

**Tracy Independent Study Charter School**

**Establishment Charter Petition**

**Submitted to the Tracy Unified School District  
November 12, 2019**

**Charter Term: July 1, 2020 – June 30, 2025**

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## Affirmations and Declaration

As the authorized lead petitioner, Dr. Sheila Harrison, Associate Superintendent of Educational Services hereby certify that the information submitted in this petition for a California public charter school to be named Tracy Independent Study Charter School (“TISCS” or the “Charter School”), and to be located within the boundaries of the Tracy Unified School District (the “District”) is true to the best of my knowledge and belief; I also certify that this petition does not constitute the conversion of a private school to the status of a public charter school; and further, I understand that if awarded a charter, the Charter School will follow any and all federal, state, and local laws and regulations that apply to the Charter School, including but not limited to:

- The Charter School shall meet all statewide standards and conduct the student assessments required, pursuant to Education Code Section 60605, and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools. [Ref. Education Code Section 47605(c)(1)]
- Menlo Park Charter School declares that it shall be deemed the exclusive public school employer of the employees of TISCS for purposes of the Educational Employment Relations Act. [Ref. Education Code Section 47605(b)(6)]
- The Charter School shall be non-sectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. Education Code Section 47605(d)(1)]
- The Charter School shall not charge tuition. [Ref. Education Code Section 47605(d)(1)]
- The Charter School shall admit all students who wish to attend the Charter School unless the Charter School receives a greater number of applications than there are spaces for students, in which case each it will hold a public random drawing to determine admission. Except as required by Education Code Section 47605(d)(2), admission to the Charter School shall not be determined according to the place of residence of the student or the student’s parents within the State. Preference in the public random drawing shall be given as required by Education Code Section 47605(d)(2)(B)(i)-(iv). In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the Charter School in accordance with Education Code Section 47605(d)(2)(C). [Ref. Education Code Section 47605(d)(2)(A)-(C)]
- The Charter School shall not discriminate on the basis of the characteristics listed in Education Code Section 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 Section 422.55 of the Penal Code, including immigration status, or association with an individual who has any of the aforementioned characteristics). [Ref. Education Code Section 47605(d)(1)]
- The Charter School shall adhere to all provisions of federal law related to students with disabilities including, but not limited to, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990 and the Individuals with Disabilities Education Improvement Act of 2004.

- The Charter School shall meet all requirements for employment set forth in applicable provisions of law, including, but not limited to credentials, as necessary. [Ref. Title 5 California Code of Regulations Section 11967.5.1(f)(5)(C)]
- The Charter School shall ensure that teachers in the Charter School hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools is required to hold. As allowed by statute, flexibility will be given to noncore, noncollege preparatory teachers. [Ref. Education Code Section 47605(l)]
- The Charter School shall at all times maintain all necessary and appropriate insurance coverage.
- The Charter School shall, for each fiscal year, offer at a minimum, the number of minutes of instruction per grade level as required by Education Code Section 47612.5(a)(1)(A)-(D).
- If a pupil is expelled or leaves the Charter School without graduating or completing the school year for any reason, the Charter School shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including report cards or a 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 the Charter School within 30 days if the Charter School demonstrates that the pupil had been enrolled in the Charter School. [Ref. Education Code Section 47605(d)(3)]
- The Charter School 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)]
- The Charter School shall maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection. [Ref. Education Code Section 47612.5(a)(2)]
- The Charter School shall, on a regular basis, consult with its parents and teachers regarding the Charter School's educational programs. [Ref. Education Code Section 47605(c)]
- The Charter School shall comply with any applicable jurisdictional limitations to the locations of its facilities. [Ref. Education Code Sections 47605 and 47605.1]
- The Charter School shall comply with all laws establishing the minimum and maximum age for public school enrollment. [Ref. Education Code Sections 47612(b) and 47610]
- The Charter School shall comply with all applicable portions of the Elementary and Secondary Education Act ("ESEA"), as reauthorized and amended by the Every Student Succeeds Act ("ESSA").

- The Charter School shall comply with the Public Records Act.
- The Charter School shall comply with the Family Educational Rights and Privacy Act.
- The Charter School shall comply with the Ralph M. Brown Act.
- The Charter School shall comply with Government Code Section 1090, *et seq.*, as set forth in Education Code Section 47604.1.
- The Charter School shall comply with the Political Reform Act.
- The Charter School shall meet or exceed the legally required minimum number of school days. [Ref. Title 5 California Code of Regulations Section 11960]

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Dr. Sheila Harrison November 5, 2019  
(209 830-3202 ext. 1012  
Email: [sjharrison@tusd.net](mailto:sjharrison@tusd.net)



## **Introduction**

Tracy Unified needs an alternative program option to meet the needs of students who struggle in a traditional learning environment. These struggles could be due to discipline, academics, attendance or social emotional needs.

### **Petition Team**

Parents in the community have voiced their concerns regarding the limited number of alternative program options for their children. Team members include Tracy Unified District Administrators Dr. Sheila Harrison, Associate Superintendent of Educational Services, Dr. Casey Goodall, Associate Superintendent of Business Services, Tania Salinas, Director of Assessment and Accountability, Dr. Robert Pecot, Director of Student Services and Curriculum and Julianna Stocking, Director of Continuous Improvement and State and Federal Programs

Appendix 1 includes copies of the Petition Team’s biographies.

### Consultants

#### Young, Minney & Corr, LLP

YM&C is proud to be California’s most experienced, knowledgeable, and respected firm working in the unique area of charter school law. As a leader in charter school representation since the passage of California’s Charter Schools Act of 1992, YM&C represents more than half of the charter schools in the state, offering expertise in every facet of charter school creation, expansion, and operation.

#### Table 1: Petition Team and Consultant Expertise Areas

<b>Name</b>	<b>Curriculum</b>	<b>Instructional Methodology</b>	<b>School Administration</b>	<b>Teaching</b>	<b>Special Education</b>	<b>Charter School/ Business Development</b>	<b>Legal</b>	<b>School Finance</b>	<b>School Facilities/ Real Estate</b>	<b>Fundraising/ Grants</b>	<b>School Non-Profit/ Assoc. Governance</b>	<b>Human Resources</b>
<b>Sheila Harrison, Associate Superintendent of Educational Services</b>	x	x	x	x								
<b>Julie Stocking, Director of Continuous Improvement and State and Federal Programs</b>	x	x	x	x								
<b>Rob Pecot, Director of Student Services and Curriculum</b>								x	x			
<b>Tamara Ferrario, Director of HR</b>												x
<b>Tania Salinas, Director of Assessment &amp; Accountability</b>	x	x	x	x								
<b>Casey Goodall, Associate Superintendent of Business Services</b>						x		x	x			
<b>Tammy Jalique, Associate Superintendent of Human Resources</b>												x
<b>Young, Minney &amp; Corr, LLP</b>					x	x	x	x	x	x	x	x



## **Element A: Educational Program**

### **Governing Law:**

*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, and lifelong learners. Education Code Section 47605(b)(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 paragraphs (2) to (8), inclusive of subdivision (d) of Section 52060, that apply for the grade levels served by the charter school, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals. Education Code Section 47605(b)(5)(A)(ii).*

### **Mission and Vision**

#### Mission

As an independent study/virtual program, Tracy Independent Study Charter School utilizes a standards-based education that addresses individual differences and learning styles that provides students the opportunity to select customized pathways.

#### Vision

Preparing each student to succeed in their future and be college and career ready upon graduation.

### **Whom the Charter School is Attempting to Educate**

TISCS is open to all students in grades 6<sup>th</sup>-12<sup>th</sup> and is nonsectarian in its programs, admissions policies, employment practices, and all other operations. TISCS targets and intends to educate students seeking a non-traditional educational setting. TISCS serves two distinct populations though an independent study approach and virtual academy in the Calaveras, Amador, Sacramento, Contra Costa, Alameda, Stanislaus and San Joaquin Counties. TISCS serves students who seek an alternative educational model that provides for greater flexibility in terms of time and delivery of instruction. Students who are struggling in the traditional classroom setting, are behind academically, and would benefit from a one-on-one student to teacher ratio for academic support, credit recovery and/or skill remediation. The alternative educational program serves high school students seeking both a classroom and non-classroom-based environment that provides standards-based academic assignments to allow them to graduate from high school in a flexible learning environment. Furthermore, this program seeks to serve students who leave the District in pursuit of other alternative educational options.

## **What it Means to be an Educated Person in the 21<sup>st</sup> Century**

To be an educated person in the 21st Century, students require the skills and abilities to be prepared for their future. There are 12 skills and abilities that today's students need to succeed in their careers and life during the Information Age. The 21st Century skills are:

1. Critical thinking
2. Creativity
3. Collaboration
4. Communication
5. Information literacy
6. Media literacy
7. Technology literacy
8. Flexibility
9. Leadership
10. Initiative
11. Productivity
12. Social skills

These skills are intended to help students keep up with the lightning-pace of today's and tomorrow's world. Each skill is unique in how it helps students, but they all have one quality in common. They're essential in the age of the Internet.

Each 21st Century skill is broken into one of three categories that include:

- Learning skills (the four C's: critical thinking, creativity, collaboration, communication) teaches students about the mental processes required to adapt and improve upon a modern work environment. Critical thinking includes finding solutions to problems; creativity includes thinking outside the box; collaboration involves the skills and ability to work with a variety of others; and communication includes being able to communicate effectively both verbally and in writing.
- Literacy skills focus on how students can discern facts, publishing outlets, and the technology behind them. There's a strong focus on determining trustworthy sources and factual information to separate it from the misinformation that floods the Internet.
- Life skills examines intangible elements of a student's everyday life. These intangibles focus on both personal and professional qualities.

Altogether, these categories include all 12 21st Century skills they are universal needs for any career that contribute to a student's future success.

Information literacy is the foundational skill. It helps students understand facts, especially data points, that they'll encounter online. More importantly, it teaches them how to separate fact from fiction. In an age of chronic misinformation, finding truth online has become a job all on its own. It's crucial that students can identify honesty on their own.

