

***CHARTER SCHOOL PETITION
OF
CALIFORNIA VIRTUAL EDUCATION PARTNERS***

Presented to:
***TRACY UNIFIED SCHOOL DISTRICT
Tracy, California***

Presented by:
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ATTACHED EXHIBITS: I through VIII

A. EDUCATIONAL PHILOSOPHY AND 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)(i).

1) Mission

Kaplan Academy of California – North Central California (KAC-NCC) will harness the power of a flexible learning environment and modern educational technology to serve learners with diverse backgrounds and goals who seek an education alternative that stimulates and supports independent learning. Through the power and flexibility of its standards-based online curriculum, combined with superior individualized support, KAC-NCC will create a learning environment that empowers students to rise to the challenge of independent, self-directed learning.

2) Educational Philosophy

The school seeks to attract and serve a group of students who can benefit from instruction that is more freely scheduled, flexibly paced, individually targeted, and closely monitored than can occur in a traditional “brick and mortar” classroom. This model is distinguishable from other virtual or self-directed learning models: students benefit from intensive academic support from professional educators—a feature lacking in other virtual and home school settings that heavily rely on parents for academic coaching.

The petitioners believe that educational success depends on positive student engagement—high levels of interaction with content, instructors, and fellow learners. That interaction occurs when learning is fun, challenging, flexibly paced, and situated in a climate where curiosity and risk-taking are rewarded.

This learning climate is made possible by a curriculum that is aligned to California’s academic content standards and targeted to individual learner needs. Our curriculum is delivered through an online model that balances the unique advantages of traditional and virtual classroom approaches. The curriculum is aligned to California’s academic content standards and designed to cover the full content in each core subject by the end of each academic year. However, the flexible pacing in our approach enables the student, under the guidance of the educator, to spend more intensive time and effort in areas of need. This model allows teachers to better address each student’s unique learning and communication style, cultivate independent thought, and offer alternative or supplemental learning options that prepare students for the real-life complexities of higher education or the job market in the 21st century.

KAC-NCC’s educational model is intended to cultivate learning habits that keep the mind open, curious, and alert. An “educated person in the 21st century” is able to learn continuously, perceive opportunity, and adapt talents and skills to novel situations. These characteristics and habits reveal themselves when a person adapts learned capabilities to a job or career that did not exist when those capabilities were first formed. This dynamic demonstrates that the curious and open-minded are by nature “lifelong learners.” Our model engenders this mentality by enabling the student to interact with the curriculum in a manner

that motivates him or her to pursue individual interest while proceeding through the required content.

KAC-NCC will position its students for success by enabling students to learn any time, any place, and by deploying flexible learning, teaching, curricular, and staffing models that adapt to the uniqueness inherent in every student and learning situation. It will empower them to take ownership of their education and develop not only knowledge, skills, and abilities, but also the confidence, creativity, and resourcefulness to deploy them adaptively in response to the challenges and opportunities of the 21st century.

3) High School Program

During its first year of instruction, KAC-NCC will begin the process of accreditation from the Western Association of Schools and Colleges (WASC) by pursuing candidacy status during that first year, and will seek approval of its core academic program to meet the University of California/California State University college entrance requirements (the a-g requirements).

Parents will be notified of our course acceptance and transferability status during enrollment through the charter school's enrollment packet and parent handbook packet. Updates will be provided via letters, emails, parent newsletters, and on the KAC-NCC web site.

KAC-NCC's online course catalog will provide information about the transferability of its courses to other public high schools and the eligibility of courses to meet college entrance requirements. Parents of KAC-NCC students seeking higher education admission or to another public high school will be notified in writing within five (5) business days of KAC-NCC becoming aware of any issues or problems regarding the eligibility of the charter school's courses to meet college entrance requirements or transferability of KAC-NCC's courses to another high school.

4) Students To Be Served

KAC-NCC will seek to serve any students who demonstrate an interest and aptitude for a self-directed, virtual learning environment. Frequently, these students are high performing or potentially so, but they find too much distraction or too little stimulation in the traditional classroom environment. The charter school's virtual model will also serve students who need an alternative to daily classroom attendance. These students may work during the day or may not be motivated to attend school on a full-time campus for many reasons. The KAC-NCC model is designed to serve all of these students effectively through a robust curriculum and dedicated, individualized teacher support.

During its initial year, KAC-NCC will serve grades 6–12. Beginning in year two (2010-11) KAC-NCC will serve grades K–12. First year enrollment is estimated to be 500 students. (This estimate does not limit operational capacity, which can be quickly expanded to accommodate many more students).

5) Curriculum and Instructional Design

The school's learning environment will be a virtual, online program delivered via synchronous and asynchronous modes. The petitioners will contract with Kaplan Virtual Education (KVE) to provide high-quality courseware, instruction, and academic support, as well as day-to-day school operations.

KVE will deliver these services through its integrated suite of online systems and applications for managing student admissions and enrollment; providing courseware and delivering curriculum via synchronous and asynchronous instruction; administering graded assignments and assessments; gathering, storing, manipulating and reporting student scoring data; tracking attendance, pace and progress; and providing communications pathways between students, parents, and the academic team. KVE will also deploy its comprehensive online teacher training program to prepare every CaVEP teacher for the challenges and opportunities of virtual instruction.

Most KVE courses are proprietary – designed and maintained by in-house curriculum developers who also ensure alignment to state content standards. A minority of course content is licensed from quality vendors such as Aventa. Courses are delivered online via the eClassroom Learning Management System (LMS). eClassroom is the K-12 learning platform developed by eCollege, a leading provider of eLearning solutions. eCollege is known across the industry for its unparalleled uptime performance, intuitive acquisition by faculty and students, 24-hour availability for user help, and highly functional features such as Gradebook, a completely integrated online grading tool.

The KVE curriculum inspires students to learn through its course design and rich interactive elements. The virtual courses are conceived and designed by KVE's subject matter experts and curriculum specialists, backed by a team of web and multimedia developers. This group is tasked with creating online courses that are research-based in design, leverage full Internet and multimedia technologies, address the needs of diverse learners, and are aligned to state content standards. The primary goals are to expand learning opportunities, improve student outcomes, and empower students to manage their own learning programs. These goals drive the key objectives that guide content creation, design, and delivery: accessibility for all students; flexible pacing; multiple opportunities to achieve and demonstrate mastery; and development of a student-centered curriculum that is continually improved through research and iterative evaluations that guide refinements to its design and delivery.

KVE designs courses using research-based online instructional strategies and learning models. Instructional strategies are embedded in the courseware via learning activities that feature rich interactive and multimedia elements to capture students' attention, keep them engaged in the lesson, and help them grasp difficult concepts and processes. Each of these courseware activities has an associated teaching goal; i.e., a strategic purpose for enhancing student understanding or stimulating thought and further inquiry:

- Springboard activities to engage students with essential background concepts.
- “Show me” activities to demonstrate concepts.
- Links to other internet resources to build knowledge and bridge understanding across disciplines.
- Enrichment activities to encourage further learning and deeper understanding.
- Videos and simulations: students can see a complex process as it unfolds, with each interaction moving seamlessly into the next, with text explanations and captions/labels, and audio support. This greatly aids students in learning the complex processes often encountered in the sciences (having multiple stages, layers of information, and outcomes) that are difficult to learn when portrayed through narrative and graphics alone.

- Interactive Gizmos where students manipulate parameters of a problem (such as variables in an algebraic function) and see the resulting effects in multiple presentation modes (algebraic, tabular, and graphical).

In addition, core courses will contain Instructional Strategies at the Unit level for teachers to use with Honors, Academic, Foundations (Remedial), ELL students, and Special Education, as well as assignments tailored to these student groups. ELL strategies will be included in all course versions (Foundations, Academic, and Honors), and will support student learning of unit concepts.

Structurally, courses are divided into modules, units, and lessons. Each module and unit contains an essential idea or “big picture” concept with accompanying performance expectations and a teacher-graded assignment. Modules pose an essential question to the student that connects the content to larger conceptual understandings and to real world application. Units outline a central idea that spans all the lesson objectives for that unit, forming relationships among the lessons and their objectives. The essential question and central idea are introduced to the student at the beginning of the module and unit.

The core courses cover all the essential subject divisions within each of these academic areas: language arts, mathematics, history/social science, physical sciences, and life sciences. The school will also offer an array of electives reflecting a wide range of student interests, including communications and the professions (e.g., journalism, psychology); fine arts studies; liberal arts (including foreign language); computer technology; practical skills (health, personal finance); and career-oriented courses that focus on real-life experiences. KVE course listings are attached as Exhibit IV.

KASC will employ a layered instructional approach where each student receives individualized support from an academic team. The team is composed of Department Chairpersons, Instructors, and Academic Advisors:

- The Department Chairperson manages and provides leadership in the development of goals and quality instruction within each subject-area department. Because the Chairperson also carries a small teaching load, she is never far from the concerns and outcomes that students exhibit as they respond to their learning program. The insights gained from teaching can inform her managerial decisions in the instructional realm.
- Instructors work directly with students by answering their questions, explaining concepts and techniques as necessary, adjusting lessons and assignments as needed, and monitoring student pace.
- Academic Advisors encourage student achievement through mentoring and support, for example by helping students navigate the online system, understand school policies and protocols, and plan their class schedules and course sequencing.

Designed by KAC-NCC and deployed according to KVE’s virtual model, the charter school will provide an optimal learning environment for:

- **promoting higher levels of engagement** through a highly individualized and supportive academic coaching model, and courses designed to capture and maintain student focus (for example by limiting text-per-page and incorporating graphics, video and other animated content, glossaries, and hyperlinks).

- **motivating students** via self-pacing guides; quick turnaround on graded assignments; and multiple avenues for interaction between learner/teacher, learner/content, learner/learner, and teacher/parent.
- **Using data-driven protocols to ensure that students stay on pace, demonstrate progress, and ultimately achieve mastery of content.** This is enabled by the data tracking and reporting functions of the LMS/SMS interface. Each night, the LMS collects student data generated that day and sends it to the Student Management System (SMS). The two systems work closely together to track progress and pace. If data indicate a student is falling behind, the system will trigger auto-generated alerts to faculty and notices and phone calls to parents. Armed with this data, faculty know when to step in with timely inquiries and appropriate interventions (such as a parent conference, or a lesson adjustment to better accommodate the student's learning style).
- **balancing the unique advantages of traditional and virtual classroom approaches.** As in a traditional classroom, the courses and assignments promote writing and problem solving, and preparation for the SAT writing test is required within the English sequence (which also includes offline reading of printed literature). Presentation of content also mimics tradition in that the virtual courses proceed in units and modules, much as they do in a physical classroom. However, virtual schooling replaces the traditional textbook-driven curriculum with a web-based "living text." Courses feature dynamic multimedia and interactive content, and course updates (to include new knowledge or meet changed standards) can be implemented more frequently than for a published text. The web-based curriculum undergoes continuous evaluation to optimize its educational value.

6) Plan For Students Who Are Academically Low Achieving

Identifying and Understanding Low Achievers

KAC-NCC's instructional team is prepared to work with a diverse student population, and to focus intensively on those who struggle academically and perform below expectations.

The petitioners understand that students can find themselves struggling for a variety of reasons. Some have difficulty staying on task; others have become accustomed and resigned to lowered expectations based on a pattern of past setbacks. Some have difficulty with one subject area but not another. Some have trouble working in the early morning, or after lunch. Every student is different, and every struggling student struggles uniquely. This is, in fact, one of the major reasons why some students choose virtual education..

These students will be identified through past grades and state test scores; discussions with parents and previous counselors; IEPs; writing samples; and the results of diagnostic skills assessments given to all incoming students. Using this information, KAC-NCC teachers and advisors begin creating a pathway to success for each student. This involves not only appropriate course placement but also accommodations and adaptations that teachers make to the curriculum and their instructional approach to meet the needs of each individual student.

