

CHARTER
RENEWAL
for the
PRIMARY CHARTER SCHOOL
A CALIFORNIA PUBLIC CHARTER SCHOOL

Introduction

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

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

The Charter Schools Act (“Act”) (Education Code Sections 47600 et seq.) requires each charter school to have a “charter” that outlines, at a minimum, the sixteen (16) components set forth in Section 47605((b)(5) of the Act. The following provisions of this charter set forth the required components under Section 47605(b)(5) of the Act.

AFFIRMATIONS/ASSURANCES

As the authorized lead petitioner, I, _____, hereby certify that the information submitted in this renewal petition for the Primary Charter School, a California public charter school operated by Tracy Learning Center, a California nonprofit public benefit corporation, which is located within the boundaries of the Tracy Unified School District is true to the best of my knowledge and belief; I also certify that this petition does not constitute the conversion of a private school to the status of a public charter school; and further, I understand that if renewed, the Primary Charter School or “Charter School”:

1. Shall meet all statewide standards and conduct the student assessments required, pursuant to Education Code Section 60605 and 60851, and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools. [Ref. Education Code Section 47605(c)(1)]

2. Shall be deemed the exclusive public school employer of the employees of the Primary Charter School for purposes of the Educational Employment Relations Act. [Ref. Education Code Section 47605 (b)(5)(O)]

3. Shall be non-sectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. Education Code Section 47605(d)(1)]

4. Shall not charge tuition. [Ref. Education Code Section 47605(d)(1)]

5. Shall admit all students who wish to attend the Primary Charter School, and who submit a timely application, unless the Charter School receives a greater number of applications than there are spaces for students, in which case each application will be given equal chance of admission through a public random lottery process. Admission to the Charter School shall not be determined according to the place of residence of the student or his or her parents within the State. [Ref. Education Code Section 47605(d)(2)(A)-(B)]

6. Shall not discriminate on the basis of the characteristics listed in Education Code Section 220 (disability, gender, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code). [Ref. Education Code Section 47605(d)(1)]

7. Shall adhere to all provisions of federal law applicable to students with disabilities including, but not limited to, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990 and the Individuals with Disabilities in Education Improvement Act of 2004.

8. Shall meet all requirements for employment set forth in applicable provisions of law, including, but not limited to credentials, as necessary. [Ref. Title 5 California Code of Regulations Section 11967.5.1(f)(5)(C)]

9. Shall ensure that teachers in the Charter School hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other

public schools are required to hold. As allowed by statute, flexibility will be given to non-core, non-college preparatory teachers. [Ref. California Education Code Section 47605(1)]

10. Shall at all times maintain all insurance coverage required by this charter and then current Memorandums of Understanding between the Tracy Learning Center and the District.

11. Shall, for each fiscal year, offer at a minimum, the number of minutes of instruction per grade level as required by Education Code Section 47612.5(a)(1)(A)-(D)

12. 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 a transcript of grades or report card and health information. [Ref. California Education Code Section 47605(d)(3)]

13. Will follow any and all other federal, state, and local laws and regulations that apply to the Primary Charter School including but not limited to:

a. The Charter School shall maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection.

b. The Charter School shall on a regular basis consult with its parents and teachers regarding the Charter School's education programs.

c. The Charter School shall comply with all geographic requirements imposed by applicable law on the locations of its facilities.

d. The Charter School shall comply with all laws establishing the minimum and maximum age for public school enrollment.

e. The Charter School shall comply with all applicable portions of the No Child Left Behind Act.

f. The Charter School shall comply with the Public Records Act.

g. The Charter School shall comply with the Family Educational Rights and Privacy Act.

h. The governing board of Tracy Learning Center which operates the Charter School shall comply with the Ralph M. Brown Act.

i. The Charter School shall meet or exceed the legally required minimum of school days.

_____, Lead Petitioner

Date

1. THE EDUCATIONAL PROGRAM

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

A Vision for Learning in the 21st Century

The Primary Charter School (“Primary Charter School” or “Primary” or “School”) is operated by Tracy Learning Center, a California nonprofit public benefit corporation (“Tracy Learning Center” or “Corporation”). The Tracy Learning Center is an innovative collaborative where the threads of education, business and research together are woven into a compelling new learning opportunity in which students of all ages are active participants and true partners. The Tracy Learning Center is a place where learning results from accessing information through continuous dynamic interactions. The School will include grades K-4.

The Tracy Learning Center is a simple, yet powerful idea for a unique place where education, business and research organizations create a world of learning not confined by walls, time or traditional resources. It is a place where every student will use state of the art technology to enable learning which will not result from access to information alone, but also from continuous dynamic interaction among students, educators, parents, and the extended community.

Primary Charter School Mission Statement

The mission of the Primary Charter School is to equip students ages five through nine or ten with the basic skills necessary to develop the ability and confidence to be self-directed learners and with the socialization skills necessary to relate to and work with adults and other students constructively.

The Primary Charter School provides students with the instruction necessary so that all students are reading at or above grade level and mastering all basic math facts and concepts. Students will be familiar with the Internet and the websites appropriate for their level of research and learning. They will have the time management and problem solving skills needed for completing long term projects as well as the social skills needed to solve problems with peers when working cooperatively on those projects.

The educational climate fosters student learning utilizing different learning modalities and will provide a non-threatening environment in which learners will be motivated and will enjoy the process of learning. The teachers act as direct instructors, guides, facilitators, and evaluators when providing opportunities for small group instruction and individualized learning. Teachers create a participatory community where students know they have opportunities to contribute to learning as well as opportunities to learn.

All of Primary’s students are taught in small groups (five in each classroom) that correspond to applicable reading and math levels so that the students are able to improve and move to higher

levels in a safe learning environment. Each group of 40 students have two teachers and one aide teaching and/or working with the students. EL students are taught in English-only with special emphasis on sight words and vocabulary.

Whom does the School educate?

Tracy’s diversity is represented at Primary Charter School. The Primary Charter School has enrolled students from all aspects of the community. It has attracted a diverse population. As described in Items 7 and 8, Primary will continue its efforts to attract a diverse student population. There is a significant waiting list at each level of Primary.