Media literacy is the practice of identifying publishing methods, outlets, and sources while distinguishing between the ones that are credible and the ones that aren't. Just like the previous skill, media literacy is helpful for finding truth in a world that's saturated with information.

This is how students find trustworthy sources of information in their lives. Without it, anything that *looks* credible *becomes* credible. But with it, they can learn which media outlets or formats to ignore. They also learn which ones to embrace, which is equally important.

Technology literacy goes another step further to teach students about the machines involved in the Information Age. As computers, cloud programming, and mobile devices become more important to the world, the world needs more people to understand those concepts. Technology literacy gives students the basic information they need to understand what gadgets perform what tasks and why. Technology literacy unmask the high-powered tools that run today's world. As a result, students can adapt to the world more effectively. They can play an important role in its evolution.

Flexibility is the expression of someone's ability to adapt to changing circumstances and deviate from plans as needed. Flexibility is crucial to a student's long-term success in a career and in life. Knowing when to change, how to change, and how to react to change is a skill that'll pay dividends for someone's entire life.

Leadership is someone's penchant for setting goals, walking a team through the steps required, and achieving those goals collaboratively as well as providing motivation for a team to accomplish a goal.

Initiative, requiring students to be self-starters and to have a strong work ethic. It involves starting and finishing projects and developing effective plans and strategies and to be successful.

Productivity involves a student's ability to complete work in an appropriate amount of time and maintain efficiency. By understanding productivity strategies at every level, students discover the ways in which they work best while gaining an appreciation for how others work as well. That equips them with the practical means to carry out the ideas they determine through flexibility, leadership, and initiative.

Social skills are crucial to the ongoing success of a student. The rise of social media and instant communications have changed the nature of human interaction. Social skills such as empathy, etiquette, manners and politeness are important to the success of students.

The combination of a student's ability to incorporate, comprehend, and use the 12 skills and abilities noted above are vital to student success in the 21<sup>st</sup> Century. The more exposure and understanding of these 12 skills and abilities a student has the more they will be able to thrive in a changing environment that is focused in an online world and 21<sup>st</sup> Century Environment.

### **How Learning Best Occurs**

TISCS provides an alternative educational program and learning experience using independent study and virtual academy for 6<sup>th</sup> through 12<sup>th</sup> grade students who may have been unsuccessful in a traditional school setting. TISCS teachers build strong personal relationships with their students allowing high quality one-on-one instruction to occur. In order to maximize student achievement, the program will support students to thrive socially and developmentally. Our program is designed to provide a learning experience that is personalized, supports the academic achievement of our

students, empowers parents, and promotes optimum learning by collaboratively developing a personalized learning plan for each student in order to satisfy high school graduation requirements.

### **Framework for Instructional Design**

An independent study and virtual academy that includes both online and a blended learning model were determined to best support students who have been unsuccessful in a traditional school setting. By providing both online and blended learning, we are able to leverage technology to deliver personalized instruction. In a blended learning model through the use of computers, the teacher is able to deliver course content and instruction and differentiate according to the student's needs. The teacher transitions from the "sage on the stage" to "guide on the side" as students are empowered with greater responsibility for their own learning.

### **Learning Environment**

TISCS provides both an online and classroom learning environment for students. Students complete course work through the online Edgenuity platform and meet at a District school site every week with their teacher. TISCS will follow the same Tracy Unified School District school year calendar. Teachers will be available to meet with students beginning at 8:00 a.m. and conclude at 3:00 p.m. for all students.

### **Instructional Approach and Curriculum**

The Tracy Independent Study Charter School offers an innovative educational option for students and families seeking an alternative to traditional site-based schools. Independent study is an instructional delivery model that adapts to a student's individual needs and style of learning. The primary goal of independent study is to offer a means of personalizing the educational experience for students whose needs may be met best through an independent study environment. TISCS teachers build strong personal relationships with their students allowing high quality one-on-one instruction to occur. The program is designed to provide a learning experience that is personalized, supports the academic achievement of our students, empowers parents, and promotes optimum learning by collaboratively developing a personalized learning plan for each student. Our objective is to empower students to become self-motivated, competent, and lifelong learners.

Learning plans are personalized to address the student's academic goals, skills, abilities and interests. Students also participate in the development of their own personalized learning plan. Learning objectives are designed to be relevant to the student's personal motivation. In addition, students are engaged in their own learning through participation in projects and practical, real-world problem solving. Students will have access to digital resources to enhance and support their learning.

TISCS offers students the opportunity to complete academic courses and earn credits through a variety of flexible environments including: direct instruction, one-on-one, virtual tutoring, blended learning, and small group instruction. Students access UC approved curriculum through Edgenuity, an online learning platform that delivers personalized learning. By pairing online curriculum and real-time data with teacher-led instruction we are able to truly personalize learning for every student.

Curriculum, lessons, and activities are grade-level specific. The Edgenuity online curriculum aligns to the Common Core State Standards and Next Generation Science Standards (NGSS). It is also used to supplement classroom instruction, in a fully virtual implementation, and for initial credit for middle- and high-school students. In addition, the platform provides Credit recovery courses to help high-school students recover credits to graduate on time. The self-paced learning and pretesting in the online curriculum allows students to spend more time on what they need and less time on content they've already mastered. Edgenuity provides students who struggle with personalized instruction that focuses on the skills and concepts they have yet to master which is crucial to their future success. Edgenuity's online intervention programs, help educators pinpoint specific learning gaps and provide a targeted, data-driven instructional pathway to help students catch up, keep up, or get ahead in math and English language arts. With solutions available for students from 6th through 12th grade, Edgenuity helps to provide our students with the targeted instruction they need to move forward, while offering clear and easy-to-read data and reporting so educators can monitor student progress and personalize their learning. Further, the platforms test readiness courses offer comprehensive preparation for state and national exams. Edgenuity's Virtual Tutor courses help students develop the skills they need to be successful on high-stakes, end-of-course, and exit exams. The platform provides resources to help schools meet the needs of all students, including those who are homebound or have IEPs and 504 plans, and require special accommodations or modifications.

Through the Edgenuity Courseware TISCS can offer over 300 standards-aligned, online courses for students in grades 6–12. Courses are customizable and feature a full suite of learning tools and scaffolds, and can be taken for initial credit, as well as credit recovery. The platform offers a full suite of core curriculum, Advanced Placement, honors, elective, dual credit, and credit recovery courses for middle and high school students. Courses offered include the following subjects: English language arts, mathematics, science, social studies, Advanced Placement, general electives, world languages, Career and Technical Education (CTE), test preparation, honors courses, social and emotional learning, dual credit, and courses to support English language learners.

Edgenuity courses combine rigorous content with direct-instruction videos from expert, on-screen teachers with interactive learning tools and resources to engage and motivate students. The online courses for core curriculum, Advanced Placement, electives, Career and Technical Education, dual credit and credit recovery are based on the rigor and high expectations of California Common Core State Standards and the Next Generation Science Standards (NGSS). The platform ensures the flexibility to provide courses that meet student's needs. The online courses are available for credit recover, initial credit and as honors courses for students who want to further challenge themselves. Designed to inspire lifelong learning, the courses may be used in a blended or online learning model.

The Edgenuity online platform provides intervention for students in grade 6-12 who are struggling in math and reading. The platform provides students with a differentiated program using MyPath. MyPath's instruction ranges from the 3<sup>rd</sup>-11<sup>th</sup> grade skill level and speaks to students at their age level, using age-appropriate content to keep learners engaged and motivated. Teachers are able to monitor student progress in real time through easy to access reports. This provides teachers with the ability to know when students are ready to move on, which students need additional support and how to group students with similar needs for targeted reteaching. Students take a placement exam to determine their initial proficiency level. Based on the



assessment data, each student is assigned an individual learning path (ILP) that focuses on the skills and concepts students are ready to learn.

Tracy Unified School District adopted instructional materials will be available to all students on an as needed basis to supplement core instruction provided by TISCS teachers.

Credentialed teachers and counselors work in partnership with students to help them accomplish their goals for graduation and beyond. They monitor student progress closely, offer support as needed and ensure students are on track to graduate. In summary, Independent Study students' complete classes and classwork from a standards-based curriculum through our online system with support from the teacher. Students are responsible for completing assignments weekly on their own time, to meet with their teacher every week, and to contact the teacher for further support.

## **Independent Study**

### **Laws and Regulations**

TISCS shall comply with all state and federal laws regarding independent study, including, but not limited to, Education Code Section 51745 *et seq.* and its implementing regulations.

### **Written Policies**

TISCS shall adopt a written policy on independent study. The independent study policy includes, but is not limited to, the following:

- The maximum length of time, by grade level and type of program, that may elapse between the time an independent study assignment is made and the date by which the student must complete the assigned work.
- The number of missed assignments that will be allowed before an evaluation is conducted to determine whether it is in the best interests of the student to remain in independent study. A written record of the findings of any evaluation made pursuant to this subdivision shall be maintained in the student's permanent record.
- A requirement that a current written agreement ("master agreement") for each independent study student shall be maintained on file.

### **Independent Study Master Agreements**

TISCS shall maintain on file a current written master agreement for each independent study student. The master agreement contains, at minimum, the following information:

- The manner, time, frequency, and place for submitting a student's assignments and for reporting his or her progress.
- The objectives and methods of study for the student's work and the methods utilized to evaluate that work.

- The specific resources, including materials and personnel that will be made available to the student.
- A statement of the policies adopted regarding the maximum length of time allowed between the assignment and the completion of a student’s assigned work as well as and the number of missed assignments allowed prior to an evaluation of whether or not the student should be allowed to continue in independent study.
- The duration of the independent study master agreement. No independent study agreement shall be valid for any period longer than one semester or one-half year for a school on a year-round calendar.
- A statement of the number of course credits, or other measures of academic accomplishment appropriate to the agreement, to be earned by the student upon completion.
- The inclusion of a statement in each independent study agreement that independent study is an optional educational alternative in which no student may be required to participate.
- Each written agreement shall be signed, prior to the commencement of independent study, by the student; the student’s parent, legal guardian, or care giver if the student is less than 18 years of age; the certificated employee, supervising teacher who has been designated as having responsibility for the general supervision of independent study; and all other persons who have direct responsibility for providing assistance to the student.

