Release of records¹

Public Random Drawing

Applications will be accepted during a publicly advertised open enrollment period each year for enrollment in the following school year. Following the open enrollment period each year, applications shall be counted to determine whether any grade level has received more applications than availability. In the

¹ The Charter School shall not request a pupil's records or require a parent, guardian, or pupil to submit the pupil's records to the Charter School before enrollment.

event that this happens, the Charter School will hold a public random drawing (or "lottery") to determine admission for the impacted grade level, with the exception of existing students, who are guaranteed admission in the following school year.

Admission preferences in the case of a lottery shall be given to:

- Siblings of students admitted to or attending ATAICS
- Children the founders and teachers of ATAICS as long as the total number of students in this category is less than 10% of total enrollment.
- Students who reside in the District

ATCS and the District agree to adhere to the requirements related to admission preferences as set forth in Education Code Section 47605(e)(2)(B)(i)-(iv).

A waiting list of applicants at each grade level will be maintained to fill vacancies that occur during the school year. When a drawing is necessary after an enrollment period has ended, it will be conducted in accordance with the preference groups established herein.

The Governing Council will take all necessary efforts to ensure lottery procedures are fairly executed. Lottery spaces are pulled in order of grade level by the designated lottery official (appointed by the Administrator). Separate lotteries shall be conducted for each grade in which there are fewer vacancies than pupils interested in attending. All lotteries shall take place on the same day in a single location. Lotteries will be conducted in ascending order beginning with the lowest applicable grade level. There is no weighted priority assigned to the preference categories; rather, within each grade level, students will be drawn from pools beginning with all applicants who qualify for the first preference category, and shall continue with that preference category until all vacancies within that grade level have been filled. If there are more students in a preference category than there are spaces available, a random drawing will be held from within that preference category until all available spaces are filled. If all students from the preference category have been selected and there are remaining spaces available in that grade level, students from the second preference category will be drawn in the lottery, and the drawing shall continue until all spaces are filled and preference categories are exhausted in the order provided above.

At the conclusion of the public random drawing, all students who were not granted admission due to capacity shall be given the option to put their name on a wait list according to their draw in the lottery. This wait list will allow students the option of enrollment in the case of an opening during the current school year. In no circumstance will a wait list carry over to the following school year.

Public random drawing rules, deadlines, dates and times will be communicated in the application form and on the Charter School's website. Public notice for the date and time of the public random drawing will also be posted once the application deadline has passed. The Charter School will also inform all applicants and interested parties of the rules to be followed during the public random drawing process via mail or email at least two weeks prior to the lottery date.

The Charter School will conduct the lottery in the spring for enrollment in fall of that year.

Any applicant who has filed false information on any form in order to gain entrance to ATCS will not be admitted, along with any sibling and/or relative who has gained admission through the "sibling priority preference" as stated in this Charter. If at any subsequent point it has been factually determined that an applicant filed false information to gain admission into ATCS, the student and any sibling and/or relative who benefited from the "sibling priority preference" may have the offer of admission rescinded and be

involuntarily removed from ATCS after notice and an opportunity to be heard in accordance with Education Code Section 47605(c)(5)(J).

ELEMENT IX: Financial Audits

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

An annual independent financial audit of the books and records of the Charter School will be conducted as required by Education Code Section 47605(c)(5)(I) and 47605(m). The books and records of the Charter School will be kept in accordance with generally accepted accounting principles. The *All Tribes American Indian Charter School* Governance Council will make the selection of an independent auditor. The School Administrator with the assistance of the contracted “back office” service of the Charter School Management Corp will monitor the completion of an annual audit of the school’s financial affairs. The auditor will have, at a minimum, a CPA and 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 school’s financial statements, attendance and enrollment accounting practices, and review the school’s internal controls. The audit will be conducted in accordance with generally accepted accounting practices applicable to the school and applicable provision within the California Code of Regulations governing audits of charter schools as published in the State Controller’s K-12 Audit Guide.

