

Discovery Charter School



Tracy Learning Center
PRE-K & T-K ◀ PRIMARY ◀ DISCOVERY ◀ MILLENNIUM

Petition for Renewal
(2021-2026)

Table of Contents

Affirmations and Assurances	1
Lead Petitioner Signature	2
Track Record of Success	3
ELEMENTS 1 and 2- <i>Educational Program of Discovery Charter School and Measurable Student Outcomes</i>	9
1. Mission	
2. The Vision	
3. Educational Philosophy	
4. Program Designs	
5. Who Will Discovery Charter School Serve	
6. What it Means to be an Educated Child in the 21st Century	
7. How Learning Best Occurs	
8. How Discovery Charter School Achieves Academic Success	
9. Instructional Programs	
10. Curriculum and Materials	
11. State Priorities	
12. Operations and Instructional Minutes	
13. Addressing the Needs of All Students	
14. Plan for Servicing Students with Disabilities	
ELEMENT 3 - <i>Method by Which Student Outcomes Are Measured</i>	48
1. Assessment Philosophy	
2. Assessment Design	
3. Mandated Assessments	
4. Data Management and Analysis	
5. Use of Data to Inform Instruction	
6. Annual Performance/School Accountability Report Card and the LCAP	
7. Benchmarks to be Met	

ELEMENT 4 – Governance**53**

1. Description of Organization
2. Governance Structure
3. Board of Directors
4. Process for Selecting Board of Directors and Creating Policy
5. Meetings
6. The Decision Making Process
7. Duties of Office for Board of Directors
8. Parent Involvement
9. Internal Complaint Procedure for Parents and Students
10. Administrative Services
11. Potential Civil Liability Effects

ELEMENT 5 - Employee Qualifications**60**

1. Code of Professionalism
2. Recruiting Qualified Teachers
3. Employee Qualifications
4. Job Descriptions
5. Process for Staff Recruitment and Staff Selection
6. Staff Evaluation

ELEMENT 6 - Health and Safety**64**

1. Emergency Preparedness
2. Fire Drills
3. Earthquake Drills
4. Intruder/Hostage
5. Bomb Threats
6. Facilities
7. Staff Responsibilities
8. Role of Staff to Report Child Abuse
9. Student Health and Safety
10. Medication in School
11. Blood-Borne Pathogens
12. Procedures for Background Checks
13. Sexual Harassment Policies and Procedures
14. Insurance Requirements

ELEMENT 7 - <i>Balance of Pupils</i>	72
1. Community Outreach Plan	
ELEMENT 8 - <i>Admission Requirements</i>	74
1. Non-Discrimination Statutes	
2. Open Enrollment Process/Admissions Requirements	
3. Random Public Drawings/Lottery	
4. Re-enrollment	
5. No Mandatory Volunteering	
ELEMENT 9 - <i>Financial Audits</i>	77
1. Annual Independent Audit	
2. Audit Exceptions and Deficiencies to be Resolved	
3. Financial Reports	
4. Oversight	
ELEMENT 10 - <i>Student Suspensions and Expulsions</i>	79
1. Grounds for Suspension and Expulsion of Students	
2. Enumerated Offenses	
3. Suspension Procedure	
4. Authority to Expel	
5. Expulsion Procedures	
6. Presentation of Evidence	
7. Written Notice to Expel	
8. Disciplinary Records	
9. Right to Appeal	
10. Rehabilitation Plans	
11. Special Procedures for the Consideration of Suspension and Expulsion of Students with Disabilities	
12. Involuntary Removal	
ELEMENT 11 - <i>Retirement Programs</i>	94
ELEMENT 12 - <i>Attendance Alternatives</i>	94
ELEMENT 13 - <i>Employee Rights</i>	94
ELEMENT 14 - <i>Dispute Resolution</i>	95
ELEMENT 15 - <i>School Closing Protocol</i>	97

1. Sample Curriculum Outlines
2. Articles of Incorporation
3. Bylaws
4. Conflict of Interest Code
5. Three Year Budget
6. Student Application Forms
7. Job descriptions

Affirmations and Assurances

As the authorized lead petitioner, I, Virginia Stewart, hereby certify that Discovery Charter School (DCS) shall:

- Be nonsectarian in its programs, admission policies, employment practices, and all other operations. Education Code § 47605(e)(1).
- Not charge tuition. Education Code § 47605(e)(1).
- Not discriminate against a pupil on the basis of the characteristics listed in Education Code Section 220. Education Code § 47605(e)(1).
- Except as provided in [Education Code § 47605(e)(2)], admission to a charter school shall not be determined according to the place of residence of the pupil, or of his parent or legal guardian, within this state, except that an existing public school converting partially or entirely to a charter school under this part shall adopt and maintain a policy giving admission preference to those pupils who reside within the former attendance area of that public school. Education Code § 47605(e)(1).
- Admit all pupils who wish to attend the school. Education Code § 47605(e)(2)(A).
- If the number of pupils who wish to attend the charter school exceeds the school's capacity, attendance, except for existing pupils of the charter school, shall be determined by a public random drawing. Preference shall be extended to pupils who currently attend the charter school and pupils who reside in the district excepts as provided for in Education Code Section 47614.5. Preferences, including, but not limited to, siblings of pupils admitted or attending the charter school and children of the charter school's teachers, staff, and founders identified in the initial charter, may also be permitted on an individual charter school basis. Priority order for any preference shall be determined in the charter petition in accordance with Education Code Section 47605(e)(2)(B)(i)-(iv). Education Code § 47605(e)(2)(B).
- 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. Education Code § 47605(e)(3).
- Meet all statewide standards and conduct the pupil assessments required pursuant to Education Code Sections 60605 and any other statewide standards authorized in statute or pupil assessments applicable to pupils in non-charter public schools. Education Code § 47605(d)(1).
- Consult, on a regular basis, with the charter school's parents, legal guardians, and teachers regarding the charter school's educational programs. Education Code § 47605(d)(2).
- Not discourage a student from enrolling or seeking to enroll in the charter school for any reason, including, but not limited to, academic performance of the student or because the student exhibits any of the characteristics described in Education Code Section 47605(e)(2)(B)(iii). Education Code Section 47605(e)(4)(A).
- Not request a student's records or require a parent, guardian, or student to submit the student's records to the charter school before enrollment. Education Code Section 47605(e)(4)(B).
- Not encourage a student currently attending the charter school to disenroll from the charter school or transfer to another school for any reason, including, but not limited to, academic performance of the student or because the student exhibits any of the characteristics described in Education Code Section 47605(e)(2)(B)(iii). This subparagraph shall not apply to actions taken by the charter school pursuant to the

procedures by which students can be suspended or expelled from the charter school for disciplinary reasons or otherwise involuntarily removed from the charter school for any reason. Education Code Section 47605(e)(4)(C).

- Comply with Education Code Section 47605(e)(4)(D) by posting the appropriate notice on the charter school's website and providing a copy to a parent, guardian, or student as required. Education Code Section 47605(e)(4)(D).
- Be deemed the exclusive public school employer of the employees of the charter school for purposes of the Educational Employment Relations Act, Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code. Education Code Section 47605(c)(6).
- 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. Education Code Section 47605(n).

Discovery Charter School Authorized Lead Petitioner
By: _____
Virginia Stewart Executive Director
Date: _____

Term of Renewal Charter: July 1, 2021-June 30, 2026

Track Record of Success

Discovery Charter School (DCS) opened in 2001 with 125 students in grades five and six and now boasts an enrollment of 372 students in fifth through eighth grade. A wait list of 387 students exists and is updated annually. DCS recently moved to new state-of-the-art facilities for the benefit of our students, staff, and families.

There are three “tracks” for renewal as a result of AB 1505 (2019) based on a school’s Dashboard indicators. **DCS is in the “middle” track.** (See Charter School Performance Category Data File published by the CDE on July 1, 2020.) Under Education Code section 47607.2(b)(1), the District “shall consider” the school’s performance on the state and local Dashboard indicators, but the District “shall provide greater weight” to measurements of academic performance (i.e. ELA, Math, English Learner Progress, and College/Career). As shown below, DCS has performed exceptionally well on all state and local Dashboard indicators, particularly the academic indicators.

ACADEMIC PERFORMANCE

- ✓ DCS outperformed the District average schoolwide in ELA and Math in 2017, 2018, and 2019

ALL STUDENTS	DCS Distance From Standard	DISTRICT AVG. Distance From Standard	MARGIN
2017 – ELA	-17.5	-33.1	+15.6
2017 – Math	-37.4	-61.1	+23.7
2018 – ELA	-16.6	-23.4	+6.8
2018 – Math	-42.5	-56.7	+14.2
2019 – ELA	+1.8	-17.4	+19.2
2019 – Math	-40.2	-52.7	+12.5

- ✓ In ELA, two out of five numerically significant subgroups at DCS outperformed their respective District averages in 2018 and all subgroups outperformed the District in 2019, which is a sign of growth:

2018 – ELA	DCS Distance From Standard	DISTRICT AVG. Distance From Standard	MARGIN
English Learners	-63.6	-55.1	-8.5
Socio/Disadv	-63.6	-45.9	-17.7
Hispanic	-51.0	-44.3	-6.7
Asian	+46	+8.6	+37.4
White	+2	+0.8	+1.2

2019 – ELA	DCS Distance From Standard	DISTRICT AVG. Distance From Standard	MARGIN
English Learners	-39.5	-50.7	+11.2
Socio/Disadv	-34.2	-41.7	+7.2
Hispanic	-25.4	-38.9	+13.5
Asian	+40.6	+17.2	+23.4
White	+23.2	+13.9	+9.3

- ✓ In Math, two out of five numerically significant subgroups at DCS outperformed their respective District averages in 2018 and 2019, and the three subgroups that performed below the District reduced the margin between DCS and the District, which is a sign of growth:

2018 – MATH	DCS Distance From Standard	DISTRICT AVG. Distance From Standard	MARGIN
English Learners	-105.9	-81.6	-24.3
Socio/Disadv	-91.4	-77.6	-13.8
Hispanic	-86.1	-79.2	-6.9
Asian	+31.3	-13.1	+44.4
White	-19.5	-30	+11.5

2019 – MATH	DCS Distance From Standard	DISTRICT AVG. Distance From Standard	MARGIN
English Learners	-80.8	-79.5	-1.3
Socio/Disadv	-77.3	-74.3	-3
Hispanic	-77.9	-75.8	-2.1
Asian	+25.1	-2.5	+27.6
White	-19.3	-23.5	+4.2

- ✓ DCS improved its ELA performance schoolwide and amongst almost all numerically significant subgroups between 2018 and 2019:

ELA	2018 Distance From Standard	2019 Distance From Standard	CHANGE
All Students	-16.6	+1.8	+18.4
English Learners	-63.6	-39.5	+24.1
Socio/Disadv	-63.6	-34.2	+29.4
Hispanic	-51.0	-25.4	+25.6
Asian	+46	+40.6	-5.4
White	+2	+23.2	+21.2

- ✓ DCS improved its Math performance schoolwide and amongst almost all numerically significant subgroups between 2018 and 2019:

MATH	2018 Distance From Standard	2019 Distance From Standard	CHANGE
All Students	-42.5	-40.2	+2.3
English Learners	-105.9	-80.8	+25.1
Socio/Disadv	-91.4	-77.3	+14.1
Hispanic	-86.1	-77.9	+8.2
Asian	+31.3	+25.1	-6.2
White	-19.5	-19.3	+0.2

- ✓ The majority of EL students at DCS (52.9%) made progress towards English language proficiency in 2019, meaning the majority of EL students either progressed at least one ELPI level or maintained at Level 4 (the highest ELPI level).

SCHOOL CLIMATE

- ✓ DCS maintained a lower suspension rate than the District in 2018 and 2019 schoolwide and amongst all five numerically significant subgroups:

2018 – SUSPENSION RATE	DCS	DISTRICT AVG.
All Students	1.3%	8.6%
English Learners	5.9%	7.2%
Socio/Disadv	2.6%	9.7%
Hispanic	2.3%	9.3%
Asian	2.5%	4.1%
White	0%	8.2%

2019 – SUSPENSION RATE	DCS	DISTRICT AVG.
All Students	0.8%	7%
English Learners	0%	7.3%
Socio/Disadv	1.8%	8.4%
Hispanic	1.1%	7.6%
Asian	0%	3.5%
White	1%	6.2%

- ✓ DCS lowered its suspension rate schoolwide and amongst all five numerically significant subgroups between 2017 and 2019:

SUSPENSION RATE	2017	2018	2019	CHANGE
All Students	10.6%	1.3%	0.8%	-9.8%
English Learners	16.7%	5.9%	0%	-16.7%
Socio/Disadv	16.7%	2.6%	1.8%	-14.9
Hispanic	13.1%	2.3%	1.1%	-13%

Asian	2.4%	2.5%	0%	-2.4%
White	9.4%	0%	1%	-8.4%

ACADEMIC ENGAGEMENT

- ✓ DCS maintained a lower chronic absenteeism rate than the District in 2017, 2018, and 2019 schoolwide and amongst all five numerically significant subgroups:

2017 – C/A RATE	DCS	DISTRICT AVG.
All Students	2.1%	10.3%
English Learners	2.8%	9.4%
Socio/Disadv	2.4%	12.9%
Hispanic	3.1%	12%
Asian	0%	5.3%
White	0.9%	11.9%

2018 – C/A RATE	DCS	DISTRICT AVG.
All Students	4.2%	9.9%
English Learners	3.1%	8.8%
Socio/Disadv	4.4%	11.8%
Hispanic	4.7%	10.9%
Asian	2.5%	3.9%
White	5%	10.6%

2019 – C/A RATE	DCS	DISTRICT AVG.
All Students	1.6%	9.2%
English Learners	0%	7.7%
Socio/Disadv	0.9%	10.9%
Hispanic	1.7%	10%
Asian	0%	3.8%
White	2.9%	9%

- ✓ DCS lowered or maintained its chronic absenteeism rate schoolwide and amongst four of its five numerically significant subgroups between 2017 and 2019:

C/A RATE	2017	2018	2019	CHANGE
All Students	2.1%	4.2%	1.6%	-0.5%
English Learners	2.8%	3.1%	0%	-2.8%
Socio/Disadv	2.4%	4.4%	0.9%	-1.5%
Hispanic	3.1%	4.7%	1.7%	-1.4%
Asian	0%	2.5%	0%	0%
White	0.9%	5%	2.9%	+2%

LOCAL DASHBOARD INDICATORS

- ✓ DCS achieved a score of “Standard Met” on all local indicators in 2018 and 2019.

In addition to the state and local indicators, the District is also required to consider clear and convincing evidence showing that the school achieved measurable increases in academic achievement, as defined by at least one year’s progress for each year in school. (Ed. Code, § 47607.2(b)(3).)

GROWTH OVER CHARTER TERM

- ✓ DCS improved its “Distance from Standard” score in ELA and Math schoolwide and amongst almost all numerically significant subgroups between 2018 and 2019, which demonstrates that students made more than one-year’s progress (see tables above).
- ✓ The majority of EL students at DCS (52.9%) made progress towards English language proficiency in 2019, meaning the majority of EL students experienced at least one year’s growth on the ELPAC.
- ✓ DCS reclassified EL students at a higher rate than the District and State in three out of the last four years:

RECLASS. RATE	DCS	DISTRICT	STATE
2017	40%	7.5%	13.3%
2018	36.7%	6.9%	14.6%
2019	0%	10.7%	13.8%
2020	28.9%	10.3%	13.8%

- ✓ DCS lowered its suspension rate schoolwide and amongst all five numerically significant subgroups between 2017 and 2019 (see table above).
- ✓ DCS lowered or maintained its chronic absenteeism rate schoolwide and amongst four of its five numerically significant subgroups between 2017 and 2019 (see table above).

We are proud of our students’ continued growth in terms of academic achievement. It is

also notable that DCS is always working to use data to improve our program, so that our students are prepared for high school and life beyond. Several of the ways DCS has used data driven instruction in the current charter term include:

- ✓ Revised and improved curriculum maps to better reflect state standards in all curriculum areas.
- ✓ Adopted the curriculum for Pentathlon as an enrichment opportunity for all students.
- ✓ Implemented AIMS diagnostic testing to monitor student growth beginning in 2020.
- ✓ Implemented a math diagnostic test for all grades to assess strengths and areas for improvement in the current course.
- ✓ Assigned learning guides to support at-risk students in their classes and after school.
- ✓ Hired four enrichment teachers for additional curriculum opportunities for all students: music, creative expression, technology and Spanish.
- ✓ Hired an EL teacher specialty for Discovery students. This teacher supports students in the classroom and outside the subject area and makes contact with parents.
- ✓ Joined a charter SELPA to better serve the needs of the students which allowed us to hire a designated Resource teacher for DCS students.
- ✓ Implemented a yearly action plan for school improvement and established a School Improvement Committee to oversee the implementation and success of the plan throughout the school year.
- ✓ Hired a school counselor for middle school.
- ✓ Increased school culture by reestablishing incentives for students and establishing an active student leadership class.

DCS currently implements internal assessments for the benefit of students. DCS intends to develop a plan for the internal use of verifiable data (e.g., consistent with state's list of approved sources of data for charter renewal like the CAASPP) in order to demonstrate students are achieving at least one year's progress for each year in school.

DCS more than meets the legal standard for a five-year charter renewal under Education Code section 47607.2(b)(7).

Elements 1 and 2: Educational Program of Discovery Charter School and Measurable Student Outcomes.

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

Governing Law: “a description for the charter school of annual goals for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities as described in subdivision (d) of Section 52060, that apply for the grade levels served by the charter school, and specific annual actions to achieve to those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals.” Education Code Section 47605 (c)(5)(A)(ii).

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

1. Mission

The mission of Discovery Charter School is to equip students with the skills necessary to better understand themselves, their relationship with learning, and their responsibility as a citizen. Students are able to organize and analyze information, draw appropriate conclusions, present their findings, and then share their research via networks with others locally, and around the world. The school meets the needs of every student by making possible engaging, relevant, and intellectually challenging learning opportunities that were previously difficult or impossible to achieve.

2. The Vision

Discovery Charter School students DREAM of a promising future, while working to DEVELOP their skills and increase their knowledge so that they can pursue career pathways that will provide them the ability to DEDICATE themselves to a fulfilled and exciting adult life.

3. Educational Philosophy

Discovery Charter School provides a rigorous innovative approach to learning in all subject areas. Teachers are guided by core principles that reflect the state frameworks and common core standards. They use instructional strategies that are based on research related to multi-age, differentiated and small group instruction, as well as project based learning. Teachers create a community which empowers students to discover the unique qualities of their own learning. As a result, the students demonstrate a consistent readiness for learning and are taught at the appropriate level of intervention. This makes it possible for all students to be challenged. Parents are partners with the school by providing them with grade updates every two weeks and maintaining a newsletter and a website. Parent volunteers are encouraged to help students in the classroom. Teachers profess a proactive approach to communicating with parents regarding student progress. The school wide outcomes help students and staff focus on acquiring skills and understanding in the importance of collaboration, communication, and citizenship as they prepare to interact in the real world around them.