Prohibition against Provision of Funds or Things of Value

TISCS shall not provide any funds or other things of value to the student or his or her parent or guardian that a school district could not legally provide to a similarly situated student of the school district or to his or her parent or guardian.

County or Contiguous County Residents

TISCS may only receive funding for the provision of independent study to students who are residents of Butte County or who are residents of a county immediately adjacent to San Joaquin County.

Teacher/Student Ratio

TISCS complies with Title 5 California Code of Regulations Section 11704 and Education Code Section 51745.6 regarding teacher to ADA limits.

School Calendar

As required by law, TISCS will offer at least 175 instructional days each year.

### Instructional Minutes

TISCS shall offer, at a minimum, the same number of minutes of instruction set forth in 47612.5(a)(1).

### Contemporaneous Records of Attendance

TISCS maintains written contemporaneous records that document all student attendance and make these records available for audit and inspection TISCS will keep a daily log of engagement in educational activities. This is maintained signed contemporaneously by the certificated teacher of record. Additionally, the certificated teacher of record will document and personally judge, in each instance, the extent of the time value of the student work products. For purposes of determining the Charter School's total number of student-days of attendance, no student may generate more than one day of attendance in a calendar day.

### TISCS Goals and Actions to Achieve the State Priorities

Please see the section "Goals, Actions and Measurable Outcomes Aligned with the State Priorities" in Element B of the charter for a description of the Charter School's annual goals to be achieved in the State Priorities schoolwide and for all pupil subgroups, as described in Education Code Section 52060(d)(2)-(8), and specific annual actions to achieve those goals, in accordance with Education Code Section 47605(b)(5)(A)(ii).

In addition to the goals listed therein, TISCS has the objective of enabling pupils to become self-motivated, competent, and lifelong learners

### Plan for Students Not Achieving At or Above Expected Levels

The personalized learning approach is inherently well suited for addressing the needs of students who are academically low achieving. Because a personalized learning plan is initiated from the time of enrollment, this plan continues to be modified to reflect the needs of the student. Students who are assessed as academically low achieving are assigned to appropriate courses and curriculum which address their specific needs. The Edgenuity online platform provides intervention for students in grade 6-12 who are struggling in math and reading. The platform provides students with a differentiated program using MyPath. MyPath's instruction ranges from the 3<sup>rd</sup>-11<sup>th</sup> grade skill level and speaks to students at their age level, using age-appropriate content to keep learners engaged and motivated. Teachers are able to monitor student progress in real time through easy to access reports. This provides teachers with the ability to know when students are ready to move on, which students need additional support and how to group students with similar needs for targeted reteaching. Students take a placement exam to determine their initial proficiency level. Based on the assessment data, each student is assigned an individual learning path (ILP) that focuses on the skills and concepts students are ready to learn. TISCS has a protocol for identifying students who are most at risk. Students who are not meeting grade-level standards on state assessments, failing classes or are credit deficient, are supported through an intervention strategy with their learning team called a "Student Success Plan."

## **Plan for Students Achieving Substantially Above Grade Level Expectations**

Edgenuity offers a full suite of core curriculum, Advanced Placement, honors, elective, dual credit, and credit recovery courses for middle and high school students. Courses offered include the following subjects: English language arts, mathematics, science, social studies, Advanced Placement, general electives, world languages, Career and Technical Education (CTE), test preparation, honors courses, social and emotional learning, dual credit, and courses to support English language learners. The dual credit courses allow students to earn high school and college credit, challenge themselves academically and prove to universities they can perform college-level work. There are several accelerated and honors courses offered in English, Social Studies, Mathematics and Science for students achieving above grade level expectations.

## **Plan for English Learners**

TISCS will meet all applicable legal requirements for English Learners, including long-term English Learners or English Learners at risk of becoming long-term English Learners, as they pertain to annual notification to parents, student identification, placement, program options, EL and core content instruction, teacher qualifications and training, re-classification to fluent English proficient status, monitoring and evaluating program effectiveness, and standardized testing requirements. TISCS will implement policies to assure proper placement, evaluation, and communication regarding ELs and the rights of students and parents.

## **Home Language Survey**

TISCS will administer the home language survey upon a student's initial enrollment into TISCS (in enrollment packets).

## **English Language Proficiency Assessment**

All students who indicate that their home language is other than English will be tested with the English Language Proficiency Assessments for California ("ELPAC"). The ELPAC has four proficiency levels (Level 4: well developed; Level 3: moderately developed; Level 2: somewhat developed; and Level 1: minimally developed) and is aligned with the 2012 California ELD Standards.

The ELPAC consists of two separate assessments:

- Initial Assessment ("IA")
- The ELPAC IA is used to identify students as either an English Learner, or as fluent in English. The IA is administered only once during a student's time in the California public school system based upon the results of the home language survey. The locally scored IA will be the official score. The IA is given to students in grades TK–12 whose primary language is not English to determine their English proficiency status.
- Summative Assessment ("SA")

- ELs will take the SA every year until they are reclassified as fluent English proficient. The ELPAC SA is only given to students who have previously been identified as an EL based upon the IA results, in order to measure how well they are progressing with English development in each of the four domains. The results are used as one of four criteria to determine if the student is ready to be reclassified as fluent English proficient, to help inform proper educational placement, and to report progress for accountability.

Both the ELPAC SA and IA are paper–pencil assessments administered in seven grade spans—K, 1, 2, 3–5, 6–8, 9–10, and 11–12. In kindergarten and grade 1, all domains are administered individually. In grades 2–12, the test is administered in groups, exclusive of speaking, which is administered individually.

Testing times will vary depending upon the grade level, domain, and individual student. Both the ELPAC IA and SA are given in two separate testing windows through the school year.

The IA testing window will be year-round (July 1–June 30). Any student whose primary language is other than English as determined by the home language survey and who has not previously been identified as an English Learner by a California public school or for whom there is no record of results from an administration of an English language proficiency test, shall be assessed for English language proficiency within 30 calendar days after the date of first enrollment in a California public school, or within 60 calendar days before the date of first enrollment, but not before July 1 of that school year.

The SA testing window will be a four-month window after January 1 (February 1–May 31). The English language proficiency of all currently enrolled English Learners shall be assessed by administering the test during the annual assessment window.

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

### Reclassification Procedures

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

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

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

Students who have met the criteria to be reclassified from English Learner to Fluent English Proficient will be monitored for four years. Documentation will be completed by classroom teachers and filed in the students’ cumulative folders.

### Strategies for English Learner Instruction and Intervention

TISCS will use effective instructional strategies such as interactive read aloud, text reconstruction deconstruction, and academic oral language and literacy when teaching EL students. All TISCS teachers will have CLAD authorization. Integrated ELD and Designated ELD is embedded within Edgenuity curriculum materials.

### Monitoring and Evaluation of Program Effectiveness

TISCS shall evaluate the effectiveness of its education program for ELs by:

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

### **Plan for Students with Disabilities**

#### Overview

TISCS 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”).

TISCS shall be categorized as a public school of the District in accordance with Education Code Section 47641(b).

TISCS 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.

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

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

TISCS 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 TISCS. Any 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 Principal 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 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 Principal 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.

### **Services for Students under the IDEA**

TISCS 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"). TISCS shall remain, by default, a public school of the District for purposes of Special Education pursuant to Education Code Section 47641(b).

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. 1413, TISCS seeks services from the District for special education students enrolled in TISCS in the same manner as is provided to students in other District schools. TISCS 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. TISCS 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 TISCS and the District to review special education policies, procedures, protocols, and forms of the District and the SELPA and District protocol, will ensure that TISCS and the District have an ongoing mutual understanding of District protocol and will facilitate ongoing compliance.

As long as TISCS 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 TISCS 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 TISCS.

The District shall be designated the Local Educational Agency serving TISCS students. Accordingly, TISCS shall be deemed a public school of the District pursuant to Education Code Section 47641(b) and 47646(a). TISCS 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. 1413, TISCS



seeks services from the District for special education students enrolled in TISCS in the same manner as is provided to students in other District schools.

TISCS acknowledges the importance of cooperating with the District so that the District can provide special education services to TISCS students. TISCS agrees to promptly respond to all District inquiries, to comply with reasonable District directives, and to allow the District access to TISCS students, staff, facilities, equipment and records as required to fulfill all District obligations under this Agreement or imposed by law. TISCS 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 TISCS will be delivered by individuals or agencies qualified to provide special education services as required by California’s Education Code and the IDEA. TISCS staff shall participate in all mandatory District in-service training relating to special education.

It is TISCS’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 TISCS that current District practice is for the individual school sites to hire site special education staff or the District and TISCS agree that TISCS must hire on-site special education staff. In that instance, TISCS shall ensure that all special education staff hired by TISCS 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 TISCS (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 TISCS students, including, without limitation, speech therapists, occupational therapists, behavioral therapists, and psychologists.

### Notification and Coordination

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

TISCS 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. TISCS 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

TISCS shall have the responsibility to identify, refer, and work cooperatively in locating TISCS students who have or may have exceptional needs that qualify them to receive special education services. TISCS 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 regular education program have been considered, and where appropriate, utilized.

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

In the event that TISCS 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, TISCS 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.

TISCS 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. TISCS shall work in collaboration with the District to obtain parent/guardian consent to assess TISCS students. TISCS shall not conduct special education assessments unless directed by the District.

## IEP Meetings

It is TISCS'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. TISCS shall be responsible for having the following individuals in attendance at the IEP meetings or as otherwise agreed upon by the District and TISCS: the Principal and/or the TISCS 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 regular education classroom; the student, if appropriate; and other TISCS representatives who are knowledgeable about the regular education program at TISCS and/or about the student. It is TISCS'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

TISCS 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 TISCS students in accordance with the policies, procedures and requirements of the District and of the SELPA and State and Federal law.