The following sets forth Primary’s demographics for the 2007-08 academic year as well as its anticipated demographics for the 2008-09 academic year.

Academic Year	Asian	Pacific Islander and Filipino	Hispanic/Latino	African American	Caucasian	Other
2007-08	18.7%	6.0 %	21.3%	9.8%	43.0%	1.3%
2008-09	14.1%	6.4%	24.5%	9.1%	43.2%	2.8%

Kindergarten and first graders are placed in a multiage setting of forty students with two teachers and a learning guide. The second and third graders are place in multiage classrooms, as well, with the same configuration. Finally, the fourth graders are placed in single self contained classrooms which house twenty five students each. The ultimate size of the Primary School for the Tracy Learning Site will be 420 students, as described in the chart below. These students will be arranged in four pods of 105 students each with the full configuration of grades. The admissions lottery and procedures are described in Section 8, Admissions and Requirements.

Grade Level		
Kindergarten and 1		Not to exceed 160 or 80 Kindergarten and 80 First Grade Students
2 and 3		Not to exceed 160 or 80 Second Grade and 80 Third Grade Students
4		Not to exceed 100 students
Totals		420 students

Curriculum and Content:

Primary Charter School is named with the student population in mind. The School recognizes that the beginning years of formal education are critical as building blocks for advanced work. The primary years establish mastery of basic skills in academics as well as social development and create the love of learning needed for a life time. These early learners are emerging as students who will later become the citizens of a world very different from the ones their parents are experiencing today

This is a time of intellectual explosion. It is a wonderful and magical time when colors, letters and numbers become more than isolated things. It is a time when the cornerstone of learning is established. Letters become sounds, sounds become words and words open the child to the information explosion. Numbers are not longer rote memorization, rather they become symbols for units, tens, hundreds and thousands and the notion of quantity and mathematical problem solving awaits the curious learner. Colors provide opportunities to learn about maps and organizational charts, concept attainment, and the appreciation of living things existing in a diverse world.

The focal point for study at this School is the primary development of foundational skills so that continuous successful learning is possible. Students must become successful readers and writers by the time they have completed the beginning primary program. The advanced primary program will give students the support they need to take those skills and begin to use them to learn how to learn as self directed learners. Once the students have made this transition they will be ready to assume the rigors of the Discovery Charter School (the middle school operated by Tracy Learning Center) and become the self directed learners needed to succeed at that level.

The primary child arrives at school curious, timid, and full of wonder. It is important that the school continue to nurture individual curiosity as it develops skills that replace timidity with confidence. Primary learners must experience learning as fun and challenging and frequent celebration is necessary to let the child know how much we notice the benchmarks that are being achieved.

The Primary Charter School recognizes that academic growth is just one aspect of the child's development and that physical and social development is also an important aspect of this age group. The culture of the School focuses on helping students to work and play with others effectively and helps students appreciate individual differences among them. Children need to learn how to get along and how to play successfully with others. This is part of the practical living strand of the School program. Character education is a daily part of the program.

Recognizing that students come to school with experience using technology at home, the School does not block out the use of technology when addressing primary skill development. While reading and writing are essential skills, the child will continue to use the computer to reinforce reading and writing as well as mathematical concepts. Internet sites and software will be selected for classroom use.

The School appreciates the important role that parents play in educating their child at home. Parents are encouraged to shadow their child and to volunteer in the classroom as often as

possible. Not only do the parents help the children at school, the parents gain important insights on how to extend school learning at home.

The curriculum has been developed to meet all statewide standards as adopted by the California State Board of Education. Curriculum and instructional planning draw upon many outstanding educational principles.

All curricula are organized within identified themes for the school year to ensure transfer of learning from one curriculum area to another and to provide for the opportunity for interactive and integrated curriculum projects that give the students a chance to use what they are learning in new and creative ways.

Student Needs and Instructional Strategies: 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. The Primary Charter School extends its walls to meaningful field opportunities within the community, thus transforming the notion of a field trip to such places as the local library.

Not confined to a time: Learning is continuous as a result of an extended day, extended year with a year round calendar, and easy transitions facilitated by multiage student placement.

Not confined to a single person: Primary Charter School recognizes that the teacher is not the sole dispenser of knowledge and skill development. Older students as role models and catalysts provide motivation and encouragement for others. Parents as volunteers not only help in the classroom but learn how to extend the learning opportunities at home.

Not confined to a single style: Instruction is differentiated to meet the needs of diverse learners. Work that is too hard or too easy is not meaningful for the growth of the student. All learners are successful if the work they are doing is meaningful and at their appropriate level of learning. Students are placed in small learning groups for all skill areas so that they may be taught at the appropriate level.

Not confined to paper based information: Traditional textbook instruction is no longer the primary source of information. Students and staff will utilize current multimedia resources for learning. Students will realize there are many ways to learn through the use of manipulatives, Leap Frog learning paths and small group interaction.

Not confined to memorization: Even at the young age of six or seven, students realize that there is much to know and that it is easy to access what one wants to know. Students not only need to learn how to read, they need to learn how to synthesize and generalize from the reading they do. These skills need to be learned as soon as the fluent reader has emerged. These skills develop the desire for life long learning. Students learn how to seek information through web quests and the use of the Internet.

Communication skills: Students learn the art of listening not only to the teacher, but also to others in the classroom. This is an emphasis in each room.

Reading and writing skills: Emphasis is placed on learning to read in the Phase One (grades K and 1) and Phase Two (grades 2 and 3) classrooms. While the students in these classes will be masters of phonics, they will not be hooked on phonics rather they will be launched by phonics to much greater heights that can only be achieved by using phonics to decode unknown words. Once students have learned to read, students will learn how to read to learn in the advanced reading groups and as the student progresses through Primary.

The primary classrooms are filled with literature appropriate for the age groups and students learn to appreciate a wide range of authors and writing styles. The literature the students hear and look at go well beyond their actual reading level and are linked to the yearly theme for the class.

Students learn the correct formation of letters for writing and they learn how to write using a computer keyboard as well. They learn that both manual and computer writing are essential skills.