Discovery Charter School embraces several educational concepts when designing programs and instructional strategies to meet the needs of the students. Jerome Bruner, [Toward a Theory of Instruction](#), is the basis for justifying grouping students for instruction, particularly in the area of Mathematics and Language Arts. His philosophy states that all students can learn if instruction is at the appropriate level of intervention. For this reason, students are assessed at the beginning of each year to ensure that their instructional program is appropriate for their needs. It is not unusual for students to change groups over the four years they attend DCS. It is exciting to learn that a student once below grade level is now at a grade level instructional group. When students are taught at the appropriate level, learning increases.

Instructional practices are based on the work done by Doug Lemov in [Teach Like a Champion](#). Staff utilizes the practices listed in the book to foster student involvement in the interaction of learning in the classroom and to ensure checking for understanding throughout interactive lessons. Staff development focuses on particular strategies to enhance teacher performance and effectiveness.

The notion of working towards higher levels of thinking and application in each of the content areas is addressed utilizing the work done by Mike Schmoker as explained in his book, Focus. The recent work by Erik m. Francis in his book, *Now That's a Good Question* has been the focus of staff development and is monitored in staff observations. Teachers utilize a variety of assessment tools and design curriculum based on the work of Janet Kierstead who pioneered the idea of project based curriculum which begins with the end in mind and develops benchmarks towards the final outcomes required for understanding the course concepts. Textbooks are not used at Discovery Charter School. Teachers develop curriculum pacing after assessing student's needs and use the curriculum to meet instructional needs. The curriculum provides latitude for teachers to use a wide range of instructional materials that address common core standards and challenge student thinking.

With the use of virtual learning, the staff has become proficient in the use of Google Classroom and a variety of interactive strategies and programs for improving student learning and maintaining a synchronous classroom on line.

David Pratt, PhD, in his paper, *The Merits of the Multiage Classroom*, notes "that strict age segregation is essentially a phenomenon of the last century. Research studies show no consistent benefits to age segregation. "Studies indicate an affective and social advantage from multiage grouping. His paper concludes that multiage or multigrade classrooms are socially and psychologically healthy classroom environments. It also provides for teacher continuity over a two year span.

Discovery Charter School recognizes the need for formal assessments other than state testing. All teachers who teach the same curriculum level administer the same unit and final tests. Comparisons are made among teachers and data is collected regarding student outcomes on the tests. All assessments are based on state standards and Common Core Standards. Teachers use assessments to review their own success at helping students learn. Analysis helps teachers understand what students need to learn or have reinforced. Additions or revisions to the curriculum are based on these analyses.

4. Program Design

Discovery Charter School (DCS) provides a four year program for grades five through eight. Students are multiaged in classes so that fifth and sixth graders are together and seventh and eighth graders are together.

Grades 5 and 6

The fifth graders are the new students to the school and are taught in a two year program that includes fifth and sixth graders. The students are predominately from Primary Charter but thirty more students join them since the enrollment for Discovery is larger. The fifth and sixth graders share six core teachers, three PE teachers and four enrichment teachers. The students are grouped according to academic placement for Mathematics. The groupings range from below grade level to significantly above grade level. Two teachers teach Mathematics and two teach Language Arts while two other teachers teach either science and social studies. Every student is enrolled in science and social studies each year for one hour a day, while Language Arts and Math are also taught daily, but for ninety minutes a day. In addition to these subjects, students are enrolled in Physical Education on a daily basis as well as an enrichment class every day for a trimester. Higher learning groups have instruction in Spanish, while at-risk students are given additional support and work in math and language arts each day. Two learning guides (aides) support the at-risk students in their classes and an EL teacher works specifically with EL students needing greater support beyond the classroom. The enrichment and PE teachers also work with the seventh and eighth grade students while the core teachers only serve grades five and six allowing for a two year opportunity for students to experience the same teacher in a looping environment.

Because of the multiage approach, the instructional program is structured to contain a two year curriculum cycle.

- Science curriculum is developed for a two year cycle which focuses on different aspects of science while being aligned with the Next Generation Science Standards (NGSS) for both fifth and sixth grade.
- The way the curriculum is designed either half of the two year cycle can be taught first or second. Instructional strategies for science focus on discovery, inquiry and follow NGSS by creating curriculum that promotes a progression of knowledge from year-to-year allowing students to make real world connections while they learn about more complex material connecting prior experience. Curriculum is created beginning with pre-assessments which allow the teachers to understand student knowledge. The teacher then focuses on more detailed information growing knowledge for the next level. Information will continually be reviewed from unit to unit allowing students to learn additional information while reviewing concepts they have learned. Next Generation Science performance tasks are included in the classroom and in extra-curricular activities to include the Science Olympiad. In addition, all students in Discovery participate in an elective called STEM. This opportunity incorporates academic disciplines of science, technology, engineering and mathematics at a discovery level. Science is integrated with Language Arts and math by giving students opportunities to use the skills they develop in those two subject areas. Students in fifth and sixth

grade attend science camp conducted by the county which integrates science experiences with NGSS.

- DCS's curriculum is aligned with the three major components of NGSS – Science and Engineering Practices, Cross-Cutting Concepts, and the Disciplinary Core Ideas. Sample science course outlines are attached to the appendix and provide further detail on how DCS courses reflect NGSS framework.
- Social Studies curriculum follows a two-year cycle that is not dependent on sequence but contains both fifth and sixth grade standards. Students engage in note taking, research, presentations, and discussion on a regular basis. Language Arts is definitely applied in this content area.
- Language Arts is built around a series of novels which rotate between the two years. Each year one new novel is added which is the designated novel for Pentathlon. There are times additional books are included or a change is made. These novels are the centerpiece in which writing, grammar, literary devices, debate, and research are focused. Non-fiction reading is also an important part of the program. These change to reinforce concepts in the novels or to reinforce social studies or science concepts. Students understand the importance of reading for understanding and learning as a result of work done with rhetorical reading. They learn to annotate and to identify main ideas. Throughout all of this, students study vocabulary which comes from a variety of sources.
- Mathematics curriculum is developed to meet the needs of students performing above, at or below grade level. Students in the above grade level groups are expected to master algebra and some geometry concepts. Students at grade level are expected to master grade level skills and concepts identified in the common core standards while below grade level students are assessed to determine the weak areas and a curriculum is modified to best meet their needs for progress with such areas as division, fractions, decimals and other basic concepts. Based on the current testing the state is using all groups focus on performance tasks, collaborative complex problems, projects requiring a series of steps and skills, and presentation of data when tasks are completed. It is possible for a sixth grader to leave this phase having mastered high school algebra.

Grades 7 and 8

The students in these two grades are introduced two six new core teachers and continue with the PE and enrichment teachers for middle school. The students are grouped according to academic placement for Mathematics. The groupings range from below grade level to significantly above grade level. Two teachers teach Mathematics and two teach Language Arts while two other teachers teach science and social studies.

Every student is enrolled in science and social studies each year for one hour each day. On the other hand, Language Arts and Mathematics are taught for 90 minutes each day. In addition to these core subjects, students are enrolled in Physical Education on a daily basis as well as an enrichment class (music, creative expression, technology) each trimester. The above grade level students are enrolled in Spanish One for high school credit. The at-risk students are given additional time for homework and reinforcement of basic math and English skills each day. Because of the multiage approach, the instructional program is structured to contain a two year curriculum cycle.

- Science curriculum is developed for a two year cycle which focuses on different aspects of science while encompassing the Next Generation Science Standards for both seventh and eighth grade (as described in detail above for fifth and sixth grade). The way the curriculum is designed either half of the two year cycle can be taught first or second. Instructional strategies for science focus on discovery, inquiry and NGSS performance tasks.
- DCS's curriculum is aligned with the three major components of NGSS – Science and Engineering Practices, Cross-Cutting Concepts, and the Disciplinary Core Ideas. Sample science course outlines are attached to the appendix and provide further detail on how DCS courses reflect NGSS framework.
- Science is integrated with Language Arts and math by giving students opportunities to use the skills they develop in those two subject areas. The curriculum is coordinated with the curriculum for grades seven and eight so that the curriculum is not repetitive but rather builds on the skills acquired in the earlier phase.
- Social Studies curriculum follows a two year cycle that is not dependent on sequence but contains both seventh and eighth grade standards. Students engage in note taking, research, presentations, and discussion on a regular basis. Language Arts is definitely applied in this content area. The students read primary sources and other rhetorical articles related to their studies.
- Language Arts is built around a series of novels which rotate between the two years. Again other novels are added that are designed each year for Pentathlon. There are times additional books are included or a change is made. These novels are the centerpiece in which writing, grammar, literary devices, debate, and research are focused. Non-fiction reading is also an important part of the program. These change to reinforce concepts in the novels or to reinforce social studies or science concepts. Students understand the importance of reading for understanding and learning as a result of work done with rhetorical reading . They learn to annotate and to identify main ideas. Throughout all of this, students study vocabulary which comes from a variety of sources.

- Writing becomes very essential as students prepare for high school and beyond. It is a major emphasis of the seventh and eighth grade curriculum.
- Mathematics curriculum is developed to meet the needs of students performing above, at or below grade level. Students in the above grade level groups are expected to master Algebra 2 and/ or Geometry before entering high school. Students who remain at the Tracy Learning Center for high school at Millennium are given high school credit for both classes if they receive a B or better. There is a four year math requirement at Millennium. Students are taught Algebra 2 and Geometry by the Discovery teachers using the high school curriculum. Students at grade level are expected to master Algebra skills and concepts identified in the high school curriculum for Algebra. While below grade level students are assessed to determine the weak areas and a curriculum is modified to best meet their needs for progress with such areas as division, fractions, decimals and other basic concepts. Based on the current testing the state is using all groups focus on performance tasks, collaborative complex problems, projects requiring a series of steps and skills, and presentation of data when tasks are completed.

All teachers instructing at the Discovery level are single subject certificated teachers.

Speaking of curriculum, both phases develop curriculum using a variety of instructional materials that are aligned with the Common Core State Standards (CCSS) and the California State Curriculum Frameworks. All teachers follow the curriculum developed using their own unique approaches and strategies. Instructional materials and methods are used appropriately for different levels of learners. The culture of learning is developed with the teacher and the specific group of students he or she is interacting with during that class. No specific textbook is purchased for any curriculum area. The eclectic approach is used to allow teachers to further the curriculum to meet specific group needs. Teachers develop weekly lesson plans to ensure appropriate pacing of their lessons. There is no specific pacing guide for curriculum, rather the teacher assesses the students' performance and paces accordingly.

Electives and PE

- Physical Education at Discovery Charter School is taught by the same three teachers. They work with the students in grades 5 and 6 separately from those in 7 and 8. The curriculum is focused on skills, games, sportsmanship, health, and sex education. When students are involved in a game unit, the unit includes game rules, skill development and proper playing of the game. There are three teachers because the middle school level requires a more structured and

personal approach to instruction and guidance. Students enjoy PE five days a week for one hour each day.

- Special electives are offered to students who select to remain in a yearlong elective. There are two offered. Band is offered to students in grades 6, 7 and 8. The band director, who is also the teacher for high school believes that an early start to instrumental study will lead to excellence in high school.

School Wide Outcomes measure student growth beyond the academic reasons for attending Discovery.

Student School Wide Outcomes (SWO) are in place to support school wide goals for all students in addition to academic learning. These are the nutrient effects of the classes taken and the climate and expectations found at the school. Previously separate projects were assigned to measure each SWO each year. This method of measuring growth in the SWOs is being reviewed and will be revised.

These SWOs cross schools at the Tracy Learning Center with slightly different names but the same focus. These school wide outcomes (SWOs) are posted in all rooms. Teachers use them to develop lesson plans and projects and incorporate them into all instruction to create relevance. Throughout Primary, Discovery, and Millennium, students are able to show significant improvement in each area of the SWOs.

Discovery Middle School identifies its SWOs as:

- Personal Awareness
- Cooperative Collaboration
- Life Long Learner
- Effective Communicators

School Culture

The culture of Discovery Charter School is both collaborative and competitive, and at all times focuses on personal and academic growth. Through distinctive grade level groupings, smaller communities of students and staff are able to develop unique identities within the scope of the school wide vision and mission. Celebrations are frequent, honoring both academic achievements and personal accomplishments.

Student behavior is guided so that it is positive, focused, and interactive in each classroom setting. Students in Discovery Middle School have specific guidelines for behavior in the classroom, outside, and in the hallways. Teachers monitor behavior by being present at recess as well as in the classroom, they also have lunch with students. Students having difficulties following expectations are given support through parent-student-teacher SST (student study teams) meetings to develop a plan for success.

Students are rewarded with positive nest points. Students violating expectations are given negative nest points. Twenty negative nest points a week results in a SOAR meeting which is the school version of Restorative Justice. A panel of teachers, administrators and students review and suggest ways for the student to improve.

DCS is a strong advocate for the education of the whole child. Students develop their creative expression through project based learning in academic classes and opportunities in enrichment classes. They also develop physical skills as well as skills in cooperation and teamwork through daily physical education. They participate in a variety of community outreach opportunities. The addition of a middle school counselor has been a benefit for all staff and students. The counselor is available for individual and group counseling opportunities. She is a great asset for parents who want support or questions answered.

Parents are integral to learning and DCS uses a variety of methods to create high levels of parent involvement including a school website with class specific pages containing newsletters, calendars, and relevant class information. Once a week, parents are electronically sent the “Charter Chatter,” which is a weekly update of school events. Parents have a voice in the school improvement committee which is made up of parents, staff, students and a board member. This committee meets monthly.

DCS also conducts Back to School Night and Parent/Teacher/Student report conferences twice a year. Parents are encouraged to join English Learner Advisory Committee, attend board meetings, and participate in a variety of community centered fundraisers or other school wide events. Parents are given opportunities to volunteer in classrooms or on field trips. DCS encourages parental involvement, but DCS notifies the parents and guardians of prospective and current students that parental involvement is not a requirement for acceptance to, or continued enrollment at, DCS.

5. Who Will Discovery Charter School Serve

Discovery Charter School meets the needs of the Tracy community by recruiting students from throughout the Tracy area, and providing a sound education program to a diverse population of students that is reflective of the Tracy community and who have a wide range of abilities. Unfortunately recruitment is limited since wait lists dictate the students who may become eligible for enrollment through grade eight. Many parents keep their student on the wait list from Kindergarten and wait six to seven years before their child is enrolled. Wait lists are reviewed each year to be certain parents wish to keep their child on the list. The majority of students currently enrolled at DCS reside in the Tracy Unified School District (TUSD) High School boundaries. This includes

students who are in the Elementary Districts of Jefferson and Banta. Most students who are enrolled in middle school intend to remain for high school. Approximately 75% of the DHSP students remain.



6. What It Means to be an Educated Child in the 21st Century

The instructional strategies designed to meet student needs are built upon the following significant characteristics of learning for the 21st century:

Not confined to a single place: Learning is not confined to the classroom. It occurs wherever students and staff are and it occurs throughout the day of our students. DCS acknowledges that learning does not only occur in school, and we welcome students sharing experiences and learning which has occurred outside. DCS provides a variety of opportunities for students to use technology both in the classroom and at home. Students are taught to use technology wisely and as a key tool for understanding the world in which they live. During this current year of distance learning, both staff and students have used a variety of virtual tools that have enhanced future learning and meeting opportunities for the future.

Not confined to a time: DCS and the Tracy Learning Center far exceed the traditional academic year by providing classroom-based instruction for 205 days and extended school hours.

Not confined to a single person: Multiage classrooms arranged for instructional needs for academic areas helps students be successful. The students work with the same group of teachers for two years. The students and teachers are familiar with one

another. Students in grades 5 and 6 experience an educational experience with approximately six teachers as do the students in grades 7 and 8.

Not confined to a single style: Instruction is differentiated to meet the needs of diverse learners within learning group settings.

Not confined to paper based information: Traditional textbook instruction is no longer the primary source of materials for learning. Students and staff utilize current technological resources for teaching and learning.

Not confined to memorization: In alignment with CCSS and the state frameworks, DCS emphasizes the ability to access and use knowledge to solve problems and apply information in new and different ways. Students participate in many county contests which stress problem solving and creative thinking.

Communication skills: Emphasis is placed on speaking and listening, which are necessary to be effective members of society. Within the classroom, students give oral presentations, and are expected to be participants in a variety of settings. Collaborative group work and projects help students communicate well with one another to complete tasks.

Reading and writing skills: There is a difference between traditional reading and writing versus reading from multiple sources on the Internet, and processing information for others to read. Blending the California State Frameworks and CCSS, DCS recognizes that students need to read about careers and college readiness as well as current news topics. Students learn the importance of literacy related to career areas and other subject areas. Student writing reflects personal thought as well as a blend of information gained from research and other non-fiction text.

Problem solving and critical thinking: Students need to know how to access information and apply it to life situations using a variety of problem solving processes in all subjects. Students become masterful in using a variety of strategies to complete assigned tasks. They are able to work independently or in a collaborative group to solve complex problems related to several curriculum areas.

Information literacy: Students learn how to find information from a variety of resources and use it appropriately. After locating information, students are able to discern the value of the information they have located and what the information actually says so they can learn from it and describe it in their own summaries. Information literacy requires a broad range of exposure to many different sources.

Technology as a tool: DCS classrooms house a variety of technological tools. Students learn to use technology as a daily part of the school day. They learn to perceive that technology is a source of information and expression of what is learned. The staff utilize software to differentiate instruction for students and as a way to practice newly acquired skills. With the implementation of CCSS, students learn to use technology as the medium and demonstrate mastery of skills using a variety of technology tools. The school adds additional chrome books each year and has provided over 200 chrome books to students during distance learning. The teachers and students use Google Classroom which allows them to work together in a virtual environment and work is saved automatically. Students have e-mail accounts and can send work to teachers through this medium. The students can access teacher websites to review calendar and pull documents that are available if they are absent.

Personal skills: DCS students learn necessary essential skills for personal expression and social interaction. Students and staff work together so well that there is a constant feedback loop between staff and student to help students develop personal skills regarding peer interaction and appropriate ways to interact with adults and students. The culture is one of respect and trust which allows students to share concerns and problems with an adult. There is a middle school counselor available for students each day.