TISCS 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. TISCS 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 TISCS 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, TISCS 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. TISCS shall also provide all home-school coordination and information exchange unless directed otherwise by the District. TISCS shall also be responsible for providing all curriculum, classroom materials, classroom modifications, and assistive technology unless directed otherwise by the District. TISCS shall comply with any directive of the District as relates to the coordination of TISCS 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

TISCS shall comply with Education Code Section 56325 with regard to students transferring into TISCS within the academic school year. In accordance with Education Code Section 56325(a)(1), for students who enroll in TISCS from another school district within the State, but outside of the SELPA with a current IEP within the same academic year, the District and TISCS 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 TISCS 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 TISCS from a district operated program under the same

special education local plan area of the District within the same academic year, the District and TISCS 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 TISCS with an IEP from outside of California during the same academic year, the District and TISCS 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. TISCS 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. TISCS 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 TISCS and no student shall be denied admission nor counseled out of TISCS 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

TISCS shall follow District policies as they apply to all District schools for responding to parental concerns or complaints related to special education services. TISCS shall instruct parents/guardians to raise concerns regarding special education services, related services and rights to the District unless otherwise directed by the District. TISCS shall immediately notify the District of any concerns raised by parents. In addition, TISCS 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 TISCS's designated representative, shall investigate as necessary, respond to, and address the parent/guardian concern or complaint. TISCS shall allow the District access to all facilities, equipment, students, personnel, and records to conduct such an investigation.

TISCS 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 TISCS shall comply with the District's decision.

TISCS 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 TISCS if the District determines such action is legally necessary or advisable. TISCS 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 TISCS shall work together to defend the case. In the event that the District determines that legal representation is needed, TISCS agrees that it shall be jointly represented by legal counsel of the District's choosing.

TISCS 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 TISCS student necessary to protect its rights.

#### SELPA Representation

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

#### Funding

TISCS 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 TISCS. TISCS 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 TISCS students through the SELPA Annual Budget Plan, and shall be entitled to count TISCS 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 TISCS students with placements at locations other than at TISCS'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 TISCS 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 TISCS site.

#### Contribution to Encroachment

TISCS shall contribute its fair share to offset special education's encroachment upon the District's general fund. Accordingly, TISCS 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 TISCS for TISCS'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 TISCS) divided by the total number of District ADA (including TISCS students), and multiplied by the total number of TISCS ADA. TISCS ADA shall include all TISCS students, regardless of home district.

## Element B: Measurable Pupil Outcomes

## Element C: Methods of Assessment

### Governing Law

*The measurable pupil outcomes identified for use by the charter school. “Pupil outcomes,” for purposes of this part, means the extent to which all pupils of the 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 groups of pupils served by the charter school, as that term is defined in subparagraph (B) of paragraph (3) of subdivision (a) of Section 47607. The pupil outcomes shall align with the state priorities, as described in paragraphs (2) to (8), inclusive, of subdivision (d) of Section 52060 that apply for the grade levels served by the charter school.*

*Education Code Section 47605(b)(5)(B).*

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

*Education Code Section 47605(b)(5)(C).*

### **TISCS Goals, Actions and Measurable Outcomes that Align with the State Priorities**

Pursuant to Education Code Section 47605(b)(5)(A)(ii), TISCS has established goals and actions both schoolwide and for each subgroup of pupils, which address and align with the State Priorities identified in Education Code Section 52060(d)(2)-(8).

#### Local Control and Accountability Plan

In accordance with, and using the procedures prescribed by, Education Code Section 47606.5, TISCS shall comply with all applicable requirements of the Local Control and Accountability Plan (“LCAP”) including any applicable regulations promulgated, and the template adopted, by the State Board of Education. The Charter School reserves the right to establish additional and/or amend school-specific goals and corresponding assessments throughout the duration of the charter. TISCS shall submit the LCAP to the District and the San Mateo County Superintendent of Schools annually on or before July 1, as required by Education Code Section 47604.33.

The LCAP and any revisions necessary to implement the LCAP, including goals and actions listed below, shall not be considered a material revision to the charter, and shall be maintained by TISCS at the school site.

Because each state priority has multiple parts, in order to align with the goals and annual actions to these multiple parts of each state priority, TISCS Charter School has separated out the state priorities into “subpriorities.”

<b>State Priority #2— Implementation of State Standards</b>	
<i>Implementation of State Standards (including CCSS and ELD), including how EL students will be enabled to gain academic content knowledge and English language proficiency</i>	
<b>SUBPRIORITY A – STATE STANDARD IMPLEMENTATION</b>	
<b>Goal to Achieve Subpriority</b>	Prepare all students for college and careers and ensure all students meet grade level standards with a focus on closing the achievement gap for all student groups.
<b>Actions to Achieve Goal</b>	Fully implement California State Standards.
<b>Measurable Outcome</b>	100% of students will have access to state standards aligned materials.
<b>Goal and Outcomes for Subgroup #1</b>	100% of student groups will have access to state standards materials.
<b>Methods of Measurement</b>	SARC Report
<b>SUBPRIORITY B – EL STUDENTS &amp; ACADEMIC CONTENT KNOWLEDGE</b>	
<b>Goal to Achieve Subpriority</b>	Prepare all students for college and careers and ensure all students meet grade level standards with a focus on closing the achievement gap for all student groups.
<b>Actions to Achieve Goal</b>	Place 100% of EL students in appropriate language support program option and provide access to all core content.
<b>Measurable Outcome</b>	All EL students will gain one % on the CAASPP, reflected on the Ca Dashboard.
<b>Goal and Outcomes for Subgroup #1</b>	All EL students will have access to common core standards.
<b>Methods of Measurement</b>	CA Dashboard Academic Achievement Indicator
<b>SUBPRIORITY C – EL STUDENTS &amp; ENGLISH LANGUAGE PROFICIENCY</b>	
<b>Goal to Achieve Subpriority</b>	Prepare all students for college and careers and ensure all students meet grade level standards with a focus on closing the achievement gap for all student groups.
<b>Actions to Achieve Goal</b>	Provide appropriate language development instruction to all English Learners.
<b>Measurable Outcome</b>	10% of EL students will be reclassified as English Proficient.
<b>Goal and Outcomes for Subgroup #1</b>	All EL students will be recommended for reclassification upon meeting the criteria.



<b>Methods of Measurement</b>	ELPAC Assessment Results
State Priority #3— Parental Involvement	
<i>Parental involvement, including efforts the Charter School makes to seek parent input for making decisions for the Charter School, and including how the Charter School will promote parent participation in programs for unduplicated pupils and pupils with exceptional needs.</i>	
<b>SUBPRIORITY A – ACHIEVING/MAINTAINING PARENTAL INVOLVEMENT</b>	
<b>Goal to Achieve Subpriority</b>	Provide a safe and equitable learning environment for all students and staff.
<b>Actions to Achieve Goal</b>	Communicate parent involvement opportunities for input in decision making for the school district and individual school sites.
<b>Measurable Outcome</b>	Increase Parent and Family Engagement Survey response rate by 20%.
<b>Goal and Outcomes for Subgroup #1</b>	Increase Parent and Family Engagement Survey participation for EL families.
<b>Methods of Measurement</b>	Parent and Family Engagement Survey results and aligned LCAP action services.
<b>SUBPRIORITY B – PROMOTING PARENT PARTICIPATION</b>	
<b>Goal to Achieve Subpriority</b>	Provide a safe and equitable learning environment for all students and staff.
<b>Actions to Achieve Goal</b>	Administer Parent and Family Engagement Survey to all parents and families available online and on paper.
<b>Measurable Outcome</b>	100% of sites will maintain documentation of verifying communication and contacts with families throughout the year.
<b>Goal and Outcomes for Subgroup #1</b>	Increase Parent and Family Engagement Survey participation for EL families.
<b>Methods of Measurement</b>	Parent and Family Engagement Survey results.
<b>SUBPRIORITY C – PROMOTING PARENT PARTICIPATION FOR UNDUPLICATED STUDENTS AND STUDENTS WITH EXCEPTIONAL NEEDS</b>	
<b>Goal to Achieve Subpriority</b>	Provide a safe and equitable learning environment for all students and staff.
<b>Actions to Achieve Goal</b>	Parents of unduplicated students will be recruited to participate in educational programs and across the district.
<b>Measurable Outcome</b>	Provide announcements and communication throughout the year to all families.

<b>Goal and Outcomes for Subgroup #1</b>	Increase parent participation for all parents of unduplicated students.
<b>Methods of Measurement</b>	School site documentation of all parent communication announcements, school event sign in forms, and Parent and Family Engagement Survey.
<b>STATE PRIORITY #4— STUDENT ACHIEVEMENT</b>	
<i>Pupil achievement, as measured by all of the following, as applicable:</i>	
<i>a. California Assessment of Student Performance and Progress statewide assessment</i>	
<i>b. Percentage of pupils who have successfully completed courses that satisfy UC/CSU entrance requirements, or career technical education.</i>	
<i>c. Percentage of ELs who make progress toward English language proficiency as measured by English Language Proficiency Assessment for California.</i>	
<i>d. EL reclassification rate</i>	
<i>e. Percentage of pupils who have passed an AP exam with a score of 3 or higher</i>	
<i>f. Percentage of pupils who participate in and demonstrate college preparedness pursuant to the Early Assessment Program (E.C. §99300 et seq.) or any subsequent assessment of college preparedness</i>	
<b>SUBPRIORITY A – CAASPP</b>	
<b>Goal to Achieve Subpriority</b>	Prepare all students for college and careers and ensure all students meet grade level standards with a focus on closing the achievement gap between all student groups.
<b>Actions to Achieve Goal</b>	Administer the CAASPP assessment to all students grades 3-8, and 11.
<b>Measurable Outcome</b>	Maintain a CAASPP participation rate of 95% or higher.
<b>Goal and Outcomes for Subgroup #1</b>	Maintain a CAASPP participation rate of 95 % or higher for all student groups.
<b>Methods of Measurement</b>	CA School Dashboard results.
<b>SUBPRIORITY B – NOT APPLICABLE</b>	
<b>SUBPRIORITY C – EL PROFICIENCY RATES</b>	
<b>Goal to Achieve Subpriority</b>	Prepare all students for college and careers and ensure all students meet grade level standards with a focus on closing the achievement gap between all student groups.
<b>Actions to Achieve Goal</b>	Administer the ELPAC to 100% of ELs.