Problem solving and critical thinking: Children in the primary grades need to explore and ask why as much as possible to be able to make meaning out of the information they are observing, listening to, or experiencing on a daily basis. Easy access to computers in every classroom facilitates this need for learning through research.

Technology as a tool: We recognize that in today's world many children are growing up with a bottle in one hand and a mouse in the other. Children are not timid or afraid to use technology. They have not known a world without these things. We do not eliminate technology from their learning environment just because they have left home and have come to school. Rather we incorporate technology into the fundamental learning that is expected for the primary learner.

PLAN FOR ENGLISH LEARNERS

Overview

The School will meet all applicable legal requirements of federal law relative to equal access to curriculum for English learners ("EL") and Education Code Section 300. The School will implement policies to assure proper placement, evaluation, and communication regarding EL's and the rights of students and parents. The School shall evaluate the success of its EL students and modify its program if necessary to ensure the success of EL students.

Home Language Survey

The School will administer the home language survey upon a student's initial enrollment into the School (on enrollment forms).

CELDT Testing

All students who indicate that their home language is other than English will be CELDT tested within thirty days of initial enrollment¹ and at least annually thereafter between July 1 and October 31st until re-designated as fluent English proficient (only students classified as EL are to be tested annually- FEP students are not retested on the CELDT annually).

The School will notify all parents of its responsibility for CELDT testing and of CELDT results within thirty days of receiving results from test contractor. The CELDT shall be used to fulfill the requirements under the No Child Left Behind Act for annual English proficiency testing.

Reclassification Procedures

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

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

¹ Only designated EL students will continue with annual CELDT testing.

2. Measurable Pupil Outcomes

“The measurable pupil outcomes identified for use by the charter school. “Pupil outcomes,” for purposes of this part, means the extent to which all pupils of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school’s educational program.” Education Code Section 47605(b)(5)(B).

Students of Primary Charter School demonstrate the following skills, which have been developed to align with state standards, before completion of Primary.

Core Academic Skills. *Appropriate age or grade-level mastery of:*

- **History/Social Studies:** Students develop an awareness of their world and the diversity within it.
- **Mathematics:** Students become proficient in basic computational skills of addition, subtraction, multiplication and division and use these skills to solve reality based problems.
- **Language Arts:** Students demonstrate reading fluency and proficiency, writing, listening, speaking, and presentation skills, in multiple forms of expression.
- **Science:** Students capitalize on their innate curiosity to develop hypotheses and a process of experimentation for proof.

Life Skills. *Students develop skills, which will enable them to pursue their own path of learning throughout their adult lives, including:*

- Knowledge of healthy living habits
- The use of technology for learning and communicating
- Organization skills, time management, and responsibility
- Introduction to the world of work

Social/Interpersonal Skills. *Students demonstrate:*

- Citizenship and leadership skills within the classroom setting
- Ability to engage in responsible, compassionate peer relationships
- Ability to collaborate and work effectively with others in cooperative group

In order to best serve our students and community, the Primary Charter School continues to examine and refine its list of student outcomes over time to reflect the School’s mission, the changing world, and any changes to state or local standards that support such mission. The Primary Charter School will submit to the board of Tracy Unified School District (“District”) at any time prior to expiration of its charter, a description of any material changes to the above student outcomes as an amendment of the charter. The District board agrees to hear and render an amendment decision pursuant to the timelines and processes as specified in the Education Code Section 47605(b).

Primary students learn and achieve the foregoing skills outcomes through a multiage program consisting of the following research-based practices, assessments and reporting, and parent participation:

Current multiage programs, which differ from earlier models, are grounded in the work of researchers and theorists that focuses on the learning process and supports the various attributes and strategies embedded in the multiage model. Examination of successful multiage programs along with the current literature reveals the importance of several critical attributes in multiage education. These identified attributes are described below and are found in the Primary Charter School program.

- **Multiage and Mixed-Ability Grouping.** Multiage and mixed-ability grouping calls for a heterogeneous mix of children with a minimum two-year age span. The children remain with the same teacher or teaching team for more than one instructional year (Stone, 1995; Miller, 1993; Katz, 1992). Within the multiage classroom or program, there is an absence of grade levels and related labels (McLoughlin, 1969; Anderson & Pavan, 1993). Opportunities exist for each child to interact with children of varying backgrounds, abilities, interests, personalities, and ages (Anderson & Pavan, 1993). According to Katz (1995), “the intention of multiage grouping is to increase the heterogeneity of the group so as to capitalize on the differences in the experiences, knowledge, and abilities of the children.”
- **Developmentally Appropriate Practices.** Developmentally appropriate practices are teaching methods and curriculum components that are based on a child's developmental abilities. Such practices include active learning experiences, varied instructional strategies, a balance between teacher-directed and child-directed activities, integrated curriculum, and learning centers (Privett, 1996; American Association of School Administrators, 1992; Bredekamp, 1990).
- **Flexible Grouping Patterns for Learning.** Within a typical multiage classroom of 40 to 60 students, with an adult to child ratio of 12:1, children work in various grouping patterns--as individuals, pairs, triads, small groups, large groups, or whole class. Such short-term groupings are based on skill instruction, and reinforcement, learning styles (Privett, 1996; American Association of School Administrators, 1992; Grant, 1993). In this approach to grouping for learning, the teachers choose the grouping strategy that is most appropriate for the learning situation and facilitates learning for each individual child. Anderson and Pavan (1993) suggest the following grouping patterns for various learning strategies: individual work for independent study or working one-on-one with the teacher; groups of two to five students for cooperative learning situations; five to eight students for a task force, committee, or project; 12 to 15 students for a discussion or decision-making activity; and a large group for listening to, attending, or viewing a lecture, video, play, or reports.
- **Continuous Progress.** In a multiage classroom, children learn in a continuum; they move from easier to more difficult material and from simple to more complex strategies at their own pace, making continuous progress rather than being promoted once a year or required to wait until the next school year to move forward in the curriculum (Gaustad, 1992; Katz, 1992). Developmentally appropriate schools are flexible in their expectations about when and how children will acquire certain competencies (National Association for the Education of Young Children, 1996). Children are viewed as individuals, and expectations are adjusted for each child. “Instruction, learning opportunities, and

movement within the curriculum are individualized to correspond with individual needs, interests, and abilities,” note Anderson and Pavan (1993, p. 62). Continuous progress promotes social, emotional, physical, aesthetic, and cognitive development. It is success oriented, avoiding the problems associated with retention (Privett, 1996; National Association for the Education of Young Children, 1996).