7. How Learning Best Occurs

DCS applies the best of research proven strategies to provide a rich and rigorous academic program that gives all students the opportunity to be successful. DCS believes that learning best occurs:

in a collaborative environment. Research has shown that school success is dependent upon collaboration and goals (Schmoker, 2011). Collaboration among teachers, between students and teachers, between parents and teachers, and administration and community, is necessary for a successful school. Teams of teachers are assigned to work collaboratively within a single phase to provide group instruction that best meets the needs of the students and builds on individual teachers' strengths.

when instruction is at the appropriate level of student intervention. (Bruner, 1980) DCS is prepared to instruct students based on prior learning and instructional needs which may not be at grade level. Students progress based on their instructional level rather than a grade level plan. For some students, this means progressing on a course of study above grade level while others work at or below grade level in the same

classroom. Teachers understand the necessity for differentiated instructional approaches for Language Arts and Mathematics.

in a climate where there are measurable goals. CCSS and California state frameworks are used to develop lessons with daily learning targets using a backward planning model. (Moss and Brookhart, 2012). Once unit and lesson plans are developed, staff communicates to students the desired outcomes and uses a variety of assessment tools to determine mastery. Thus, every student is taught using standards-aligned instructional objectives.

in a climate of accountability. “What gets measured gets done.” (Schmoker, 2011) The TLC data analysis coordinator presents all data to the staff for reflection and feedback. Data is used as the basis for goals for improvement. Test data is also available to parents, students and other stakeholders.

with highly specialized teachers and staff. Staff, in the words of Mike Schmoker, (2011) rely on leaders to provide simplicity, clarity and priority so they can become masterful teachers who remain focused on the emphasis of authentic literacy and critical thinking in the presentation of all subject areas. DCS provides a broad spectrum of opportunities for curriculum development, instructional strategy workshops, and peer observations and feedback.

with safeguards and support for students when needed. DCS recognizes the need for a personal and caring approach for students who are not doing as well as expected. Students are monitored by individual teachers for progress in English development if they are classified as EL students. Students with special needs have work modified to meet their learning goals and to support learning strengths. Teachers meet regularly to discuss concerns they may be having regarding a student’s progress to learn from one another how to be more successful with that student. SSTs are held to support students and their parents to ensure greater success. EL students and SPED students are given support both in the classroom and after school.

in a program that incorporates technology. Technology is common place in the classroom by both the student and the teacher that no one in DCS can imagine a classroom without technology. Technology has also increased with distance learning. Both staff and students have increased their skills in use of technology and programs to promote learning.

8. How Discovery Charter School Achieves Academic Success

A. Acquiring and maintaining an excellent staff DCS identifies its staffing needs by March of each year. Through effective advertising for qualified teachers, and its highly positive reputation in the local and broader education community, DCS is able to develop an excellent pool of candidates from which current teachers and administrative staff interview and make hiring recommendations. Final hiring decisions are made by the Executive Director and the Director of Human Resources. Discovery has had a high percentage of teacher retention recently. We attribute that to a greater amount of support for new teachers and due to a highly effective school leadership team. The school leaders have developed a great team spirit and have set clear guidelines for staff. All new teachers work in a collaborative team that guides and supports the critical first year of teaching. Student performance is one measure of teacher effectiveness. School leaders, (there are two assigned to each school at TLC) and experienced teachers observe and give feedback to the staff members regarding their effectiveness with instruction. New teachers have support from all staff members to help them write curriculum, understand the culture of the school, and work effectively with students using reward and discipline measures that are common for all. Teachers are encouraged to observe more experienced teachers in hopes to understand more effective teaching strategies. Weekly staff meetings provide professional growth opportunities. Staff shares instructional strategies and ideas for improving motivation and participation.

B. Homework DCS understands that homework is part of the learning for students. Students have nightly homework in math and homework from time to time in other academic areas. Due to the longer day and longer school year, homework is not excessive. The at-risk students are given support and help with homework in reinforcement time.

C. Evaluation Students are evaluated based on their instructional level for Mathematics and Language Arts. Embedded in the curriculum are weekly assessments. These assessments help determine the pacing and the need for reinforcement for individual students and groups. Technology based assessment is used to determine students mastery of reading comprehension and mathematical concepts. AIMS diagnostic testing is used to determine student strengths and areas of need as well as to monitor progress throughout the school year. A readiness math test provided by UC Davis is used to assess student growth in math three times during the school year. Teachers are aware of the need to review all types of assessment tools to better prepare students for new state testing formats. Sometimes students are performing so well, a teacher can recommend a change in group level. Group levels can change throughout the school year if needed.

Parent/teacher report conferences are opportunities to share student assessment data and progress with parents. Conferences are usually very positive and reinforcing while still being realistic since they are based on data provided through curriculum based assessment. Parents understand the level of work being evaluated because the instructional level of the group is identified (below grade level, at grade level, or above grade level state standards). Standardized testing keeps staff aware of individual students' mastery of grade level standards and anchors the school curriculum made tests to the state expectations.

D. Student Involvement DCS instills the concepts and values important to the school culture and helps every student realize that each one has a meaningful contribution to make to his/her learning community and classroom. Multiage grouping gives older students many opportunities for modeling and supporting younger students. Students interaction is a major part of the school day, and all students are expected to participate in teacher led and peer group discussions. Even during distance learning, students are expected to participate in class discussions virtually. Students are also involved in school leadership activities and daily unity. Daily unity, a school wide assembly, is conducted each morning prior to classroom instruction to celebrate student successes or special days and to focus the students on SWOs and other aspects of learning. The students engage in a daily chant that energizes them to participate in a full day of learning. During distance learning students experience Unity virtually and it is included in the Discovery website linked to the weekly newsletter, The Charter Chatter.

E. Parent Involvement DCS parents have multiple opportunities to become involved not only in their own student's success but in the success of the school. To maximize parent involvement, DCS implements a variety of access points for parents. Teachers maintain a website where parents can access information about their child's classroom.

A weekly Tracy Learning Center newsletter (Charter Chatter) is sent electronically to parents, updating them on important information about DCS. Grades are recorded and sent home to parents bi-monthly in the student agendas. All parents have access to grades daily through Aeries Parent Link. The English Language Advisory Committee (ELAC) support English Learners and their parents.

The School Improvement Committee is another way for parents to be involved in monitoring the progress for school goals for the year. Parents, students, staff and board members make up the committee.

F. Attendance The DCS school year consists of 205 school days, providing an additional 25 days to the traditional school year. The DCS school day begins at 8:00

and ends at 4:00 , which may be adjusted as necessary to comply with Education Code section 46148. According to the latest data on the California Dashboard, DCS boasts a low chronic absenteeism rate (1.6%), demonstrating a high level of pupil engagement. During distance learning the required minutes were adjusted and adhered to by the school.

G. Student Recognition The school understands the importance of honoring students who achieve success in a variety of ways. Some of the ways students are recognized include:

State Test Score certificates and incentives are provided. Students are acknowledged for improving and from going from needs improvement to meets standards.

Positive School Behavior is recognized each month. Nest points are awarded and students are rewarded for their focus and attention to school expectations.

Birthdays or Special Days are identified during morning unity.

H. Behavior is an important ingredient to student and school success. Expected positive behaviors are listed in each classroom and encouraged and reinforced by all teachers. It is policy to focus on positive reinforcement as opposed to focusing on negative behavior. When students are experiencing difficulty interacting positively, teachers work with students and sometimes parents to develop effective intervention plans. The Restorative Justice panel was created to meet with students each week who are not doing well behaviorally to give them suggestions for improvement. When indicated, a student study team (SST) is created to develop a plan to help the students address academic difficulties.

I. Intervention is a key factor in supporting students having difficulty being successful. Group instruction at the appropriate level prevents most needs for intervention. When more is needed a study club is available after school four days a week. Tutoring is also available before, during school hours, and after school. The EL teacher works with students in the classroom and one on one when needed. The Resource teacher does the same. There are two learning guides who work with the at-risk students in the classroom, and provide extra reinforcement each day during the study period which is 45 minutes daily.

J. Advancement DCS students who are performing above grade level access curriculum that deepens their understanding of subject area concepts and where indicated are

given advanced grade level courses. This is particularly true in Mathematics. Students in grades 5 and 6 may be enrolled in Algebra. Seventh and eighth grade students may be assigned to Geometry, Algebra, or Algebra 2. Students who are enrolled in advanced math follow the same curriculum as the high school and receive high school credit at Millennium.

9. Instructional Programs

The instructional program at DCS has been designed to effectively teach a rigorous academic program. Through a comprehensive curriculum and differentiated instructional strategies, all students are prepared for high school, CCSS, California state frameworks, as well as school wide outcomes, and the Discovery Charter School mission. Included in the appendix is a curriculum outline. Instructional strategies include group instruction, technology assisted blended instruction, direct instruction and interactive lecture approaches.

Language Arts Literature is a focal point for unit development. Integrated into each unit is vocabulary, grammar, mechanics of writing, writing strategies, rhetorical reading, annotations and summaries, as well as essay writing. Literature is selected for appropriate levels of instruction and attempts to be connected to science or social studies. Students read fiction and nonfiction. Reading is connected to writing and discussions for a holistic approach. DCS recognizes the importance of a solid foundational set of skills for success in reading and writing. Language Arts skills transcend all other subject areas and help students become independent learners in other classes.

Social Science Grade five and six social studies offers a two year cycle. One year is dedicated to the fifth grade standards and the other year focuses on the standards for sixth grade. Grades seven and eight offers a two year cycle as well using seventh grade standards one year and eighth grade standards the next. Primary sources are used, research includes use of the Internet and other sources. The classes learn to take notes, discuss and compare or contrast different aspects of history.

Physical Education instruction is provided to all students for sixty minutes each day. Skills and sportsmanship are a part of the curriculum. This is the first experience with locker rooms and dressing specifically for PE.

Science includes content as well as experimentation and hands-on learning. This is a two year cycle for both phases. Students perform labs, and activities to better

understand concepts and the focus is on Next Generation Science Standards problem solving. Fifth and sixth grade students attend in-school or away science camp.

Mathematics is the crucial area that determines student placement in other subject areas. A Mathematics placement test determines student placement. Students progress based on level. Levels include: above grade level, at grade level, basic below grade level. In each of these levels students work to solve problems, learn concepts and skills to successfully master concepts taught. Basic level begins with a review of elementary concepts such as whole numbers and beginning work with fractions and progresses according to the group's needs. Grade level CCSS and California state frameworks are the focus of on grade level groups. Above Grade level groups are allowed to advance to high school levels of math.

School Wide Outcomes are emphasized at each level and are embedded in the work students do in all curriculum areas. The projects attached to the SWOs are being reviewed and will be revised next year.

All curriculum reflects the California Implementation Plan for CCSS and the California state frameworks.

10. Curriculum and Materials

Curriculum

The curriculum of DCS is consistent with the CCSS and the California state frameworks. Moreover, DCS provides students with access to a broad course of study.

Understanding students' area of strength and the development of the total child is emphasized at DCS, in recognition that learning is not confined to a single person at a single time from a single source. Therefore, DCS does not use textbooks as the primary source of educational materials for instruction. Instead, teachers utilize multiple resources, included, but not limited to, the Internet, software applications, manipulative materials, books, videos, student presentations, speakers, field trips, and nonfiction articles from print sources. Resources chosen reflect the standards set by the State of

California frameworks, and reflect the Common Core Standards as they are released. The following is a brief summary of the general curriculum studied.

Language Arts

In each grade, the English Language Arts curriculum has a specific purpose, but all grades utilize reading, writing, grammar, and vocabulary as means of developing students understanding of the English language, both in its technical aspects as well as

in its creative aspects. Above grade level standards become the norm for modification for students in the grade level and below grade level groups.

Students are assessed to determine the appropriate level of instruction. For instructional purposes, students are grouped according to academic learning need. Teachers present a balanced curriculum that allows time for vocabulary development, reading comprehension, reading fluency and expression, grammar and sentence syntax, mechanics of writing and the development of essays. In addition, students focus on literature with a set assigned group of novels for each level. These novels become the cornerstone of the unit and all other parts are integrated into the unit. Rhetorical reading is also introduced at this level so that students can learn the skills needed for annotating, summarizing, and reacting to controversial issues. This leads to oral discussions and debates or extended projects that may require presentations and the use of technology.

DCS acknowledges that the English Language Arts/English Language Development Framework is embedded in the English language arts standards. In each Language Arts class, teachers are aware of the EL students enrolled and are expected to use strategies embedded in the frameworks to support these students when teaching the class. The EI teacher partners with the teacher while instructing these students and offers suggestions to the teacher while also giving support to the students. The EI teacher tests and monitors progress for these students.

Mathematics

DCS uses the same progressive approach to instruction as it does for English Language Arts. Students progress according to instructional need rather than grade level standards. The curriculum is developed for grades 5 through 8. Those beyond eighth grade standards progress to high school level courses. Mathematics curriculum involves focusing on the use of math in daily lives, concepts, basic skills, and problem solving strategies. Mathematics instruction provides students with skill-building practice based on CCSS and California state frameworks. These standards accelerate math expectations for all students creating challenging opportunities to master problems, puzzles, and brainteasers that strengthen mathematical thinking. Multiple problem solving methods are taught throughout step by step examples that help students transfer the method to other similar problems. Involvement in the county Mathematics Tournament has added an additional challenge for math students. Students also work on performance tasks similar to those used in state tests for a more in-depth approach to problem solving. Those progressing to high school level courses must achieve an A or B in the course to receive high school credit. Geometry and Algebra 2 are taught by the Discovery teachers using the high school curriculum and exams.

Science

DCS students are taught the same science concepts and experience the same hands-on opportunities as other students in the phase. Students in higher group levels are given more sophisticated challenges and may be taught at a deeper level but all concepts regardless of the level are taught. Each phase utilizes the curriculum outlined in the California state frameworks and Next Generation Science Standards.

Social Studies

All students in each phase are taught the same social studies concepts and experience the same group projects and field trips as other students in that phase. Social studies curriculum follows the California state frameworks and CCSS.

Physical Education

Teachers provide a comprehensive and researched based physical education program that addresses areas of skills for the pre-adolescent and the importance of exercise and proper nutrition.

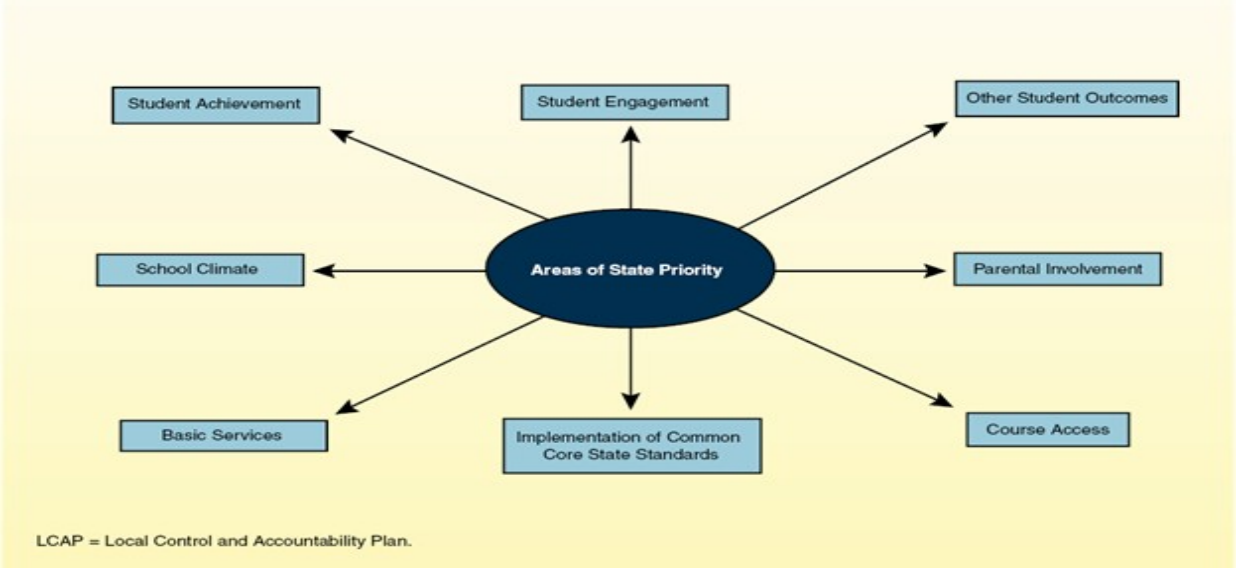
Enrichment Classes

The students take one enrichment class per trimester. They are offered Music, Creative Expression, and Technology. The above grade level students are enrolled in Spanish one. The students in grades six to eight are also enrolled in band if they wish to participate.

DCS utilizes curricular materials for the core content areas that have been selected based on an analysis of their alignment with all the adopted standards, and the DCS instructional philosophy of an academically rigorous curriculum. Guidelines for the use of these materials are housed in teacher curriculum binders which are accessible to all teachers.

11. State Priorities

Figure 7
Eight Areas of State Priority Must Be Addressed in LCAPs



DCS goals, measurable outcomes and the means to measure achievement of those outcomes for the state priorities are identified in the chart below. Those that reflect measurable student outcomes are identified in **bold** below.

State Priority - eight areas and required data	Annual school wide and subgroup goals and measures	Actions to achieve goals	Methods to measure progress
<p>1. The degree to which teachers are appropriately assigned and fully credentialed and every pupil has sufficient access to standards-aligned instructional materials and school facilities are maintained in good repair.</p> <p>Applicable Student Groups: All students (schoolwide), including English learners, socioeconomically disadvantaged, Asian students, Hispanic or Latino students, and White students.</p>	<ul style="list-style-type: none"> ● 100% of the teachers are credentialed and appropriately assigned. ● Students are given free access to all learning materials and supplies. Budgets indicate full support of needed materials for all students in each subgroup. ● Working collaboratively with the District, the facility is maintained and in good repair. 	<ul style="list-style-type: none"> ● Teacher credentials are reviewed by the Human Resource Director to ensure appropriate assignments. ● Students have access to all Language Arts novels used in the classroom and access to the classroom technology as well as other materials used for instructional groups. ● The Director of Facilities is responsible for management of facilities. This includes overseeing school safety issues related to the facilities. The Director works with the District on issues related to structural safety. The District is notified if structural problems arise. 	<ul style="list-style-type: none"> ● Review all credentials before making any changes in assignments for staff. ● Review classrooms to ensure there are sufficient materials and technology. ● The Director of Facilities maintains a log of requested maintenance repairs and date request was fulfilled.

State Priority - eight areas and required data	Annual school wide and subgroup goals and measures	Actions to achieve goals	Methods to measure progress
<p>2. Implementation of Common Core State Standards, including how EL students will be enabled to gain academic content knowledge and English Language proficiency.</p> <p>Applicable Student Groups: All students (schoolwide), including English learners, socioeconomically disadvantaged, Asian students, Hispanic or Latino students, and White students.</p>	<ul style="list-style-type: none"> ● 100% of student's school wide and each subgroup will participate in standards-aligned instruction ● 100% of students in grades 5 through 8 will take the SBAC in English Language Arts and Mathematics. ● 100% of students in Grades 5 and 8 will take the CAST. 	<ul style="list-style-type: none"> ● DCS will provide ongoing professional development to all teachers on a yearly basis in implementing English Language arts standards, and Common Core state standards. ● The staff member responsible for assessments will become proficient in understanding the process for assessing students and will train the staff. ● Students identified as EL or R-FEP will be given support in the classroom by the teacher with the use of language support instruction and small group differentiated instruction. Progress is monitored throughout the year and confirmed with ELPAC yearly testing. 	<ul style="list-style-type: none"> ● Classroom observation and feedback will be used to measure transition to Common Core focus in instruction. ● Implementation of Smarter Balance testing with feedback as to problems or obstacles to students success or implementation ● Review of data regarding EL students to ensure progress and acquisition of English. Further support will be given by the EL coordinator who monitors students testing and progress.