<b>Measurable Outcome</b>	Percentage of ELs will increase by 1% annually on the ELPAC.
<b>Goal and Outcomes for Subgroup #1</b>	100% of ELs will take the ELPAC assessment.
<b>Methods of Measurement</b>	ELPAC Assessment results and CA School Dashboard
<b>SUBPRIORITY D – EL RECLASSIFICATION RATES</b>	
<b>Goal to Achieve Subpriority</b>	Prepare all students for college and careers and ensure all students meet grade level standards with a focus on closing the achievement gap between all student groups.
<b>Actions to Achieve Goal</b>	Provide English Language instruction to all English Learners.
<b>Measurable Outcome</b>	10% of ELs will be reclassified.
<b>Goal and Outcomes for Subgroup #1</b>	A minimum of 10% or more of ELs will meet the criteria for Reclassification annually.
<b>Methods of Measurement</b>	CALPADS annual report
<b>SUBPRIORITY E – NOT APPLICABLE</b>	
<b>SUBPRIORITY F – NOT APPLICABLE</b>	
State Priority #5— Student Engagement	
<i>Pupil engagement, as measured by all of the following, as applicable:</i>	
<ul style="list-style-type: none"> <li>a. School attendance rates</li> <li>b. Chronic absenteeism rates</li> <li>c. Middle school dropout rates (EC §52052.1(a)(3))</li> <li>d. High school dropout rates</li> <li>e. High school graduation rates</li> </ul>	
<b>SUBPRIORITY A – STUDENT ATTENDANCE RATES</b>	
<b>Goal to Achieve Subpriority</b>	Prepare all students for college and careers and ensure all students meet grade level standards with a focus on closing the achievement gap between all student groups.
<b>Actions to Achieve Goal</b>	All Schools will provide positive incentives to increase student attendance.
<b>Measurable Outcome</b>	Increase attendance rate to 95%.
<b>Goal and Outcomes for Subgroup #1</b>	Increase attendance rate to 95% for all student groups.

<b>Methods of Measurement</b>	AERIES Attendance Reports
<b>SUBPRIORITY B – STUDENT ABSENTEEISM RATES</b>	
<b>Goal to Achieve Subpriority</b>	Prepare all students for college and careers and ensure all students meet grade level standards with a focus on closing the achievement gap between all student groups.
<b>Actions to Achieve Goal</b>	Implement SARB procedures and provide positive interventions to students that are chronically absent.
<b>Measurable Outcome</b>	Decrease the chronic absenteeism rate by 1% annually.
<b>Goal and Outcomes for Subgroup #1</b>	Decrease the chronic absenteeism rate by 1% annually for all student groups.
<b>Methods of Measurement</b>	AERIES reports and California School Dashboard
<b>SUBPRIORITY C – MIDDLE SCHOOL DROPOUT RATES</b>	
<b>Goal to Achieve Subpriority</b>	Prepare all students for college and careers and ensure all students meet grade level standards with a focus on closing the achievement gap between all student groups.
<b>Actions to Achieve Goal</b>	Provide academic and social emotional interventions for students at risk of failing promotion requirements.
<b>Measurable Outcome</b>	Maintain middle school dropout rate below 1%.
<b>Goal and Outcomes for Subgroup #1</b>	Maintain middle school dropout rate below 1% for all student groups.
<b>Methods of Measurement</b>	CALPAD annual data
<b>SUBPRIORITY D – NOT APPLICABLE</b>	
<b>SUBPRIORITY E – NOT APPLICABLE</b>	
<i>State Priority #6— School Climate</i> <ol style="list-style-type: none"> <li>a. <i>School climate, as measured by all of the following, as applicable:</i></li> <li>b. <i>Pupil suspension rates</i></li> <li>c. <i>Pupil expulsion rates</i></li> <li>d. <i>Other local measures, including surveys of pupils, parents, and teachers on the sense of safety and school connectedness</i></li> </ol>	
<b>SUBPRIORITY A – PUPIL SUSPENSION RATES</b>	
<b>Goal to Achieve Subpriority</b>	Provide a safe and equitable learning environment for all students and staff.

<b>Actions to Achieve Goal</b>	Provide positive behavior interventions to all students.
<b>Measurable Outcome</b>	Decrease suspension rate by 2% annually.
<b>Goal and Outcomes for Subgroup #1</b>	Decrease the suspension rate by 2% annually for all student groups.
<b>Methods of Measurement</b>	Annual California School Dashboard results.
<b>SUBPRIORITY B – PUPIL EXPULSION RATES</b>	
<b>Goal to Achieve Subpriority</b>	Provide a safe and equitable learning environment for all students and staff.
<b>Actions to Achieve Goal</b>	Provide positive behavior interventions and due process to all students.
<b>Measurable Outcome</b>	Maintain expulsion rates below 1%.
<b>Goal and Outcomes for Subgroup #1</b>	Maintain expulsion rates for all student groups below 1%.
<b>Methods of Measurement</b>	CALPADS annual expulsion data
<b>SUBPRIORITY C – OTHER SCHOOL SAFETY AND SCHOOL CONNECTEDNESS MEASURES (SURVEYS)</b>	
<b>Goal to Achieve Subpriority</b>	Provide a safe and equitable learning environment for all students and staff.
<b>Actions to Achieve Goal</b>	Administer the annual LCAP Feedback Survey to all students in grades 4-12, all parents, and staff.
<b>Measurable Outcome</b>	LCAP Survey safety and climate results at an average of 75% or better.
<b>Goal and Outcomes for Subgroup #1</b>	Administer the annual LCAP Feedback Survey to DELAC and Title 1 Parent Advisory Committees.
<b>Methods of Measurement</b>	LCAP Survey results for safety and climate.
<p>State Priority #7— Course Access</p> <p><i>The extent to which pupils have access to, and are enrolled in, a broad course of study, including programs and services developed and provided to unduplicated students (classified as EL, FRPM-eligible, or foster youth; E.C. §42238.02) and students with exceptional needs.</i></p> <p><i>“Broad course of study” includes the following, as applicable: Grades 1-6: English, mathematics, social sciences, science, visual and performing arts, health, physical education, and other as prescribed by the governing board. (E.C. §51210)</i></p>	

*Grades 7-12: English, social sciences, foreign language(s), physical education, science, mathematics, visual and performing arts, applied arts, and career technical education. (E.C. §51220(a)-(i))*

<b>Goal to Achieve Subpriority</b>	Prepare all students for college and careers and ensure all students meet grade level standards with a focus on closing the achievement gap between all student groups.
<b>Actions to Achieve Goal</b>	All students will have access to and be enrolled in a broad course of study that includes but is not limited to ELA, Mathematics, Social Science, Science, Visual Performing Arts, Health, and Physical Education.
<b>Measurable Outcome</b>	All students have access to a broad course of study.
<b>Goal and Outcomes for Subgroup #1</b>	All student groups will have access to and be enrolled in a broad course of study.
<b>Methods of Measurement</b>	CALPADS report
State Priority #8—Other Student Outcomes	
<i>Pupil outcomes, if available, in the subject areas described above in #7, as applicable.</i>	
<b>SUBPRIORITY A – ENGLISH</b>	
<b>Goal to Achieve Subpriority</b>	
<b>Actions to Achieve Goal</b>	
<b>Measurable Outcome</b>	
<b>Goal and Outcomes for Subgroup #1</b>	
<b>Methods of Measurement</b>	
<b>SUBPRIORITY B – MATHEMATICS</b>	
<b>Goal to Achieve Subpriority</b>	
<b>Actions to Achieve Goal</b>	
<b>Measurable Outcome</b>	
<b>Goal and Outcomes for Subgroup #1</b>	

<b>Methods of Measurement</b>	
<b>SUBPRIORITY C – SOCIAL SCIENCES</b>	
<b>Goal to Achieve Subpriority</b>	
<b>Actions to Achieve Goal</b>	
<b>Measurable Outcome</b>	
<b>Goal and Outcomes for Subgroup #1</b>	
<b>Methods of Measurement</b>	
<b>SUBPRIORITY D – SCIENCE</b>	
<b>Goal to Achieve Subpriority</b>	
<b>Actions to Achieve Goal</b>	
<b>Measurable Outcome</b>	
<b>Goal and Outcomes for Subgroup #1</b>	
<b>Methods of Measurement</b>	
<b>SUBPRIORITY E – VISUAL AND PERFORMING ARTS</b>	
<b>Goal to Achieve Subpriority</b>	
<b>Actions to Achieve Goal</b>	
<b>Measurable Outcome</b>	
<b>Goal and Outcomes for Subgroup #1</b>	
<b>Methods of Measurement</b>	
<b>SUBPRIORITY F – PHYSICAL EDUCATION</b>	

<b>Goal to Achieve Subpriority</b>	
<b>Actions to Achieve Goal</b>	
<b>Measurable Outcome</b>	
<b>Goal and Outcomes for Subgroup #1</b>	
<b>Methods of Measurement</b>	



## Element D: Governance Structure

### Governing Law

*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(b)(5)(D).*

TISCS will be a dependent charter school and will be operated as the Tracy Unified School District, pursuant to California law, upon approval of this charter.

### Parent Involvement in Governance

TISCS will involve parents in the governance of the school through a Governance Advisory Committee and through parent input into the LCAP. The Governance Advisory Committee will include the Charter School Principal, a teacher at the Charter School, 2 parents or a community member.

## Element E: Employee Qualifications

### Governing Law

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

### Overview

All TISCS employees are committed to the vision, mission, and values of the charter to ensure success for all students.

### General Qualifications

#### Administrative Employees

Holder of a valid school administration credential. A Master's Degree is desirable.

#### Instructional Employees

Must hold or be able to obtain a valid California Teaching Credential for the subjects being taught and a CLAD authorization.

#### Resource Teacher

Must hold or be able to obtain a valid California Teaching Credential for the subjects being taught, Special Education Credential, and a CLAD authorization.