- **Professional Teamwork.** A key to successfully meeting the needs of all students is the development of collaboration among teachers and other school staff (Vila & Thousand, 1993). Regular time set aside for planning and sharing by staff members is essential for a successful multiage approach. Ongoing professional development can provide teachers with practical knowledge of instructional delivery systems such as team teaching, collaborative teaching, and peer coaching, which are appropriate in multiage classrooms (Privett, 1996; American Association of School Administrators, 1992).
- **Authentic Assessment.** Authentic assessment is any type of assessment that requires students to demonstrate skills and competencies that realistically represent problems and situations likely to be encountered in daily life. Students are required to produce ideas, integrate knowledge, and complete tasks that have real-world applications. Such assessment is ongoing and diagnostic, yielding information on a student's strengths and weaknesses so that the teacher can tailor lessons to the student's specific needs. Authentic assessment considers the child as a whole (socially, emotionally, physically, and academically) and encompasses a wide range of options, such as portfolios, exhibits, presentations, demonstrations, and other types of performance assessment (Anderson & Pavan, 1993, McLoughlin, 1969).
- **Qualitative Reporting.** Qualitative reporting consists of regular individualized school-to-home communication describing "how and what the child is learning, individual accomplishments, interests, abilities, and attitudes. Progress is related in terms of the continuous growth and development of the whole child" without comparison to others (American Association of School Administrators, 1992, p. 24). Qualitative reporting is based on how well children meet developmental and educational standards (Privett, 1996). These reports can be provided in a variety of formats, such as formal progress reports, portfolios, developmental checklists, parent-teacher conferences, anecdotal records, and videotapes.
- **Parent Involvement.** Parental involvement and understanding of multiage education is key to a program's success. Opportunities exist for parents to be involved in all aspects of a multiage program: helping with at-home learning, volunteering in the classroom, supporting fund-raising strategies and bond issues, and participating on school committees. The continuous exchange of information is critical to maintaining parental support and involvement (Privett, 1996; Nye, 1993; Anderson & Pavan, 1993; American Association of School Administrators, 1992). Partnerships between parents and schools are formed when parents not only are informed about school practice but have a role in the program as well; partnerships are enhanced and solidified as a result of the extended time parents and teachers have to get to know each other (Mazzuchi & Brooks, 1993).

3. Methods to Assess Pupil Progress Towards Meeting Outcomes

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

The Program for Meeting Student Needs and Assessing Outcomes

The needs of all Primary students, including high-achievers, low-achievers, special education students, and English learners, are met and their outcomes are assessed using the following specialized program:

Grade K-1

- Students are interviewed prior to coming to Kindergarten to assess their prior knowledge.
- Students are then placed in one of the two classrooms so that both rooms represent the full range of students accepted.
- All Kindergarten students are placed with first grade students in a multiage setting.
- Students remain with the same teacher for two years.
- The students are grouped with the K-1 room in reading and math groups at their level of intervention.
- Students performing above grade level are placed in advanced reading and or math groups.
- Students performing below grade level are placed in remedial reading and or math groups.
- Students meet in instructional groups for math and reading within their assigned learning group.
- Students meet with teachers and instructional aides using a variety of materials used to address the learning level of the group.
- Curriculum is written at the school level with assessment as part of the curriculum written and is used within the specific learning group.
- Teachers document student progress using curriculum embedded tests, teacher observation and Leap Track assessment.
- Students are tested yearly using Terra Nova standardized testing.
- Students not progressing to average first grade level by the end of two years are recommended for an additional year in Phase One (K-1 program)
- Students are assessed based on home language survey for English Learner needs and are assessed yearly for progress. All teachers are CLAD certified and work within the English classroom setting to provide additional language acquisition that may be needed. The philosophy of Primary is complete English immersion for all students.

Grades 2-3

- Teachers completed standard benchmark booklets for all students leaving K-1. These benchmark booklets are decided based on teacher on-going assessment, standardized testing, curriculum assessment embedded in the curriculum, and teacher observations.

- Students continue in the learning group based on progress made in K-1. If they are below grade level, they continue where they left off. If they are advanced, they continue to be instructed in an advanced group.
- Teachers and aides use materials written and designed for the different levels within the classroom.
- ELL learners are monitored and supported within the classroom environment within their small group format instruction.

Grade 4

- Students in fourth grade are taught in a single grade classroom to best prepare them for success in the middle school 5-8 program.
- Students are taught in instructional groups for math and reading as they are in the lower grades.
- A variety of instructional tools and modifications are made according to the level of instruction.
- All three teachers use the same curriculum which has been written for the school.
- Teachers assess students using a variety of strategies including Leap Track, teacher observation, written and oral presentations and formative testing.
- Teachers recommend students to the middle school based on math and reading progress.
- Those students who are not fully ready for the middle school program, are recommended for a self contained multiage classroom that focuses on student social and academic development.

Special Support:

- Kindergarten is a full-day program giving a distinct advantage to all students.
- Students attend school for 205 days which includes days other schools give for summer school programs
- Students attend school for a longer school day. This extended classroom time gives students time to learn at a pace dictated by their needs.
- Students are taught in a class size reduction setting with a ratio of 20:1 through third grade. In addition to the classroom teacher, students have a classroom aide which supports group instruction.
- Fourth grade the student teacher ratio is 25:1.

General Assessment Information:

Primary students' outcomes and achievements are measured using the annual state testing and the STAR test, and are evaluated based on the following criteria set forth in Section 47607(b): (1) meeting or exceeding the API growth target for the applicable year, (2) ranking within deciles 4 to 10 on the API for the applicable year, (3) ranking in deciles 4 to 10 on the API for a demographically comparable school for the applicable year.

As noted below, Primary's API has exceeded 800 in each of the past 3 years.