Structural Elements and Strategic Responses for Raising Student Achievement Levels

To meet the challenges faced by struggling students, instructors will offer continuous motivation and support; seek ways to engage students in meaningful learning through multiple delivery methods; and work one-on-one with students and parents in various ways. These include individual student/teacher calls, teacher/parent phone conferences, academic team phone conferences (these include parents and student); and individual student/teacher “whiteboard” sessions. Where needed, individual tutoring can also be provided.

The flexible nature of our pacing and curriculum allow teachers to provide remediation, support, and additional challenge wherever it is needed during the year, proactively supporting students and addressing individual needs before more intensive intervention efforts are required.

While all students can benefit from the flexible pacing inherent in the school’s virtual program, struggling students in particular will benefit from a curriculum that does not mandate that all students demonstrate their knowledge and skills in identical ways or at identical times. Instruction is designed around a full panoply of graded assignments that afford students varied ways to demonstrate mastery of content. These include class discussions; worksheets; practice assignments; quizzes; journals; essays; creative writing papers; research projects; group projects; exams; reviews/case studies; and portfolio pieces, in addition to California’s state-level STAR tests and high school exit examination (CAHSEE).

Along with this range of assignments, the program provides teachers with varied instructional suggestions to help different students learn the material, each created to address different learning styles and levels of challenge. By drawing upon this menu of strategies and assignments to build a student’s individual learning plan, teachers can provide comprehensive learning experiences tailored to each student’s needs.

Some additional ways in which the virtual classroom is geared to accommodate each student’s singular needs and learning style are:

- individual support from a team of academic professionals: department chairpersons, instructors, and academic advisors;
- multimedia format that accommodates differences in knowledge acquisition by delivering mutually redundant/reinforcing text, visual, and audio content;
- hyperlinks providing immediate web access to reference materials and context sources;
- prompt response and feedback on graded assignments;
- the ability of students to check grades and track their progress (and retrieve all course submissions to read instructor comments) via the Gradebook interface described on page 13;
- multiple avenues for frequent one-on-one contact between teacher and student, including synchronous whiteboard sessions, but also asynchronous e-text modes that afford the extra time for reflection and revision that helps level the playing field for certain types of learners;
- the ability to balance or choose between highly independent and collaborative modes of working on some assignments;

- the de-coupling of curriculum breadth from district resources derived from local tax revenue. This enables all students, wherever they live, to access any course they need ranging from remedial/alternate pace to AP and honors.

Instruction adapted to the needs of low achievers will also emerge from data-driven analyses of their performance, and the teacher interventions that result (as discussed further on page 15, “Use and Reporting of Data”). These interventions will be based on California curriculum standards.

7) Plan For Students Who Are Academically High Achieving

These students are identified via the same process of investigation, observation, and analysis used to identify low-achieving students, as stated above.

High achievers will find the school’s program appropriate to their needs as it offers enhanced, on-demand access to Advanced Placement (AP) and honors courses: the breadth of these course offerings does not rely on the resources of any single district. KAC-NCC will offer honors courses (proprietary and licensed), and licensed AP courses which are approved by the College Board. The virtual program also enables the flexible pacing that allows these students to advance at a rate commensurate with their ability.

The petitioners wish to stress here the importance of the adaptable, highly individuated instructional delivery described in items 5) and 6) above. Its dynamic of enabling individually tailored instruction works as fully to benefit highly motivated and gifted students as it does for struggling students. KAC-NCC will employ teachers who work with these students to ensure that they progress at a pace appropriate to their high ability.

8) Plan for English Learners

Before a student begins at KAC-NCC, we will identify students whose native language is not English through the state-required home language survey. As required by law, identified students will be tested for English proficiency on the CELDT within 30 days of initial enrollment and at least annually thereafter between July 1 and October 31. KAC-NCC will use CELDT data, teacher observations of student work, and other relevant data to identify ELL student needs and develop student goals, which shall become part of their individualized learning plans.

ELL instruction will be offered primarily through English immersion. ELL students will also receive special one-on-one attention by their instructors until they have achieved the goals on their individualized learning plan and have been redesignated as English Proficient.

KAC-NCC’s online courses and instructional programs align with NCTE research and policy for English Language Learners. Key guiding principles underlying KAC-NCC’s immersion approach include:

➤ **Our Curriculum content is organized around “essential ideas”.**

KAC-NCC’s courses divide the content into modules, units, and lessons. Each module and unit contains an essential idea or “big picture” concept with an accompanying performance expectation. Modules pose an essential question to the student that connects the content to larger conceptual understandings and to the real world. Units outline a

central idea that spans all the lesson objectives for that unit, forming relationships among the lessons and their objectives. The essential question and central idea are introduced to the student through the online curriculum at the beginning of the module and unit, supported by audio. From an instructional perspective, each performance expectation is accompanied by a teacher-graded assignment that provides instructional strategies for the ELL student and scoring support in the form of an analytic rubric and scoring guidelines.

➤ **Expectations for ELL students are based on academic achievement.**

ELL students identified via the CELDT assessment will enter our programs and be placed in accordance with their academic achievement, not their language proficiency. The curriculum offered to all students will be identical, with both challenging and supportive material built in to the content and instruction.

➤ **Kaplan's online curriculum and KAC-NCC's instructional approaches use technology to support learning and facilitate interaction with the teacher.**

Audio is built into the online content to support understanding of module and unit concepts, keywords and vocabulary, and to support summarization of lesson learning.

KAC-NCC's instructors use chat, white board, discussion board, and speak directly with students via telephone to provide instructional guidance, demonstrate concepts, work with students on their development of vocabulary and content knowledge, and to summarize what they have learned.

➤ **KAC-NCC's instructional program assists students with developing strategies to learn English.**

Teachers will provide assistance to ELL students to develop their academic vocabulary through specific language learning strategies early in the program, relying on ELL trained teachers to provide individualized support.

➤ **KAC-NCC's instructional program bridges ELL students' community and non-school related experiences into the context of their learning.**

Teachers interacting with ELL students will encourage them to bring into their online course experience examples of work created outside the classroom, to collaborate with other students via guided synchronous and asynchronous discussions, and to develop their communication and collaboration skills while working through the online curriculum.

9) Plan for Special Education

KAC-NCC will provide a rigorous curriculum for all students. KAC-NCC understands that the school will have the obligation to serve students with exceptional needs and that the school, pursuant to applicable state and federal law, must ensure that all of its students have access to a free and appropriate public education. Under these laws, the school has various

options on how to deliver special education and related services: (1) an arm of the charter-granting agency, (2) an independent local education agency, or (3) as a charter SELPA.

KAC-NCC intends to function as an independent local education agency (LEA) pursuant to Education Code Section 47641(a) for purposes of providing special education and related services. As an LEA, KAC-NCC would be solely responsible for the provision of special education services. KAC-NCC will provide Tracy Unified School District (TUSD) with verification that it has achieved LEA status by August 1, 2009. In the event that KAC-NCC does not achieve LEA status for the purposes of special education, KAC-NCC will be a school of TUSD for special education until such time and at least through the 2009/2010 school year that KAC-NCC achieves LEA status.

KAC-NCC will enter into a memorandum of understanding (MOU) with TUSD regarding special education prior to commencing instruction for the 2009-2010 school year. As part of the MOU, KAC-NCC agrees to bear the costs as an encroachment on its general fund for providing special education services to students residing outside of the boundaries of the TUSD if such costs exceed the state and federal allocation of funds for special education services to students enrolled in the KAC-NCC. The MOU will also include provisions to safeguard the TUSD from liability for any and all due process claims. ~~as a result of KAC-NCC's failure to adequately provide special education services.~~

Child Find

The petitioners anticipate that students may enter school with an IEP or with learning disabilities that may require testing for appropriate placement and possible services. KAC-NCC will work proactively and cooperatively with families, the teaching staff, and resident school districts to identify students with exceptional needs. The school anticipates that its child find efforts will include various policies and practices, including, but not limited to, the following:

- Admissions and enrollment practices that, using non-discriminatory methods, identify students with exceptional needs to help ensure that the school is aware of all students who have identified special needs;
- Seeking to develop relationships with all feeder local education agencies to request and obtain cumulative files and other documents in a timely fashion;
- Staff development and training for school staff, to ensure that they possess an understanding of tools and techniques to identify students who may have exceptional needs; and,
- Review of student assessment data, including but not limited to state-mandated testing, to identify students who may be falling behind expectations in their academic progress and in need of additional support or services.

Referral and Assessment

For students suspected of needing special education services, KAC-NCC will secure a formal and appropriate assessment conducted by qualified staff. If this assessment identifies that the student has exceptional needs and require special education and/or related services under the

terms of applicable special education law, KAC-NCC will convene and conduct Individualized Educational Plan (IEP) team meetings.

Individualized Education Plans and Service Delivery

KAC-NCC will plan and conduct the IEP team meetings and processes and will designate staffing and other resources needed to implement the special education and related services called for by the IEP. Student progress toward the goals specified in the IEP would be monitored regularly, and formally reviewed by the IEP team on at least a triennial basis. Resource specialists will help KAC-NCC teachers tailor their instruction to ensure that the needs of all special education students are being met.

Due Process

In the event of a due process claim to enforce provisions of applicable special education law, KAC-NCC is committed to working in cooperation with the school district to the maximum extent permitted under law to respond to and defend the school and the district in the process.

B. MEASURABLE STUDENT OUTCOMES AND OTHER USES OF DATA

1) Measurable Outcomes

“The measurable pupil outcomes identified for use by the charter school.”

Education Code section 47605(b)(5)(B).

Pupil Outcome Goals

Whether students are low achieving, high achieving, special education, or require English language development, a student’s progress toward expected outcomes depends on a continual monitoring of individual student growth. KAC-NCC will pursue the pupil outcome goals, as measured by multiple and varied benchmark assessments (as detailed below), that are aligned to state content standards, matched with the state and federal accountability systems, and reflect proficiency measures required by the Standardized Testing And Reporting (STAR) system.

The petitioners believe that both student performance metrics and school performance metrics are indicators of how well students have developed the qualities and abilities we seek to instill. These include high levels of engagement, and the ability to take charge of their own learning by taking advantage of the program’s flexibility and diverse paths to content mastery.

The petitioners have therefore set measurable goals for both student and school achievement, and the charter school will systematically track these metrics to gauge performance and progress:

Student-specific Goals

Curricular Focus	Measurable Outcome Goals
Language Arts and AP Language and Literature	Meet state standards for sixth through twelfth grades. Students will graduate with a C or better on “a-g” requirements.
Mathematics	Meet state standards for mathematics, including Algebra 1 and appropriate higher-level mathematics standards in grades 6-12. Students will graduate with a C or better on “a-g” requirements.
Science and AP Science	Meet state standards for science survey courses, higher-level Science, and, where applicable, AP Science. Students will graduate with a C or better on “a-g” requirements.
Social Science and AP Social Science	Meet state standards for World History, US History, Government, Economics and AP Social Science. Students will graduate with a C or better on “a-g” requirements.
Foreign Language	Meet state standards for foreign language. Students will graduate with a C or better on “a-g” requirements.
Visual and Performing Arts	Meet State standards for visual and performing arts. Assessment is based on effort, willingness to take creative risks, and active participation in the artistic process of reflecting and working. Attention is paid to the understanding of specific concepts and the development of skills. Students are not assessed according to skill. The process of creating is prioritized over the product.
Technology	Proficient in technology as demonstrated by the successful use of the online system and technology tools necessary to complete the program.

High School Graduation Requirements

KAC-NCC's graduation requirements emphasize the traditional university preparatory courses of English, mathematics, science, social science, foreign language, and art; however, these courses will be provided in a manner that challenges each student to think beyond the subject matter that is being presented and continually place new information in the context of their own knowledge base. KAC-NCC's graduation requirements, subject to further revision and improvement, meet or exceed the University of California "a-g" course requirements. Like all California public schools, KAC-NCC also requires CAHSEE passage as a requirement for graduation.