### Instructional Support Employees

Must be able to carry out oral and written directions. Read write and speak in English at a level sufficient to fulfill the duties to be performed. High School Diploma or equivalent required. Must pass the District Proficiency Test.

### Non-Instructional Support Employees

The Charter School will contract with TUSD to provide custodial and maintenance services as well as IT support.

### **Key Employees**

#### Principal

Holder of a valid school administration credential. A Master's Degree is desirable.

#### Counselor

Ability to provide and carry out oral and written directions in English, to read and speak at a level sufficient to fulfill the duties. Must hold a valid California Pupil Personnel Services credential in school counseling. Previous experience as a school counselor and/ or teacher is desirable.

## Element F: Health and Safety Procedures

### **Governing Law**

*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 (H), inclusive, of paragraph (2) of subdivision (a) of Section 32282 and procedures for conducting tactical responses to criminal incidents.*

*(iii) That the school safety plan be reviewed and updated by March 1 of every year by the charter school.*

*Education Code Section 47605(b)(5)(F).*

In order to provide safety for all students and staff, the Board of Directors will adopt and implement full health and safety procedures and risk management policies at the school site in consultation with its insurance carriers and risk management experts. These procedures will be incorporated into TISCS's student and employee handbooks and will be reviewed on an ongoing basis by the Principal and Board of Directors. TISCS shall ensure that staff are trained annually on the health and safety policies.

The following is a summary of the health and safety policies and procedures of TISCS:

### **Procedures for Background Checks**

Employees and contractors of TISCS will be required to submit to a criminal background check and 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 in charge shall monitor compliance with this policy and report to the Board of Directors on a regular basis. The Board President shall monitor the fingerprinting and background clearance of the Principal. 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**

Faculty 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 employees will be required to provide records documenting immunizations as is required at all public schools pursuant to Health and Safety Code Sections 120325-120375, and Title 17, California Code of Regulations Sections 6000-6075. All rising 7<sup>th</sup> grade students immunized with a pertussis (whooping cough) vaccine booster.

### **Medication in School**

TISCS 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. TISCS will adhere to Education Code Section 49450, *et seq.*, as applicable to the grade levels served by TISCS

### **Diabetes**

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

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

By January 1, 2020, the Charter School shall identify and implement the most appropriate methods of informing parents and guardians of students in grades 6 through 8 of human trafficking prevention resources.

### **Feminine Hygiene Products**

If the Charter School meets the 40% federal pupil poverty threshold, 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), during each school day.

### **California Healthy Youth Act**

The Charter School shall teach sexual health education and human immunodeficiency virus (“HIV”) prevention education to students in grades 7-8, at least once, 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 identifying 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)-(H):

- child abuse reporting procedures
- routine and emergency disaster procedures
- policies for students who committed an act under 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
- procedures for conducting tactical responses to criminal incidents

### **Emergency Preparedness**

TISCS shall adhere to an Emergency Preparedness Handbook drafted specifically to the needs of the facility in conjunction with law enforcement and the Fire Marshall. 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 be provided training on emergency response, including appropriate “first-responder” training or its equivalent.

### **Bloodborne Pathogens**

TISCS shall meet state and federal standards for dealing with bloodborne pathogens and other potentially infectious materials in the workplace. The Board shall establish a written infectious control plan designed to protect employees and students from possible infection due to contact with bloodborne viruses, including 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 Free, Alcohol Free, Smoke Free Environment**

TISCS shall function as a drug-, alcohol-, and smoke-free environment.

### **Facility Safety**

TISCS shall comply with Education Code Section 47610 by either utilizing facilities that are compliant with the Field Act or facilities that are compliant with the Building Standards Code. TISCS 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. TISCS shall conduct fire drills as required under Education Code Section 32001.

### **Comprehensive Discrimination and Harassment Policies and Procedures**

TISCS 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. TISCS shall develop a comprehensive policy to prevent and immediately remediate any concerns about discrimination or harassment at TISCS (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 TISCS's anti-discrimination and harassment policies.

### **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 school site employees and all other school site employees who have regular interaction with children.

## **Element G: Racial and Ethnic Balance**

### **Governing Law**

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

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

TISCS anticipates that the Charter School will attract many students from all sectors of society. To create a school community that reflects the diversity of the general population residing within the District, TISCS will strive to recruit students from a range of racial, ethnic, linguistic, and socioeconomic backgrounds. TISCS will bring a sense of validation and encouragement to families from diverse and multicultural backgrounds seeking a unique educational experience. This mindset will assist us in our overall recruiting efforts. TISCS is committed to designing measurable approaches to underscore our dedication in establishing a diverse student body. The Charter School will maintain an accurate accounting of the ethnic and racial balance of students enrolled in the Charter School and will use this information to determine where additional outreach efforts are needed.

TISCS will engage in the following outreach activities, which are detailed further in our Outreach and Recruitment Plan in Appendix 5.

### **Marketing Materials**

Designed flyers and distributed informational materials to appeal to various racial and ethnic groups within the District. Flyers will be distributed at local markets, coffee shops, libraries, churches, middle schools, and businesses. Materials will be developed in English, Spanish, and any other common languages in the target neighborhood.

### **Host Community Events**

TISCS will host 3 – 5 community events during the 2019 – 20 school year in preparation for Charter School opening in August 2020. Events will be inclusive of informational nights, sponsoring current TUSD Events, appearances at community events, and other similar promotional activities.

### **Advertising**

TISCS will advertise in the local newspapers including the Tracy Press. The Charter School will update its current website and digital newsletter. TISCS to issue a press release and invite every news organization in San Joaquin County to cover proposed community events. The Charter School will continue to issue press releases, advertise in newspaper publications and radio stations as funding allows. TISCS will also advertise in local publications specific to the target community. TISCS is in the process of identifying a possible area in the target community where we can hang a sign or banner advertising the Charter School.



### **Attend and Establish Presence at Community Events**

TISCS will make significant efforts to establish visibility in the community. The Charter School founding team members plan to attend upcoming community events, such as rotary, farmers market, and sporting events to ignite interest about the Charter School. TISCS also set up information tables/booths in high traffic and high visibility areas during well –attended local and regional community events in Tracy.

### **Establish Partnerships with Community Organizations**

TISCS will explore potential partnerships within the local and regional communities inclusive of our community colleges and business sector.

### **Social Media and Online Advertising**

TISCS has designed a website for interested parents and community members to visit to learn more about the Charter School. Charter School also has a Facebook page and Twitter account and will continue to stay up to date with social media platforms.

In addition, the Charter School intends to establish an enrollment and recruitment timeline that is aligned with the diverse needs and composition of the prospective population.

### **Ongoing Recruitment Efforts**

Following the first year of enrollment, TISCS will continue to engage in ongoing recruitment and outreach efforts as described above with the continued development of: marketing materials, advertising, online and social media presence, hosting and attendance of community events, and continued efforts to establish community partnerships. The budget includes financial resources allocated to outreach efforts. TISCS will furnish the District annual documentation of ongoing recruitment and outreach efforts.

## Element H: Admission Policies and Procedures

### Governing Law

*Admission policies and procedures, consistent with [Education Code Section 47605] subdivision (d).*

*Education Code Section 47605(b)(5)(H).*

TISCS will be nonsectarian in its programs, admission policies, and all other operations, and will not charge tuition nor discriminate against any student based upon any of the characteristics listed in Education Code Section 220.

TISCS shall admit all pupils who wish to attend TISCS. No test or assessment shall be administered to students prior to acceptance and enrollment into the school. TISCS 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(d)(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(d)(4)(A), TISCS 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(d)(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. In accordance with Section 47605(d)(4)(C), TISCS 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(d)(2)(B)(iii), as listed above.

Pursuant to Education Code Section 47605(d)(4)(D), the Charter School shall post a notice developed by the CDE on the school website, outlining the requirements of Section 47605(d)(4).

The TISCS admission process is comprised of the following:

Completion of a student application form, comprising of basic contact information, grade level, and identification of any admission preferences (see below). 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

After admission, students are required to submit an enrollment packet, which shall include the following:

- Enrollment Form
- Proof of immunization
- Proof of withdrawal from previous school (if applicable)
- Home Language Survey
- Completion of emergency medical information form
- Proof of minimum age requirements
- Release of records

### **Public Random Drawing**

Applications will be accepted during a publicly advertised open application period each year for enrollment in the following school year. Following the open enrollment period each year, applications shall be counted to determine whether any grade level has received more applications than availability. In the event that this happens, TISCS will hold a public random drawing to determine admission for the impacted grade level, with the exception of existing students, who are guaranteed enrollment in the following school year.

Admission preferences in the case of a public random drawing shall be given to the following students in the following order:

1. Siblings of students admitted to or attending TISCS
2. Children of TISCS teachers, staff, Board, and founders identified in the initial charter (not to exceed 10% of TISCS's enrollment)
3. Students who are currently enrolled in or who reside in the elementary school attendance area of the local public elementary school in which the Charter School is located (for purposes of the SB 740 Charter School Facility Grant Program)
4. Residents of the District
5. All other students

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

Public random drawing rules, deadlines, dates and times will be communicated in the application form and on TISCS's website.

### **Public Random Drawing Procedures**

The Board of Directors 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 Principal). 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 waitlist according to their draw in the lottery. This waitlist will allow students the option of enrollment in the case of an opening during the current school year. In no circumstance will a waitlist 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

## Element I: Annual, Independent Financial Audits

### **Governing Law**

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

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

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

The annual audit will be completed and forwarded to the District, the County Superintendent of Schools, the State Controller, and to the CDE by the 15th of December of each year. The Principal, along with the audit committee, if any, will review any audit exceptions or deficiencies and report to the Board of Directors with recommendations on how to resolve them. The Board will submit a report to the District describing how the exceptions and deficiencies have been or will be resolved to the satisfaction of the District along with an anticipated timeline for the same. 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 to be provided to the public upon request.