State Priority - eight areas and required data	Annual school wide and subgroup goals and measures	Actions to achieve goals	Methods to measure progress
<p>3. Parental involvement, including efforts to seek parent input for making decisions for schools, and how the school will promote parent participation, and including how the</p>	<ul style="list-style-type: none"> ● An annual parent survey will be administered to ensure parent satisfaction and solicit feedback for improvement. Target response rate for survey is 	<ul style="list-style-type: none"> ● The survey will be sent out in March and responses will be collated and summarized for parents in April. ● Areas noted for improvement will be 	<ul style="list-style-type: none"> ● Review survey results and formulate a plan for action. ● Review newsletters and websites to ensure regular updates and information.

<p>school will promote parental participation in programs for unduplicated pupils and individuals with exceptional needs</p> <p>Applicable Student Groups: All students (schoolwide), including English learners, socioeconomically disadvantaged, Asian students, Hispanic or Latino students, and White students.</p>	<p>30%. All parents will be informed about programs and opportunities for their involvement including students with special needs.</p>	<p>identified and staff will create goals to match.</p> <ul style="list-style-type: none"> Parents will be informed of programs and volunteer opportunities from teachers or from the website. Websites for the TLC and DCS will be updated and maintained regularly. 	
<p>4. Pupil achievement as measured by:</p> <ol style="list-style-type: none"> State wide assessment completion of UC and CSU requirements completion of CTE courses completion of UC/CSU requirements and CTE courses percentage of EL students who make progress toward English language proficiency as measured by the ELPAC EL reclassification rate AP test scores college preparedness <p>Applicable Student Groups: All students (schoolwide), including English learners, socioeconomically disadvantaged, Asian students, Hispanic or Latino students, and White students.</p>	<ul style="list-style-type: none"> All students and subgroups will demonstrate growth on the SBAC in ELA and Math EL students will annually increase proficiency on ELPAC skill areas. Annual reclassification rate will match or exceed TUSD and California rate. 	<ul style="list-style-type: none"> Implement curriculum and instructional strategies that are aligned with California Frameworks and CCSS. Review state testing results and identify areas of relative weakness for improvement Review testing data to ensure that all students are making progress as measured on the ELPAC. Provide data for each teacher of EL students in their classrooms. 	<ul style="list-style-type: none"> Review curriculum and observe instructional strategies to ascertain how well they are aligned to the frameworks and CCSS. Provide feedback and support as needed. Identify areas of relative weakness and revise curriculum to reflect any deficiencies in the curriculum emphasis. Review data and compare with the district and state and make revisions for support as needed.

State Priority - eight areas and required data	Annual school wide and subgroup goals and measures	Actions to achieve goals	Methods to measure progress
<p>5. Pupil Engagement, as measured by:</p> <p>a. school attendance rates</p> <p>b. chronic absenteeism rates</p> <p>c. middle school dropout rates</p> <p>Applicable Student Groups: All students (schoolwide), including English learners, socioeconomically disadvantaged, Asian students, Hispanic or Latino students, and White students.</p>	<ul style="list-style-type: none"> ● Annual average attendance rate schoolwide and for all subgroups will be 94% or higher ● Chronic absenteeism will be less than 3% of students enrolled 	<ul style="list-style-type: none"> ● Track monthly student attendance rate ● Call parents of students not in attendance daily before the end of the first period. 	<ul style="list-style-type: none"> ● Compare disaggregated actual attendance to 94% target ● Compare disaggregated records of students with chronic absenteeism to determine reduction.
<p>6. School Climate, as measured by:</p> <p>a. pupil suspension rates</p> <p>b. pupil expulsion rates</p> <p>c. other local measures, including surveys of pupils, parents, and teachers on the sense of safety and school connectedness</p> <p>Applicable Student Groups: All students (schoolwide), including English learners, socioeconomically disadvantaged, Asian students, Hispanic or Latino students, and White students.</p>	<ul style="list-style-type: none"> ● Suspensions will be less than 3% ● Zero expulsions unless mandated by law. ● 90% of students, teachers, and parents will have a school satisfaction rate including school safety and school climate based on the survey and information the district gains from annual visits. 	<ul style="list-style-type: none"> ● Promote positive students behavior to mitigate discipline problems before they occur through student recognition: consistent classroom behavior, expectations school wide; actively engaged students in effective teaching and learning. ● Develop plans to improve student behavior that could result in suspension by using a formal SST approach. ● Engage parents, students, and staff in maintaining campus safety. ● Conduct annual parent, staff, and student satisfaction surveys. 	<ul style="list-style-type: none"> ● Track, compare and report on student data on suspensions. ● Track data regarding students in 7 and 8 who earn Saturday school to see constant offenders and develop a plan for improvement ● Compare annual satisfaction surveys to determine if targets are met.

State Priority - eight areas and required data	Annual school wide and subgroup goals and measures	Actions to achieve goals	Methods to measure progress
<p>7. 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; EC 42238.02) and students with exceptional needs.</p> <p>Applicable Student Groups: All students (schoolwide), including English learners, socioeconomically disadvantaged, Asian students, Hispanic or Latino students, and White students.</p>	<ul style="list-style-type: none"> ● 100% of all students' school wide and all subgroups will be informed of their progress each trimester. In addition 100% of the students and their parents have total access to grades on line and through teacher notes every two weeks. ● 100% of all students have access to all curriculum offered at DCS which is differentiated according to student needs 	<ul style="list-style-type: none"> ● Inform parents and students schoolwide and each subgroup each trimester of the status of students and their progression towards mastery of grade level standards. ● The master schedule for DCS will include access to all curriculum areas for all students at all phases. 	<ul style="list-style-type: none"> ● Review randomly selected student trimester reports to ensure status and progress towards grade level standards is clearly stated. ● Analyze master schedules to confirm that all classrooms and students have access to all curriculum areas especially PE and electives that are all year if they wish to be included.
<p>8. Pupil outcomes, if available, in the subject areas offered at DCS.</p> <p>Applicable Student Groups: All students (schoolwide), including English learners, socioeconomically disadvantaged, Asian students, Hispanic or Latino students, and White students.</p>	<ul style="list-style-type: none"> ● Students schoolwide and for all subgroups will demonstrate growth in proficiency based on grades, internal assessments, mandated assessments, and other available metrics ● 50% of those identified as EL in Initial Phase will be reclassified as R-FEP when exiting DMS and DHSP 	<ul style="list-style-type: none"> ● Establish clear expectations for proficient student work through rubrics for standards based grading ● Allow reassignment of instructional groups when students demonstrate sufficient growth in the instructional level assigned. ● Support language learners through content specific vocabulary development using a variety of strategies 	<ul style="list-style-type: none"> ● Track, compare, report data to determine growth ● Monitor mastery in each instructional group and reassign students as needed ● Review ELPAC scores annually to ensure progress and to evaluate target success

12. Operations and Instructional Minutes

DCS does not plan to expand enrollment. Tracy Unified School District and Tracy Learning Center worked together to establish a new facility for DCS. The parents, students, and staff are most grateful for this upgrade in facilities.

Future Enrollment

Year	2021-22	2022-23	2023-24	2024-25	2025-26
	372	372	372	372	372

The instructional calendar is 205 days per year with a daily bell schedule from 8:00 a.m. to 4:00 p.m., which may be adjusted as necessary to comply with Education Code section 46148. The additional 25 days gives all students the same opportunity as those who would have attended a five week summer school program in the past. The extended days and hours are an essential reason for continued student growth eliminating the need for intensive review when students return to school after a long summer break. The amount of instructional minutes may vary according to the California Department of Education’s (CDE) requirements for charter schools.

In California, there are both required and recommended actions regarding courses of study and the instructional time needed to deliver them to secondary students. In the absence of either the *Education Code* or a recommendation from the *State Board of Education* and the *California Department of Education*, external recommendations from national subject area associations are given as guidelines. DCS may utilize the CDE and National Subject Area Associations’ recommendations for courses of study and instructional time. The law does not require a specific number of minutes of English Language Development for English Learners (EL) in charter schools. DCS has the discretion to determine the amount of time appropriate for students at different English language proficiency levels. EL instruction is embedded throughout the instructional program.

DCS students have an extended school day and year which exceeds the minimum state requirements. The table below compares the amount of annual minutes with the State Minimum (Education Code § 46201).

Number of Instructional Minutes

Grade Level	State Minimum Number of Instructional Minutes	# of Additional Instructional Minutes	Total Instructional Minutes
Grades 5 and 6	54,000	32,100	86,100
Grades 7 and 8	54,000	32,100	86,100

DCS provides “beginning-to-end” instruction and increased daily instructional minutes to provide amplified time for learning in the core curriculum, while maintaining the integrity of our non-core programs such as Physical Education and electives. The increased instructional minutes give DCS students a remarkable advantage over students in traditional schools. DCS realizes more time by itself is not the solution, it allows for more time for a rigorous and sequential program.

13. Addressing the Needs of All Students

Discovery Charter School strongly believes that when both teachers and parents collaborate on addressing unique student needs and barriers preventing academic success, students *will* succeed. Teachers meet regularly to compare their student data, discuss student performance and concerns, and share instructional strategies, interventions, and enrichment. Collaboration among the three or four teachers who work with certain students allows for a unified effort to help a student improve. Teachers work together to share successful strategies one might be using that could help in other classes as well.

DCS is designed to serve all students, including those who would be at-risk of achieving below basic proficiency on state exams. When a student is called from the wait list, DCS conducts informal interviews with all new students entering fifth, sixth, seventh, or eighth grade. This helps with placement and does not eliminate any student from entering the school. This informal interview helps staff to identify early needs and instructional start levels. During this interview students take a math placement test while staff helps parents complete paperwork to include the Home Language survey. This identifies students who are English Language Learners.

Students At-Risk of Low Achievement

DCS is proactive in addressing early needs.

- Students entering DCS with no previous Tracy Learning Center classes are identified so that teachers are aware that there may be an educational lag and that in time, the students will be able to succeed in the placement level.

- Tutors are available to help students before, during, or after school when they are having difficulty in a particular subject area.
- Parent-student-teacher meetings are held to develop a behavioral plan for students who are having difficulty with classroom expectations. These are followed up to monitor progress and to change the plan if needed.
- A 45 minute reinforcement and support period is scheduled for at-risk students who are below state standards in math and English. This is conducted by the both the teacher assigned and the learning guide.

Intervention

The intervention plan for students not meeting behavioral or academic standards at DCS are multifaceted. All students are given the opportunity to work at the appropriate level of instruction to maximize learning. Teachers assess students and write curriculum to meet unique student needs. Group instruction for appropriate level of instructional intervention allows for a more personal approach to learning and helps maintain student focus. SST meetings with parents help identify ways to support students. The group size for lower achieving students is typically smaller than the instructional group size for students performing above grade level.

Student Success Team

If a student is experiencing difficulty academically, the classroom teacher uses immediate intervention strategies. When further measures are required, the teacher or parent can request an SST meeting. The team may include the parents, classroom teachers, the student, and/or the Student Support Coordinator. The team identifies the student's strengths and weaknesses, and develops a success plan, based on resources the student identifies as useful. The plan includes a series of follow-up meetings usually four weeks apart. If this process fails to produce results and the plan has been followed, the group reassembles to discuss other possible options. These meetings are coordinated by the middle school counselor.

What Indicators Make Up An Early-Warning System?

Districts use data to identify a series of indicators linked to student outcomes. If a student reaches an indicator threshold—such as a high number of absences in a quarter—leaders devise personalized interventions.



INTERVENTIONS schools can consider:

- Send text messages to students who are repeatedly absent, earn low grades, or post poor assignments.
- Ramp up parent engagement.
- Prioritize certain students for counseling.
- Conduct home visits.
- Assign a staff person as a "case manager" to routinely check in on a student.
- Provide mental health services.
- Provide extended learning time.
- Provide individual or small-group tutoring.

Icons: Getty
SOURCE: Education Week reporting

The group identifies goals and resources that will help improve the individual student success rate. Many times, progress is noticeable and the success rate has been good using this structured approach. Sometimes, the resource teacher is asked to observe and give suggestions to the classroom teachers for ways to help the student learn.

Sometimes a personal learning assistant is appointed to work with a student in a particular class. Other times, mentors, assigned to the student, check with the student on a regular basis to see how things are going and how they can help.

If a student is identified for evaluation after this process has been exhausted, and is found to need special education services, DCS will follow established procedures for

referral and development of an individual education plan including goals and accommodations.

English Learners (EL)

DCS has identified 8.4% of its population as English Learners (EL) in 2019-20. ELs are the fastest-growing student population within the U.S. Although southwestern states have the highest proportions of ELs, more than half of all states reported EL proportions of at least 5 percent of their K-12 enrollment (U.S. Department of Education).

DCS employs a designated full time EL coordinator who ensures that students are tested, reclassified if necessary, and monitor intervention support given to these students within the regular classroom structure. These interventions are reviewed monthly and those needing greater support are scheduled to meet with the coordinator within the classroom setting. Students not making progress are reviewed annually to devise a specific learning plan to meet academic deficits of unsuccessful students. Classroom teachers are CLAD certified and use language development strategies not only with EL students but all students since these strategies have proven to be highly effective. Teachers support curriculum development with numerous visual reinforcements and teach pertinent vocabulary for each subject area. Teacher made materials reflect additional support for English learners when needed. All EL students are supported by a personalized plan developed by the teacher to support learning in the academic areas and units being taught. These personalized plans are reviewed by the EL coordinator and she intervenes if these strategies are not effective by providing additional support in the classroom or through tutoring services.

Since DCS courses in core academic subjects are differentiated, it is possible to provide for the needs of EL students in these classes without requiring extra pull out services. ELD standards are incorporated into the regular classroom environment and opportunities for conversational speaking are a part of the courses offered. Students work on presentation skills and vocabulary within context in the classes as well.

Identification of ELs

DCS follows all applicable laws in serving its EL students, including full-inclusion in the classroom. Teachers are aware of the students in their classes who need support with language. Teachers confer with the EL teacher who partners with them in the room to find effective ways to help the students.

DCS administers the Home Language Survey upon a student's enrollment. All students who indicate that their home language is one other than English, are administered the English Language Proficiency Assessments for California (ELPAC) within 30 days of

enrollment, unless they have previously taken the ELPAC. Those identified as EL will take the ELPAC annually thereafter until reclassified as Fluent English Proficient (R-FEP). Students reclassified as R-FEP are monitored for 4 years.

DCS notifies all parents of EL students prior to ELPAC administration. Parents will receive results within 30 days of DCS receiving results from the publisher. The ELPAC is used to determine qualification to reclassify an EL student as Fluent English Proficient (R-FEP) and to fulfill federal requirements.

TLC sends an EL staff member to state-sponsored or regional trainings, and in turn, the staff member trains other staff to administer the ELPAC to students.

Meeting content standards for every student, including English Learners (EL), is the goal for all teachers regardless of subject matter. The highly interactive classroom setting for DCS greatly enhances student assimilation of English. The purpose is to ensure English Learners develop proficiency in reading, listening, speaking and writing. In order for this to be achieved; teachers create emotionally safe learning environments where all students feel secure to take risks, and are involved as active class participants. Although the same rigid curriculum is used for all students, teachers strive to make subject matter comprehensible and meaningful for these students by embedding new terms in familiar contexts. Teachers use a variety of strategies in order to meet the needs of EL population students. Each content area and course works with students to develop specific vocabulary and understanding for significant concepts taught. These include scaffolding activities as well as clarifying the meaning of words and phrases in context. Therefore, by implementing these specific instructional practices and DCS ensures that all EL students will demonstrate proficiency in all subject matter.

Exiting the ELD Program

According to the California Education Code §§ 313(d)-(f), the process for determining when a student should exit the ELD Program is as follows:

- Assessment of English Language proficiency using an objective assessment instrument, including, but not limited to, the state test of English Language Development (ELPAC overall performance level 4); and
- Teacher evaluation, including, but not limited to, a review of the student's curriculum mastery; and
- Parent opinion and consultation; and
- Comparison of student performance in basic skills against and empirically established range of performance range in basic skills based on the performance of English proficient students of the same age.

If the student is receiving Special Education services, an IEP team meeting is held and an addendum is submitted to reflect that the student being reclassified is based upon a learning disability rather than a language barrier.

EL Servicing

DCS offers support for our EL students and their parents in a variety of ways, including but not limited to:

- EL Coordinator works in groups of 2-3 or individually to help students gain reading, writing, speaking, and listening skills to become English Proficient.
- Teachers are to complete monthly monitoring forms for EL students. This helps the EL Coordinator identify how teachers are assisting our EL students. Monitoring forms are used to track students' grade level and language progress.
- DCS offers EL students after school homework support. Students receive assistance with homework, as well as gain skills needed to work independently.
- The ELAC provides support to EL parents, by being their advocate for their child's education. ELAC meetings are held 4 times a year but parents keep in contact with committee members throughout the school year, which has shown to have impacted parents understanding of their child's work and are better able to help them academically.

EL Initial FEP and Annual R-FEP rates

School Year	# Tested	Initial FEP	Annuals R-FEP
2017-18	23	0	16
2018-19	28	0	11
2019-20	31	1	1

14. Plan for Servicing Students with Disabilities

Overview

DCS shall comply with all applicable state and federal laws in serving students with disabilities, including but not limited to the Individuals with Disabilities Education Act, 20 U.S.C. 1400 et Seq. (IDEA), Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794, the Americans with Disabilities Act, and all SELPA policies and procedures, and DCS shall utilize appropriate SELPA forms.

DCS became a member of the El Dorado County Charter SELPA as of July 1, 2020 and now participates as its own local educational agency for purposes of special education beginning with the 2020-21 school year. In the event DCS seeks membership in a

different state-approved SELPA, DCS shall provide notice to the District, the SELPA, and the California Department of Education before June 30th of the year before services are to commence.

DCS may seek resources and services (e.g., speech, occupational therapy, adapted P.E., nursing, and transportation) from the SELPA, subject to SELPA approval and availability. DCS may also provide related services by hiring credentialed or licensed providers through private agencies or independent contractors.