It is anticipated the annual audit will be completed within six months of the close of the fiscal year. A copy of the audit report will be forwarded to the Warner Unified School District, the County Superintendent of Schools, the State Controller, and to the CDE by the 15th of December of each year. The Charter School principal/administrator will review any audit exception or deficiencies and report to the Governance Council with recommendations on how to resolve them. The *All Tribes Charter School* will report to the Warner Unified School District regarding how the exceptions and deficiencies have been or will be resolved, and shall resolve the audit findings, exceptions and deficiencies (findings) to the satisfaction of the District Superintendent or his/her designee, along with an anticipated timeframe for the same. Audit appeals or requests for summary review shall be submitted to the Education Audit Appeals Panel (“EAAP”) in accordance with applicable law.

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

Financial Reporting

ATCS will provide reports to WUSD as follows, and will provide additional fiscal reports as requested by WUSD:

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

ATCS will maintain appropriate records. In accordance with the timelines required by Education Code §
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47604.33, a copy of the proposed fiscal year budget for ATCS, financial reports, and unaudited actuals will be forwarded to WUSD. ATCS will be operated in accordance with generally accepted accounting principles ("GAAP").

ELEMENT X: Suspension and Expulsion Policy and Procedure

"The 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 the pupil's 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 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 the pupil, the pupil's parent or guardian, or the pupil's educational rights holder 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)." – Education Code Section 47605(c)(5)(J)

Policy

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. In creating this policy, the Charter School has reviewed Education Code Section 48900 *et seq.* which describes the noncharter schools' list of offenses and procedures to establish its list of offenses and procedures for suspensions and expulsions. The language that follows closely mirrors the language of Education Code Section 48900 *et seq.* The Charter School is committed to annual review of policies and procedures surrounding suspensions and expulsions and, as necessary, modification of the lists of offenses for which students are subject to suspension or expulsion.

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 and involuntary removal policies and procedures. The notice shall state that this Policy and Procedures are available on request at the Administrator's office.

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

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 ("IDEA") 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.

No student shall be involuntarily removed by the Charter School for any reason unless the parent or guardian of the student has been provided written notice of intent to remove the student no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the student or the student's parent or guardian or, if the student is a foster child or youth or a homeless child or youth, the student's educational rights holder, and shall inform him or her of the basis for which the pupil is being involuntarily removed and his or her right to request a hearing to challenge the involuntary removal. If a parent, guardian, or educational rights holder requests a hearing, the Charter School shall utilize the same hearing procedures specified below for expulsions, before the effective date of the action to involuntarily remove the student. If the student's parent, guardian, or educational rights holder requests a hearing, the student shall remain enrolled and shall not be removed until the Charter School issues a final decision. As used herein, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include removals for misconduct which may be grounds for suspension or expulsion as enumerated below.

Procedures

A. Grounds for Suspension and Expulsion of Students

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

B. Enumerated Offenses

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

- a) Caused, attempted to cause, or threatened to cause physical injury to another person.
- b) Willfully used force or violence upon the person of another, except self-defense.

- c) Unlawfully possessed, used, or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
- d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
- e) Committed or attempted to commit robbery or extortion.
- f) Caused or attempted to cause damage to school property or private property, which includes but is not limited to, electronic files and databases.
- g) Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.
- h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
- i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- k) Knowingly received stolen school property or private property, which includes but is not limited to, electronic files and databases.
- l) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- m) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- n) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- o) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, "hazing" means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, "hazing" does not include athletic events or school-sanctioned events.
- p) Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this section, "terroristic

threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or his or her immediate family.

- q) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- r) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- s) Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- t) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
- 1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a 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:
 - i. 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.
 - ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
 - iii. Causing a reasonable student to experience substantial interference with his or her academic performance.
 - iv. 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.

- 2) "Electronic Act" means the creation or transmission originated on or off the schoolsite, 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:
 - i. A message, text, sound, video, or image.
 - ii. 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.
 - (a) 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.
 - (b) 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.
 - 3) Notwithstanding subparagraphs (1) and (2) 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.
- u) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1)(a)-(b).
 - v) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Administrator or designee's concurrence.

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

- a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Administrator or designee's concurrence.
- b) Brandishing a knife at another person.
- c) Unlawfully selling a controlled substance listed in Health and Safety Code Section 11053, *et seq.*
- d) Committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code Section 48900(n).