Year	API
2005-06	820
2006-07	891
2007-08	908

At the end of each school day there are forty minutes of staff articulation and planning time to assure individual student progress and staff collaboration necessary to the success of the academic program at Primary Charter School. Teachers have fifteen additional calendar days dispersed throughout intersessions for program evaluation and staff development. Training opportunities include classroom management, assessment, student motivation, learning styles and specific content training. Teachers conduct action research projects in order to identify best practices and refine their programs. Instructional decisions are based on student outcomes and results. Teachers operate as a team not only to deliver a quality educational program to students but also to learn and to expand their own professional knowledge and skills.

Excellence in performance is encouraged by work that is highly interesting to each student, and achievement of goals will help produce increasing confidence and ability to contribute to the community. Primary students consistently set standards for themselves that often are far beyond state-mandated standards because of the opportunity to pursue independent study within the structure of an extended school day and learning opportunities which transcend the Primary expectations for students. The projects will allow students to go beyond the prescribed curriculum to areas they are interested in learning.

Primary students excel on state testing and indicate a strong readiness at the end of fourth grade for the middle school (DCS) program. There are opportunities for Primary teachers and Discovery (described below) teachers to work together for a smooth transition from one school to the next.

Because Primary's API in each of the last three years exceeded 800, Primary does not have targets. The following are the API scores for Primary for the last three years.

Year	API
2005-06	820
2006-07	891
2007-08	908

4. GOVERNANCE STRUCTURE

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

As permitted under, and in accordance with the Act, Primary Charter School is operated as and by a California nonprofit public benefit corporation, Tracy Learning Center. The School is governed in accordance with the Corporation’s bylaws, applicable provisions of the California Corporations Code, the Act and applicable portions of the Ralph M. Brown Act (California Government Code Section 54950 et seq.) (“Brown Act”). The Corporation retains the right to enter into charter agreements to establish other charter schools within the District or with other sponsors to establish charter schools outside of the District subject to the processes set forth in the Act. The School agrees that the District shall not be liable for, and that the School shall defend, indemnify and hold harmless the District, its officers, agents or employees from, any liability for injuries to person or property arising from any act or omission of the School, its directors, officers, agents, employees, or students while subject to the supervision of the School. The District shall not be liable for any of the debts or financial obligations of the School.

Tracy Learning Center also operates the Discovery Charter School (“Discovery”) and the Millennium High School (“Millennium”), both of the charters of which were granted by the District.

Tracy Learning Center’s Board of Directors (“Board”) governs the Primary Charter School including, without limitation, approving the Primary Charter School’s budget, financial records, contracts, hiring and acceptance of resignations, and evaluation and approval of the School’s Executive Director. The Board currently is composed of nine (9) members, who are nominated from the community at-large. Openings are published in the weekly newsletter and the Board selects from those applying. The Board represents many different aspects of the community businesses as well as parents. Staff serves as consultants to the Board.

Tracy Learning adopted a set of parent involvement policies and strategies. These policies are available on the Corporation’s website at www.tracylc.net.

In accordance with applicable law, Tracy Learning Center maintains a general liability policy with limits of at least \$1 million per occurrence and under which the District is named as an additional insured. In addition, Tracy Learning Center maintains an officers’ and directors’ errors and omissions policy covering its officers and directors.

Tracy Learning Center has adopted a Conflict of Interest Code as required by the Political Reform Act, Government Code Section 81000 et seq, which designates Board members and certain officers and employees of the Corporation who must annually report certain financial interests and complete Form 700, and which generally prohibits Board members and other designated individuals from deciding or participating in decisions which will materially affect their financial interests.

The Primary Charter School is non-sectarian in its programs, admissions, policies, employment practices, and all other operations, does not charge tuition, and does not discriminate on the basis of race, ethnicity, national origin, gender or disability.

The Corporation, as Primary Charter School, and the District pledge to continue to work in cooperation with all local education agencies (LEAs) and special education local plan areas (SELPAs) to ensure that a free and appropriate education is provided to all students with exceptional needs. *The specific manner in which special education and related services will be provided and funded are set forth in the MOU, delineating the respective responsibilities of the Charter School and the District.*

The Primary Charter School is deemed a “public school of the local education agency that granted the charter” for purposes of providing special education and related services pursuant to Education Code Section 47641(b).

Notwithstanding the foregoing, the Corporation, as Primary Charter School, shall have the right to pursue independent local education agency (LEA) and/or special education local plan area (SELPA) status pursuant to Education Code Section 47641 (a) and the District shall not hinder or otherwise impede the efforts of the School to do so. In the event that the Corporation opts not to establish independent LEA and/or SELPA status, the School shall remain an arm of the District for special education purposes per Education Code Section 47641 (b), and shall continue to receive funding and services pursuant to the terms of the MOU.

The Corporation, as Primary Charter School (as well as Discovery and Millennium), has been granted the exclusive use of the property and facility known as the H.A. Clover Campus (located on E. Beverly and Holly Street, Tracy) under the terms of a written agreement with the District until June 2009. The Charter School and District agree to negotiate in good faith to establish a new written agreement governing the use of the Clover Campus site after June 2009.

5. EMPLOYEE QUALIFICATIONS

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

The Corporation, as Primary Charter School, retains and/or employs teaching staff who hold appropriate California teaching certificates, permits, or other documents issued by the Commission on Teacher Credentialing, and who are “highly qualified” as such term is defined in the federal No Child Left Behind Act of 2001. These teachers teach the core academic classes of mathematics, reading and writing and character education. Science, and history/social studies are developed within the themes for each school year and as an application for basic skills. These teachers are responsible for overseeing the students’ academic progress and for monitoring grading and matriculation decisions as specified in the School’s operational policies. The teachers considered for employment are those who share the vision and mission of Primary Charter School.

The Corporation, as Primary Charter School, may also employ or retain non-certificated instructional support staff. Non-certificated instructional support staff have an appropriate mix of subject matter expertise, professional experience, and the demonstrated capacity to work

successfully in an instructional support capacity. Instructional support staff do not assign grades or approve student work assignments without the approval of a teacher. All non-instructional staff possess experience and expertise appropriate for their position within the School as outlined in the School's staffing plan and the School's adopted personnel policies.