Subject	UC Requirement	KAC-NCC Requirement
English	Four years	Four years
History/Social Studies	Two years	Three years
Mathematics	Three years	Three years
Lab Science	Two years	Two years (three years recommended)
Foreign Language	Two years	Two years
Visual & Performing Arts	One year	One year (Two years recommended)
College Preparatory Electives	Two years	Met by above KAC-NCC course requirements and other college preparatory electives

School-Wide Goals

In addition to being accountable to the state accountability system, KAC-NCC will pursue the following school-wide goals:

1. Ensure students make progress on the pupil outcomes listed above and overall student and school performance as evidenced by the following measures:
 - a. A semester course completion rate of between 70% and 83%
 - b. A Course On-Pace Rate of at least 75% (i.e., students not more than 3 weeks behind)
 - c. A student retention rate of between 75% and 85%
 - d. A student graduation rate of between 75% and 85%
2. Ensure student improvement on standardized tests, including the STAR, and other appropriate school-based assessments, including increased achievement over time for significant subgroups.
3. Strive for positive student satisfaction as a measure of school performance, including satisfaction with KAC-NCC's program approach. Indicators of student satisfaction may include: increased enrollment and continued enrollment, academic achievement and ability to meet educational goals, and active engagement in the curriculum.

2) Academic Performance Index

KAC-NCC, like other charter and non-charter public schools, will be subject to the tenets and consequences of the state accountability system, including the Academic Performance Index (API). As this is a new school, there is no base API from which to set growth targets. The

school will set a goal of meeting or exceeding its yearly API growth target. KAC-NCC's API growth targets will be made clear to all teachers, who will develop a plan for meeting those goals together with the Executive Director. One technique KAC-NCC will use to achieve the API growth targets is to discern which numerically significant subgroups are not achieving at the school's norm. Since each student is treated as an individual, each student who is not showing continuous improvement through our online progress and data reporting system (described below) will receive additional individualized assistance, and, where appropriate, tutoring, remedial instruction, and other intensive interventions.

3) Methods of Assessment

"The method by which pupil progress in meeting those pupil outcomes is to be measured."

Education Code section 47605(b)(5)(C).

Academic performance is assessed through graded lesson assignments, unit and module assignments, unit tests, course final exams, and statewide testing to include grade-specific STAR components and the California High School Exit Exam (CAHSEE).¹

In KVE courses, assessments are delivered separate from the instructional content via course setup in the LMS. This allows teachers some discretion in selecting assessments for inclusion in the course and adapting assessments to meet the needs of individuals or populations.

Learning is assessed in KVE courses through two categories: Assessments (referring to computer-scored tests/quizzes) and Assignments (referring to subjective assignments submitted to a teacher).

All objective assessment items assess lesson objectives and/or unit performance expectations, which are aligned to state standards. Items are also metatagged with a Bloom's taxonomy identifier. Items are grouped into test banks and items are selected and randomized for delivery to students as unique test instances. All instances are delivered according to a predefined Bloom's array, which varies by test type and subject/discipline.

Every assignment (teacher-graded) is delivered in three separate versions targeting students of varying ability levels. These versions are designated as Honors, Academic, and Foundations. All versions are also delivered with an answer key or an analytic rubric with an underlying scoring mechanism, depending on the format of the assignment.

In addition, students undergo testing in mathematics and English/language arts through the online Scantron Performance Series.² The tests are used in a pre- and post-test scenario, providing both formative and summative data on the student's ability to master learning objectives. Scantron provides teachers and students with real-time performance results, and tools such as study guides and worksheets designed to support learning in particular skill areas. Data for each student is maintained and tracked over time to assess progress toward mastery of state standards, and school leadership is provided regular reports on test

¹ As described previously, the variety of gradable classroom assignments includes class discussions; worksheets; practice assignments; quizzes; journals; essays; creative writing or other writing papers; research projects; group projects; exams; reviews/case studies; and portfolio pieces.

² These are computer adaptive tests that access a large database of test questions of varying levels of difficulty. Students answer a question, and an algorithm selects a new question based on the student's previous answers. (Progressively more difficult questions will be selected if the student consistently answers correctly). Thus with each series the test re-calibrates to the student's demonstrated performance. Ultimately this produces a finely-tuned evaluation of content mastery, revealing where the student lands on a spectrum ranging from poor to sophisticated.

performance, ensuring that interventions are addressed and that curriculum can be modified where appropriate.

A distinguishing feature of the charter school's instructional model is the frequent and varied student assessments delivered through the Learning Management System (LMS), and the automated scoring, tabulating, and transfer of that data to the Student Management System (SMS), where it is further manipulated to reveal patterns of performance and progress. The SMS can, for example, calculate assignments completed to date and suggest a pace going forward that would ensure the student completes all course work in the time remaining.

The charter school's online LMS—among the contractual services to be provided by KVE — will include the eClassroom Gradebook, where student performance will be documented in real time. Gradebook provides a central place for faculty to reference, review, and grade a student's course activities and assignments.

Assessment scoring can be automated for any objective question type used in a test. Additionally, exam statistics tools are available for every exam taken online. These tools allow instructors to analyze student assessment results to make sure questions are accurately written and assessing the content being delivered.

Gradebook is tightly integrated with all areas of an online course delivered through the eClassroom LMS. For example, faculty can grade, archive and export any thread post, assignment or exam in the online course from the Gradebook. By giving teachers a choice of views and filters, its user interface opens a revealing window on the progress and performance of a single student or defined student group. When managing assessments in Gradebook, instructors can flexibly employ practices such as:

- Assign weighting percentages to gradable items
- Tag a gradable item as “practice”
- Tag a gradable item as “extra credit”
- Sort, filter, and view large quantities of grades

These options give instructors greater speed and dexterity in managing grades.

Gradebook also enables students to quickly and easily access instructor feedback so they can see the key concepts driving the course and module, identify areas for improvement, and adjust their focus and study time accordingly.

For capstone assessments:

- All students will take a final exam at the end of each course.
- The charter school will work closely with the Tracy Unified School District and local schools in scheduling and administering for our students the applicable STAR tests and the CAHSEE. The results will be processed and reported to yield NCLB-compliant data on student performance and progress.

Grades

Assignment grades and course averages can be accessed through the Gradebook feature of courses. Parents/guardians have their own passwords to access grade information. Feedback on assignments can be accessed through the dropbox files in the course. Students with

questions about grades, averages, or course progress should contact the instructor immediately.

KAC-NCC uses a traditional 4.0 scale in determining Grade Point Average (GPA), and weights honors and AP courses according to the chart below. College courses taken for high school credit may be weighted if approval of the principal is granted prior to the start of coursework. Transfer credits may be weighted if the courses meet the guidelines established for KAC-NCC honors or AP courses. Both weighted and unweighted GPAs are recorded on the transcript. Middle school and high school GPAs are calculated separately.

Percentage Grade	Letter Grade	GPA	Honors GPA	AP GPA
90–100%	A	4.0	4.5	5.0
80–89%	B	3.0	3.5	4.0
70–79%	C	2.0	2.5	3.0
60–69%	D	1.0	1.0	1.0
0–59%	F	0	0	0

Credit is granted only for courses that earn a 1.0, or 60% out of a possible 100%. Only courses that earn 60% or above are calculated in the GPA.

Repeating a Course

Grades for courses that are repeated will replace any previous grades existing for the same course taken with KAC-NCC. Grades earned at other institutions will not be replaced. Courses can be repeated one time, thus a student may take the course a total of two times (the initial attempt plus the course repeat). Third attempts must be approved by an academic advisor.

Transfer Credits

Transfer credits are awarded on a case-by-case basis by the registrar's office. Official transcripts are required in order to award credit. Transcript analysis may require research and contact with previous institutions to determine eligibility of transfer credits. International records may require translation and/or evaluation prior to being considered for transfer credits. Costs for translation and external evaluation are sustained by the student.

Transcripts

Official transcripts should be requested from the registrar's office at least two weeks prior to deadlines. Transcripts and student records will be withheld until all financial obligations are cleared from a student's account.

Grade Level

Students are assigned a grade level based on the core English course in which they are enrolled regardless of the number of required credits remaining toward graduation. Students who have completed all English requirements will be classified as grade 12 students.

4) Use and Reporting of Data

Collecting, Analyzing, and Utilizing Data

The school will rely on the robust data collection and reporting abilities inherent in the LMS-SMS interface. The web-based SMS stores comprehensive data about students, instructors, courses, applications, enrollments, and pace in a single database, enabling educators to quickly retrieve information and create custom reports. All charter school faculty will have access to reports that detail students' progress and challenges, and can take advantage of a variety of automated interventions to help keep students on track.

Another important feature is Gradebook, which includes exam statistics tools that enable instructors to evaluate and modify assessment design based on an analysis of student scores. Gradebook functionality is further described on page 13.

The online program's faculty also use these data-driven protocols to analyze performance, modify instructional practices, and deploy interventions:

- frequent feedback, ongoing assessment, and pace tracking that allows students, parents, and Instructional Team members to constantly monitor performance and progress and immediately see when adjustments/interventions are needed.
- multiple academic intervention strategies including continuous positive feedback; two week inactivity alert; pace notification letters/zero grade warning; academic advisement conferences via phone; and individualized pace recovery plans.

These data, mechanisms, and intervention procedures are then used by teachers to assess each student's needs and deploy appropriate modifications. Instructors adjust and enhance course content with a variety of student assignments, projects, and assessments, each created to address different learning styles, levels of challenge, or student needs.

Teachers also have real-time access to the results of the Scantron diagnostic tests (administered three times a year) and the program's instructional tools (e.g. worksheets, study guides) created specifically to address each student's needs.

As teachers deepen and broaden their understanding of each student's knowledge and skill level, they have a number of ways of adapting and shaping instruction to meet individual needs. Computer-scored activities and quizzes at the lesson level give teachers a surface understanding of student comfort with and understanding of lesson material. Teacher-scored performance tasks at the unit and semester level provide teachers with a deeper and clearer picture of student understanding and abilities. Performance tasks are provided at a variety of ability and skill levels, to give students a number of different ways of demonstrating their understanding.

If teachers notice otherwise successful students having discrete problems in particular lessons, they can talk them through rough areas through email or on the phone, going back over lessons and working together through trouble spots. They can gather groups of students

together at the interactive whiteboard to work through difficult concepts or practice problems collaboratively.

When teachers find that students are having more serious trouble progressing through a lesson or a unit, they can refer to a detailed, unit-by-unit “Instructional Strategies” booklet for ideas on how to support, reshape, or adapt the lesson material to meet the needs of different types of students: providing students suffering from skills-gaps with tutorials and support lessons; having struggling readers or ELL students prioritize visual aids such as embedded videos and animations; and focusing on larger concepts and omitting interesting but less necessary detail for certain special education students, to name just a few examples.

Differentiation is thus supported on the input and output level. As teachers progressively learn more about their students, they create more individual pathways of instruction for them, and prescribe activities and assessment tasks on a more individual basis, to give students the best chance of learning the material *and* demonstrating their knowledge of that material. Over time, in the hands of skilled teachers, this ability to tailor instruction to changing student needs becomes a driver of improved outcomes.

Reporting Data to Stakeholders

Parents/guardians can receive updates on a daily basis by logging onto the Student Management System (SMS) to see the student’s current average and pace in each course.

The eClassroom LMS allows students to see and track their own progress via individualized pace charts as well as access to academic advisement. When a student seeks advisement by contacting the Instructional Support Center (by phone, email, or instant messaging), every contact is logged and tracked within the Student Management System. These tracking features allow each student’s Instructional Team to view a comprehensive picture of the student’s academic progress and needs.

Student scores on statewide assessments will be mailed to parents/guardians, along with interpretive guidance from the school’s Executive Director based on CDE guidance and related NCLB standards.

Like other public schools, the virtual charter’s annual performance will be shared with the community via the state’s school report card system that reports academic and AYP performance, which is then published and freely available online at the California Department of Education website.

C. FOUNDERS AND 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)

1) Founding Group

Kaplan Academy of California – North Central California (KAC-NCC) founding board of directors and developers bring a wealth of experience, dedication, and expertise necessary to accomplish KAC-NCC’s educational goals on behalf of its targeted population. The founding board has invaluable experience in curriculum, instruction and assessment, business management and financial operations, public school administration, planning and development, and legal and governance matters.