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

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

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

- 1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a 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:
 - i. 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.
 - ii. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
 - iii. Causing a reasonable student to experience substantial interference with his or her academic performance.
 - iv. 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.
- 2) "Electronic Act" means the creation or transmission originated on or off the schoolsite, 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:
 - i. A message, text, sound, video, or image.
 - ii. 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.
 - (a) 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.
 - (b) 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.

3. Notwithstanding subparagraphs (1) and (2) 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.

u) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (3)(a)-(b).

v) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Administrator or designee's concurrence.

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

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

b) Brandishing a knife at another person.

c) Unlawfully selling a controlled substance listed in Health and Safety Code Section 11053, et seq.

d) Committing or attempting to commit a sexual assault or committing a sexual battery as defined in Education Code Section 48900(n).

If it is determined by the Administrative Panel and/or Governing Council that a student has brought a firearm or destructive device, as defined in Section 921 of Title 18 of the United States Code, on to campus or to have possessed a firearm or dangerous device on campus, the student shall be expelled for one year, pursuant to the Federal Gun Free Schools Act of 1994. In such instances, the pupil shall be provided due process rights of notice and a hearing as required in this policy.

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

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

C. Suspension Procedure

Suspensions shall be initiated according to the following procedures:

1. Conference

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

The conference may be omitted if the Administrator or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or 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, in accordance with Education Code Section 47605(c)(5)(J)(i). This conference shall be held within two (2) 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 Administrator or Administrator's designee, the pupil and the pupil's parent/guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. In such instances when the Charter School has determined a suspension period shall be extended, such extension shall be made only after a conference is held with the pupil or the pupil's parents, unless the pupil and the pupil's parents fail to attend the conference.

This determination will be made by the Administrator or designee upon either of the following: 1) the pupil's presence will be disruptive to the education process; or 2) the pupil poses a threat or danger to others. Upon either determination, the pupil's suspension will be extended pending the results of an expulsion hearing.

4. Homework Assignments During Suspension

In accordance with Education Code Section 47606.2(a), upon the request of a parent, a legal guardian or other person holding the right to make education decisions for the pupil, or the affected pupil, a teacher shall provide to a pupil in any of grades 1 to 12, inclusive, who has been suspended from school for two or more schooldays, the homework that the pupil would otherwise have been assigned.

In accordance with Education Code Section 47606.2(b), if a homework assignment that is requested pursuant to Section 47606.2(a) and turned into the teacher by the pupil either upon the pupil's return to school from suspension or within the timeframe originally prescribed by the teacher, whichever is later, is not graded before the end of the academic term, that assignment shall not be included in the calculation of the pupil's overall grade in the class.

D. Authority to Expel

As required by Education Code Section 47605(c)(5)(J)(ii), students recommended for expulsion are entitled to a hearing adjudicated by a neutral officer to determine whether the student should be expelled. The procedures herein provide for such a hearing and the notice of said hearing, as required by law.

A student may be expelled either by the neutral and impartial Charter School Governing Council following a hearing before it or by the Charter School Governing Council upon the recommendation of a neutral and impartial Administrative Panel, to be assigned by the Governing Council as needed. The Administrative Panel shall consist of at least three members who are certificated and neither a teacher of the pupil nor a member of the Charter School Governing Council. Each entity shall be presided over by a designated neutral hearing chairperson. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense, and the Governing Council shall make the final determination.

E. Expulsion Procedures

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

In the event an Administrative Panel hears the case, it will make a recommendation to the Governing Council for a final decision whether to expel. The hearing shall be held in closed session (complying with all pupil confidentiality rules under FERPA) unless the pupil makes a written request for a public hearing in open session three (3) days prior to the date of the scheduled hearing.

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

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

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

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

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive five days notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.
2. The Charter School must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
3. At the discretion of the entity conducting the expulsion 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 entity conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The entity 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 entity presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The entity conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.
7. If one or both of the support persons is also a witness, the Charter School must present evidence that the witness' presence is both desired by the witness and will be helpful to the Charter School. The entity 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 public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.