Section 504 of the Rehabilitation Act

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

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

A 504 team will be assembled by the Resource Teacher for the school and may include the parent/guardian, the student (where appropriate), and other qualified persons knowledgeable about the students, 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; and

- 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. In developing the 504 plan, the 504 team shall consider all relevant information utilized during the evaluation of the student, drawing upon a variety of sources, including, but not limited to, assessments conducted by the School's professional staff.

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

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

Services for Students under the "IDEA"

DCS participates as a local educational agency in the El Dorado County Charter SELPA pursuant to Education Code Section 47641(a). DCS recognizes its responsibility to enroll and support students with disabilities who can benefit from its programs and who otherwise qualify for enrollment, and pledges to work in cooperation with the SELPA to ensure that a free appropriate public education (FAPE) is provided to all students with exceptional needs. DCS will follow the 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.

BPA agrees to promptly respond to all SELPA inquiries, comply with reasonable SELPA directives, and allow the SELPA access to DCS students, staff, facilities, equipment, and records as required or imposed by law.

Staffing

All special education services at DCS shall be delivered by individuals or agencies qualified to provide special education services as required by applicable law. DCS shall ensure that all special education staff members hired or contracted by DCS are qualified pursuant to SELPA policies and applicable law. DCS staff shall participate in in-service training and other professional development opportunities relating to special education (e.g., provided by the SELPA, County, etc.). DCS shall be responsible for the hiring, training, and employment of staff necessary to provide special education services to DCS students, including, but not limited to, special education teachers, speech therapists, occupational therapists, behavioral therapists or aides, and school psychologists.

Identification and Referral

DCS shall have the responsibility to identify, refer, and work cooperatively in locating DCS students who have or may have exceptional needs that qualify them to receive special education services, which will occur through the SST process. Generally, referral for special education evaluation only happens after reasonable classroom interventions have been tried for a period of time without success and when it has been determined that the cause of the problem(s) cannot be resolved without special education services. Possible exceptions to this protocol would be seriously disabled students for whom the SST process would delay obviously needed special education services.

DCS shall implement SELPA policies and procedures to ensure timely identification and referral of students who have, or may have, such exceptional needs. DCS shall follow SELPA 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 FAPE to the student in question. Parent notification and request for special education testing and evaluation will trigger legal timelines, and DCS will follow all legal and SELPA mandates for a timely response.

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. DCS shall determine what assessments, if any, are necessary and arrange for such assessments for referred or eligible students in accordance with applicable law. DCS will be responsible for gathering all pertinent information regarding a student who is potentially eligible for special education and related services. Information gathered will be used as tools to determine the student’s disability, eligibility for services, and determining the nature and extent of required services. DCS shall obtain parent/guardian consent to assess DCS students. Parents/guardians will be informed that special education and related services are provided at no cost to them.

IEP Meetings

DCS will be responsible for scheduling, coordinating, and facilitating the IEP meeting. IEP team membership will be in compliance with all applicable law, and will include all of the following members: the Executive Director and/or a designated DCS 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’s parent or guardian; the student, if appropriate; and other DCS representatives who are knowledgeable about the regular education program at DCS and/or about the student. DCS shall arrange for the attendance or participation of all other necessary staff that may include, but are not limited to, a speech therapist, psychologist, resource specialist, or behavior specialist, and shall document the IEP meeting and provide of notice of parental rights. IEP meetings will be held at the various intervals required by law.

IEP Development

Upon completion of the assessment, an IEP team will be assembled to review the results of the assessment and determine the student’s eligibility for special education. Every student who is assessed for special education will have an IEP that documents assessment results and eligibility determination for special education services. Every student who has an IEP will have an IEP team that oversees the IEP development, implementation, and progress of the student. All decisions concerning the special education programs and services to be provided to a student with a disability, including eligibility, goals/objectives, program, services, placement, and exit, are to be made by the IEP team pursuant to the IEP process. IEPs will contain all of the information required by applicable law.

IEP Implementation and Review

DCS shall be responsible for all school site implementation of the IEP. Students with IEPs will be served in the least restrictive environment. DCS shall provide 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 DCS's non-special education students.

The IEP team will formally review the student's IEP at least once a year to determine how the IEP is meeting the student's needs. In accordance with IDEA regulations, the IEP team will also conduct a formal review of the IEP once every three years, in which the student is reassessed and the IEP is reviewed as part of an overall comprehensive reevaluation of the student's progress. If a parent/guardian or faculty member feels the student's educational needs are not being met, they may request a reassessment or a review of the IEP by the IEP team at any time during the year via written notice to the school.

Interim and Initial Placements of New Charter School Students

DCS shall comply with Education Code section 56325 with regard to students transferring into DCS within the academic school year. In accordance with Education Code section 56325(a)(1), for students who enroll in DCS from another school district within the State but outside of the SELPA with a current IEP within the same academic year, DCS shall provide the pupil with FAPE, including services comparable to those described in the previously approved IEP, in consultation with the parent or guardian, for a period not to exceed thirty (30) days, by which time DCS 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 DCS from a district operating programs under the same SELPA of DCS within the same academic year, DCS shall continue, without delay, to provide services comparable to those described in the existing approved IEP, unless the parent or guardian and DCS agree to develop, adopt, and implement a new IEP that is consistent with federal and state law.

In accordance with Education Code section 56325(a)(3), for students transferring to DCS with an IEP from outside of California during the same academic year, DCS shall provide the pupil with FAPE, including services comparable to those described in the previously approved IEP, in consultation with the parent or guardian, until DCS conducts an assessment, if determined to be necessary by DCS, and develops a new IEP, if appropriate, that is consistent with federal and state law.

Procedural Safeguards

Parents/guardians of students with IEPs at DCS must give written consent for the evaluation and placement of their child, be included in the decision-making process

when a change in placement is under consideration, and be invited, along with teachers, to conferences and meetings to develop their child's IEP.

DCS will provide the parent with a written Notice of Procedural Safeguards, which will include information on the procedure to initiate both formal and informal dispute resolutions, at least once per year. DCS will utilize the Notice of Procedural Safeguards used by the SELPA in which it is a member.

Non-Public Placements/Non-Public Agencies

DCS shall be solely responsible for selecting, contracting with, and overseeing all non-public schools and non-public agencies used to serve special education students.

Non-discrimination

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

Parent/Guardian Concerns and Complaints

DCS shall develop policies for responding to and resolving parental concerns or complaints related to special education services. DCS's designated representative shall investigate as necessary, respond to, and address the parent/guardian concern or complaint. Parents/guardians also have the right to file a complaint with the Office of Administrative Hearings or the California Department of Education if they believe that the school has violated federal or state laws or regulations governing special education.

Due Process Hearings

DCS may initiate a due process hearing or request for mediation with respect to a student enrolled in DCS if DCS determines such action is legally necessary or advisable. In the event that the parents/guardians file for a due process hearing, or request mediation, DCS shall defend the case.

DCS shall have sole discretion to settle any matter in mediation or due process. DCS shall also have sole discretion to file an appeal from a due process hearing or take other legal action involving any DCS student necessary to protect its rights.

SELPA Representation

As a local educational agency, DCS shall represent itself at all SELPA meetings. DCS understands that it will be subject to the allocation plan of the SELPA in which it participates.

Element 3: Method by Which Student Outcomes are Measured

“The method by which pupil progress in meeting those pupil outcomes is to be measured...” Education Code § 47605 (c)(5)(C)

1. Assessment Philosophy

The goal of DCS is for all students to successfully complete educational goals in order to succeed in high school either at Millennium, the high school of the Tracy Learning Center, or another desired high school. In order to measure student progress each year, DCS uses an array of assessment tools.

These included but are not limited to:

- curriculum embedded assessments which include unit testing, quizzes, and exit tickets within the units
- writing prompts particularly used in language classes and on unit tests
- IEP goals which are reviewed annually and adjusted as needed
- rubrics used to measure success with projects and tasks assigned within a class
- Software to measure Mathematics assessments
- teacher observation and annotation
- beginning of the year instructional grouping placement tests
- state interim tests in math and English
- IXL diagnostic tests tests for at-risk students
- AIMS diagnostic testing for all students

All diagnostic assessments are analyzed for results as a whole and within different subgroups to ensure that all groups are being successful. A testing and data coordinator analyzes grades and tests given to review with staff in order to set goals for improvement. The testing coordinator guides staff in the administration of any state designed assessments.

Staff will analyze all local final testing results to learn which subgroups are performing below, advanced or proficient. These will be correlated with final grades to ensure that grades are reflective of students’ actual achievement levels.

DCS’s assessment methods are based on the belief that assessments should be:

1. **Authentic:** DCS uses the backwards design planning model to ensure assessments measure the actual learning that has taken place in the classroom. Within this model, learning outcomes are established and assessments are designed before any learning activities are introduced. Teachers need to

specifically know what skills and information they want their students to attain before they can design the learning steps necessary for students achievement. Because of this, there are less “textbook-developed” tests and more teacher-created and project-based assessments.

2. **Multiple Measures:** Just as students have multiple intelligences, they also respond differently to different forms of assessments. DCS ensures a variety of assessments (i.e. content-specific tests, observations, projects, classroom discussions, etc.) are used to determine student achievement. This multiple measures approach improves the reliability of assessment data.
3. **On-going:** Students need on-going assessments in order to ascertain whether skills and knowledge have been truly internalized. Teachers use formative (specific skills) and summative (overall concepts) assessments as evidence of student achievement. This compilation of student data is used to drive instruction, confer with parents, and set learning goals within and across grade levels.
4. **Informative:** Assessments must promote and support reflection and self-evaluation on the part of students, staff, and parents.

2. Assessment Design

The student performance and assessment tools take into account a variety of methods that directly correspond to specific achievement targets. These have been communicated to students as part of the instructional program. Teachers are trained to identify the exact achievement target that is required for each area of study for each instructional level. Those tools and resources allow them to determine the most appropriate type of assessment to measure student mastery of a given concept. This method includes measures such as assessments as selected response, essays, performances, and products.

3. Mandated Assessments

As is required by law, students also participate in annual statewide assessment and all other mandated accountability programs. The staff firmly believes that the DCS academic programs fully prepare students for success in these state wide assessment programs. The additional support structures at DCS help students to surpass the performance of their peers in comparable settings.

Assessment	When Administered/ Released	Purpose
California Assessment of Student Performance and Progress (CAASPP), including the SBAC for ELA and Math, CAST, and CAAs	Spring	Test students' knowledge of common core standards in grades 5-8, including use of CAASPP system of assessments, which has a primary purpose to promote high quality teaching and learning through use of a variety of assessment approaches and item types.
ELPAC	Spring (annual) and within 30 days of initial enrollment (initial)	English proficiency in reading, writing, listening, and speaking.
Physical Fitness Test (FITNESSGRAM)	Spring	Students in grades 5 and 7 take the PFT. The test has six parts that show a level of fitness that offer a degree of defense against diseases that come from inactivity. The test results can be used by students, teachers, and parents.

4. Data Management and Analysis

DCS is a data driven school. There is a teacher assigned to coordinate testing and analysis of testing data. The coordinator desegregates data at the state, local, and classroom level. The results of all testing is analyzed and reported to full staff for reflection and the development of goals for improvement.

At the beginning of the year and as an on-going process of staff development, annual statewide assessment data is used when implementing the school plan to meet targeted

goals. DCS tracks and analyze the percentage of proficient scores of each represented subgroup to ensure growth targets are met each year and that the gap between the highest and lowest performing subgroups is decreasing.

5. Use of Data to Inform Instruction

DCS staff uses the school wide data at a micro level to learn how well students are performing in each curriculum area's sub groups. Each designated curriculum team develops a plan to improve student performance as indicated by the results of the assessment data. In this way, staff is continuously challenged to rethink current pedagogical practices to meet the changing needs of new and existing student populations and emerging Common Core Standards.

Teachers are able to revise curriculum as needed since curriculum is not dependent on an adopted textbook and can more easily be revised. Methods for teaching can be enhanced based on concepts students do not seem to understand. Staff can help students improve by providing more teacher made questions that closely relate the new testing style used in state testing.

6. Annual Performance/School Accountability Report Card and the LCAP

Student assessments are designed to align to the mission, exit outcomes, and the curriculum described in the charter. DCS collects annual data from the assessments listed in section three and utilizes the data to identify areas of needed improvements in the educational program. The Executive Director or designee provides this information to the Board of Directors each year as an annual performance audit of the program. Information from this audit is included in the School Accountability Report Card (SARC) that is made available on the website to all stakeholders.

DCS and the chartering agency will jointly develop an annual site visitation process and protocol to enable the chartering agency to gather information needed to confirm the school's performance and compliance with the terms of its charter. This has been outlined in a Memorandum of Understanding.

DCS will annually develop and implement a Local Control Accountability Plan (LCAP) and Annual Update pursuant to Education Code section 47606.5 using the template adopted by the State Board of Education. DCS will comply with Education Code section 47606.5 in the development of its LCAP, including the requirements to consult with teachers, principals, administrators, other school personnel, parents, and pupils in developing the LCAP, and to hold at least one public hearing to solicit the recommendations and comments from parents and other members of the public. DCS

will submit a copy of its adopted LCAP to the Chartering Agency and the San Joaquin County Office of Education and will prominently post the LCAP on the homepage of the school's website.

7. Benchmarks to be Met

The achievement of DCS is measured in both growth and absolute measures and is compared to the achievement of selected local schools that have similar demographic characteristics. In gauging the success of DCS comparisons are made with the academic achievement of DCS students to the academic achievement of local schools. Growth in student achievement is measured annually against the growth of the comparison of local schools.

Element 4: Governance

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

1. Description of Organization

Discovery Charter School is a direct-funded independent charter school operated by the Tracy Learning Center (TLC), a California Nonprofit Public Benefit Corporation pursuant to California Law. DCS operates autonomously from the Chartering Agency.

Meetings of the Tracy Learning Center Board of Directors (Board of Directors) comply with the Ralph M. Brown Act and members of the Board of Directors comply with the applicable ethics and conflict of interest standards set forth in the California Corporations Code for nonprofits. DCS also complies with Education Code Section 47604.1 and is subject to the Political Reform Act, Government Code Section 1090, and the Public Records Act, as they may be amended from time to time. The Tracy Learning Center is solely responsible for the debts and obligations of Discovery Charter School.

Responding to Inquiries

DCS promptly responds to all reasonable inquiries from the Chartering Agency, including, but not limited to, questions regarding financial records from the Chartering Agency.

2. Governance Structure

TLC is a nonprofit public benefit corporation governed in accordance with applicable California Corporation Code sections and its adopted bylaws, which are consistent with the terms of this charter. TLC maintains Articles of Incorporation with the California Secretary of State and has tax exempt status from both California and the IRS.

DCS in conjunction with the Tracy Learning Center acknowledges and agrees that all persons are entitled to equal employment opportunity. DCS shall not discriminate against applicants or employees on the actual or perceived basis of race, color, religion, sex, gender, gender expression, gender identity, sexual orientation, pregnancy, national origin, ancestry, citizenship, age, marital status, physical disability, mental disability, medical condition, genetic information, military and veteran status, immigration status, or any other characteristic protected by California or federal law. Equal employment opportunity shall be extended to all aspects of the employer-employee relationship, including recruitment, selection, hiring, upgrading, training, promotion, transfer, discipline, layoff, recall, and dismissal from employment.

TLC is non-sectarian in its programs, admission policies, employment practices, and all other operations.

3. Board of Directors

The governing body for DCS is the Tracy Learning Center Board of Directors. There are currently nine voting members of the Board of Directors. The Board of Directors meetings are typically held at a TLC charter school campus location. The Board consists of members with diverse areas of expertise and involvement as parents. In addition to the nine board members, the chartering agency may appoint a liaison to the Board to foster greater communication between the Chartering Agency and the Tracy Learning Center.

The following are current members of TLC's Board of Directors:

Mike Souza (President)

Current Position: CFO, Souza Reality & Development

Education: B.S. in Economics, Santa Clara University

Other Relevant Qualifications: Mike is a partner at Souza Realty and Development where he specializes in the development, consulting, and land sales. He also serves on the Boys and Girls Club board, the Grand Foundation, and Tracy Sunrise Rotary. He is very familiar with local agencies and city opportunities and has served on the TLC board for several years.

Kim Kerr

Current Position: Safeway, Category Manager

Education: Moorpark College

Other Relevant Qualifications: For over 15 years, Kim has been an analyst at Albertson's/Safeway Northern California Division. She has lived in Tracy for 16 years and attended Moorpark College. Kim's child attends TLC schools.

Linda Wilcox (Vice President)

Current Position: Broker/Owner RE/MAX Diamond Real Estate and Wilcox Design Group

Education: AA in Architecture/Interior Design Delta College, additional studies Woodbury University

Other Relevant Qualifications: Linda brings good community outreach and a strong business sense to the TLC board.

Tim Murray

Current Position: Public Safety Officer for City of Sunnyvale

Other Relevant Qualifications: Tim has been a Tracy resident for 15 years. For the last 20 years, he has worked for the city of Sunnyvale as a Public Safety Officer. All four of his children attend TLC schools.

Tracy Williams

Current Position: Employee Relations Officer, California Department of Corrections and Rehabilitation at Deuel Vocational Institution

Education: B.S. in Criminal Justice Administration and Minor in Social Work, San Diego State University

Other Relevant Qualifications: Tracy has been on the TLC board for five years and is the parent of a 4th grader. She regularly volunteers in the classroom and in the community.

Kerry Johnson

Current Position: Retired California Educator

Education: B.A. Political Science & French & M.A. in Education Systems Management Chapman University

Other Relevant Qualifications: Kerry is a 20 year resident of Tracy and a retired high school social studies/history/computer teacher for 15 years and an administrator responsible for district-wide technology for an additional 19 years. Kerry was recognized in 2004 for his work in educational technology by being a recipient of the "Microsoft Centers of Innovation" award. Kerry has also served as a Peace Corps Volunteer in French-speaking West Africa for over 6 years. Prior to joining the Peace Corps, he served as a TLC board member and participated in the original planning for our current school site. Kerry was invited to join the TLC board again in 2015.

Jeffery Bordes

Current Position: Business development manager at Albertson

Education: B.A. Music at Berklee College of Music

Other Relevant Qualifications: Jeff has lived in Tracy since 2002 and all three of his children attend TLC schools. Jeff was previously a TLC board member from 2009-2012.

Amber Herrera

Current Position: Medical/social worker

Education: MA in social work CSU- East Bay

Other Relevant Qualifications: For the last 5 years, Amber has been working as a

Clinical Social worker in the medical field. In the past, Amber has worked with a diverse population including children and families in CPS, juvenile and mental health systems, as well as a school-based therapist. Her oldest child attends TLC schools.

Juliana Lanier

Current Position: Owner and Broker of REALTA Mortgage and Real Estate

Education: MBA from University of New York

Other Relevant Qualifications: Juliana has lived in Tracy since 2004 and both of her children attend TLC schools. She is an owner and broker of Realta Mortgage and Real Estate and a financial adviser with Transamerica.