Within the provisions of the law, the Corporation, as Primary Charter School, reserves the right to recruit, interview and hire anyone at anytime who has the best qualifications to fill any of its position vacancies.

6. HEALTH AND SAFETY PROCEDURES

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

The Corporation, as Primary Charter School, has adopted and implemented a comprehensive set of health, safety, and risk management policies, all of which are available on the Corporation's website at www.tracylc.net. Any amendments to such policies will be promptly posted to the website. These policies will meet the following requirements:

- A requirement that all enrolling students and staff provide records documenting immunizations to the extent required for enrollment in non-charter public schools.
- A requirement that all faculty and staff are examined for tuberculosis as required by Education Code Section 49406.
- A requirement for screening of students' vision and hearing and screening of students for scoliosis to the same extent as would be required if the pupils attended a non-charter public school.
- Policies and procedures for response to natural disasters and emergencies, including fires and earthquakes.
- Policies relating to preventing contact with blood-borne pathogens.
- A policy requiring that instructional and administrative staff receive training in emergency response, including appropriate “first responder” training or its equivalent.
- Policies relating to the administration of prescription drugs and other medicines.
- A policy that, to the extent required by the applicable law, the School will be located in a facility that is compliant with the State Building Code or Field Act.
- A policy establishing that the School functions as a drug, alcohol, and tobacco free workplace.
- A requirement that prior to the School employing any individual, each prospective employee of the School submit to a criminal background check and furnish a criminal record summary as required by Education Code Section 44237.
- A requirement that each volunteer at the School submit to a background check.

These policies are available on the Corporation's website at www.tracylc.net and are incorporated as appropriate into the School's student and staff handbooks. They will be reviewed on an ongoing basis in the School's staff development efforts and governing board policies.

**7. MEANS TO ACHIEVE RACIAL/ETHNIC BALANCE
REFLECTIVE OF DISTRICT**

“The means by which the school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted.” Education Code Section 47605 (b)(5)(G).

The Corporation, as Primary Charter School, has implemented a student recruitment strategy that includes, but is not necessarily limited to, the following elements or strategies to ensure a racial and ethnic balance among students that is reflective of the District:

- An enrollment process that is scheduled and adopted to include a timeline that allows for a broad-based recruiting and application process.
- The development of promotional and informational material that appeals to all of the various racial and ethnic groups represented in the District.
- Outreach meetings sponsored by the School to reach prospective students and parents, with certain staff members available who speak both English and Spanish and informational material available in both English and Spanish.
- The distribution of promotional and informational materials to a broad variety of community groups and agencies that serve the various racial ethnic and interest groups represented in the District, including advertisements in newspapers in the Tracy area.

As described above, Primary has a diverse student population which is reflected in the following statistics.

Academic Year	Asian	Pacific Islander and Filipino	Hispanic/Latino	African American	Caucasian	Other
2007-08	18.7%	6.0 %	21.3%	9.8%	43.0%	1.3%
2008-09	14.1%	6.4%	24.5%	9.1%	43.2%	2.8%

Primary will continue its efforts to attract a diverse student population that is reflective of the general population residing within the District. Primary has a significant waiting list. Students are sometimes on the waiting list for years. While enrollment has grown, the number wishing to enter Primary continues to be larger than capacity.

8. ADMISSION REQUIREMENTS

“Admission requirements, if applicable.” Education Code Section 47605(b)(5)(H)

Pupils will be considered for admissions without regard to ethnicity, national origin, gender or disability, and as described above Primary is continuing its efforts to attract a diverse student population that is reflective of the general population residing within the District. Parents or guardians will be required to attend orientation meetings regarding the School’s instructional and operational philosophy and will be expected to complete an application packet which may qualify the applicant for an interview. While it is the intention of Primary Charter School to

serve students who live in the Tracy community, if more students qualify than can be admitted, a lottery will be used to select students for admission. The lottery selection process will consider selection by grade rather than in general. A waiting list of qualified applicants at each grade level will be maintained to fill vacancies that occur during the school year.

Preference for enrollment will be given according to the Corporation's policy to 1. siblings of students currently enrolled in charter schools operated by the Corporation within the District, 2. children of Board members, 3. children of school staff members, 4. residents of the Tracy Unified School District, and 5. California residents, providing all other admission criteria has been met.

9. FINANCIAL AUDIT

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

“A charter school shall transmit a copy of its annual, independent, financial audit report for the preceding fiscal year, as described in subparagraph (I) of paragraph (5) of subdivision (b), to its chartering entity and the State Department of Education by December 15 of each year. This subdivision shall not apply if the audit of the charter school is encompassed in the audit of the chartering entity pursuant to Section 41020.” Education Code 47605 (m)

The Board will form an audit committee each fiscal year to oversee selection of an independent auditor and the completion of an annual audit of the School's financial affairs. The audit will be conducted in accordance with generally accepted accounting principles applicable to the School.

To the extent required under applicable federal law, the audit scope will be expanded to include items and processes specified in any applicable Office of Management and Budget Circulars. It is anticipated that the annual audit will be completed by October 15 and that a copy of the auditor's findings will be forwarded to the chief financial officer of the District. The Board audit committee will review any audit exceptions or deficiencies and report to the Board with recommendations on how to resolve them. The Board will report to the School District regarding how the exceptions and deficiencies have been or will be resolved. Any disputes regarding the resolution of audit exceptions and deficiencies will be referred to the dispute resolution process contained in Section 14, Dispute Resolutions. A copy of the annual audit report will be sent to the State Department of Education by December 15 of each year. The Corporation will compile and provide to the District an annual performance report for the School.

The Corporation and the District will jointly develop the content, evaluation criteria, timelines, and process for the annual performance reports. The Corporation and District will also jointly develop an annual site visitation process and protocol to enable the District to gather information needed to confirm the School's performance and compliance with the terms of this charter.