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

G. Record of Hearing

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

H. Presentation of Evidence

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

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

The decision of the Administrative Panel shall be in the form of written findings of fact and a written recommendation to the Governing Council, which will make a final determination regarding the expulsion. The final decision by the Governing Council shall be made within ten (10) school days following the conclusion of the hearing. The decision of the Governing Council is final.

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

I. Written Notice to Expel

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

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

J. Disciplinary Records

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

K. No Right to Appeal

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

L. Expelled Pupils/Alternative Education

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

M. Rehabilitation Plans

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

N. Readmission

The decision to readmit a pupil or to admit a previously expelled pupil from another school district or charter school shall be in the sole discretion of the Governing Council following a meeting with the Administrator or designee and the pupil and parent/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 Administrator or designee shall make a recommendation to the Governing Council following the meeting regarding his or her determination. The Governing Council shall then make a final decision regarding readmission during the closed session of a public meeting, reporting out any action taken during closed session consistent with the requirements of the Brown Act. The pupil's readmission is also contingent upon the Charter School's capacity at the time the student seeks readmission.

O. Notice to Teachers

The Charter School shall notify teachers of each pupil who has engaged in or is reasonably suspected to have engaged in any of the acts listed in Education Code Section 49079 and the corresponding enumerated offenses set forth above.

P. Special Procedures for the Consideration of Suspension and Expulsion or Involuntary Removal of Students with Disabilities

1. Notification of the District

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

2. Services During Suspension

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

3. Procedural Safeguards/Manifestation Determination

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

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

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

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

- a. Conduct a functional behavioral assessment 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 direct result of the failure to implement the IEP/504 Plan, then the Charter School may apply the relevant disciplinary procedures to children with disabilities in the same manner and for the same duration as the procedures would be applied to students without disabilities.

4. Due Process Appeals

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

When an appeal relating to the placement of the student or the manifestation determination has been requested by either the parent or the Charter School, ~~the hearing officer shall determine whether the student shall remain in the interim alternative educational setting pending the decision of the hearing officer in accordance with state and federal law, including 20 U.S.C. Section 1415(k), until the expiration of the forty-five (45) day time period provided for in an interim alternative educational setting, unless the parent and the Charter School agree otherwise.~~

In accordance with 20 U.S.C. Section 1415(k)(3), if a parent/guardian disagrees with any decision regarding placement, or the manifestation determination, or if 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, the parent/guardian or Charter School may request a hearing.

In such an appeal, a hearing officer may: (1) return a child with a disability to the placement from which the child was removed; or (2) order a change in placement of a child with a disability to an appropriate interim alternative educational setting for not more than 45 school days if the hearing officer determines that maintaining the current placement of such child is substantially likely to result in injury to the child or to others.

5. Special Circumstances

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

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

- a. Carries or possesses a weapon, as defined in 18 U.S.C. Section 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 U.S.C. Section 1415(k)(7)(D), upon a person while at school, on school premises, or at a school function.

6. Interim-Alternative Educational Setting

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

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

A student who has not been identified as an individual with disabilities pursuant to IDEA and who has violated the Charter School's disciplinary procedures may assert the procedural safeguards granted

under this administrative regulation only if the Charter School had knowledge that the student was disabled before the behavior occurred.

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

- a. The parent/guardian has expressed concern in writing, or orally if the parent/guardian does not know how to write or has a disability that prevents a written statement, to Charter School supervisory or administrative personnel, or to one of the child's teachers, that the student is in need of special education or related services.
- b. The parent has requested an evaluation of the child.
- c. The child's teacher, or other Charter School personnel, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the director of special education or to other Charter School supervisory personnel.

If the Charter School knew or should have known the student had a disability under any of the three (3) circumstances described above, the student may assert any of the protections available to IDEA-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 Benefits

“The manner by which staff members of the charter schools will be covered by the State Teachers’ Retirement System, the Public Employees’ Retirement System or federal social security.” – Education Code Section 47605(c)(5)(K)

All eligible employees at ATCS will participate in a qualified retirement plan including but not limited to State Teachers Retirement System (“STRS”), Public Employees Retirement System (“PERS”), and the federal social security system . Staff may have access to other school sponsored retirement plans according to policies developed by the Governing Council and adopted as the school’s employee policies. The Administrator is responsible for ensuring appropriate arrangements for coverage are made.