## Element J: Pupil Suspension and Expulsion Procedures

### Governing Law

*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 schooldays before the effective date of the action. The written notice shall be in the native language of the pupil or the pupil's parent or guardian or, if the pupil is a foster child or youth or a homeless child or youth, the pupil's educational rights holder, and shall inform 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(b)(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 TISCS. In creating this policy, TISCS has reviewed Education Code Section 48900 *et seq.* which describes the non-charter 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.* TISCS 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 TISCS'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. TISCS 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 TISCS administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline and involuntary disenrollment policies and procedures. The notice shall state that this policy and procedures are available on request at the Principal's office.

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

A student identified as an individual with disabilities or for whom TISCS 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. TISCS 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 TISCS 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**

### **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.

### **Enumerated Offenses**

#### **Discretionary Suspension Offenses**

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

- a) Caused, attempted to cause, or threatened to cause physical injury to another person.
- b) Willfully used force of violence upon the person of another, except self-defense.
- c) Unlawfully possessed, used, or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind.
- d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
- e) Committed or attempted to commit robbery or extortion.
- f) Caused or attempted to cause damage to school property or private property, 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) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.
  - (1) This section shall apply to pupils in any of grades 4 to 12, inclusive.
- l) Knowingly received stolen school property or private property, which includes, but is not limited to, electronic files and databases.
- m) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.



- n) 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.
- o) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- p) Engaged in, or attempted to engage in hazing. For 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.
- q) Made terrorist 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.
- r) 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.
- s) Caused, attempted to cause, threaten to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- t) 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.
- u) 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.
- v) 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).
- w) 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 Principal or designee’s concurrence.

#### Non-Discretionary Suspension Offenses

Students must be suspended and recommended for expulsion for any of the following acts when it is determined the pupil:

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

#### 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 of 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 terrorist 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, threaten to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- 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 Principal or designee’s concurrence.

## 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 students had obtained written permission to possess the item from a certificated school employee, with the Principal 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 Board of Directors that a student has brought a fire arm or destructive device, as defined in Section 921 of Title 18 of the United States Code, on to campus or to have possessed a firearm or dangerous device on campus, the student shall be expelled for one year, pursuant to the Federal Gun Free Schools Act of 1994. 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.

## Suspension Procedure

Suspensions shall be initiated according to the following procedures:

### Conference

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

The conference may be omitted if the Principal or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or TISCS 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(b)(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 TISCS officials. Reinstatement of the suspended pupil shall not be contingent upon attendance by the pupil's parent or guardian at the conference.

#### Notice to Parents/Guardians

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

#### Suspension Time Limits/Recommendation for 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 Principal or designee, the pupil and the pupil's guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. 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 Principal or designee upon either of the following: 1) the pupil's presence will be disruptive to the education process; or 2) the pupil poses a threat or danger to others. Upon either determination, the pupil's suspension will be extended pending the results of an expulsion hearing.

#### **Expulsion Procedures**

##### Authority to Expel

As required by Education Code Section 47605(b)(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 Board of Directors following a hearing before it, or by the Board of Directors upon the recommendation of a neutral and impartial Administrative Panel to be assigned by the Board as needed. The Administrative Panel shall consist of at least three members who are certificated and neither a teacher of the pupil or a member of the Board of Directors. 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 Board shall make the final decision.

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 Principal or designee determines that the pupil has committed an expellable offense.

In the event an Administrative Panel hears the case, it will make a recommendation to the Board for a final decision whether to expel. The hearing shall be held in closed session (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:

- The date and place of the expulsion hearing;
- A statement of the specific facts, charges and offenses upon which the proposed expulsion is based;
- A copy of TISCS's disciplinary rules which relate to the alleged violation;
- Notification of the student's or parent/guardian's obligation to provide information about the student's status at TISCS to any other school district or school to which the student seeks enrollment;
- 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;
- The right to inspect and obtain copies of all documents to be used at the hearing;
- The opportunity to confront and question all witnesses who testify at the hearing;
- The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf including witnesses.

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

TISCS 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 TISCS 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.

- 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.
- TISCS must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
- At the discretion of the entity conducting the hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.
- 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.
- 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.
- 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.
- If one or both of the support persons is also a witness, TISCS must present evidence that the witness' presence is both desired by the witness and will be helpful to TISCS. The person presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.
- 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.
- Especially for charges involving sexual assault or battery, if the hearing is to be conducted in the public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.

- 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.

### Record of Hearing

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

### Presentation of Evidence

While technical rules of evidence do not apply to expulsion hearings, evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. A recommendation by the Administrative Panel to expel must be supported by substantial evidence that the student committed an expellable offense. Findings of fact shall be based solely on the evidence at the hearing. While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay. Sworn declarations may be admitted as testimony from witnesses of whom the Board, 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 Board who will make a final determination regarding the expulsion. The final decision by the Board shall be made within ten (10) school days following the conclusion of the hearing. The decision of the Board is final.

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

### Written Notice to Expel

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

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

### Disciplinary Records

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

### No Right to Appeal

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

### 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. TISCS 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.

### Rehabilitation Plans

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

### Readmission

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

### 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.

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

### **Notification of SELPA**

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

### **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.

### **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, TISCS, 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:

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

If TISCS, 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 TISCS, 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:

- Conduct a functional behavioral assessment and implement a behavioral intervention plan for such child, provided that the TISCS had not conducted such assessment prior to such determination before the behavior that resulted in a change in placement;
- 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

- Return the child to the placement from which the child was removed, unless the parent and TISCS agree to a change of placement as part of the modification of the behavioral intervention plan.

If TISCS, 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 TISCS 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.

### Due Process Appeals

The parent of a child with a disability who disagrees with any decision regarding placement, or the manifestation determination, or TISCS 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 TISCS, 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 TISCS 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.

### Special Circumstances

TISCS 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 Principal 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:

- 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;

- 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
- 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.

### Interim Alternative Educational Setting

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

### 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 TISCS's disciplinary procedures may assert the procedural safeguards granted under this administrative regulation only if TISCS had knowledge that the student was disabled before the behavior occurred.

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

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

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

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

## Element K: Employee Retirement Systems

### **Governing Law**

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

Certificated employees at TISCS shall participate in State Teachers' Retirement System. Full-time non-certificated employees shall participate in the federal social security system and a 401(k) match retirement program option. TISCS shall inform all applicants for positions within TISCS of the retirement system options for employees of TISCS. The Principal shall be responsible for ensuring that appropriate arrangements for retirement coverage are made for all employees.



## Element L: Public School Attendance Alternatives

### **Governing Law**

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

*Education Code Section 47605(b)(5)(L).*

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

## Element M: Employee Return Rights

### **Governing Law**

*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(b)(5)(M).*

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

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

## Element N: Dispute Resolution Procedures

### **Governing Law**

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

*Education Code Section 47605(b)(5)(N).*

### **Disputes Between TISCS and the District**

TISCS recognizes that it cannot bind the District to a dispute resolution procedure to which the District does not agree. The following policy is intended to provide a prompt resolution of disputes related to provisions of the TISCS charter. The policy is intended as a starting point for a discussion of dispute resolution procedures. TISCS is willing to consider changes to the process outline below as suggested by the District.

TISCS and the District are encouraged to attempt to resolve any disputes with the District amicably and reasonably without resorting to formal procedures.

In the event of a dispute between TISCS and the District, TISCS staff, employees and Board members and the District agree to first frame the issue in written format (“dispute statement”) and to refer the issue to the District Superintendent and Principal or their respective designees. In the event that the District Board of Education believes that the dispute relates to an issue that could lead to revocation of the charter in accordance with Education Code Section 47607, TISCS requests that this shall be noted in the written dispute statement, although it recognizes it cannot legally bind the District to do so. However, participation in the dispute resolution procedures outlined in this section shall not be interpreted to impede or act as a pre-requisite to the District’s ability to proceed with revocation in accordance with Education Code Section 47607.

The Principal or designee and District Superintendent or designee shall informally meet and confer in a timely fashion to attempt to resolve the dispute, not later than five (5) business days from receipt of the dispute statement. In the event that this informal meeting fails to resolve the dispute, both parties shall identify two Board members from their respective boards who shall jointly meet with the Superintendent and the Principal, or their respective designees, and attempt to resolve the dispute within fifteen (15) business days from receipt of the dispute statement.

If this joint meeting fails to resolve the dispute, the Superintendent and Principal, or their respective designees, shall meet to jointly identify a neutral third party mediator to engage the parties in a mediation session designed to facilitate resolution of the dispute. The format of the mediation session shall be developed jointly by the Superintendent and the Principal, or their respective designees. Mediation shall be held within sixty (60) business days of receipt of the dispute statement. The costs of the mediator shall be split equally between the District and TISCS. If mediation does not resolve the dispute either party may pursue any other remedy available under the law. All timelines and procedures in this section may be revised upon mutual written agreement of the District and TISCS.

## **Internal Disputes**

TISCS shall have an internal dispute resolution process to be used for all internal disputes related to TISCS's operations. The Charter School shall also maintain a Uniform Complaint Policy and Procedures as required by state law. Parents, students, Board members, volunteers, and staff at TISCS will be provided with a copy of TISCS's policies and internal dispute resolution process. The District will refer all disputes not related to a possible violation of the Charter or law to TISCS.

## Element O: Closure Procedures

### Governing Law

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

*Education Code Section 47605(b)(5)(O).*

Closure of TISCS will be documented by official action of the Board. The action will identify the reason for closure. The official action will also identify the Principal as the person responsible for closure-related activities.

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

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

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

As applicable, TISCS 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. § 1232(g). TISCS will ask the District to store original records of TISCS students. All student records of the TISCS shall then be transferred to the District upon TISCS closure. If the District will not or cannot store the records, TISCS shall work with the San Mateo 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, TISCS will prepare final financial records. TISCS will also have an independent audit completed within six months after closure. TISCS will pay for the final audit. The audit will be prepared by a qualified Certified Public Accountant selected by TISCS 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 apportionments as a result of audit findings or other investigations, loans, and unpaid staff compensation, and an assessment of the disposition of any restricted funds received by or due to TISCS.

TISCS will complete and file any annual reports required pursuant to Education Code section 47604.33.

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

On closure, the Non-Profit shall remain solely responsible for all liabilities arising from the operation of TISCS.

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

As specified by the Budget in Appendix 6, TISCS will utilize the reserve fund to undertake any expenses associated with the closure procedures identified above.