Developers and Founding Board Expertise

The developers/founding board members consist of the following individuals:

Jonathan Zaff, PhD

Dr. Jonathan Zaff is the Vice President of Research and Policy Development at America's Promise Alliance, the largest multi-sector collaborative dedicated to enhancing the well-being of all children and youth in America. In this role, he directs all research activities at America's Promise, including the national *Every Child, Every Promise* study, which examines the key developmental resources that all children, especially those from disadvantaged backgrounds, need to succeed in school and life. He is also overseeing the evaluation of the Alliance's Dropout Prevention Campaign in which the Alliance is catalyzing systematic action to reduce the school dropout crisis in the nation's urban centers. Prior to joining America's Promise, Dr. Zaff was a research associate at Child Trends, a leading child-focused think tank, where his research focused on ways to promote positive academic, civic, and social outcomes among youth. His work primarily involves studying social contexts that predict well-being throughout adolescence and into adulthood as well as identifying and tracking indicators of child well-being.

Ronald Grider, Principal, Alternative Programs, Lynwood Unified School District

During his 10 years of service to Lynwood USD, Ron Grider has developed a number of programs and initiatives and has spearheaded the district’s innovative services for at-risk students. He currently serves as Principal for Lynwood’s cluster of Alternative Education schools and programs: Vista Continuation High School, Pathway Independent Study High School, Lynwood Opportunity School, District Suspension Center, and Lynwood Learning Academy (CDS). In addition to his key roles in developing and designing these programs, he has administered them and has taught and tutored their students.

Ron’s committee service has included the Risk Management Supervision Committee, P.A.R. Committee, Review and Placement Committee (determining expulsions), the District Accommodations Committee, and the Secondary Principal’s Leadership Committee.

Prior to Lynwood, Mr. Grider spent a total of 22 years working and volunteering in the Rockford, Illinois School District, starting as a classroom teacher. He also developed vocational education pilot programs for the State of Illinois. It was during this period that he

began working with at-risk students needing help in math, reading, and English. In California, he implemented reading programs in two elementary schools in Rosemead USD and Garvey USD for Juvenile Diversion.

Mr. Grider received his undergraduate degree from Northern Illinois University (BSE in History and Political Science). He holds a Master of Education from the University of La Verne in California where he also earned the California Administrative Credential. He holds current teaching credentials in California and Illinois. He has also completed the UCLA School Management Program.

As a CaVEP Founder and Board member, Ron's long immersion in public schools, his demonstrated achievements in teaching, curriculum and administration, and his expertise in serving at-risk youth place him in a unique position to assure that KAC-NCC can effectively address a key tenet of the state's charter law: to provide comprehensive learning experiences to students identified as academically low-achieving.

Andrew Ordoover, Director of Academics, Kaplan Virtual Education

Andrew Ordoover oversees the academic programs in KVE public schools in Kansas, Missouri, Colorado, and Arizona. Andrew came to KVE from Kaplan K12 Learning Services, where he has worked in curriculum development and school reform since 2000.

As Executive Director of Curriculum and Instruction, Andrew helped bring Kaplan's decades of expertise in test readiness to underserved urban school districts, developing unique programs for use in the public school classroom. He helped to pioneer Kaplan's work with school districts on issues of curricular reform and instructional rigor, overseeing the development of core curriculum courses in all subject areas for diverse school districts that included Pittsburgh, PA; St. Louis, MO; Clayton County, GA; and Bismarck, ND.

Mr. Ordoover received a BA in English from Emory University and an MFA from the University of California at Los Angeles. He is currently pursuing an educational doctorate at Walden University.

2) Legal and Governance Structure

Legal Structure

The petitioners believe that establishing sound legal status and governance practices with clearly delineated roles and responsibilities from the outset is essential to sustaining the program for long-term success. Kaplan Academy of California – North Central California (KAC-NCC) is a charter school operated by California Virtual Education Partners (CaVEP), as provided in Education Code section 47604. CaVEP is organized as a California Public Benefit Non-profit Corporation. CaVEP has applied for its full tax exemption status from the federal and California state governments, under the federal Internal Revenue Code section 501(c)(3) and the companion California state tax laws and regulations. See Exhibits VII and VIII for copies of the filed and approved Articles of Incorporation, Tax ID information, and submitted Form 1023 for application as a tax exempt entity.

KAC-NCC will be governed by a set of mission-driven policies and procedures to help staff and administrators perform their daily responsibilities with a focus on the school's mission. The school's bylaws, adopted by the governing board, will be the primary policy document dictating board practice and operations. The bylaws will explicitly delineate the procedure

for election and appointment, removal and vacancy of governing board members, and policies and procedures for conducting board meetings and general board operations.

Governance Structure

KAC-NCC's governance responsibilities will primarily be divided between the governing board and the school's Executive Director. The Executive Director and teachers will carry out the day-to-day operations of the school, with the director having primary responsibility to conduct and manage the daily operations. The governing board will set policy, approve the budget, and assure that the school maintains high academic standards. The KAC-NCC governing board shall have ultimate responsibility to oversee the operation and activities of the school.

The governing board's major roles and responsibilities will include:

- 1) Establishing and approving all major educational and operational policies
- 2) Approving all major contracts
- 3) Approving the school's annual budget and overseeing the school's fiscal affairs
- 4) Evaluating the school's Director, who will be responsible for operating the school and implementing the policy direction of the board
- 5) Developing annual goals for the school and long range plans with input from the Director, teachers, and parent advisory committee members
- 6) Receiving reports from, and providing recommendations to, the KAC-NCC Executive Director and staff, parents and students
- 7) Assessing KAC-NCC goals, objectives, academic achievements/student progress, financial status, and any need for redirection
- 8) Evaluating school and student performance

The governing board is responsible for the accountability requirements established by the California Charter Schools Act of 1992 and the Charter itself. One of the governing board's primary responsibilities is to ensure that KAC-NCC is meeting annual accountability targets. The governing board will routinely evaluate the academic, financial, and legal/compliance health of the charter school and will work with school district officials to determine the scope of KAC-NCC's annual academic accountability plan. KAC-NCC agrees to be bound by the open meeting laws under the Ralph M. Brown Act.

The governing board's objective is to develop an accountability plan that demonstrates measurable annual progress toward meeting the school's high standards for pupil success, and to oversee the implementation of that plan by the school's director. The governing board will foster a close working relationship with school district officials to help ensure that KAC-NCC is meeting its accountability targets. As a part of this responsibility, the board will prepare a yearly performance report to the school district, including an assessment of the school's educational performance and its administrative and financial fitness. This report will also assess how well the school is fulfilling the programs outlined in this charter, specifically regarding student progress.

Election, Term, and Removal Process for Board Members

The governing board members will be chosen using the following methodology, as further defined in KAC-NCC's bylaws. After the terms of the initial board members expire, there

will be nominations of candidates for governing board seats each Spring for board members' seats whose terms are expiring. Candidates will submit a brief narrative statement regarding their qualifications for a position on the governing board that includes a description of their expertise in matters pertaining to the charter school's operations and their demonstrated commitment to KAC-NCC's mission and targeted student population. The then-seated governing board will review candidates' narrative statements, and determine the selection of representatives from the general community with an attempt to achieve the desired commitment level and the mix of skills and expertise necessary to effectively govern the charter school. Then-seated governing board members will vote to select new board members. The school district may appoint a non-voting member to the board of directors if it so desires.

Terms

To establish continuity and sustainability for the new charter school, initial governing board members shall each serve a fixed five-year term. Following expiration of these initial terms, members of the governing board will serve for three years. To create the staggered effect, in KAC-NCC's fifth year of operation new governing board members will be elected to one, two, and three-year terms, as determined by the then-seated governing board who will select candidates for open board seats based on each potential candidate's qualifications as described above. All governing board members, thereafter, will be elected to serve staggered three-year terms such that there will be certain board seats up for election each year.

Removal of Board Members

KAC-NCC board members may recommend the removal of a board member pursuant to the governing board's removal policy and procedure that will be set forth in the school's bylaws. A governing board member may be removed by a vote of not fewer than two-thirds of the board members then in office.

Structure and Operations of the Board

The governing board will hold its meetings on a quarterly basis. (Expulsion hearings, personnel matters, and other confidential governance matters will be held in closed session, unless open session is requested by the parent of the child in question or faculty/staff member in a matter for which open session is legally appropriate). The board will appoint a chairperson, a secretary, and a treasurer. The chairperson will be responsible for the functioning of the board and the conduct of board business and meetings. The secretary will take and keep meeting notes and be responsible for distributing the agenda in a timely manner. Two weeks prior to each board meeting, the secretary will send out a request for agenda items to board members. The school's Executive Director and any member of the governing board may request that an item be placed on the agenda, with ultimate discretion to set the agenda being held by the chairperson. The agenda for board meeting will be sent to all governing board members at least three days prior to the meeting. The agenda will also be posted in hard copy at the school's administrative offices. The treasurer will have primary responsibility to monitor KAC-NCC's fiscal affairs and to oversee and review financial statements created by the school's chief business officer.

Board Training and Sustainability

KAC-NCC founders and board members are committed to continuous improvement and on-going training to assist the governing board in fulfilling its responsibilities to act as stewards

for the charter school. To this end, the KAC-NCC board will seek appropriate training and educational opportunities to more effectively govern KAC-NCC's operations. Such training experiences may include individual training sessions with legal counsel or other experts familiar with public school governance, and/or training sessions with charter school governance experts. The school will maintain in effect general liability and board errors and omissions insurance policies.

Parental Involvement

KAC-NCC believes that active parent, student, and employee participation in school operations and governance helps foster a public school's long-term sustainability as a successful program. KAC-NCC will encourage parent involvement, and will ensure that all faculty practice open communication to enable every parent to take an active role in the academic progress of their enrolled child as well as in the direction and governance of the school.

KAC-NCC will establish an Advisory Board which will be chaired by the KAC-NCC Executive Director, and will comprise parents, students, certificated and classified staff. The Advisory Board will play an important role in making KAC-NCC a school responsive to staff, student, and parents' needs, and provide for continual improvement. The Advisory Board will meet regularly and function to address and make recommendations to the governing board regarding specific areas of school operations. Those areas are likely to include:

1. Curriculum/Instruction/Assessment
2. Mentoring/Internship Development
3. Extracurricular Programs/Activities
4. School Program Development
5. Fundraising and Development

The KAC-NCC academic model requires frequent outreach to parents and easy accessibility to faculty. Parents receive various email notifications regarding their child's pace and progress, and all parents/guardians have at least monthly contact with their student's academic team.

Parents will be surveyed at least once a year to determine their satisfaction levels with the school with respect to open governance; curriculum; instructional design and delivery methods; achievement of performance objectives; and other metrics that factor into the school's governance and accountability.

These iterative reporting mechanisms—combined with the availability of faculty to parents during and beyond normal business hours—is designed to keep parents apprised, informed, and involved. This puts parents in a position to influence school decisions affecting their child, for example a decision to change or add courses.

The forum for major school decisions will be public meetings of the KAC-NCC Board of Directors. Parents will be notified of all such meetings and will have the opportunity to share concerns and provide written and oral testimony regarding decisions pending before the Board. KAC-NCC will encourage parents to form an association and if there is sufficient interest, can provide a bulletin board on the school website to accommodate a Parent/Teacher Association-type entity.

Legal Affirmations

Kaplan Academy of California – North Central California will be non-sectarian in its programs, admissions policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate on the basis of race, ethnicity, national origin, gender, or disability. Pursuant to Education Code Section 47604(c), the school district in performing its oversight of KAC-NCC shall not be liable for the debts and 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. As a non-profit corporation, KAC-NCC will not operate to the private benefit of any individual or group of individuals, and will instead operate for the benefit of the California public school students it serves.

D. HUMAN RESOURCES

1) Qualifications of School Employees

“The qualifications to be met by individuals to be employed by the school.”