ELEMENT XII: Public School Attendance Alternatives

“The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools.” - Education Code Section 47605(c)(5)(L)

No student may be required to attend ATCS. Students who do not want to attend ATCS may attend the schools in the school district where they reside or pursue an inter-district transfer in accordance with existing enrollment and transfer policies of their district or county of residence. Parents and guardians of each student enrolled in ATCS will be informed that on the lottery form that the students have no right to admission in a particular school of a local education agency (or program of any local education agency) as a consequence of enrollment in ATCS, except to the extent that such a right is extended by the local education agency.

XIII: Rights of School District Employees

“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.” – Education Code Section 47605(c)(5)(M)

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

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

ELEMENT XIV: Mandatory Dispute Resolution Process

"The procedures to be followed by the charter school and the chartering authority to resolve disputes relating to provisions of the charter." – Education Code Section 47605(c)(5)(N)

Public Comments

ATCS and WUSD agree to attempt to resolve all disputes regarding this Charter pursuant to the terms of this section. All parties will refrain from public commentary regarding any disputes until the matter has progressed through the dispute resolution process.

General Provisions

The intent of this dispute resolution process is to (1) resolve disputes within the school pursuant to the school's policies, (2) minimize the oversight burden on WUSD, and (3) ensure a fair and timely resolution to disputes. ATCS and the chartering agency will be encouraged to attempt to resolve any disputes with the chartering agency amicably and reasonably without resorting to formal procedures.

Any claim, controversy or dispute between the District and Charter School arising out of or relating to this Charter, except for any claim, controversy or dispute related to the authorization (non-renewal, revision and/or revocation) of this Charter, ("Dispute") shall be resolved pursuant to the terms of this Element 14.

Notwithstanding any other provision of law, each party shall bear and be solely responsible for all of its own attorneys' fees, costs and expenses associated with any Dispute, including, but not limited to, any written/oral communication, meeting, Issues Conference, mediation, arbitration, administrative and/or civil action (including all levels of appeal), and no party shall be ordered to pay, or be awarded, any other party's attorneys' fees, costs or expenses in connection therewith, regardless of who may be deemed the prevailing party. Any fees, costs and expenses charged by a mediator or arbitrator (including all associated administration fees, costs and expenses) shall be shared equally by the parties regardless of the outcome or award. To that effect, any order or award of attorneys' fees, costs and/or expenses, or mediator's or arbitrator's fees, costs or expenses (including any associated administration fees, costs and expenses), issued by a mediator, arbitrator, judicial officer (including all levels of appeal) or jury in any Dispute shall be deemed invalid as a matter of law and unenforceable by one party against the other party.

Disputes Arising from Within the School

Disputes arising from within the School, including all disputes among and between students, staff, parents, volunteers, advisors, partner organizations and governing council members of the school, will be resolved pursuant to policies and processes developed by ATCS. ATCS shall maintain a Uniform Complaint Policy and Procedures as required by state law. Parents, students, Council members, volunteers, and staff at ATCS shall be provided with a copy of the ATCS policies and internal dispute resolution process.

WUSD will not intervene in any such internal disputes without the consent of the Council and will refer any complaints or reports regarding such disputes to the Council or the Administrator for resolution pursuant to ATCS's policies. WUSD agrees not to intervene or become involved in an internal dispute unless the dispute has given WUSD reasonable cause to believe that a violation of this Charter or related laws or agreements or issues of student health or safety have occurred, or unless the Council has requested WUSD to intervene in the dispute.

ATCS requests that WUSD refer any complaints or reports regarding such disputes to the Council or the Administrator for resolution pursuant to ATCS's policies. Such a referral by WUSD to ATCS does not prevent in any way WUSD's ability to investigate such matters in the event that a violation of the charter, agreements between WUSD and ATCS, state and federal law, or matters affecting the health and safety of pupils are at stake.