Guidelines for terms for Board members are unlimited terms. The bylaws of TLC, as amended from time to time, may set forth additional detail regarding the selection and tenure of Board members.

4. Process for Selecting Board of Directors and Creating Policy

In the event of a vacancy due to a Board member resignation, in which time an ad hoc committee of current board members only may be appointed to search for candidates by advertising in the TLC newsletter and other means. Once candidates' applications are accepted, the committee may interview, nominate, and recommend a candidate for Board approval.

Officers are a President, one or more Vice-Presidents, a Secretary, and a Chief Financial Officer. A Tracy Unified School Board Member may be appointed by the District board to serve as a liaison to the TLC board to enhance communication. The Board typically votes for officers at the September meeting of each school year.

5. Meetings

The TLC Board generally meets once a month on the second Monday with the exception of holidays, in accordance with a regular meeting schedule adopted on an annual (or more frequent) basis and amended as necessary. All meetings of the Board of Directors comply with the Ralph M. Brown Act. Board committees may meet in between Board meetings and may make recommendations to the Board of Directors.

6. The Decision Making Process

The TLC decision-making process in which all school stakeholders are represented is designed to:

- ensure that all decisions regarding policy and practices made at DCS are focused to achieve the educational student outcomes outlined in the charter renewal petition;
- involve all staff members in educational program development;
- include parents, community members, and all school personnel as active partners; and
- guarantee that all stakeholders model a collaborative, consensus-building school culture.

The model of decision-making is democratic in nature. The Board of Directors reviews DCS’s academic program and provides support in achieving short-term and long-term goals set by the school and Executive Director.

7. Duties of Office for Board of Directors

The duties of the Board of Directors include, but are not limited to:

- promote, guard, and guide the mission of the school;
- hire and evaluate the Executive Director;
- receive reports directly from the Executive Director concerning the total operation of the school, including but not limited to, budget, curriculum, activities, student achievement data, and approve new positions;
- approve all general policies;
- approve and monitor the annual budget;
- contract with an expert external auditor to produce an annual financial audit;
- review the school master calendar, and schedule of Board meetings;
- develop Board of Directors policies and procedures;
- participate in the dispute resolution and complaint procedures, when necessary; and

approve annual fiscal audit and Chartering Agency’s performance reports

To ensure the school’s on-going success, the Board of Directors provide accountability, oversight, and leadership.

8. Parent Involvement

The following committees provide parents of DCS enormous opportunities for input on school-wide operations and school involvement activities:

English Language Advisory Committee (ELAC)

Parents are solicited by way of the school website and newsletter. All parents who wish to be a part of the committee are included, although parents of EL students will constitute ELAC membership in at least the same percentage as their children

represent of the total number of students in the school. These parents meet with a designated staff member on a quarterly basis. The committee has the responsibility to:

- advise the staff on programs and services for English Language Learners;
- assisting in the development of the school's alternative communications;
- ensure regular school attendance;
- participate in the school's needs assessment;
- solicit and encourage community participation; and
- provide input on the most effective ways to support full participation of English Language Learners in all school activities.

Safety Committee

This committee meets routinely to review and address school safety issues. The committee includes DCS Administrators (such as the Director of Facilities) who are responsible for addressing safety concerns at DCS. The Director of Facilities is responsible for management of school facilities. This includes overseeing school safety issues related to the facilities. The Director works with the District on issues related to structural safety and other safety concerns. The District is notified if structural problems arise.

The safety committee also includes concerned parents, and the committee provides an opportunity for parents to provide critical feedback to DCS Administrators. Parents may attend all meetings which are advertised in the school newsletter.

Specific Volunteer Opportunities

Parents are informed of opportunities for involvement in student events, classroom support and fundraisers. These are advertised in the newsletter and by way of notes sent home with students or teachers individually contact parents.

9. Internal Complaint Procedure for Parents and Students

Internal disputes at DCS, including those among students, staff, parents, and Board Members are resolved pursuant to the policy developed by the Board and published in the school handbook. The Chartering Agency shall not intervene in any such internal disputes and shall refer any complaints or reports regarding such disputes to the TLC Board of Directors or Executive Director.

TLC designates at least one employee to coordinate its efforts to comply with and carry out its responsibilities under Title IX of the Education Amendments of 1972 (Title IX) and Section 504 of the Rehabilitation Act of 1973 (Section 504). This includes any

investigation of any complaint filed with TLC alleging its noncompliance with these laws or alleging any actions which would be prohibited by these laws.

Discovery Charter School has the primary responsibility to insure compliance with applicable state and federal laws and regulations and has established procedures to address allegations of unlawful discrimination, harassment, intimidation, and bullying, and complaints alleging violation of state or federal laws governing educational programs and the charging of unlawful pupil fees.

DCS shall investigate and seek to resolve complaints using policies and procedures known as the Uniform Complaint Procedures (UCP) adopted by our school board. The UCP applies to complaints relating to all of the matters addressed in Education Code section 33315(a)(1) and any other applicable matters identified by the Legislature in the future.

A complaint of noncompliance with laws relating to pupil fees may be filed pursuant to the local UCP. A pupil enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity.

10. Administrative Services

DCS 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.

11. Potential Civil Liability Effects

DCS is operated by a California non-profit public benefit corporation (Tracy Learning Center). 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, an authority that grants a charter to a charter school operated by or as a non-profit public benefit corporation shall not be liable for the debts or obligations of the charter school or for claims arising from the performance of acts, errors or omissions by the charter school if the authority has complied with all oversight responsibilities required by law. DCS shall continue to work diligently to assist the District in meeting any and all oversight obligations under the law to ensure the District shall not be liable for DCS's operation.

Element 5: Employee Qualifications

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

1. Code of Professionalism

DCS staff members are a dedicated group of professionals who believe that education is a “vocation” and “not a job”. They are bound by a common philosophy and belief that all students are gifted and can learn. Staff members at DCS are actively committed to working together and ensuring that the mission and vision are upheld. The staff is proactive in the planning, implementation, and evaluation, of the instructional program and school operation. They are accountable for students’ academic and social growth and will fulfill all required duties and responsibilities.

2. Recruiting Qualified Teachers

DCS teachers shall meet the credentialing requirements set forth in Education Code §§ 47605(l) and 47605.4. Education Code section 47605(l) requires teachers in charter schools to hold “the Commission on Teacher Credentialing certificate, permit, or other document required for the teacher’s certificated assignment.” DCS maintains current copies of all teacher credentials in the TLC Human Resource office, which are made readily available for inspection. All DCS teachers (core, enrichment and PE) have single subject credentials in accordance with applicable law.

DCS shall adhere to all requirements of the federal reauthorizations of the Elementary and Secondary Education Act (ESEA, most recently authorized by the Every Student Succeeds Act) that are applicable to teachers and paraprofessional employees. DCS shall ensure that all teachers meet applicable state requirements for certificated employment, including the provisions of Education Code section 47605(l). DCS shall maintain current copies of all teacher credentials and make them readily available for reasonable inspection.

All full time staff are eligible for all health benefits provided by TLC. TLC’s employee policies and procedures are codified in an Employee Handbook.

DCS in conjunction with the Tracy Learning Center acknowledges and agrees that all persons are entitled to equal employment opportunity. DCS shall not discriminate against applicants or employees on the actual or perceived basis race, color, religion, sex, gender, gender expression, gender identity, sexual orientation, pregnancy, national origin, ancestry, citizenship, age, marital status, physical disability, mental disability, medical condition, genetic information, military and veteran status, or any other characteristic protected by California or federal law. Equal employment opportunity shall be extended to all aspects of the employer-employee relationship, including recruitment, selection, hiring, upgrading,

training, promotion, transfer, discipline, layoff, recall, and dismissal from employment.

3. Employee Qualifications

To be employed by TLC the following conditions must be met:

- Fingerprints will be obtained from each new employee in order to obtain a criminal record summary prior to commencing employment through LiveScan, administered by the Department of Justice. The employee is responsible for paying the fingerprint cost.
- All employees at DCS are to report known or suspected instances of child abuse. Prior to employment, all employees are required to sign a statement, on a form provided by him/her by TLC's Human Resource Director, to the effect that he/she has knowledge of the provisions of Penal Code Section 11166 and will comply with those provisions.
- All employees must complete the I-9 form to verify that they have the legal right to work in the United States.
- All employees must provide the results of a Tuberculosis (TB) risk assessment and/or test as required by current state and local law and renew their TB verification as required by law.

4. Job Descriptions

DCS will recruit and employ professional, effective and qualified personnel for all administrative, instructional, and non-instructional support positions. The job descriptions are included in the appendix.

5. Process for Staff Recruitment and Selection

The Director of Human Resources under the supervision of the Executive Director with the support of identified staff organizes all selection and employment procedures, which may include, but are not limited to, the following:

- assure equal opportunities and open process;
- announce openings (use of EDJOIN, local paper and website postings);
- recruit applicants through various means;
- request resumes, copies of credentials, and letters of reference;
- verify previous employment and references;
- form a pool of potential candidates;
- review candidates files and portfolios;
- select interview questions and panel;
- interview candidates;
- recommend top candidates to the Executive Director; and Executive Director

approves the top candidate.

Prior to the first day of work for any potential employee, TLC performs all required background checks according to existing California State law (verify teaching credential, employment documents, medical clearance (TB), fingerprinting and criminal record clearance, legal status, certification of adherence to mandated reporting (child abuse) requirement, and drug-free environment requirement).

6. Staff Evaluation

Teaching Staff

The evaluation of the teaching staff at DCS is rooted in ensuring student learning and achievement. The structure of the DCS teacher evaluation models are based on a collaborative effort using the California Standards for the Teaching Profession:

- Standard One: Engaging & Supporting All Students in Learning
- Standard Two: Creating & Maintaining Effective Environments for Student Learning
- Standard Three: Understanding & Organizing Subject Matter for Student Learning
- Standard Four: Planning Instruction & Designing Learning Experiences for All Students
- Standard Five: Assessing Student Learning
- Standard Six: Developing as a Professional Educator

At the end of each year, staff sets school and personal goals for improvement and meets with the Executive Director to discuss the goals as well as strengths and areas for improvement. The Executive Director and peers as School Leaders conduct informal observations throughout the school year. Feedback is given to staff.

Assistance and intervention for teachers include:

- suggestions offered by administrator or curriculum leaders
- peer visitation
- consultation with peers, coaches or others
- substitute release days for planning or visiting other classes
- workshop or webinar attendance

Classified Staff

TLC Executive Director is responsible for classified staff give regular feedback and supervision. The Executive Director relies on information from the direct supervisor of such

areas as food services, maintenance, coaches, and office staff. Assistance and intervention for classified staff includes:

- workshops and training
- mentoring and conferencing as needed
- conflict resolution

All TLC employees, classified or certificated are employed using an at-will contract. Currently, no one is given a fixed term employment contract. All staff understands contracts are based on the charter's ability to recruit and maintain students.

Element 6: Health and Safety

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

(i) That each employee of the charter school furnish the charter school with a criminal record summary as described in Section 44237.

(ii) The development of a school safety plan, which shall include the safety topics listed in subparagraphs (A) to (J), inclusive, of paragraph (2) of subdivision (a) of Section 32282.

(iii) That the school safety plan be reviewed and updated by March 1 of every year by the charter school. Education Code § 47605 (c)(5)(F)

DCS is committed to providing a safe and healthy environment in which every member of the school community learns and thrives. DCS will continue to ensure the safety of all students and staff by complying with state and federal laws. DCS has a comprehensive plan of health, safety, and risk management policies, including a school safety plan that covers the topics under Education Code section 32282(a)(2). This plan is kept on file and is updated by March 1 annually. All staff receives training in emergency response, including appropriate “first responder” training or its equivalent.

1. Emergency Preparedness

DCS has developed policies and procedures for response to natural disasters and emergencies, including fires and earthquakes (see Appendices). All instructional and administrative staff is trained in basic first aid. DCS may implement temporary instructional or operational changes as necessary to respond to emergencies (including but not limited to fire, flood, earthquake, actual or threatened war or terrorism, civil disorder, or medical epidemics or outbreaks) and/or to comply with applicable federal, state, and local orders. These changes shall not require a material revision.

2. Fire Drills

The administrator or designee shall cause the fire alarm signal to be sounded at least once every month.

- The administrator shall notify staff as to the schedule for fire drills.
- Whenever a fire drill is held, all students, teachers, and other employees shall be directed to leave the building.
- Teachers shall ascertain that no student remains in the building.
- Teachers shall be prepared to select alternate exits and shall direct their classes to these exits whenever the designated escape route is blocked.
- The administrator or designee shall keep a record of each fire drill conducted and file a copy of this record in the office.

When a fire is discovered in any part of the school, the following actions shall be taken:

- The administrator or designee shall sound fire signals, unless the school and/or building are equipped with an automatic fire detection and alarm system.
- The administrator or designee shall call 911.
- All persons shall be directed to leave the building and shall proceed outside to designated assembly areas.
- Staff shall give students clear direction and supervision and help maintain a calm demeanor.
- Teachers take roll and shall hold up red/green card based on results of attendance
Green = all students present and accounted for
Red = student(s) missing
- The administrator or designee shall provide assistance to any injured students or staff.
- Staff shall monitor and assist in the supervision of surrounding students.
- Staff and students wait for the “All Clear” announcement before returning to class.
- During lunch time, all students will follow the instructions of the nearest adult and proceed to the designated assembly area. Staff will join the students and follow the steps listed above.

3. Earthquake Drills

Regular emergency evacuation drills are conducted in accordance with the regulations of state and federal guidelines. Students will be taught the “Duck and Cover” routine. A disaster drill commencing with the “Duck and Cover” routine will be initiated by an announcement over the intercom or other signal. During the “Duck and Cover” routine in the classroom, teachers will have students get under a desk, or table, or against the wall away from the windows. Students must remain quiet and orderly so they will be able to hear additional instructions when given. All drills will be concluded with an “All Clear” announcement on the intercom, or a visible signal from the administrative staff.

The following are the procedures for an earthquake drill:

- Teachers give “DROP” command at first indication of quake or ground movement or the sounding of the alarm indicating an earthquake drill.
- Students and teachers seek protective cover under or near desks, tables, or chairs in the kneeling position with hands around their heads no matter where they are on campus.

- Students remain in “DROP” position until ground movement ends or instructed by the teacher to get up.
- At the completion of ground movement, teacher must ascertain possible injury and determine the ability of class to evacuate.
- The teacher then gives the command to evacuate the classroom and building, using established route (students outside of classrooms meet at the designated assembly area).
- Teachers remove necessary supplies upon evacuation and leave doors unlocked.
- Injured students, who cannot walk or be carried, should be left behind to prevent further injury and be taken care of by the Search and Rescue teams. Staff will place a red card on the classroom door or outside area where an injured student has been left. The Search and Rescue Team will be notified of the presence of the card by text or phone.
- Upon reaching the designated assembly area, each teacher takes attendance and reports with red/green cards.

During lunch time or between classes, at the first indication of ground movement or alarm, teachers will instruct students to take a drop position under lunch tables, or clear of buildings, trees, and power lines, and cover their heads with their hands. They remain in that position until given additional instructions to evacuate the area and proceed to the designated assembly area, and report to their assigned classroom teacher.

In the case of disasters other than earthquakes, the administrative staff will contact each room, counsel staff of potential dangers, and give further directions or orders. Teachers and students will remain in their classrooms until instructions are received for an “All Clear” or an evacuation.

In the case of a chemical spill, the site administrator will assess the situation and follow the school site emergency response plan. A copy of the plan is available in each classroom. DCS staff will act decisively to ensure the health and safety of students, staff, and school property. Appropriate authorities will be contacted. Communication with staff and parents will be organized through the emergency response technology director.

A disaster of a significant nature may require the evacuation of DCS. The administrative staff will give the evacuation code word over the intercom. Teachers will proceed with their students to the nearest school exit indicated on the evacuation map posted for this purpose. Before leaving the room, teachers will make sure they have their rosters with

them. Students who are not in a classroom at the time the intercom signal is given will attach themselves to the nearest teacher exiting the building for purposes of getting to the designated evacuation site. Prior to evacuation, offices, bathrooms, and all other common areas and outdoor facilities will be searched by staff members designated by the administration.

Once at the designated assembly area, teachers and other staff will ensure that all students find their respective teachers. Teachers will then take attendance to ensure that all students are present. The names of any missing students will be given to the office personnel and an individual will be assigned the task of finding any missing students. Teachers will work together to take care of students with injuries, respiratory problems, or other medical conditions. Teachers will stay with their classes for the duration of the emergency. In the event of an evacuation, all school employees are immediately designated “Civil Defense Workers” and are not allowed to leave school until they are given official clearance to do so by the administration. Students will remain with their teachers at the designated assembly area until the administrative staff gives the “All Clear” signal. In the event students cannot return to the school site, the administrative staff will notify parents and/or the media as to where the students can be picked up. The office personnel will sign out students as they are being picked up by a parent or other adult listed on the emergency information form. Parents will be asked to remain in a designated area, and students will be escorted to the designated area for release.

4. Facilities

Based upon the past Memorandum of Understanding (MOU), the relationship of Tracy Learning Center and Tracy Unified School District, the needs of the Charter School and the expectations of the families and students, the Charter School desires to maintain its exclusive location at the existing public school site, 51 East Beverly Place in Tracy for grades K-8 and MHS. DCS resides on the second floor of the P/D building at 51 East Beverly Place. DCS’s facility consists of twelve classrooms, one set of boy and girl bathrooms, one small copy room, and one staff bathroom. DCS appreciated the collaboration with the District in completing facilities improvements for the benefit of DCS staff, students, and families.

5. Staff Responsibilities

All employees are responsible for their own safety, as well as that of others in the workplace. DCS relies upon its employees to ensure that work areas are kept safe and free of hazardous conditions. If an employee suspects a danger is present on school premises, or in a product, facility, piece of equipment, process, or business practice for which DCS are responsible, the employee will bring it to the attention of the

administration immediately.

If a student or staff member is injured on school premises or during field trips or other approved school events, the following method of accounting will take place:

A school staff member shall be responsible for addressing the injury, defining the problem, notifying the appropriate personnel in the school office to ensure the health and safety of the student or staff member, and determining a plan of action (which may include calling emergency medical personnel as necessary). Parents of injured students will be notified of any such injuries. A report of injury will be completed and added to an injury log.

The Facilities Director, under the direction of the Executive Director, will arrange for the correction of any unsafe condition(s) or concealed danger immediately and will contact staff of the problem. Employees are encouraged to report any workplace injury/accident to the administration as soon as possible, regardless of the severity of the injury or accident. If medical attention is required immediately, the administration or assigned staff assists employees in obtaining medical care, after which the details of the injury or accident must be reported.