Education Code section 47605(b)(5)(E)

All administrators, faculty, and staff members to be employed by Kaplan Academy of California – North Central California (KAC-NCC) must possess the qualifications, knowledge base, and experience essential to successfully fulfill their responsibilities. KAC-NCC will ensure that all required legal qualifications, including compliance with the requirements of the No Child Left Behind Act (NCLB), are met for teachers, staff, paraprofessionals and other administrative employees of the school. Each certificated employee at the charter school will meet the state licensing requirements for the position that he/she holds. For all positions, certificated and non-certificated, the employee, at minimum, needs to satisfactorily meet the performance specifications KAC-NCC requires for the position, as outlined below, and must possess the qualifications required to perform the essential functions of the position, as determined by the KAC-NCC governing board and Executive Director.

Hiring Plan

KAC-NCC seeks to hire a diverse faculty composed of highly qualified teachers, and highly skilled professionals who express an understanding of and support for our mission and student population. We will achieve this goal by recruiting and compensating our faculty and staff based on their ability to meet the needs of our program as outlined in our hiring and evaluation rubric. The rubric will contain qualifications and criteria directly aligned to the qualities we believe are essential for effective teaching and learning within the KAC-NCC program, as outlined in Section I of this charter petition.

Employing a highly qualified faculty and staff is critical to our program. The KAC-NCC founding team has extensive experience working with highly qualified faculty. This charter petition has been signed by a number of certificated teachers that we believe would be a good match for our program. In addition to the signatories on our charter petition, KAC-NCC plans to recruit certificated personnel from regional and national graduate schools of education, teacher recruitment fairs, professional publications, newspapers and through our website. We will begin earnest recruitment and hiring, especially for the school’s Executive Director and other key staff, upon approval of our charter petition.

Faculty and Staff Qualifications

Teachers and Instructional Staff

KAC-NCC has a highly specified set of qualities it will require of its teaching faculty. KAC-NCC will adhere to all “highly qualified” requirements of the No Child Left Behind Act (NCLB) with respect to teachers. As such, teachers in all of our core subjects—English/language arts, mathematics, science, and history/social science—will meet NCLB’s highly qualified standards.

Teachers will also meet the following credentialing requirements for employment as stipulated by California Education Code section 47605(1):

“Teachers in charter schools shall be required to hold a Commission on Teacher Credentialing certificate, or permit, or other document equivalent to that which a teacher in other public schools would be required to hold...It is the intent of the legislature that charter schools be given flexibility with regard to non-core, non-college preparatory courses.”

Teachers of core, college preparatory subjects (i.e., English language arts, math, science, and history/social science) and special education will be required to hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in a non-charter public school would be required to hold. In order to ensure implementation of the school’s mission and educational philosophy, hiring preference will be given to teachers who have experience designing and implementing curriculum aligned to the state content standards and our educational program. Applicants to teach in our program will be evaluated based on the following qualifications:

- Demonstrated expertise in subject area and the ability to communicate the appropriate knowledge to each student.
- Possession of a CLAD credential.
- Knowledge and experience with standards-based instruction: ability to align curriculum and standards and willingness to adopt grading practices that can be used in standards-based grading.
- Knowledge of assessment strategies and the desire to use data to drive their teaching and ensure continuous improvement of student learning.
- Ability to effectively use a broad range of instructional strategies, including providing a guaranteed curriculum, challenging goals and effective feedback, differentiated instruction, and back mapping, among others.
- Demonstrated competence using advanced technology as a learning tool: willing and able to integrate technology into teaching and student learning.
- Outstanding classroom management skills.
- Belief in KAC-NCC’s mission.
- Willingness and ability to work with students and parents on an ongoing basis to ensure student success.
- Desire and ability to engage in continuing education, staff development and skill upgrading
- Positive references from most recent employment and/or college or graduate school.

KAC-NCC will use a rubric in the evaluation and interview process so candidates are each evaluated against a common set of standards. Teachers will be responsible for overseeing the students’ academic progress and for monitoring grading and matriculation decisions as specified in the school’s operation policies. KAC-NCC may also employ or retain non-certificated instructional support staff in any case where a credential is not required and a prospective staff member has an appropriate mix of subject matter expertise, professional experience, and the demonstrated capacity to work successfully in an instructional capacity. Instructional support staff will not assign grades or approve student work assignments without the approval of a teacher unless they are instructing non-core or non-college preparatory courses and activities.

Executive Director

Duties and Responsibilities

The Executive Director shall perform the responsibilities assigned by the governing board and is required to undertake some or all of the tasks enumerated below. These tasks may vary from time to time with the evolution of the organization and may include but not be limited to the following:

- Ensure charter school enacts its mission
- Communicate and report to the governing board
- Supervise and evaluate teachers and staff
- Oversee school finances, including ensuring financial stability
- Interview and recommend to the governing board for hiring of staff
- Ensure compliance with all applicable state and federal laws, communicate with parents, recruit new families and students, help secure local grants, etc.
- Take all reasonable steps to secure full and regular attendance at school of the students enrolled in the school in accordance with policies established by the governing board
- Complete and submit required documents as requested by the charter and/or governing board
- Identify the staffing needs of the school, recruit, interview, and recommend the hiring of new staff members
- Maintain up-to-date financial records
- Ensure that appropriate evaluation techniques are used for both students and staff
- Establish and maintain a system to handle organizational tasks such as student records, teacher records, purchasing, budgets, and timetables
- Interact effectively with media and promote positive public relations
- Participate in on-going professional development

Leadership Competence

- The ability to articulate and support the philosophy and direction of the KAC-NCC academic program;
- The ability to implement program initiatives through appropriate professional development for staff;
- The ability to lead effectively;
- The ability to communicate effectively with staff, students, parents, community, private partners and outside agencies to better meet the needs of the students in the school;
- The ability to use appropriate communication tools, especially current technologies;
- The ability to make informed, objective judgments;
- The ability to work with all staff to create an effective staff development plan for all staff;

- Ability to maintain and promote confidentiality as the norm under which the school operates;
- The desire and ability to engage in continuing education and skills upgrading.

Administrative Competence

- The ability to annually evaluate the performance of all school-based staff;
- The ability to employ and monitor acceptable accounting procedures in the maintenance of all fiscal records;
- The ability to work well with the school governing board.

Overall Qualifications (Desired/Preferred but not required)

- Professional Administrative Credential and/or Masters Degree in Education or equivalent;
- At least 5 years experience in the education field;
- Management, administrative and instructional expertise
- Curriculum implementation expertise
- Experience with school budgets
- Willingness to learn about charter school leadership

Counselor

A highly qualified counselor is fundamental to the KAC-NCC program. The counselor brings knowledge and training in specialized fields, including growth and development of the student, testing and assessment, educational planning, and career guidance and planning. The KAC-NCC counselor will be responsible to ensure that students are obtaining the instructional support they need to succeed in our program. The counselor will help students plan their high school course programs, will provide information about KAC-NCC offerings to students and parents, and will help students prepare and apply for college and university education. The counselor will consult with the Executive Director and faculty on student needs and will aid students and parents in resolving personal problems by direct intervention or by referral to appropriate agencies. KAC-NCC will seek to employ a counselor with the following qualifications:

- Fully certified and credentialed: valid Pupil Personnel Services credential required; valid teaching credential and five years service as a teacher preferred.
- Demonstrated ability to meet students' counseling needs in personal and social matters, and knowledge of strategies to solve student personal, social, and behavioral problems.
- Knowledge and experience in educational planning that will provide normal progress toward graduation and completion of University of California A-G requirements.
- Familiarity with the specifics of college admissions requirements, admissions tests, academic achievement tests, aptitude tests, interest inventories, and financial aid.
- Demonstrated ability and willingness to write letters of recommendation.

Administrative and Non-Instructional Staff

The school will seek administrative and operational staff that have demonstrated experience or expertise in the issues and work tasks required of them and will be provided professional development opportunities to ensure that they remain abreast of all relevant changes in laws or appropriate for their position within the school as outlined in the school's staffing plan and the school's adopted personnel policies.

General Requirements, Hiring and Performance Review

Prior to employment and within thirty (30) days of hiring, each employee will submit to a criminal background check as required by Education Code §44237. KAC-NCC will adhere to California laws including fingerprinting, drug testing, and prohibitions regarding the employment of persons who have been convicted of a violent or serious felony. KAC-NCC will comply with the provisions of NCLB as they apply to certificated personnel. Prior to employment, each employee must furnish proof of tuberculosis (TB) testing, as well as documents establishing legal employment status. The Executive Director and/or administrative designees will be responsible for monitoring and maintaining documentation of medical and criminal investigation clearances, as required by California and federal laws. All employees will be required to undergo a criminal background check prior to hiring through such services as a LiveScan fingerprint process. These services will occur where the LiveScan service is offered, which may be located at district, county or local college facilities.

The Executive Director will have the authority to recruit and interview candidates and make hiring recommendations to the governing board for approval. The KAC-NCC governing board has the right, if it so chooses, to review these candidates' credentials before a job offer is made to the candidate. The director will have the responsibility of evaluating the performance of the teaching and administrative staff on an annual basis, and to review the results of these evaluations with the governing board. The KAC-NCC governing board has the right, if it so chooses, to review these performance evaluations before they are delivered to the staff members. The Executive Director, with input from the KAC-NCC governing board, will determine the criteria by which to judge the performance of these employees prior to conducting a formal performance evaluation. These criteria will be tied directly to KAC-NCC's educational program goals by the use of a teacher employment and performance review rubric. The rubric will, among other criteria, be used to tie teacher evaluations to student performance on KAC-NCC's student performance measures outlined in Section II of this charter. The KAC-NCC governing board will create the job description and review the performance of the KAC-NCC director, both on a year-end basis. The director's performance will be objectively evaluated based on school and student success as reflected in a pre-defined set of performance criteria.

2) Employee Compensation and Professional Development

“The manner by which staff members of the charter school will be covered by the State Teachers’ Retirement System, the Public Employees’ Retirement System or federal social security.”

Education Code section 47605(b)(5)(K)

Compensation and Benefits

Staff at Kaplan Academy of California – North Central California (KAC-NCC) will participate in the federal social security system as required by law and will have access to other school-sponsored retirement plans according to policies developed by the board of directors and adopted as the school's employee policies. KAC-NCC currently plans to participate in California's State Teacher Retirement System (STRS) for its certificated staff and plans to offer an Internal Revenue Code section 403(b) plan with an employer contribution or other comparable benefits plan in conjunction with Social Security for all other staff. Teachers and staff may also have access to other school-sponsored retirement plans according to policies developed by the KAC-NCC governing board.

If the board chooses STRS in accordance with Education Code Section 47611.3, the county shall create any reports required by STRS. At the county's request, the school shall pay the county a reasonable fee for the provision of such services. KAC-NCC retains the option for its governing board to choose to participate in California's State Teacher Retirement System (STRS), Public Employees Retirements System (PERS) or Social Security depending upon employee eligibility and what the board determines is in the best interest of the staff and the school as a whole. This determination will be reflected in KAC-NCC's personnel policies and employment handbook and will be presented to employees prior to their employment with the charter school.

Salary

KAC-NCC does not anticipate adopting a formal salary schedule. Instead, KAC-NCC plans to compensate its faculty and staff using a salary scale that ties salary to each individual's qualifications for their specific position. KAC-NCC plans to use a rubric that specifies the qualifications and experience levels desired for each given position and will base individual salaries and salary increases on the employee's possession and attainment of these qualifications. Additional salary increases and bonus compensation may be provided to individual employees for their contribution to school and student success. This salary structure will be detailed in KAC-NCC's personnel policies and employment handbook. Although KAC-NCC does not plan to use a formal salary schedule, KAC-NCC recognizes that many of our teachers and staff members might also be considering positions in surrounding school districts. KAC-NCC will likely therefore seek salary levels similar to the general salary levels being offered by these surrounding districts.