Disputes Between ATCS and WUSD

In the event of a dispute regarding the misinterpretation, misapplication or violation of the charter between ATCS and WUSD, ATCS staff, employees and Governing Council members and WUSD agree to first frame the issue in written format (a "dispute statement") and refer the issue to WUSD's designee and the ATCS's Administrator. In the event that WUSD believes that the dispute relates to an issue that could lead to revocation of the Charter in accordance with Education Code § 47607, this will be noted in the written dispute statement.

Actions that Could lead to Revocation: Charter School Due Process

In the event that the District determines that ATCS has engaged in an act that could lead to revocation of the Charter, the District and ATCS shall have a face to face meeting within 10 days of the Superintendent's and/or designee's determination that a violation has occurred. Present in the face-to-face meeting shall be at least the Superintendent of the District or designee and the School's Administrator. If after such meeting, the District determines that a violation has occurred which requires a cure, the District may send a formal written notification to the School outlining the alleged violation and demanding the violation be cured. The School shall have a reasonable amount of time after the date such formal written notice was sent to cure the violation. If the violation cannot be cured within the time period specified by the District, the parties may agree to another predetermined time to commence to cure and diligently prosecute the cure to completion.

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

Disputes Not Leading to Revocation: Dispute Resolution

The designee for ATCS and the designee for WUSD will informally meet and confer in a timely fashion to attempt to resolve the dispute, no later than 5 business days from receipt of the dispute statement. In the event that this informal meeting fails to resolve the dispute, both parties will identify two members from their respective board and governing council who will jointly meet with WUSD's designee and the Administrator and attempt to resolve the dispute within 15 business days from receipt of the dispute statement. If this joint meeting fails to resolve the dispute, WUSD's designee and the Administrator will meet to jointly identify a neutral third-party mediator to engage the parties in a non-binding mediation session designed to facilitate resolution of the dispute. The format of the mediation session will be developed jointly by WUSD's designee and the Administrator. Mediation will be held within 60 business days of receipt of the dispute statement. The costs of the mediator will be split equally between WUSD and ATCS. If mediation does not resolve the dispute, either party may pursue any other remedy available under the law. All timelines in this section may be revised upon mutual written agreement of WUSD and ATCS.

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

Section XV: CLOSURE PROTOCOL

"The procedures to be used if the charter school closes. The procedure shall ensure a final audit of the charter school to determine the disposition of all the assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records." -Education Code Section 47605(c)(5)(O).

Closure of the Charter School will be documented by "Official Closure Action" of the All Tribes Governance Council. The action will identify the reason for closure. The official action will also identify an entity and person or persons responsible for closure-related activities.

The Charter School will promptly notify: 1) Parents and students of the Charter School, 2) WUSD, 3) San Diego County Office of Education, 4) Charter School's SELPA, 5) Retirement systems in which the Charter School's employees participate (e.g., Public Employees' Retirement System, State Teachers' Retirement System, and federal social security), 6) California Department of Education and any School District that may be responsible for providing education services to the former students of our charter school. of the closure as well as the effective date of the closure. This notice will also include the name(s) of and contact information for the person(s) to whom reasonable inquiries may be made regarding the closure; the pupils' school district of residence; and the manner in which parents/guardians may obtain copies of pupil records, including specific information on completed courses and credits that meet graduation requirements.

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

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

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

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

As soon as reasonably practical, the Charter School will prepare final financial records. The Charter School will also have an independent audit completed within six months after closure. The Charter School will pay for the final audit. The audit will be prepared by a qualified Certified Public Accountant selected by the Charter School and will be provided to the District promptly upon its completion. The final audit will include an accounting of all financial assets, including cash and accounts receivable and an inventory of property, equipment, and other items of material value, an accounting of the liabilities, including accounts payable and any reduction in appointments as a result of audit findings or other investigations, loans, and unpaid staff compensation, and an assessment of the disposition of any restricted funds received by or due to the Charter School.