10. PUPIL SUSPENSION AND EXPULSION

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

In accordance with California Education Code Section 48900 et seq., the Corporation, as the School, adopted and maintains a comprehensive set of student discipline policies. These policies are printed and distributed as part of the School’s student handbook by way of the Internet Website and clearly describe the School’s expectations regarding attendance, mutual respect, substance abuse, violence, safety, and work habits. Each student and his or her parent or guardian is required to verify that they have reviewed and understand the policies prior to enrollment. The discipline policy itself is an opportunity for learning. Students are expected to act as responsible members of the community, and staff will support the students in attaining this goal. All such policies are available on the Corporation’s website at www.tracylc.net. The Executive Director has initial responsibility for making a determination as to whether a student shall be suspended or expelled for violation of School policies, and may, pursuant to the School’s adopted policies, discipline and ultimately suspend students who fail to comply with the terms of a remediation agreement. Students who present an immediate threat to health and safety may also be immediately suspended and later expelled by the Board upon recommendation of the School’s Executive Director. The School’s policies provide all students with an opportunity for due process and conform to applicable federal and state law regarding students with exceptional needs, confidentiality, and access to records. Any hearings provided to students conform with applicable laws regarding special education, confidentiality and access to records. The Board of the Corporation approves any student expulsions, and the Corporation notifies the District of any such expulsions. Any expulsion recommendation may be appealed to the Charter School Board. The Charter School Board has the right to modify or rescind any suspension or any recommended expulsion initially approved by the Executive Director.

If a student is expelled or leaves Primary Charter School without graduating or completing the school year for any reason, within 30 days, Tracy Learning Center shall notify the District of the student’s last known address, and shall, upon request by the District, provide the District with a copy of the cumulative records of the student, including a transcript of grades or report card, and health information.

Neither Primary nor any of the other schools within the Tracy Learning Center, accepts students expelled from Tracy Unified School District or other districts. The expulsion is respected and students are not permitted to attend unless they have completed the terms of the expulsion.

11. RETIREMENT SYSTEM

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

Staff employed by the Corporation at the Primary Charter School participate in the following programs: (1) certificated employees participate in the State Teachers Retirement System (“STRS”), (2) classified employees participate in the Public Employees Retirement System

(“PERS”) and the federal social security system, and (3) all other employees participate in the federal social security system.

Corporation provides the information concerning PERS and STRS to applicants for positions at the School as required by Education Code Section 47611(b).

As to the extent that the Corporation’s School employees participate in the STRS or PERS systems, or a system otherwise allowed by law, the District shall cooperate as necessary to forward any required payroll deductions and related data. The Corporation shall pay the District its actual costs for the provision of such services.

12. ATTENDANCE ALTERNATIVE

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

Students who opt not to attend Primary Charter School may attend schools in their district of residence or pursue an inter-district transfer in accordance with existing enrollment and transfer policies of their district or county of residence.

13. DESCRIPTION OF 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 Section 47605(b)(5)(M)

School staff employed by the Corporation that have left permanent status employment in the District to work at Primary Charter School shall not have the automatic right to return to a comparable position within the District. The Corporation will provide such employee benefits (other than as described above) to its employees as the Corporation shall determine.

14. DISPUTE RESOLUTION PROCESS, OVERSIGHT, REPORTING and RENEWAL

“The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter.” Education Code Section 47605 (b)(5)(N).

Intent

The intent of this dispute resolution process is to (1) resolve disputes within the School pursuant to the School’s policies, (2) minimize the oversight burden on the District, (3) ensure a fair and timely resolution to disputes, and (4) frame a charter oversight and renewal process and timeline so as to avoid disputes regarding oversight and renewal matters.

Public Comments

The staff and Board and the District agree to attempt to resolve all disputes regarding this charter pursuant to the terms of this section. Both shall refrain from public commentary regarding any disputes until the matter has progressed through the dispute resolution process.

Disputes Arising From Within the School

Disputes arising from within the School, including all disputes among and between students, staff, parents, volunteers, advisors, partner organizations, and Board members, shall be resolved pursuant to policies and processes developed by the Corporation.

The District shall refer any complaints or reports regarding such disputes to the Board or the Executive Director for resolution pursuant to the Corporation's policies; the Corporation shall provide written notice to the District within a reasonable period time of the resolution of any complaint referred by the District. The District agrees not to intervene or become involved in the dispute unless the dispute has given the District reasonable cause to believe that a violation of this charter or related laws or agreements has occurred, or unless the Board has requested the District to intervene in the dispute.

Disputes Between the Corporation and Charter School and the District

In the event that the Corporation or the District has disputes regarding the terms of this charter or any other issue regarding the Primary Charter School and the substance of the dispute would not constitute grounds for revocation under the Act, both parties agree to follow the process outlined below.

In the event of a dispute between the Corporation and the District, the staff and Board members and the Corporation, and the members of the board of the District and the District agree to first frame the issue in written format and refer the issue to the superintendent of the District and the Executive Director of the School. In the event that the District believes that the dispute relates to an issue that could lead to revocation of the charter, this shall be specifically noted in the written dispute statement.

The Executive Director and superintendent shall informally meet and confer in a timely fashion to attempt to resolve the dispute. In the event that this informal meeting fails to resolve the dispute, both parties shall identify two governing board members from their respective boards who shall jointly meet with the superintendent of the District and the Executive Director of the School and attempt to resolve the dispute. If this joint meeting fails to resolve the dispute, the superintendent and the Executive Director shall meet to jointly identify a neutral, third party arbitrator. The format of the arbitration session shall be developed jointly by the superintendent and the Executive Director, and shall incorporate informal rules of evidence and procedure unless both parties agree otherwise. The findings or recommendations of the arbitrator shall be non-binding, unless the respective governing boards of the Corporation and District jointly agree to bind themselves. The cost of the arbitrator shall be borne equally by the Corporation and the District.

Oversight, Reporting, Revocation, and Renewal

The District board may inspect or observe any part of the School at any time, but shall provide reasonable notice to the Executive Director of the School prior to any observation or inspection. The District shall provide such notice at least three working days prior to the inspection or observation unless (i) the Board or Executive Director agrees otherwise, or (ii) the District reasonably (A) believes that there is a severe and imminent threat to the health or safety of the School's students, and (B) provides the Executive Director with a written notice of the basis for such belief upon arrival of District personnel at the School for such inspection or observation. Inspection, observation, monitoring, and oversight activities may not be assigned or subcontracted to a third party by the District without the prior written consent of the Board.