Professional Development Plan For Instructional Staff

CAVEP is committed to the ongoing improvement of its staff. A comprehensive program of professional development is coordinated with the California State Standards for Teaching and North American Council on Online Learning (NACOL) teaching and evaluation process, ensuring that school staff members are focused on improving skills that serve the online learning community as a whole, as well as the individual needs of their students.

CAVEP will be contracting with KVE for professional development management, therefore, the offerings KVE makes to its employees will also be made available to the non-profit.

Authority And Responsibility

CAVEP will be supported by the Professional Development resources of KVE. The Director of Professional Development is responsible for monitoring teacher credentials and assisting teachers in meeting state requirements. While the school principal is responsible for working with each teacher in the development and management of an individualized professional development plan, the Director of Professional Development works with the Executive Director for Instruction to ensure that state mandates are appropriately enforced in all schools. This work is further supported by the oversight of the Director of Institutional Effectiveness, who is responsible for all compliance issues, and by the Vice President of State Regulatory Affairs, who maintains responsibility for ensuring all state regulations are identified and met.

Professional Development Program

Our professional development program is structured in three parts: onboarding, first year induction (mentoring), and continuing education:

- Onboarding
 - Understanding the online educational experience
 - Working within eClassroom and the Student Management System
 - Communicating with students
 - Understanding and using online metrics
 - Motivating students and meeting the special needs of students
 - Monitoring and guiding student pacing
 - Managing the protocols of online learning: pace charts, contact histories, grading.
 - Technology tools for effective teaching.
- Mentoring
 - During their first year, teachers are partnered with experienced online educators.
- Continuing education
 - Teachers are provided with opportunities to expand their knowledge of online instructional strategies throughout the year by participating in synchronous in-service programs offered by the Director of Professional Development.
 - Teachers are surveyed to determine areas of need. The Director of Professional Development will provide programs to meet the expressed needs.

Individual Professional Development Plans

Additionally, all full-time school staff members are required to develop an annual Professional Development Plan that identifies areas of development that will lead to professional growth and improved instruction. This plan will be developed in conjunction

with the staff member's immediate academic supervisor and the KVE Director of Professional Development (DPD).

The plan will include the following:

- Membership in a professional organization related to the staff member's subject field or to online education
- Scholarly activity that can include research, presentations, or service to the profession, such as:
 - Action research (as approved by the KHE-OIE Institutional Review Board)
 - Presentations at an approved regional or national conference (attendance for up to 2 days is fully reimbursable)
 - Publishing an article in a scholarly journal
 - Providing voluntary service to organizations related to the profession or the discipline, including serving as an officer in a professional organization
 - Attendance at a College Board sponsored Advanced Placement Institute (grants for registration and fees are subject to the company's approval process; available only to teachers scheduled to teach an AP course in the following year; failure to teach the course will require reimbursement of the grant)
 - Serving the curriculum team as a Subject Matter Expert (SME)
 - Serving on a recognized KVE committee
 - Serving as a mentor for new KVE school staff
 - Presenting at a KVE mini-conference
- Measurable implementation of selected best practices methodology that will be employed to improve support for student success.

Each school is also allotted monies every year to support individual professional development activities. Requests for those funds should be submitted to the principal.

KVE Conferences

In support of continued professional growth, two KVE mini-conferences are conducted each year. One comprises all KVE school staff, and is held in early June in Hollywood, Florida, near the KVE headquarters as part of the staff retreat. School staff members are expected to attend. A second mini-conference is held in state. The state mini-conference is open and required of all staff employed at a school in that state.

3) Employee Representation

"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)

Kaplan Academy of California – North Central California (KAC-NCC) shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Education Employment Relations Act (EERA). Under the EERA, KAC-NCC employees

shall have the right to form a collective bargaining unit and to negotiate directly with the charter school. If the employees lawfully form a collective bargaining unit with a representative designated to negotiate with the charter school on their behalf, the charter school shall negotiate matters covered by the EERA directly with that representative. These matters may include such items as salary levels (which may be based upon such factors as educational degree attained, years of teaching experience and/or other factors), employee benefits (health plan provider, levels of coverage and co-payments, retirement plans, vacation days, dental and vision coverage, etc.), number of work days per year and number of teaching hours per day, and work rules (including required breaks).

4) Rights of School District Employees

“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)

Members of KAC-NCC staff who leave employment in the Tracy Unified School District to work at KAC-NCC shall not have any right to return to employment within the district without prior consent by the district.

Employees of KAC-NCC who were not previous employees of the school district will not become employees of the school district and will not have the right to employment within the district upon leaving the employment of the charter school.

Upon dismissal from the charter school, no previous school district employee may return to the district for employment without the prior written consent of the school district.

Tracy Unified School District employees cannot be required to work at KAC-NCC, nor can the district require the charter school to hire district classified, certificated, or confidential employees, with the exception of district employees provided to the charter school as part of an agreement for services paid to the school district by KAC-NCC under a separately negotiated agreement or memorandum of understanding.

Charter school employees are not subject to district transfers without written consent of that employee.

The KAC-NCC Executive Director will devise and recommend to the KAC-NCC governing board for approval, salary and benefit levels, working conditions and work year characteristics (e.g., length of year and day and vacation policies) for all employees that will allow KAC-NCC to attract and retain the caliber of employees necessary for KAC-NCC's success.

5) Health and Safety

“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 4437.”

Education Code section 47605(b)(5)(F)

Prior to commencing instruction, KAC-NCC will adopt and implement a comprehensive set of health, safety, and risk management policies. In general, health and safety matters will be

dealt with in accordance with these KAC-NCC policies. These policies will be developed in consultation with the school's insurance carriers and at a minimum will address the topics discussed below. These policies and procedures will be incorporated as appropriate into the school's student and staff handbooks and will be reviewed on an ongoing basis in the school's staff development efforts and governing board policies.

Immunizations and Criminal Background Check

All faculty and staff members shall be in compliance with California Education Code Section 44237. All enrolling students and staff must provide records documenting immunizations to the extent required by law, including mandatory tuberculosis screening for staff and volunteers expected to have prolonged contact with students, and vision, hearing and scoliosis screening for students as required by law. As a condition of employment, tuberculosis screening and fingerprinting will be required with clearance by the Department of Justice before the employee's start date. Each employee of the school shall submit to a criminal background check and furnish a criminal record summary as required by Education Code Section 44237.

Immunization forms and other pertinent medical records will be kept (confidentially) on file by the school administration. Parents are expected to ensure that their children obtain proper immunizations prior to matriculating pursuant to Chapter 1 (commencing with §120325) of Part 2 of Division 105 of the Health and Safety Code. The school may exempt students from enrolling who are not properly immunized pursuant to §48216 (a-c) of the Education Code. Those parents who are having difficulty obtaining immunizations for their children will be provided information on where to get immunized in their community.

Documentation is on file in the student's records or employee records held in security at the school's primary administrative office. Copies of employee records and student records can be made available at the request of the school district.

Facilities Compliance

Because KAC-NCC will operate a virtual school, there will be no need for a school building where classes are held on a daily basis. The administrative office currently complies with all ADA, OSHA, and local health and safety requirements. KAC-NCC will comply with state building codes, federal American Disabilities Act (ADA) access requirements, and other applicable fire, health, and structural safety requirements, and will maintain on file records documenting such compliance. KAC-NCC will ensure that its offices will be housed in facilities that have received state Fire Marshal approval and that have been evaluated by a qualified structural engineer who has determined the facilities present no substantial seismic safety hazard. The school will obtain all necessary permits for these offices including a building and fire marshal inspection and/or a certificate of occupancy.

Student Health

If required by federal or state law, the school will provide screening for student vision, hearing and scoliosis, and students will show the required proof of immunization. The school will maintain records of legally required tests and immunizations of students and staff. KAC-NCC will also have a policy establishing the school as a drug, alcohol, and tobacco free workplace.

Blood-borne Pathogens

KAC-NCC will implement policies relating to preventing contact with blood-borne pathogens. The Executive Director shall ensure that KAC-NCC meets state and federal standards for dealing with blood-borne pathogens and other potentially infectious materials in the workplace. The Executive Director shall establish a written “Exposure Control Plan” designed to protect employees from possible infection due to contact with blood-borne viruses, including human immunodeficiency virus (HIV) and hepatitis B virus (HBV). Whenever exposed to blood or other body fluids through injury or accident, students, and staff should follow the latest medical protocol for disinfecting procedures.

Child Abuse Prevention and Reporting

KAC-NCC will maintain detailed policies and procedures for the immediate reporting of suspected child abuse, acts of violence, or other improprieties. Such policies will detail the role and obligation of staff in the reporting of child abuse pursuant to CA Penal Code Section 11164. California Penal Code section 11166 requires any child care custodian who has knowledge of, or observes, a child in his or her professional capacity or within the scope of his or her employment whom she or he knows or reasonably suspects has been the victim of child abuse to report the known or suspected instance of child abuse to a child protective agency immediately, or as soon as practically possible, by telephone and to prepare and send a written report thereof within thirty-six (36) hours of receiving the information concerning the incident. All appropriate staff shall be required to certify that he or she has knowledge of California Penal Code section 11166 and will comply with its provisions before being hired.

6) Dispute Resolution

“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)

Kaplan Academy of California – North Central California (KAC-NCC) will adopt policies and processes for aiding and resolving internal and external disputes.

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 Tracy Unified School District as the charter school’s authorizing agent, (3) insure a fair and timely resolution of 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 governing board members of KAC-NCC and the Tracy Unified School District agree to resolve all disputes regarding this charter school pursuant to the terms of this section. Both agree to refrain from public commentary regarding any disputes until the matter has progressed through this dispute resolution process.

Disputes Arising From Within the School

Disputes over personnel discipline will not be covered by the charter school dispute resolution process, and instead, will be resolved through the personnel policies and procedures. The charter school shall adopt comprehensive personnel policies and procedures, approved by the KAC-NCC governing board that will be provided to each employee upon hire. These policies will set forth personnel obligations, rights, responsibilities, complaint procedures, discipline procedures, and other pertinent policies essential to preserving a safe and harmonious work environment. The charter school's Executive Director will resolve complaints and grievances and will administer any personnel discipline, with the assistance of the governing board, if necessary, in accordance with these policies.

The Tracy Unified School District agrees to refer all complaints regarding the school's operations to the KAC-NCC Executive Director for resolution in accordance with the school's adopted policies. Parents, students, governing board members, volunteers, and staff at the charter school will be provided with a copy of the school's policies and dispute resolution process and will agree to work within its bounds. In the event that the school's adopted policies and processes fail to resolve the dispute, the district agrees not to intervene in the dispute without the consent of the KAC-NCC governing board unless the matter directly relates to one of the reasons specified in law for which a charter may be revoked (e.g., gross fiscal mismanagement or student health and safety risks).

Disputes arising from within the school, including all disputes among and between students, staff, parents, volunteers, advisors, and partner organizations and governing board members of the school, shall be resolved by the charter school and the governing board pursuant to policies and procedures developed by the charter school governing board, which shall ensure that such policies and procedures are drafted in accordance with applicable laws.

The Tracy Unified School District shall not intervene in any such internal disputes without the consent of the governing board of the charter school and shall refer any complaints or reports regarding such disputes to the chairperson of the governing board/or the director of the charter school for resolution pursuant to the charter school's policies. The Tracy Unified School District agrees not to intervene or become involved in the dispute unless the dispute has given the school district reasonable cause to believe that a violation of this charter or related laws or agreements has occurred, or unless the governing board of the charter school has requested the school district to intervene in the dispute.

Disputes Between the Charter School and The District

In the event that the charter school and the school district have disputes regarding the terms of this charter or any other issue regarding the charter school, both parties agree to follow the process outlined below.

In the event of a dispute between the school and the school district, the staff and governing board members of the school and district agree to first frame the issue in written format and refer the issue to the school district superintendent, or his/her designee, and the charter school's Executive Director. In the event that the district superintendent 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.