On a periodic basis, DCS may issue rules and guidelines governing workplace safety and health. All employees will familiarize themselves with the rules and guidelines, as strict compliance will be expected. Failure to comply with rules and guidelines regarding health and safety or work performance is not permitted. DCS shall comply with, as applicable, the Healthy Workplaces, Healthy Families Act of 2014 or the federal Affordable Care Act.

6. Role of Staff to Report Child Abuse

A policy for reporting child abuse, acts of violence, and other improprieties as mandated by federal, state, and local agencies will be strictly followed. DCS adhere to the requirements of *California Penal Code §11166* regarding child abuse reporting. DCS staff must report to the proper authorities if they suspect a student has been the victim of child abuse or neglect, including but not limited to:

- sexual assault;
- willful cruelty or unjustifiable punishment;
- cruel or inhumane corporal punishment; and/or
- abuse in out-of-home care

The reporting person need only “reasonably suspect” that abuse or neglect has occurred. The reporting person does not have to prove abuse.

Administration works with all faculty and staff members to make sure all appropriate

steps are taken if a child abuse situation occurs. All faculty and staff understand that it is their duty and responsibility to report any reasonable suspicions of child abuse. Staff understands that under California law, one who fails to report an incident of known or reasonably suspected child abuse or neglect is guilty of a misdemeanor, punishable by up to six (6) months confinement in a county jail or by a fine of one thousand dollars (\$1,000) or by both. Staff shall not investigate any suspected incident(s) of abuse; only report it to the proper authorities. A written report of the situation will be completed and the Child Protective Services will be immediately notified. If necessary, the local Police Department will be informed of the situation as well. The reporting person is responsible for providing all the necessary information and child abuse reports to the Child Protective Services and/or Police Department since he/she will be most knowledgeable of the situation.

Should it be necessary to remove the child from school, staff will obtain the contact information of the agent removing the child. This information will be placed in the student's record and will be made available to the appropriate parent or guardian.

7. Student Health and Safety

DCS is committed to ensuring that students have a safe and healthy environment in which to learn. The following procedures and policies have been implemented:

- Immunizations must be up-to-date with required boosters.
- Prior to attending DCS but after enrollment, parents must present proof of immunization for polio, TDAP, measles, mumps, hepatitis, rubella, and any other immunizations required for enrollment in non-charter public schools.
- DCS adheres to all applicable laws related to immunizations pursuant to Health and Safety Code sections 120325–120375 and its implementing regulations, including requirements related to the pertussis vaccine booster for incoming seventh graders.
- DCS shall provide a Type 2 Diabetes Information Sheet to parents or guardians of incoming seventh grade students pursuant to Education Code section 49452.7.
- DCS maintains a suicide prevention policy in compliance with Education Code section 215.
- DCS shall comply with the applicable provisions of the California Healthy Youth Act
- DCS maintains policies dedicated to preventing bullying and cyberbullying.
- DCS shall comply with Education Code section 49381 concerning informing parents and guardians of human trafficking prevention resources
- Records of student immunizations are maintained in the front office.
- A required emergency form for all students and staff will be completely filled out each year and updated throughout the year as necessary.
- DCS provides appropriate screening for students' health equivalent to that

provided by non-charter public schools per state mandates.

- A referral is made through the front office to agencies and/or local hospitals for chronic illness and treatment of communicable disease.
- Students will be released during the school day in the custody of an adult only if:
 1. The adult is/are the student's custodial parent(s)/guardian(s).
 2. The adult has been authorized on the student's emergency form as someone to whom the student may be released when the custodial parent/guardian cannot be reached, and the administration and/or designee verifies the adult's identity.
 3. The adult is an authorized law enforcement officer acting in accordance with the law.
 4. The adult is taking the student to emergency medical care, at the request of the administration and/or designee.
- A policy that establishes the school functions as a drug, alcohol, and tobacco-free workplace.
- Students are required to adhere to an established dress code, which is clearly communicated through the Discovery Charter School Student Handbook.
- A discipline policy for all students is clearly outlined in the Discovery Charter School Student Handbook.
- DCS provides each needy pupil with at least one nutritionally adequate free or reduced-price meal during each school day as required by law.

8. Medication in School

Students requiring prescription medications and other medicines during school hours are accommodated. Processes outlining the administration of medication to students will be implemented according to all applicable state and local requirements.

9. Blood-Borne Pathogens

DCS meets state and federal standards for dealing with blood-borne pathogens and other potentially infectious materials in the workplace. A written infectious control plan is in place designed to protect employees and students from possible infection due to contact with blood-borne viruses, including human immunodeficiency virus (HIV) and hepatitis B virus (HBV). Whenever exposed to blood or other bodily fluids through injury or accident, staff and students will follow the latest protocol for disinfecting procedures.

10. Procedures for Background Checks

In accordance with California Education Code Section §44237, fingerprints are obtained on each new employee in order to obtain a criminal record summary from the Department of Justice. Employees will submit fingerprints to the Department of Justice

via LiveScan processing. Employees will not start work until results are received from the Department of Justice and the employee is cleared to begin work. Other persons determined by DCS to have more than limited contact with pupils, such as certain contractors and volunteers, shall also be required to be screened by their employers or DCS as appropriate.

11. Sexual Harassment Policies and Procedures

DCS is committed to providing a school that is free from sexual harassment, as well as any harassment based upon factors, whether actual or perceived, such as sex, sexual orientation, gender, gender identity, gender expression, or any other characteristic protected by California or federal law.

DCS has a comprehensive policy to prevent and immediately remediate any concerns about sexual discrimination or harassment at DCS (including employee to employee, employee to student, and student to employee misconduct). Misconduct of this nature is very serious and is addressed in both our sexual misconduct policy and the Employee Handbook. School staff is trained on the sexual harassment policy. DCS will immediately undertake a thorough and objective investigation of the harassment allegation(s).

12. Insurance Requirements

TLC has secured and maintains, as a minimum, insurance coverage with insurance companies rated A.M. Best A- or better or recognized joint powers insurance authorities which serve charter schools. The specific insurance information can be found in the Appendix.

Coverage and limits of insurance may be accomplished through individual primary policies or through a combination of primary and excess policies.

TLC shall furnish to the Chartering Agency upon request all new policies, renewals or changes, and copies of certificates of such insurance signed by authorized representatives of the insurance carrier.

TLC adheres to established claim reporting guidelines, especially as they relate to timelines and completeness of reporting, and providing assistance requested by the underwriting agency or its representatives in the investigation and defense of a claim. As stated herein, TLC maintains appropriate risk management practices including screening of employees, maintaining codes of conduct for students, and engaging in appropriate dispute resolution.

Element 7: Racial and Ethnic Balance

“The means by which the school will achieve a balance of racial and ethnic pupils, special education pupils, and English learner pupils, including redesignated fluent English proficient pupils, as defined by the evaluation rubrics in Section 52064.5, that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted.” Education Code § 47605 (c)(5)(G)

DCS strives to have a broad representation of student groups within our staff and student population as required by the Charter Schools Act. We have achieved a representative balance of the Tracy Community. Lottery selection will ensure fair and equitable selection of students in the event that more students apply than can be accommodated. Despite the need for a lottery to determine enrollment, DCS has continued to reflect the district demographics as illustrated in the table below.

2019-20 Enrollment by Sub Group	DCS	Tracy Unified School District
Hispanic	47.4%	52.7%
Asian	10.3%	11.9%
Pacific Islander	1.1%	1.1%
Filipino	3.5%	5.4%
African American	6%	5.6%
White	26.8%	18.7%
Two or More Races	4.9%	4.3%
English Learners	8.4%	24.7%
Students with Disabilities	6.2%	11.9%

1. Community Outreach Plan

Brochures and Mailings - Brochures and Applications for Admission forms are available in English and Spanish. These are sent during February, the month of Open Enrollment. A Director of Admissions is available to meet with any interested parent or student throughout the year.

Media - Newspapers are notified of open enrollment. At times ads are taken out at the Tracy Mall and notices are given to Public Access TV (channel 26). The school will consider opportunities to reach diverse audiences (e.g., translation of materials into multiple languages, advertising with diverse media outlets, etc.) In addition, banners are hung outside the school notifying parents of enrollment times.

Electronic Media - The school website announces open enrollment and has a link to the application for students. The website is a great source of information about current school events, the school mission and vision, agendas and meetings, counseling information and other content that informs others about the school. We intend to advertise how we support the student groups described above (e.g., English Learners,

Students with Disabilities) in such media. For instance, DCS plans to advertise the success of its EL program (e.g., higher reclassification rate than District, county, and State according to CDE Dataquest) in recruitment materials. Furthermore, details of the services available for special education students are listed on the website as are descriptions of our programs in any language requested.

Wait List - All students on the wait list are contacted to be certain they wish to remain on the wait list for another year. As openings occur, these students are notified.

Bolstered Special Education Program - DCS recently transitioned from being a “school of the district” to becoming its own local educational agency for purposes of special education. DCS is now a member of the El Dorado County SELPA. As a result, DCS hired special education staff and has taken control of this program. TLC programs are already popular in the community as demonstrated by our schools’ waitlists. DCS intends to advertise its new role, relationship with the SELPA, and staff to the community to further attract students with disabilities to apply to our program. We are confident the strong standing in the community that applies to our general program will soon apply to the TLC-operated special education program.

Element 8: Admission Requirements

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

1. Non-Discrimination Statutes

DCS attracts a diverse student population including, English learners, students with disabilities, low achieving and low income students from surrounding areas, and abides by all state and federal laws regarding admissions. Our recruitment efforts are an attempt to achieve a balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the district. DCS shall not discriminate against applicants on the actual or perceived basis of the characteristics listed in Education Code section 220, such as race, disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, 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, in any program or activity conducted by DCS, or any other characteristic protected by California or federal law. DCS abides by all applicable state and federal guidelines regarding admissions and enrollment procedures.

2. Open Enrollment Process/Admissions Requirements

DCS has established a period of open enrollment for the month of February each year. During the open enrollment period, Application for Admission forms are accepted. The form needed for application is available online or in the school office. A copy of the one page application in both English and Spanish is included in the appendix.

The enrollment process is comprised of the following:

- completion of the Application for Admission

After students have been admitted they are required to:

- attend an initial interview with a designated teacher
- complete an emergency form
- provide a copy of their 504 or IEP if available

3. Random Public Drawings/Lottery

DCS has a hierarchy of preferences for enrollment. The following rules and procedures are communicated to all interested parties. All current students are guaranteed a spot in the next grade level.

Students who have an enrollment preference are:

1. children of TLC Board of Directors
2. children of staff
3. siblings of currently enrolled and newly admitted students
4. students who reside in the Tracy Unified (K-12) School District boundaries

Lottery Procedures will be as follows:

1. Prior to the general lottery taking place, all students in the preference categories as shown above shall be admitted to the school for the coming year in the order presented above, to the extent there is space available.
2. If a newly admitted student has siblings who have also applied, those siblings shall be exempted from the general lottery as well and placed on the list of the siblings exempted from the lottery following those siblings already included on the wait list.
3. If the total of all preference categories exceeds space available, the additional preference students shall be subject to a lottery within each preference category and placed on the wait list in the order drawn.
4. A lottery is then conducted with students who do not qualify for a preference category. Students who do not qualify for a preference category are placed below students in preference categories on the wait list.
5. Students on the wait list shall be admitted as space becomes available.
6. All students, once accepted, remain at the school as long as they wish. Preference category students cannot replace students already attending.
7. The general lottery will take place within fifteen (15) calendar days of the closing of the open enrollment period as defined above.
8. A DCS lottery will take place on the school's campus or in a facility large enough to allow all interested parties who wish to attend to do so.
9. All interested parties will know, prior to the holding of the lottery, how many openings are available for each grade served by the school.
10. The lottery will take place on a given published date and place which will be provided to the District.
11. DCS will comply with all applicable state and federal laws related to the oversight of charter schools.
12. Following the lottery, DCS will provide to the District a copy of the wait lists established by the lottery by name, address, phone number, and grade level. Upon the District's request, DCS shall provide this information for admitted students.

Following the lottery, the admissions procedures listed below shall be applied for the coming school year:

1. As space become available, students shall be admitted first from the wait list for

a given grade.

2. When a student is admitted from the wait list, any siblings of that student who are not yet enrolled shall be moved up the wait list with other students in that preference category in order to ensure concurrent enrollment of siblings to the best extent possible

Families promoted from the wait list shall be contacted when there is an opening. Contact will be made by personal phone call by the Director of Admissions and Records. Parents have twenty-four hours from the first notification to respond. Those families not responding within the twenty-four hour period will forfeit their right to enroll all of their students in the school. The next student on the wait list shall be contacted for the open position. Parents who forfeit their right to accept enrollment, must reapply if interested in enrolling in DCS or another TLC school.

The wait list carry over from year-to-year but are updated annually in January. In order to remain on a wait list, parents need to respond to a written request from DCS asking if they wish to remain on the wait list. If a parent does not respond within one week, their child is removed from the wait list.

Students new to the District retain a reasonable opportunity to join DCS because they receive an enrollment preference as explained above. DCS's use of an annually updated wait list is effective in particular because after grade 4, there is an opportunity for approximately 30 students to be enrolled from the wait lists since there are more seats available in grade 5 than in grade 4.

4. Re-enrollment

If a current student leaves DCS for another school and then wishes to return to DCS, the student will need to reapply to DCS.

5. No Mandatory Volunteering

DCS 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, DCS. (Education Code Section 47605(n).)

Element 9: Financial Audits

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

1. Annual Independent Audit

Each year, the TLC Board of Directors will contract with independent auditors and oversee the preparation and completion of an annual audit of the school’s financial affairs. The Board of Directors shall be responsible for contracting with an auditor. The independent audit will be conducted by an accountant certified by the State of California with knowledge of school budget and accounting procedures. This audit will be conducted according to Generally Accepted Accounting Principles (GAAP) and the applicable provisions within the California Code of Regulations governing audits of charter schools, as published in the State Controller’s Guide.

2. Audit Exceptions and Deficiencies to be Resolved

The TLC Board of Directors will review any audit exceptions or deficiencies and determine how to resolve them. Audit exceptions and deficiencies shall be resolved in conference with the independent auditor to the satisfaction of the Chartering Agency.

TLC will provide the Chartering Agency with the final audit results by December 15th of each year for the prior fiscal year ending June 30th. The audit will also be submitted to the California Department of Education, the San Joaquin County Office of Education, and the State Controller’s Office by December 15th following each school year.

3. Financial Reports

Discovery Charter School will submit the following reports to the Chartering Agency and the San Joaquin County Office of Education pursuant to *Education Code §47604.33*:

- Preliminary Budget - by July 1
- Interim Financial Report - by December 15, reflecting changes through October 31
- Second Interim Financial Report - by March 15, reflecting changes through January 31
- LCAP for Discovery Charter School approved by the TLC Board by July 1
- Unaudited Actuals - by September 15, reflecting entire fiscal year through June 30

The Appendix includes a Three-Year Budget (including financial projections and cashflow data) in accordance with the requirements of Education Code section 47605(h).

4. Oversight

The Chartering Agency may charge an oversight fee not to exceed one percent (1%) of the revenue of the charter school (or three percent (3%) in the case that the Chartering Agency provides substantially rent-free facilities for use by TLC) in accordance with *Education Code §47613*, to offset administrative costs required for comprehensive oversight. The oversight fee will be based on the amount received in the current fiscal year from the local control funding formula calculated pursuant to Education Code §42238.02, as implemented by §42238.03, at the Second Principal Apportionment (P-2). The Chartering Agency, in the past, has charged 1% oversight and, under a facilities use agreement with TLC, an additional 2% for facility use.

Element 10: Student Suspensions and Expulsions

“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 his or her 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 § 47605(c)(5)(J)

This Pupil Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and well-being of all students at DCS. TLC is committed to annual review of policies and procedures surrounding suspensions and expulsions and, as necessary, this policy may be amended from time to time without the need to amend the charter so long as the amendments comport with legal requirements.

Suspensions and Expulsions

2019-20	DCS
Enrollment	372
Students Suspended	2
Suspension Rate	.01%
Students Expelled	0
Expulsion Rate	0

DCS staff shall enforce disciplinary rules and procedures fairly and consistently among all students. The Pupil Suspension and Expulsion Policy is summarized in the student handbook and clearly describes 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 the student. For purposes of the Policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff, or other persons or to prevent damage to school property. Suspended or expelled students shall be excluded from all school and school related activities unless otherwise agreed during the period of suspension or expulsion.

A student identified as an individual with disabilities or for whom DCS has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 ("IDEIA") or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 ("Section 504") is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to general education students except when federal and state law mandates additional or different procedures. DCS 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 DCS 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.

1. Grounds for Suspension and Expulsion of Students

DCS is exempt from Education Code requirements and procedures related to student suspension and expulsion. Therefore, references in this charter to the Education Code are used as a guideline. A student may be suspended or expelled for any of the acts enumerated below related to school activity or school attendance that occur at any time, including but not limited to: a) while on school grounds; b) while going to or coming from school; c) during the lunch period; or d) during, going to, or coming from, a school sponsored activity. Suspensions and expulsions are recommended by either the Executive Director or his or her designee acting in his or her capacity as Discipline Officer.

2. Enumerated Offenses

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

- a. caused, attempted to cause, or threatened to cause physical injury to another person
- b. willfully used force of violence upon the person of another, except self-defense.
- c. unlawfully possessed, used, 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 delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage, or intoxicant.
- e. committed or attempted to commit robbery or extortion.
- f. caused or attempted to cause damage to school property or private property
- g. stole or attempted to steal school property or private property.
- h. possessed or used tobacco or products containing tobacco or nicotine products, including, but not limited to, cigars, cigarettes, electronic cigarettes, vaporizers, 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 or private property.
- 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 a 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, as defined in Education Code Section 48900(q).

p. made terrorist threats against school officials and/or school property, or both, , as defined in Education Code Section 48900.7(b).

q.committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.

r. caused, attempted to cause, threatened to cause, or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.

s.intentionally harassed, threatened, or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading student rights by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.

t. engaged in an act of bullying, as defined under Education Code Section 48900(r).

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 or 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).

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 Executive Director or designee's concurrence.

Mandatory Suspension Offenses. Students shall be suspended and may be recommended for expulsion when it is determined that the pupil:

- a. Caused serious physical injury to another person, except in self-defense.
- b. Possessed any knife or other dangerous object of no reasonable use to the pupil.
- c. Unlawfully possessed of any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, except for: (i) the first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis; and (ii) the possession of over-the-counter medication for use by the pupil for medical purposes or medication prescribed for the pupil by a physician.
- d. Committed robbery or extortion.
- e. Committed assault or battery, as defined in Section 240 and 242 of the Penal Code, upon any school employee.

Mandatory Expulsion Offenses. Students shall be suspended and recommended for expulsion when it is determined that the pupil:

- a. Possessed, sold, or otherwise furnished a firearm.
- b. Brandished a knife at another person.
- c. Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code.
- d. Committed or attempted to commit a sexual assault as defined in Education Code Section 48900(n) or committing a sexual battery as defined in Section 48900(n).
- e. Possessed an explosive.