As provided in Education Code Section 47607(c), this charter may be revoked if the District finds, through a showing of substantial evidence, that the School (i) committed a material violation of any of the conditions, standards or procedures in this charter, or (ii) failed to meet or pursue any of the students outcomes identified in this charter, or (iii) failed to meet generally accepted accounting principles, or engaging in fiscal mismanagement, or (iv) violated any provision of law.

If the governing board of the District believes it has cause to revoke this charter, the District board agrees to notify the Board in writing, noting the specific reasons for which the charter may be revoked, and grant the Corporation and the School reasonable time to respond to the notice and take corrective action, unless the District determines in writing that the violation constitutes a severe and imminent threat to the health or safety of the students at the School as described in Education Code Section 47607(d).

Prior to any revocation for failure to remedy a violation described in Education Code Section 47607(c), and after expiration of the School's reasonable opportunity to remedy such violation without successfully remedying the same, the District shall provide the Corporation and the School with a notice of intent to revoke and notice of the facts supporting revocation. Within 30 days after providing such notice of intent to revoke, the District shall hold a public hearing, in the normal course of business, on the issue of whether evidence exists to revoke the charter; and within 30 days after such public hearing, the District shall issue a final decision to revoke or decline to revoke the charter (unless the District and the Corporation and School agree to extend such 30-day period to issue such decision for an additional 30 days). The District shall not revoke the charter unless it makes written factual findings ("Factual Findings") supported by substantial evidence, specific to the School and its charter, that supports its Factual Findings.

If the District revokes the School's charter under Education Code Section 47607, the Corporation and School may appeal the revocation to the County Board of Education within 30 days following the District's final decision to revoke. The County Board of Education may reverse the revocation decision if the County Board of Education determines that the Factual Findings are not supported by substantial evidence; and if the County Board of Education reverses the revocation decision, the District may appeal the reversal to the State Board of Education ("State Board").

With respect to any revocation of this charter or nonrenewal of this charter, the Corporation and the Charter School shall have all rights and remedies provided under the Act including, without limitation, rights of appeal set forth in Section 47607, and alternatives for submission of applications for renewal set forth in Section 47607.5, and under other applicable law.

The board of the District agrees to receive and review the annual fiscal and annual performance report. Within two months of the receipt of this review, the District must notify the Board as to whether it considers the School to be making satisfactory progress relative to the goals specified in this charter. This annual notification will include the specific reasons for the District's conclusions.

15. LABOR RELATIONS

“A declaration whether or not the charter school shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act” Education Code Section 47605 (b)(5)(O).

The Corporation shall be deemed the exclusive public school employer of the employees working at the Primary Charter School for the purpose of the Educational Employment Relations Act.

16. AGREED PROCESS ON CLOSURE OF SCHOOL

“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 School, including plans for disposing of any net assets and for the maintenance and transfer of pupil records.” Education Code Section 47605(b)(5)(P)

The Corporation and the School will comply with the provisions of the California Code of Regulations applicable to charter school closures. The following procedures, which are consistent with such provisions, shall apply in the event the School closes, regardless of the reason for closure.

1. Closure of the School will be documented by official action of the Corporation's Board. Unless the Board designates another responsible entity, the Corporation shall conduct the closure-related activities (the Corporation or such other designated responsible entity is hereinafter referred to as “Designated Entity”).
2. The Designated Entity will promptly provide notification of the closure of the School to (i) the parents (guardians) of students, (ii) the District, (iii) the County Office of Education, (iv) the applicable special education local plan area, (v) PERS, STRS and the Social Security Administration, and (vi) the California Department of Education. Such notification shall provide the following information:
 - A. The effective date of closure of the School;

- B. The name(s) of and contact information for the person(s) to whom reasonable inquiries may be made regarding the closure;
 - C. The students' schools districts of residence; and
 - D. The manner in which parents (guardians) may obtain copies of student records, including specific information on completed courses and credits that meet graduation requirements. (Transfers of student records will be made in compliance with the Family Educational Rights and Privacy Act ("FERPA"), 20 U.S.C. § 1232g.)
3. The Designated Entity will be provided with a list of students in each grade level and the classes they have completed, together with information on the students' district of residence.
 4. The Designated Entity shall take custody of and maintain all student records, all state assessment results, and any special education records, except as otherwise provided in this charter for such records and/or assessment results.
 5. The School's personnel records shall be transferred and/or maintained by the Designated Entity in accordance with applicable law.
 6. An independent final audit shall be completed within 6 months following closure of the School (which audit shall function as the annual audit with respect to the School), and shall include the following:
 - A. An accounting of all financial assets of the School (including cash and accounts receivable and an inventory of property, equipment and other items of material value);
 - B. An accounting of the liabilities of the School (including accounts payable and any reduction in apportionments as a result of audit findings or other investigations, loans and unpaid staff compensation); and
 - C. An assessment of the disposition of any restricted funds received by or due to the School.
 7. On closure of the School, the Corporation's net assets utilized by the School, including but not limited to all leaseholds, personal property, intellectual property and all ADA apportionments and other revenues related to students attending the School, remain the sole property of the Corporation, and the Corporation shall remain responsible for all liabilities related to the School; provided that if (i) any grant funds and restricted categorical funds are required by state or federal law or the terms of the grant under which they were received to be returned to their source upon the closure of the School, the Corporation shall return the same to their source, or (ii) if any donated materials or property are required by the conditions established by the donor at the time of the donation to be returned upon the closure of the School, the Corporation shall return the same.

8. Annual reports with respect to the School will be completed and filed as required under Education Code Section 47604.33.
9. The Corporation shall be responsible for the costs and expenses related to the foregoing activities related to closure of the School.

In connection with any dissolution of the Corporation, the provisions of the California Nonprofit Public Benefit Corporation Law (Corporations Code Sections 5110 *et seq.*) apply to the Corporation; and any of its assets remaining after payment of or adequate provision for its liabilities shall be distributed in accordance with its Articles of Incorporation and the California Nonprofit Public Benefit Corporation Law.

17. MISCELLANEOUS

Term: The Charter School shall be renewed for a 5-year term upon approval of this charter by the Board of the District. The term of this charter shall expire on June 30, 2014.