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

On closure of the Charter School, all assets of the Charter School, including but not limited to all leaseholds, personal property, intellectual property and all ADA apportionments and other revenues generated by students attending the Charter School, remain the sole property of the nonprofit public benefit corporation. Upon the dissolution of the nonprofit public benefit corporation, all net assets shall be distributed to another public school that satisfies the requirements of paragraphs (a) through (e) of section .III.A of Notice 2015-07 issued by the Internal Revenue Service and the Treasury Department entitled "Relief for Certain Participants in § 414(d) Plans" or any final regulations implementing 26 U.S.C. § 414(d) or to a State, political subdivision of a State, or agency or instrumentality thereof. Any assets acquired from the District or District property will be promptly returned upon Charter School closure to the District. The distribution shall include return of any grant funds and restricted categorical funds to their source in accordance with the term of the grant or state and federal law as appropriate, which may include submission of final expenditure reports for entitlement grants and the filing of any required Final Expenditure Reports and Final Performance Reports, as well as the return of any donated materials and property in accordance with any conditions established when the donation of such materials or property was accepted.

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

As the Charter School is operated by a non-profit public benefit corporation, should the corporation dissolved with the closure of the Charter School, the Council will follow the procedures set forth in the CA Corporation Code for the dissolution of a non-profit public benefit corporation and file all necessary filing with the appropriate state and federal agencies.

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

Miscellaneous Clauses

A. Charter Renewal Terms:

The term of this charter renewal shall commence July 1, 2020 and will expire June 30, 2025.

B. Material Revision:

Any material revisions to this charter shall be made by the mutual agreement of the governing boards of the *All Tribes Charter School* and the Warner Unified School District. Material revisions and amendments shall be made pursuant to the standards, criteria, and timelines in Education Code Section 47605 and 47607 or its successors as well as applicable regulations.

C. Cooperation:

Warner Unified School District agrees to cooperate with the *All Tribes Charter School* in all matters related to the implementation of this charter and interactions with the California State Board of Education.

D. Funding: Financial Statements and Reporting

The *All Tribes Charter School* will receive funding pursuant to the Local Control Funding Formula and will opt to receive its funding directly from the State. An account for the Charter School will be maintained at the San Diego County Office of Education. Any funds due to the Charter School that flow through the District shall be forwarded to the Charter School as soon as practical.

All Tribes also receives funding from the Federal Impact Aid, Indian Education funds, and Small & Rural Schools grant. All Tribes has applied for the Federal Impact Aid Construction Grant to complete our school with extra classrooms, the completion of the gym and the field implementation of Cycle work-out program. Rather than Charter School Management, Ms. Donohue prepare the application for these grants.

Attached, as Appendix E, please find a three-year budget. This document is based upon the best data available to All Tribes at this time, including the most recent projection under the Local Control Funding Formula. This is a conservative projection. As the new campus is planned to in the open in the fall of 2015, the actual figures may be much higher depending on the number of new students we enroll.

The Charter School shall provide reports to the District and County Superintendent of Schools as follows in accordance with Education Code Section 47604.33 and shall submit additional fiscal reports as requested by the District:

1. By July 1, a preliminary budget for the current fiscal year.
2. By July 1, an annual update (LCAP) required pursuant to Education Code Section 47606.
3. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31.
4. 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, California Department of Education and County Superintendent of Schools.
5. By March 15, a second interim report for the current fiscal year reflecting changes through January 31.
6. By September 15, a final unaudited report for the full prior year. The report submitted

submitted to the District shall include an annual statement of all the Charter School's receipts and expenditures for the preceding fiscal year.

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 §47604.33 and 47605(m), the School Accountability Report Card (SARC), and the LCAP.

The Charter School agrees to and submits to the right of the District to make at least one annual visit and in order to carry out its statutorily required oversight in accordance with Education Code Section 47604.32 and 47607.

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.

E. Insurance:

The Charter School maintains insurance for general liability, property, errors and omissions, and worker's compensation coverage in the amounts specified by the District in the MOU. Currently, the Charter School is completely insured by the JPA in San Diego County it is our intent to continue with this insurance agreement for Property Damage and Workers Comp. The School District shall be named as an additional insured on all policies of the Charter School.

F. Operation and Potential Civil Liability Effects

Governing Law: "Potential civil liability effects, if any, upon the charter school and upon the school district." - Education Code Section 47605(h)

The Charter School shall be fiscally responsible for its own operations and shall manage its operations efficiently and economically within the constraints of its annual budget.