- a. **Cause of Revocation:** The District may revoke the charter if the district finds that KAC-NCC did any of the following: 1) committed a material violation of any of the conditions, standards, or procedures set forth in the charter; 2) failed to meet or pursue the pupil outcomes identified in the charter; 3) failed to meet generally accepted accounting principles or engaged in fiscal mismanagement; 4) violated any provision of law relating to the charter school.
- b. **Notice of Intent to Revoke Charter ("Notice"):** Prior to the revocation of the charter, the District shall provide written notice to KAC-NCC which details the following: 1) those sections or laws violated by KAC-NCC; 2) all facts in support of the Notice; 3) all available documents to support the Notice.
- c. **Opportunity to Cure:** The District shall give the KAC-NCC a reasonable opportunity to cure the violations. Normally the opportunity to cure shall be 30 days after service of the Notice. This period may be extended by mutual agreement of the parties. The cure period may be shortened or foregone if the District determines, in writing, that the violation constitutes a severe and imminent threat to the health or safety of the pupils of KAC-NCC.
- d.

In the event there is a dispute between the parties and the issue does not rise to the level of a revocation of the Charter, the dispute shall be resolved by taking the following steps.

- a. The charter school director and the district superintendent shall informally meet and confer in a timely fashion to attempt to resolve the dispute.
- b. In the event that this informal meeting fails to resolve the dispute, both parties shall identify two board members from their respective boards who shall jointly meet with the superintendent of the district and the director of the charter school and attempt to resolve the dispute.
- c. If this joint meeting fails to resolve the dispute, the superintendent and the director shall meet to jointly identify a neutral, third party mediator, and shall follow the process for mediation described below.
- d. **Mediation:** Within 30 days, the parties shall schedule a mediation to resolve the matter. The parties shall mediate in good faith. The mediator shall be selected by mutual agreement of the parties.
- ~~e. **Arbitration:** Within 60 days and in the event that the mediation is unsuccessful, the dispute shall be referred to Arbitration. The arbitrator shall be selected by mutual agreement and the format of the arbitration session shall be developed jointly. The superintendent and director shall incorporate informal rules of evidence and procedure unless both parties agree otherwise. The arbitrator shall issue a written decision. The findings or recommendations of the arbitrator shall be non-binding, unless the boards of the charter school and the district jointly agree to bind themselves.~~
- f. ~~Cost of Mediation/Arbitration:~~ The cost of mediation and arbitration shall be borne equally by both parties.
- ~~g. **Decision by the District Board:** Within 30 calendar days of the arbitrator's decision the school district Board shall either affirm or overturn the opinion of the arbitrator. If the Board overturns the decision of the arbitrator, it shall state its reasons and evidence in writing.~~

E. STUDENT ADMISSIONS, ATTENDANCE, AND SUSPENSION/EXPULSION POLICIES

1) Student Admission Policies and Procedures

“Admission requirements, if applicable.”

Education Code section 47605(b)(5)(H)

KAC-NCC will actively recruit a diverse student population from within its legally prescribed service area – the district, San Joaquin County and its contiguous counties. Within that boundary, admission will be open to any California resident, and all students will be considered for admission without regard to race, ethnicity, national origin, gender or disability. KAC-NCC will strive through recruiting efforts to achieve a racial and ethnic balance of students that reflects the general population within the territorial jurisdiction of the Tracy Unified School District.

KAC-NCC seeks to enroll students committed to a rigorous educational experience. Families who understand and value the school’s mission and will commit to the school’s instructional and operational philosophy will be actively recruited. Prospective students and their parents or guardians will be briefed regarding the school’s instructional and operational philosophy and will be informed of the school’s student-related policies.

KAC-NCC has no requirement for admission and will admit any child that wishes to attend. We do, however, have parent and student commitment agreements which all parents and students will be asked to sign when a student is enrolled. In no instance will a student be refused admission nor subjected to any form of discipline because of their parents’ failure to sign or comply with the parent commitment agreement.

Recruiting and Admissions Cycle

The school will establish an annual recruiting and admissions cycle, which shall include reasonable time for all of the following: (1) outreach and marketing, (2) orientation sessions for students and parents, (3) an admissions application period, (4) an admissions lottery, if necessary, and (5) enrollment. The school may fill vacancies or openings that become available after this process using either a waiting list or any other nondiscriminatory process. The school will admit students at any time during the school year on an open-ended basis in order to best serve the needs of students.

Timeline For Recruiting and Enrollment

For our first year, recruiting for admission will commence immediately upon approval of the charter petition. Our goal is to enroll up to 500 students during the first year, per our plan for enrollment and growth. Applications for admission will be made immediately available and the school will hold parent information meetings prior to commencing instruction.

For future years, applications for admission will be made available in March of our first year and will be due by the third Friday in April. The school will hold parent information meetings between January and April so parents can learn more about the school as they apply.

Lottery – Public Random Drawing

If the number of applications does not exceed the capacity of the charter school there will be no lottery, and all students who submitted qualified applications will be enrolled. In the event that the number of students seeking admission to any grade level exceeds capacity, a lottery will be held. It will be completed by pulling slips of paper with applicants' names on them out of a container, and the drawing will be held in a public forum. All eligible names will be drawn from the container and those exceeding the number of available spaces will be placed on a waiting list in the order drawn. KAC-NCC may grant priority in admissions to current students and residents of the school district, as provided in current law. The school may also grant admission preference to children of school founders, siblings, and children of staff and board members, provided that students admitted under any such preference shall not constitute more than 10 percent of the school's total enrollment. If greater than 10 percent of the school's total enrollment seeks admission in a given year via a preference, an initial lottery will be conducted to select up to 10 percent of those seeking admission via preference. Following this lottery, those not selected via the preference lottery will be placed in the general lottery with the general applicant pool.

After the lottery, families will receive their official enrollment forms and will be informed of the enrollment process detailed below.

Currently-enrolled students will not participate in the random drawing, as they are automatically reserved a space for the following year.

Admission will not be based on prior student performance or admission testing.

Post matriculation, various assessments may be administered to determine the students' readiness for the grade of entrance requirements or maintenance of said grade. These instruments aid in the development of individualized learning plans for children. Children who are working below grade level or need a little extra help will be required to attend programs such as summer school, after school classes, and academic support classes, designed to remediate any academic deficiencies. KAC-NCC will be non-sectarian in its programs, admissions policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate on the basis of race, ethnicity, national origin, gender, or disability.

2) Attendance Tracking

The virtual platform to be provided by KVE contemplates approximately 6.5 instructional hours per day on average, but this will vary day-to-day because instruction is available 24/7 and is paced flexibly according to individual student needs. The eClassroom virtual platform will track hours logged into the system in real time, enabling teachers and administrators to frequently monitor instructional time.

Instructional time is systematically logged and reported by Gradebook's user activity function, which reveals whether a student was online during a specific day, and if so how much time was spent online and where it was spent. Time is reported for both content items and course tools, including all readings, assignments, exams, journal, whiteboard/synchronous session tool, chat, document sharing, webliography, and dropbox. To prevent time being logged when a student is not online, the system will automatically log a student out.

3) Non-Discrimination

“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)

KAC-NCC will implement a student recruitment strategy that will be represented by, but is not necessarily limited to, a combination of the following elements or strategies to ensure a diverse student body and 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 and distribution of promotional and informational material that appeals to all of the various racial and ethnic groups represented in the Tracy Unified School District, including materials in languages other than English to appeal to limited English proficient populations.
- The distribution of promotional and informational materials to a broad variety of community groups and agencies.
- Outreach meetings in several areas of the district to reach prospective students and parents. The school will keep a record of the number and location of these community presentations.
- Use of brochures, newsletter, TV/radio public service announcements, print and non-print media for outreach communications.
- Discussions and distribution of application materials to the school district central office, middle schools, small autonomous schools, district high schools, private schools, and other events and areas where diverse student families might be reached.
- Collaboration with community based organizations to support outreach efforts.
- Focused recruitment of groups that may be underrepresented among KAC-NCC’s student population, using brochures, public meetings, and door-to-door outreach.

Because we seek a targeted student population whose families may not be reachable by traditional means, KAC-NCC plans to utilize direct outreach strategies such as direct mailing and community home meeting outreach efforts targeted in specific communities in the Tracy Unified School District.

4) Public School Attendance Alternatives

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

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

No student is required to attend Kaplan Academy of California – North Central California (KAC-NCC). Students who do not attend the school may attend their local school district of residence or pursue an inter-district transfer in accordance with existing enrollment and transfer policies of their school district or county of residence.

Parents or guardians of each student enrolled in the charter school will be informed, at the time they enroll and within the student/parent handbook, that the student has no right to admission in a particular school of any local education agency as a consequence of enrollment at KAC-NCC, except to the extent that such a right is offered by the school district.

5) Discipline, Suspension/Expulsion Procedures

“The Procedures by which pupils can be suspended or expelled.”

Education Code section 47605(b)(5)(J)

KAC-NCC will adopt student discipline policies. These policies will be distributed as part of the school's student handbook and will clearly describe the school's expectations regarding academic expectations, attendance, substance abuse, safety, and work habits. Each student will be required to verify that they have reviewed and understand the policies prior to enrollment. The KAC-NCC Executive Director will ensure that students and parents/guardians are notified in writing of all discipline policies, rules, and procedures and given an opportunity to provide input and feedback on discipline policies and procedures. The notice shall state that these disciplinary rules and procedures are available on request at the charter school office. The KAC-NCC governing board shall review the student discipline policies at least annually, and more frequently if necessary, to determine if the policies should be modified to more accurately meet the needs of the charter school.

The school will reserve the right to suspend or expel students pursuant to the policy and procedures established by the governing board. Disciplinary procedures for students with disabilities will be addressed by the IEP team in accordance with both federal and state law and the student's IEP.

Frequent interaction among students, and between students and faculty, will occur mostly online via one-on-one and collaborative communication tools. These participants may also interact from time to time during field trips and proctored testing events.

The school will have disciplinary procedures for student academic, interpersonal, and internet conduct. Discipline follows a process of escalating responses to each subsequent violation, with proper notifications and appropriate interventions at each step.

Interpersonal communication and conduct, in whatever form or arena it occurs, will be subject to KAC-NCC policies that establish: a) expectations for civil and courteous student behavior; b) a process for investigating violations or alleged violations of same; and c) any lawful penalties or interventions to be imposed as a result.

KAC-NCC's written procedures for ensuring *academic integrity* and *'netiquette'* will be incorporated into the school's student/parent handbook. These terms are clearly defined (for example, the several forms of plagiarism are described), and expectations and penalties are clearly set forth. Penalties are stepped up for each subsequent offense until the student becomes a candidate for expulsion.

Suspension Procedure

Suspensions shall be initiated according to the following procedures:

Informal Conference:

Suspension shall be preceded by an informal conference conducted by the charter school director or designee with the student and whenever practicable, the teacher, supervisor or school employee who referred the student to the charter school director.

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

Notice to Parents/Guardians:

At the time of the suspension, a charter school employee 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. This notice shall state the specific offense committed by the student. In addition, the notice may also state the date and time when the students may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may add that state law requires the parent/guardian to respond to such requests without delay.

Authority to Expel

Only the KAC-NCC governing board upon the recommendation of the expulsion panel may expel a student. The governing board may expel any student found to have committed an expellable offense(s) listed in the “Grounds for Suspension and Expulsion” in the student handbook.

Except for expulsions for offenses listed under Education Code Section 48915(c), a student may only be expelled upon the findings and recommendations of the expulsion panel if the charter school governing board finds that the students committed the expellable offense and at least one of the following findings may be substantiated:

- 1) That other means of correction are not feasible or have repeatedly failed to bring about proper conduct.
- 2) That due to the nature of the violation, the presence of the student causes a continuing danger to the physical safety of the student or others.

Expulsion Procedure

Students recommended for expulsion are entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within thirty (30) school days after the charter school director or designee determines that one of the acts listed under “Grounds for Suspension and Expulsion” has occurred.

The hearing will be presided over by an appointee of the governing board. The charter school director will make a recommendation to the expulsion panel.