# Miscellaneous Charter Provisions

## Budget and Financial Reporting

### Governing Law

*The petitioner or petitioners also shall be required to provide financial statements that include a proposed first year operational budget, including startup costs, and cash flow and financial projections for the first three years of operation.*

*Education Code Section 47605(g).*

Attached, as Appendix 6, please find the following documents:

- Budget narrative
- A projected first year budget including startup costs.
- Cash flow and financial projections for the first three years of operation

These documents are based upon the best data available to the TISCS petitioners at this time.

TISCS shall provide reports to the District and San Mateo County Superintendent of Schools as follows in accordance with Education Code Section 47604.33, and shall provide additional fiscal reports as requested by the District:

- By July 1, a preliminary budget for the current fiscal year. For a charter school in its first year of operation, financial statements submitted with the charter petition pursuant to Education Code 47605(g) will satisfy this requirement.
- By July 1, an LCAP and an annual update to the LCAP required pursuant to Education Code Section 47606.5.
- By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. Additionally, on December 15, a copy of TISCS's annual, independent financial audit report for the preceding fiscal year shall be delivered to the District, State Controller, California Department of Education and the San Mateo County Superintendent of Schools.
- By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31.
- September 15, a final unaudited report for the full prior year. The report submitted to the District shall include an annual statement of all receipts and expenditures for the preceding fiscal year.

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

TISCS agrees to and submits to the right of the District to make random visits and inspections in order to carry out its statutorily required oversight in accordance with Education Code Sections 47604.32 and 47607.

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

**Insurance**

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

**Administrative Services**

**Governing Law**

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

The Charter School will provide or procure its own administrative services including, but not limited to, financial management, accounts payable/receivable, payroll, human resources, and instructional program development either through its own staff or through an appropriately qualified third-party contractor.

At any time the Charter School may discuss the possibility of purchasing administrative services from the District. If the District is interested, the specific terms and cost for these services will be the subject of a memorandum of understanding between the Charter School and the District and subject to District availability and willingness to provide such services.

**Facilities**

**Governing Law:**

*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(g).*



Office space is available at 1975 W. Lowell Ave that is currently being used by Tracy Unified School District (TUSD) for its Prevention Services Department. This space could be converted into multiple classrooms with minimal construction. The space is composed of a large conference room and two large office spaces. The two office spaces are approximately 230 square feet each, and the conference room is approximately 920 square feet. The two large offices would be ideal for one-on-one meetings between a teacher and student, and the large conference room would be an ideal meeting space for independent study work or a classroom setting. The facility is equipped with men and women's restroom facilities and is separate from all other TUSD Campuses. The two classrooms and large conference are sufficient to accommodate 48 students at one time or smaller groups of students on a rotation basis.

Nothing in this Section shall be interpreted to be a waiver of the Charter School's right to request facilities pursuant to Education Code Section 47614 ("Prop 39").

### **Transportation**

TISCS will not provide transportation to and from school, except as required by law.

### **Attendance Accounting**

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

### **Oversight**

Pursuant to California law, the District will be required to provide oversight and performance monitoring services, including monitoring school and student performance data, reviewing the Charter School's audit reports, performing annual site visits, engaging in any necessary dispute resolution processes, and considering charter amendment and renewal requests. In accordance with Education Code Section 47613(a), the District may charge for the actual costs of supervisory oversight of TISCS not to exceed one percent (1%) of the revenue of TISCS. Pursuant to Education Code Section 47613(f), "revenue of the charter school" is defined as the amount received in the current fiscal year from the local control funding formula calculated pursuant to Education Code Section 42238.02, as implemented by Education Code Section 42238.03.

### **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(g).*

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

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

Further, TISCS intends to enter into a memorandum of understanding with the District, wherein TISCS shall indemnify the District for the actions of TISCS under this charter.

The corporate bylaws of the Non-Profit shall provide for indemnification of the Board, officers, agents, and employees, and TISCS will purchase general liability insurance, Board Members and Officer's insurance, and fidelity bonding to secure against financial risks.

As stated above, insurance amounts will be determined by recommendation of the District and TISCS'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 TISCS.

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

## **Conclusion**

By approving this charter for the establishment of TISCS, the District will be fulfilling the intent of the Charter Schools Act of 1992 to improve pupil learning, create new professional opportunities for teachers, and provide parents and pupils with expanded choices in education and following the directive of law to encourage the creation of charter schools. The TISCS petitioners are eager to work independently, yet cooperatively with the District to establish the highest bar for what a charter school can and should be. To this end, the TISCS petitioners pledge to work cooperatively with the District to answer any concerns concerning this Charter and to present the District with the strongest possible proposal requesting a five year term to begin operation in July 2020.

## APPENDIX A: PETITIONER BIOGRAPHIES

### Petitioner Biographies

Dr. Sheila Harrison received her Bachelor of Physical Education Degree with a double major in Biology and Physical Education from the University of British Columbia, Vancouver, B.C., Canada and her Master of Science Degree in Educational Administration from California State University, Fullerton. She earned her Doctorate in Organizational Leadership through the University of La Verne. She has taught science, physical education and dance at the high school level and has been a high school assistant principal and principal. In addition, she has worked in the role of Assistant Superintendent of Personnel/Instruction and as an Associate Superintendent of Educational Services and Human Resources. Dr. Harrison also teaches courses at the collegiate level for students completing Master Degrees as well as Educational Credentials. In addition, she has taught courses for students completing Doctorate of Education Degrees.

Dr. Rob Pecot received his Bachelor of Communication Degree and Master of Communication Degree from California State University Stanislaus. He earned his second Master Degree from the University of La Verne in Counseling. He holds a P.P.S. Credential and an Administrative Credential. He earned his Doctorate in Organizational Leadership through Grand Canyon University. He has taught at the collegiate level, served as a K-12 Counselor, Collegiate Administrator and has been a High School Athletic Director, Assistant Principal and Principal. In addition, he has worked in the role of Director of Student Services and Curriculum.

Dr. Casey Goodall received his Bachelor of Arts degree with a major in English and a minor in Economics and his Master of Business Administration Degree from Utah State University. He earned his Doctorate in Organizational Leadership through the University of La Verne. He served for nine years in the United States Navy as a Supply Corps Officer, obtaining the rank of Lieutenant Commander. He has since worked in the role of Associate Superintendent for Business Services for Tracy Unified School District for 26 years. He has also served as Senior Adjunct Professor in the Doctorate of Organizational Leadership at the University of La Verne for the past 15 years.

Tania Salinas received her Bachelor of Science Degree with a major in Business Administration with a concentration in Human Resource Management from California State University Sacramento. She earned her Master of Arts Degree in Curriculum and Instruction from Chapman University. Tania served on the Byron Union School Board from 2014-2018 and as board president from 2016-2017. She taught 3<sup>rd</sup> and 4<sup>th</sup> grade at the elementary school level and has been an elementary and junior high school assistant principal and elementary principal. She is currently serving as the Director of Assessment & Accountability for the Tracy Unified School District.

**APPENDIX B: BUDGET**

Enrollment		32	14 per class with the potential to grow to 24.		
Attendance Rate		100%			
ADA		32			
				Per ADA	Total
Revenue				\$10,041.26	\$321,320.32
One-Time Startup Costs					
	(2) Teacher Computers, Doc Station, Key & Mouse	\$ 1,820.00	\$ 3,640.00		
	(48) Student Laptop computers	\$ 483.00	\$ 23,184.00		
	(48) Student Hot Spot	\$ 14.00	\$ 672.00		
	Total Start-Up Costs		\$ 27,496.00		
Ongoing Costs					
2 Teachers				\$ 110,762	\$ 221,524
Counselor (.25 FTE)				\$ 155,244	\$ 38,811
Custodial & Maintenance (\$24.56/hr + benefits x .75 hrs x 260 days)					\$ 6,226
Rent (2% of revenues)					\$ 6,426
Edgenuity				\$ 25,000	\$ 25,000
Classroom Supplies per student (48)				\$ 200.00	\$ 9,600.00
	Total Ongoing Costs				\$ 307,587
Revenues in excess of expenditures					\$ 13,733.02

### APPENDIX C: COSTS

	Ea.	Total		
Edgenuity/Odyssey (Unlimited)	\$ 25,000.00	\$ 25,000.00		
(2) Teacher Computers, Doc Station, Key & Mouse	\$ 1,820.00	\$ 3,640.00		
(10) Student Computers (Laptop)			\$ 483.00	\$4,830.00
(10) Student Computers (Desk Top)	\$ 814.04	\$ 8,140.40		
(10) Monitors	\$ 157.00	\$ 1,570.00		
(240) Textbooks - \$111. Average	\$ 111.00	\$ 26,640.00		
Classroom Supplies per student (48)	\$ 200.00	\$ 9,600.00		
		\$ 74,590.40		
Copier/printer				
Projector				
Doc Camera				
Book Shelves				
File Cabinets				
COW				

## APPENDIX D: SIGNATURE PAGE FOR TEACHERS

### Signature Page for Teachers

We the undersigned believe that the attached charter for the creation of Tracy Independent Study Charter School (the "Charter School") merits consideration and hereby petition the governing board of the Tracy Unified School District to grant approval of the charter pursuant to Education Code Section 47605 to enable the creation of the Charter School. The Petitioners for the Charter School agree to operate the Charter School pursuant to the terms of the Charter Schools Act and the provisions of the Charter School's charter. The petitioners listed below certify that they are teachers who are meaningfully interested in teaching at the Charter School.

**By the Lead Petitioner:**

Sheila Harrison Ed.D.      Sheila Harrison      11/5/19  
 Name                                      Signature                                      Date

The petitioners recognize Sheila Harrison as the Lead Petitioner and hereby authorize the Lead Petitioner to negotiate any amendments to the attached charter necessary to secure approval by the Tracy Unified School District governing board.

**By the Petitioners:**

Print Name	Signature	Date	Credentials Held	Phone Number
Jacquelyn L. Nott	<i>Jacquelyn L. Nott</i>	11-5-2019	mult. subject credential cc: Spanish	209 814 2676