The Charter School shall have no authority to enter into a contract that would bind the District, nor to extend the credit of the District to any third person or party without the express written consent of the District School Board or their designee. Subject to the laws related to Charter Schools, consistent with Article XVI, Section 18 of the California Constitution, the Charter School shall not enter into any agreement or contract that gives rise to a multiple fiscal year direct or indirect debt or other financial obligation as defined in the article whatsoever on the part of the Charter School without the prior written consent of the District.

The Charter School shall clearly indicate to all vendors and other entities and individuals outside the District with which or with whom the Charter School enters into an agreement or contract for goods or services that the obligations of the Charter School under such an agreement or contract are solely the responsibility of the Charter School and are not the responsibility of the School District.

To the extent not covered by insurance or otherwise barred by the California Tort Claims Act, the Charter School agrees to indemnify and hold the District and its officers, agents and employees harmless from all liability, claims, or demands on account of injury, loss or damage, including, without limitation, claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage or any other losses of any kind whatsoever which arise out of or are in any manner connected with the Charter School's operations, or which arise from the provisions of this Charter itself, with the exception of the acts of the District, its officers, agents and employees in relation to any services provided by the District to the Charter School pursuant to this Charter or any subsequent operational agreement. The foregoing

provision shall not be deemed a relinquishment or waiver of any kind of applicable limitations of liability provided by the California Tort Claims Act.

The Charter School is operated by a California non-profit public benefit corporation. This corporation is organized and operated exclusively for charitable purposes within the meaning the 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 authority that grants a charter to a charter school operated by or as a non-profit public benefit corporation shall not be liable for the debts or obligations of the charter school or for claims arising from the performance of the acts, errors or omissions by the charter school if the authority has complied with all oversight responsibilities required by law. The Charter School shall continue to 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, MOU, wherein the Charter School shall indemnify the District for the actions of the Charter School under this charter. The corporate bylaws of the Charter School shall provide for indemnification if the Charter School's Governance Council, officers, agents, and employees and the Charter School will purchase general liability insurance. Council Members and Officers insurance and fidelity bonding to secure against financial risks.

As stated above, insurance amounts will be determined by recommendation for 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 Governance Council will institute appropriate risk management practices as discussed herein, including screening of employees, establishing codes of conduct for students and dispute resolution.

G. Communications:

All official communications between the *All Tribes Elementary Charter School* and the Warner Unified School District will be sent via First Class Mail or other appropriate means to the following address

Warner Unified School District
Attn: David MacLeod
P.O. Box 8
30951 Highway 79
Warner Springs, CA 92086

All Tribes Charter School
Mary Ann Donohue
34320 Valley Center Rd
Valley Center, CA 93082

H. Administrative Services

"The manner in which administrative services of the charter school are to be provided." - Education Code Section 47605(h)

All Tribes shall provide all administrative services to the school through a back office contracts with Charter School Management Corp. to provide payroll/tax services for employees. The Payroll Department provides all tax "quarterlies" filing and W-2 at the end of the year.

I. Facility and Location

"The facilities to be utilized by the charter school. The description of the facilities to be used by the Charter School shall specify where the charter school intends to locate." - Education Code Section 47605(h)

The *All Tribes* has acquired rental tribal land on the Rincon Indian Reservation for our campus facility. The campus is located on Valley Center Road, which is the main highway through this Reservation. Rincon is the most central Reservation of the seven local Indian Reservations and thus is the preferred location. Several attempts have been made to find a suitable facility within the Warner Springs jurisdiction, however we have found nothing that can house our entire operation. For this reason, we plan to continue working with Warner Springs District and physically remain at our current location on the Rincon Reservation in Valley Center, CA 92082.

J. District Approval Action

This Charter renewal petition was _____ in accordance with Education Code Section 47605 et. seq. by action of the Warner Unified School District School Board for a term from _____ through _____ on _____ by the following vote:

AYES:

NOS

ABSENT:

ABSTAIN:

**Clerk of the Board of Trustees of the
Warner Unified School District**