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

The term “firearm” means (a) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive (b) the frame or receiver of any such weapon; (c) any firearm muffler or firearm silencer; or (d) any destructive device. Such term does not include an antique firearm. The term “destructive device” means (a) any explosive, incendiary, or poison gas, including but not limited to (i) bomb; (ii) grenade; (iii) rocket having a propellant charge of more than four ounces; (iv) missile having an explosive or incendiary charge of more than one-quarter ounce; (v) mine; or (iv) device similar to any of the devices described in the preceding clauses.

3. Suspension Procedure

Suspension shall be initiated by a Discipline Officer according to the following procedures:

Conference

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

The conference may be omitted if a Discipline Officer determines that an emergency situation exists. An “emergency situation” involves a clear and present danger to the lives, safety, or health of students or DCS 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 for the purpose of a conference.

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

Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive days per suspension. Upon a Recommendation for Expulsion by a Discipline Officer, the pupil and the pupil's guardian or representative will be invited to a conference to determine if the suspension for the pupil will be extended pending an expulsion hearing. This determination will be made by a Discipline Officer 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.

Upon the request of a parent/guardian for a pupil suspended for two or more schooldays, the teacher shall provide the homework that the pupil would otherwise have been assigned. If a homework assignment that is requested by the parent/guardian and turned into the teacher by the pupil either upon the pupil's return to school from suspension or within the timeframe originally prescribed by the teacher, whichever is later, is not graded before the end of the academic term, that assignment shall not be included in the calculation of the pupil's overall grade in the class.

4. Authority to Expel

A Discipline Officer may recommend expulsion of any student found to have committed an expellable offense. Unless a hearing is timely requested by the student's parent/guardian, the Discipline Officer's determination is final.

5. Expulsion Procedures

Notice to Parents/Guardian

The parent/guardian of a student shall have ten (10) calendar days from issuance of a written notice of a Discipline Officer's recommendation for expulsion to file a written request for a hearing to be presided over by a neutral officer designated by the Board President (the "Hearing Officer"). The Board President may appoint a Hearing Officer at the beginning of the year. At a minimum, the Hearing Officer will comply with the "neutral officer" requirements under Education Code section

47605(c)(5)(J)(ii)(II). DCS shall ensure the Hearing Officer is neutral to ensure due process. If no hearing is requested, the expulsion becomes final as of the 11th day following a Discipline Officer's recommendation for expulsion.

Hearing

The Hearing Officer shall hold the hearing within fifteen (15) calendar days of receipt of a timely request for a hearing. The hearing shall be held in a closed setting unless the student makes a written request for a public hearing at least three days prior to the hearing.

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

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

The student and/or his or her parent(s) or representative must present all written and oral evidence and argument to be considered at the hearing. After considering the evidence, including testimony presented at the hearing, the Hearing Officer shall either (1) support a Discipline Officer's recommendation for expulsion, (2) reject that recommendation, or (3) modify that recommendation.

Special Procedures for Expulsion Hearings Involving Sexual Assault or Battery Offenses

The Hearing Officer may determine that the disclosure of either the identity of the witness or the testimony of that witness at the hearing, or both, would subject the witness to an unreasonable risk of psychological or physical harm. Upon this

determination, the testimony of the witness may be presented at the hearing in the form of sworn declarations that shall be examined only by the Hearing Officer. Copies of these sworn declarations, edited to delete the name and identity of the witness, shall be made available to the pupil.

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to: (a) receive five (5) days' notice of his/her scheduled testimony; (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel; and (c) elect to have the hearing closed while testifying.
2. The Hearing Officer must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
3. At the discretion of the Hearing Officer, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he/she may leave the hearing room.
4. The Hearing Officer may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The Hearing Officer may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the Hearing Officer from removing a support person whom the Hearing Officer finds is disrupting the hearing. The Hearing Officer may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.
7. If one or both of the support persons is also a witness, DCS must present evidence that the witness' presence is both desired by the witness and will be helpful to DCS. The Hearing Officer 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 Hearing

Officer shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the Hearing Officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.

8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the room during that testimony.
9. If the hearing is to be conducted in public at the request of the student being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed setting when testifying in public would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.
10. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the Hearing Officer 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 by minutes taken by the school secretary or Hearing Officer's designee or other appropriate means.

6. 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 a Discipline Officer to expel must be supported by substantial evidence at the hearing. While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay.

The final decision shall be made within ten (10) school days following the conclusion of the hearing. If the Hearing Officer decides not to expel, the pupil shall immediately be returned to his/her educational program.

7. Written Notice to Expel

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

A Discipline Officer shall send a copy of the written notice of the decision to expel to the Chartering Agency. This notice shall include the following: a) the student's name; and b) the specific expellable offense committed by the student.

8. Disciplinary Records

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

9. No Right to Appeal

The Hearing Officer's determination after the expulsion hearing is final.

10. Rehabilitation Plans

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

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

1. Notification of SELPA

Discovery 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 Discovery or SELPA would be deemed to have knowledge that the student had a disability.

2. Services During Suspension

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

3. Procedural Safeguards/Manifestation Determination

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

a. If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or

b. If the conduct in question was the direct result of the local education agency's failure to implement the IEP/504 Plan.

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

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

b. If a behavioral intervention plan has been developed, review the behavioral intervention plan if the child already has such a behavioral intervention plan, and modify it, as necessary, to address the behavior; and

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

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

4. Due Process Appeals

The parent of the child with a disability who disagrees with any decision regarding placement, or the manifestation determination, or DCS 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 DCS, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the forty-five (45) day time period provided for in an interim alternative educational setting, whichever occurs first, unless the parent and DCS agree otherwise.

5. Special Circumstances

DCS 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 listed student expectations.

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

- a. carries or possesses a weapon, as defined in 18 USC 930, to or at school, on school premises, or to or at a school function;
- b. knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function; or

c. has inflicted serious bodily injury, as defined by 20 USC 14115(k)(7)(D), upon a person while at school, on school premises, or at a school function.

6. Interim Alternative Educational Setting

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

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

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

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

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

b. The parent has requested an evaluation of the child.

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

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

If DCS had no basis for knowledge of the student's disability, it shall proceed with the proposed discipline. DCS shall conduct an expedited evaluation if requested by the parents; however the student shall remain in the educational placement determined by DCS pending the results of the evaluation. DCS 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 not to be eligible.

12. Involuntary Removal

No pupil shall be involuntarily removed by DCS for any reason unless the parent or guardian of the pupil has been provided written notice in-person and/or by mail of intent to remove the pupil no less than five (5) schooldays before the effective date of the action. The written notice shall be in the native language of the pupil or the pupil's parent or guardian or, if the pupil is a foster child or youth or a homeless child or youth, the pupil's educational rights holder, and shall inform the pupil or the pupil's parent/guardian of the right to request a hearing adjudicated by a neutral officer before the effective date of the action. If a hearing is requested, the pupil will remain enrolled at DCS until the school issues a final decision. For purposes of this charter, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions for disciplinary reasons.

Element 11: Retirement Programs

“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 § 47605 (c)(5)(K)

TLC employees will participate in the State Teachers’ Retirement System (STRS) and the Public Employee Retirement System (PERS) program available to all eligible persons working at the school. Certificated employees will be covered by STRS and classified employees will be covered by PERS. The Director of Human Resource in conjunction our contracted business service provider will be responsible for appropriate arrangements for retirement coverage for DCS employees. All withholding from employees and TLC will be reported and forwarded to the STRS and PERS fund as required, and TLC will continue to comply with all policies and procedures for payroll reporting. Employees will accumulate service credit years in the same manner as all other members of STRS and/or PERS, as applicable. The TLC Board of Directors also reserves the right to offer additional plans as it deems appropriate.

Element 12: Attendance Alternatives

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

Pupils who choose not to attend DCS may choose to attend other public schools in their district of residence or pursue an intra/inter-district transfer in accordance with existing enrollment and transfer policies of the District.

Element 13: Employee Rights

“A description of the rights of any employee of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school.” Education Code § 47605 (c)(5)(M)

Persons employed by TLC are not considered employees of the District for any purpose whatsoever. Employees of the Chartering Agency who resign from District employment to work at TLC and who later wish to return to the District shall be treated the same as any other former District employee seeking reemployment. No special provisions pertaining to leave and return rights for District union employees shall apply to TLC employees, but shall be handled by District in accordance with its then-current collective bargaining agreements. TLC shall not have any authority to confer any rights to return to district employees. Employment by TLC provides no rights of employment at any other entity, including, but not limited to, any rights in the case of closure of TLC.

Element 14: Dispute Resolution

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

TLC and the Chartering Agency agree to resolve all disputes regarding this charter pursuant to the terms of this section. All parties will refrain from public commentary regarding any disputes until the matter has progressed through the dispute resolution process.

Any controversy or claim arising out of or relating to the charter agreement, except any controversy or claim that is in any way related to revocation of this charter, will be handled first through an informal process in accordance with the following procedures. Revocation proceedings shall proceed in accordance with applicable laws and regulations.

1. Written Notification

A written notification, identifying the nature of the dispute and any supporting facts, must be submitted by the complaining party to the other party. The written notification may be tendered by personal delivery, facsimile, or certified mail. The written notification will be deemed received if: (a) it is personally delivered by 4:00 p.m. or otherwise on the business day following personal delivery; (b) it is communicated through facsimile, upon electronic confirmation of receipt; or (c) it is delivered by mail, two (2) business days after deposit in the U.S. mail. All written notices to DCS shall be addressed as follows:

Tracy Learning Center
Discovery Charter School
Virginia Stewart, Executive Director
51 E. Beverly Place
Tracy, CA 95376

2. Written Response

A written response shall be tendered to the complaining party within twenty (20) business days from the date of receipt of the written notification. The parties agree to schedule a conference to discuss the claim or controversy (“Resolution Conference”). The Resolution Conference shall take place within fifteen (15) business days from the date the written response is received by the other party or another mutually-agreeable date. The written response may be tendered by

personal delivery, facsimile, or certified mail. The written response shall be deemed received if: (a) it is personally delivered upon date of delivery to the address of the person to receive such notice by 4:00 p.m., or otherwise on the business day following personal delivery; (b) it is communicated by facsimile, upon electronic confirmation of receipt; or (c) it is delivered by mail, two (2) business days after deposit in the U.S. mail.

3. Mediation for Non-Agreement

If the controversy, claim, or dispute cannot be resolved by mutual agreement at the Resolution Conference, then either party may request that the matter be resolved by mediation. Each party shall bear its own costs and expenses associated with the mediation, including attorneys' fees. Both the mediator and the administrative fees of the mediation shall be shared equally among the parties. Mediation proceedings shall commence within 120 days from the date of the Resolution Conference. The parties shall mutually agree upon the selection of a mediator to resolve the controversy, claim, or dispute. If the mediation is not successful, then the parties agree to settle the controversy, claim or dispute by binding arbitration conducted by a single arbitrator in accordance with the guidelines of the American Arbitration Association. The arbitrator must be an active member of the California State Bar or a retired judge of the state or federal judiciary of California. Each party shall bear its own costs and expenses associated with the arbitration, including attorneys' fees. The arbitrator's fees and the administrative fees of the arbitration shall be shared equally among the parties.

Both parties shall exchange information as necessary to avoid disputes and assist in curing disputes and shall use their best efforts to resolve disputes between them at the earliest possible time.

4. Refusal to Arbitration

Any party who fails or refuses to submit to arbitration shall bear all costs and expenses incurred by such other party in compelling arbitration of any controversy, claim, or dispute, including attorneys' fees.

Internal Disputes

All internal disputes between parents, teachers, students, administrators, and Board of Directors members of TLC shall be resolved by the school according to the school's own internal policies. The Chartering Agency shall not be involved with internal disputes of the school unless the school requests the Chartering Agency's involvement.

Element 15: School Closing Protocol

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

The following are closing procedures that abide by *California Education Code § 47605(c)(5)(O)* and 5 Cal. Code Regs. § 11962, should DCS close for any reason. The decision to close the school will be documented by the TLC Board of Directors in a Closure Action. The Closure Action will be deemed to have been automatically made when any of the following occur:

- The charter is revoked for a material violation of any of the conditions, standards, or procedures set forth in the charter, and in accordance with the State regulations with regard to revocations, or not renewed by the Chartering Agency, and TLC has exhausted its appeal rights;
- The TLC Board of Directors votes to close the school; or
- The charter lapses.

In the event of a final closure action, the TLC Board of Directors shall designate a person or persons responsible for conducting and overseeing all closure-related procedures and activities, and allocate sufficient funding for, or otherwise determine how Charter School will fund, these activities.

In the event of such a Closure Action, the following steps are to be implemented:

Written Notification

1. DCS shall provide the District with written notice of the person(s) designated to be responsible for conducting and overseeing all closure activities and the funding for such activities. If the Closure Action is an act of DCS, DCS shall provide the District with a copy of the governing board resolution or minutes that documents its Closure Action.

2. DCS shall provide written notice of the Closure Action to Parents/guardians of all students, and all majority age and emancipated minor students, currently enrolled in DCS promptly after the Closure Action. Upon request, DCS shall provide a copy of the written parent notification to the District.

3. DCS shall provide written notice of the Closure Action to the County Office of Education. DCS shall send written notification of the Closure Action to the appropriate

County Office of Education promptly after the Closure Action. Upon request, DCS shall provide a copy of this notification to the District.

4. DCS shall provide written notice of the Closure Action to the Special Education Local Plan Area (SELPA) in which DCS participates. DCS shall send written notification of the Closure Action to the SELPA in which DCS participates promptly after the Closure Action. Upon request, DCS shall provide a copy of this notification to the District.

5. DCS shall provide written notice of the Closure Action to the retirement systems in which DCS's employees participate. Within a reasonable time after the Closure Action, DCS shall notify, as applicable, the State Teachers Retirement System (STRS), Public Employees Retirement System (PERS), the Social Security Administration, and follow their respective procedures for dissolving contracts and reporting. Upon request, DCS shall provide a copy of these notifications and correspondence to the District.

6. DCS shall provide written notice of the Closure Action to the California Department of Education (CDE). DCS shall send written notification of the Closure Action to the CDE promptly after the Closure Action. Upon request, DCS shall provide a copy of this notification to the District.

7. DCS, as necessary, shall provide written notice of the Closure Action to any school district that may be responsible for providing education services to the former students of DCS. DCS shall send written notification of the Closure Action promptly after the Closure Action. This notice must include a list of potentially returning students and their home schools based on student residence. Upon request, DCS shall provide a copy of these notifications, if any, to the District.

Notification of all the parties above must include but is not limited to the following information:

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

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

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

In addition to the four required items above, notification of parents/guardians of all students, and all majority age and emancipated minor students, shall also include information on how to enroll or transfer the student to an appropriate school.

Records Retention and Transfer

DCS shall comply with all applicable laws, regarding the transfer and maintenance of DCS records, including student records and personnel records. These requirements may include:

DCS shall provide to the responsible person(s) designated by the TLC Board of Directors to conduct all closure-related activities a list of students in each grade level and, for each student, a list of classes completed and the student's district of residence.

DCS shall transfer all pupil records, all state assessment results, and any special education records to the custody of the party designated by the TLC Board of Directors to manage the closure procedures, to ensure such records are disclosed to the appropriate parties in accordance with applicable law.

Financial Close-Out

After receiving notification of closure, the CDE may notify DCS and the authorizing entity of any liabilities DCS owes the state, which may include overpayment of apportionments, unpaid revolving fund loans or grants, and/or similar liabilities. The CDE may ask the applicable charter-authorizing entity to conduct an audit of DCS if it has reason to believe that the school received state funding for which it was not eligible.

DCS shall ensure completion of an independent final audit within six months after the closure of DCS that includes:

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

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

This audit may serve as DCS's annual audit.

DCS shall pay for the financial closeout audit of DCS. This audit will be conducted by a neutral, independent licensed CPA who will employ generally accepted accounting principles. Any liability or debt incurred by DCS will be the responsibility of DCS and not the District. DCS understands and acknowledges that DCS will cover the outstanding debts or liabilities of DCS.

DCS shall ensure the completion and filing of any annual reports required. These reports may include but are not necessarily limited to:

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

Disposition of Liabilities and Assets

The closeout audit must identify the disposition of all liabilities of DCS. DCS closure procedures must also ensure appropriate disposal, in accordance with TLC's bylaws, fiscal procedures, and any other applicable laws and regulations, of any net assets remaining after all liabilities of DCS have been paid or otherwise addressed. Such disposal includes, but is not limited to:

1. DCS, at its cost and expense, shall return to the District any and all property, furniture, equipment, supplies, and other assets provided to DCS by or on behalf of the District.

2. The return of any donated materials and property in accordance with any terms and conditions set when the donations were accepted.
3. The return of any grant and restricted categorical funds to their sources according to the terms of the grant or state and federal law.
4. The submission of final expenditure reports for any entitlement grants and the filing of Final Expenditure Reports and Final Performance Reports, as appropriate.

TLC's Board of Directors may determine, in its sole discretion, whether to elect to wind up and dissolve the nonprofit corporation in accordance with applicable law and the its articles of incorporation and bylaws. If the TLC's Board of Directors elects to wind up and dissolve the nonprofit corporation, the TLC's Board of Directors shall adopt a plan for wind up and dissolution of the corporation in accordance with applicable law. Any remaining assets shall be distributed in accordance with the plan adopted by the TLC Board, which shall be consistent with the Articles of Incorporation and all applicable law. Such applicable law includes the laws governing dissolution of charter schools offering PERS. To the extent a TLC school offers PERS upon its dissolution, TLC shall ensure that upon dissolution of the nonprofit public benefit corporation, all net assets are distributed to another public school that satisfies the requirements of paragraphs (a) through (e) of section III.A. of Notice 2015-07 issued by the Internal Revenue Service and the Treasury Department entitled "Relief for Certain Participants in § 414(d) Plans" or any final regulations implementing 26 U.S.C. § 414(d), or to a State, political subdivision of a State, or agency or instrumentality thereof.

Should the nonprofit corporation continue in existence following the closure of DCS, the nonprofit corporation may retain any remaining assets after the liabilities of DCS are satisfied and required grant funds or restricted categorical funds are returned to their source if required by applicable state or federal law, any donated materials or property are returned if required to comply with conditions of their donation, and any property of the District loaned to TLC for DCS use is returned to the District. Any remaining assets, including but not limited to, all real estate properties, capital outlay and equipment, personal properties, intellectual properties, all ADA apportionments, and other revenues generated by students attending DCS, shall remain the sole property of TLC.

DCS shall retain sufficient staff, as deemed appropriate by the TLC Board of Directors to complete all necessary tasks and procedures required to close the school and transfer records in accordance with these closure procedures.