Written notice of the hearing shall be forwarded to the student and the student’s parent/guardian at least ten (10) calendar days before the date of the hearing. The notice shall include:

- 1) The date and place of the hearing;

- 2) A statement of the specific facts, charges and offense upon which the proposed expulsion is based;
- 3) A copy of charter school's disciplinary rules which relate to the alleged violation;
- 4) Notification of the student's or parent/guardian's obligation to provide information about the student's status in charter school to any other district in 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;
- 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.

Record of Hearing

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

Presentation of Evidence

While technical rules of evidence do not apply to an expulsion hearing, evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. A recommendation by the expulsion panel to expel must be supported by substantial evidence that the student committed any of the acts listed in "Grounds for Suspension and Expulsion" in the student handbook

Finding of facts shall be based solely on the evidence at the hearing. While no evidence shall be based solely on hearsay, sworn declarations may be admitted as testimony from witnesses whose disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

The decision of the expulsion panel shall be in the form of a recommendation to the charter school governing board which will make a final determination regarding the expulsion.

Written Notice to Expel

The charter school director or designee following a decision of the charter school governing board to expel shall send written notice of the decision to expel to the student or parent/guardian. This notice shall include the following:

- 1) The specific offense committed by the student or any of the acts listed in "Grounds for Suspension and Expulsion" in the student handbook
- 2) Notice of the right to appeal the expulsion
- 3) Notice of the student's or parent /guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the charter school

The Executive Director, or designee, shall send written notice of the decision to expel to the student's district of residence and the county office of education. This notice shall include the following:

- 1) The student's name
- 2) The specific offense committed by the student

Upon expulsion from the charter school, students will attend school pursuant to the procedure of their district of residence pertaining to expelled students.

Every student is entitled under fundamental principles of due process to know precisely what conduct is prohibited prior to being disciplined for such conduct. Therefore, no student shall be disciplined for an offense which is not specified in the above list.

Alternatives to suspension or expulsion will first be attempted with students who are truant, tardy, or otherwise absent from assigned school activities. Further, because this is a virtual school and many of these offenses can only occur in person, the KAC-NCC governing board and executive director, as appropriate, will consider alternatives that result in students continuing their education without any personal interaction with other students.

Appeal Rights

Following receipt of the notice of expulsion or suspension, the student shall have the right to appeal that decision to the full KAC-NCC governing board. The student shall have 10 days to present her/his intention to appeal the decision. Upon the appeal, the student shall have the right to a de novo review in front of the full governing board in closed session, including the full complement of due process rights available to the student during the initial hearing. The full governing board will then render a final decision regarding the students' appeal.

Disciplinary Records

The School shall maintain records of all student suspensions and expulsions at KAC-NCC. Such records shall be made available for the district's review upon request, but neither the district nor county office of education shall be involved in the disciplinary decision.

Expelled Pupils/Alternative Education

Pupils who are expelled shall be responsible for seeking alternative education programs including but not limited to programs within the county or their school district of residence.

Rehabilitation Plans

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

Readmission

The decision to readmit a pupil or to admit a previously expelled pupil from another school district or charter school shall be in the sole discretion of the governing board following a meeting with the Executive Director and the pupil and guardian or representative, to determine whether the pupil has successfully completed the rehabilitation plan and to determine whether the pupil poses a threat to others or will be disruptive to the school environment. The Executive Director shall make a recommendation to the governing board following the meeting regarding his or her determination.

F. FINANCIAL PLANNING, REPORTING, AND ACCOUNTABILITY

1) Budgets

A financial plan for the school, including a proposed first-year operational budget and three-year cash flows and financial projections, is attached. This plan is based on the best data available to the developers at the time the plan was assembled and includes the key assumptions, as outlined in the attached tables.

2) Financial Reporting

Financial Systems and Processes

KAC-NCC anticipates contracting with Kaplan Virtual Education to perform most of the business operations of the school. KAC-NCC's Executive Director will oversee those services to ensure that they are meeting the needs of the charter school. We anticipate utilizing Kaplan Virtual Education to organize the school's chart of accounts in an easy to use accounting software package (e.g., QuickBooks) and to train the Executive Director on the proper classification of entries utilizing this chart of accounts.

Budget and Financial Reporting Schedule

KAC-NCC will annually prepare and submit its financial information to the Tracy Unified School District, as follows:

- On or before July 1, a preliminary budget
- On or before December 15, an interim financial report which reflects changes to the preliminary budget through October 31
- On or before March 15, a second interim financial report which reflects changes to the preliminary budget through January 31
- On or before September 15, a final unaudited financial report for the prior full fiscal year

Other Financial Reports

KAC-NCC will implement an attendance recording and accounting system which complies with state law and the school district's requirements.

KAC-NCC anticipates applying for the Charter School Revolving Loan Fund. If it does so, KAC-NCC understands that it must comply with Education Code section 41365 if it receives funds.

KAC-NCC will be a direct-funded charter school. KAC-NCC anticipates depositing its funds in a non-speculative and federally insured bank account for use by the school.

KAC-NCC will provide the following reports that are required by law: California Basic Educational Data System (CBEDS), actual Average Daily Attendance reports, and School Accountability Report Card (SARC).

3) Insurance

KAC-NCC shall secure and maintain, as a minimum, insurance as set forth below to protect KAC-NCC from claims that may arise from its operations. The following insurance policies are required:

1. Workers' Compensation Insurance in accordance with provisions of the California Labor Code, adequate to protect KAC-NCC from claims under Workers' Compensation Acts, which may arise from its operations.
2. General Liability, Comprehensive Bodily Injury and Property Damage Liability for combined single limit coverage of not less than \$1,000,000 for each occurrence.
3. Fidelity Bond coverage shall be maintained by KAC-NCC to cover all charter school employees who handle, process, or otherwise have responsibility for charter school funds, supplies, equipment or other assets. Minimum amount of coverage shall be \$50,000 per occurrence, with no self-insured retention.

Insurance Certificates

KAC-NCC shall keep on file certificates signed by an authorized representative of the insurance carrier. Certificates shall be endorsed as follows: The insurance afforded by this policy shall not be suspended, cancelled, reduced in coverage or limits or non-renewed except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the district. Facsimile or reproduced signatures are not acceptable. The district reserves the right to require complete certified copies of the required insurance policies.

Optional Insurance

Should KAC-NCC deem it prudent and/or desirable to have insurance coverage for damage or theft to school, employee or student property, for student accident, or any other type of insurance coverage not listed above, such insurance shall not be provided by the district and its purchase shall be the responsibility of the charter school.

4) Administrative Services

The KAC-NCC Executive Director will be responsible for administering the school under policies adopted by KAC-NCC's governing board. The school anticipates that it will contract with Kaplan Virtual Education (KVE) for the provision of much of its administrative services. KVE has a demonstrated track record of experience with virtual public schools, and will meet the charter school's service needs based on mandatory state data tracking and reporting requirements. The services include payroll, accounts payable, student accounting, and financial reporting. The specific terms and cost for these services will be set forth in an annual operational agreement or memorandum of understanding.

Pursuant to California law, the Tracy Unified School District will be required to provide oversight and performance monitoring services, including monitoring school and student performance data, reviewing the school's financial statements and audit reports, performing annual site visits, engaging in the dispute resolution process, and considering charter amendments and renewal requests.

KAC-NCC will coordinate with the county to report pertinent STRS payroll data if STRS is used. The county may request a reasonable fee for coordinating this transfer of data. The school plans on obtaining its own health and benefits via small business plan type offerings from local vendors (e.g., Kaiser and Blue Cross).

5) Facilities

The school is operated as a virtual school. As such, minimal facility usage is required. KAC-NCC will maintain a central administrative office wherein important student and personnel records will be maintained.

6) Transportation

As a virtual school program, KAC-NCC does not anticipate providing any home to school or school to home transportation services; however, KAC-NCC will ensure that students with IEPs that require such services receive them. KAC-NCC does anticipate occasionally arranging for public, rented or parental transportation for field trip-type excursions and learning opportunities.

7) Audits

“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)

The KAC-NCC governing 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 verify the accuracy of the school's financial statements, attendance and enrollment, and accounting practices, and will review the school's internal controls. 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. The annual audit will be completed and submitted to the requisite parties (the school district CFO, the County Office of Education, the State Superintendent of Public Instruction and the State Controller's Office) by December 15 each year. The school's audit committee will review any audit exceptions or deficiencies and report to the school's governing board with recommendations on how to resolve them. The governing board will report to the 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 this charter.

KAC-NCC shall provide the Tracy Unified School District with monthly financial reports and interim financial statements, pursuant to Education Code section 47604.33. KAC-NCC and the school district will jointly develop the content, evaluation criteria, timelines, and process for the annual performance reports. In addition, both entities will jointly develop an annual site visitation process and protocol to enable the school district to gather information needed to confirm the school's performance and compliance with the terms of this charter.

Performance Audit

KAC-NCC will compile and provide to the district an annual performance report. This report will, at a minimum, include the following data:

1. Summary data showing student progress toward the goals and outcomes specified in section II of this charter petition, as indicated by the assessment instruments and techniques listed in section III of this charter petition.
2. An analysis of whether student performance is meeting the goals specified in section II of this charter petition. This data will be displayed on both a school-wide basis and disaggregated by major racial and ethnic categories to the extent feasible without compromising student confidentiality.
3. A summary and analysis of the school's performance on state-mandated assessments, including the Academic Performance Index or an alternative measure.
4. A summary of major decisions and policies established by the school's governing board during the year.
5. Data on the level of parent involvement in the school's governance (and other aspects of the school, if applicable) and summary data from an annual parent and student satisfaction survey.
6. Data regarding the number of staff working for the charter school and their qualifications.
7. A copy of the school's health and safety policies and/or a summary of any major changes to those policies during the year.
8. Information demonstrating whether the school implemented the means listed in this charter petition to achieve a racially and ethnically balanced student population.
9. An overview of the school's admissions practices during the year and data regarding the numbers of students enrolled, the number on waiting lists, and the numbers of students expelled and/or suspended.
10. Analyses of the effectiveness of the school's internal and external dispute mechanisms and data on the number and resolution of disputes and complaints.
11. Other information regarding the educational program and the administrative, legal, and governance operations of the school relative to compliance with the terms of the charter generally.
12. Suspension and expulsion data.

Annual Reports

KAC-NCC and the Tracy Unified School District will jointly develop the content, evaluation criteria, timelines, and process for the annual performance reports. The charter school and the 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. KAC-NCC and the school district agree to work together to accomplish all tasks necessary to fully implement this charter, including the submission of any necessary and duly prepared waiver requests to the State Board of Education.

The district agrees to receive and review the annual fiscal and programmatic audit and performance report as specified in this section. Within sixty days of receipt, the district will notify the charter school as to whether it deems the school to be making satisfactory progress

toward the goals specified in the charter. This notification will include the specific reasons for the district's conclusions. If the district concludes the school is not making satisfactory progress the school shall be provided with specifics regarding areas of concern, and the school and the district will work together in good faith to develop a plan to address these areas of concern.

8) Closure 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 section 47605(b)(5)(P)

Financial

In the event that KAC-NCC closes, the assets and liabilities of the school will be disposed of by the school's governing board to another charter school, non-profit, or other appropriate entity in accordance with the asset disposition provisions of the school's bylaws. The KAC-NCC governing board members will attend to enumerating and disposing of the assets and liabilities as directed in the bylaws, and the board treasurer shall ensure that a final audit of the school's assets and liabilities is performed.

Students, Families and Staff

Should the charter terminate or not renew, KAC-NCC will notify staff, student families, and resident districts of pending school closure, in writing, as far in advance as possible.

The school website will provide links to resident school district enrollment/transfer procedures if these are published online (limited to the home districts of currently enrolled students).

Copies of student records will be sent to each resident district, and transcripts will be mailed to parents/guardians. KAC-NCC will maintain student records for a term and in a manner consistent with applicable federal and state law.

Online instructors will have access to job postings for other KVE-affiliated schools, and KVE will assist them in determining eligibility to teach under reciprocal state certification agreements; provisional certification requirements; or private school accreditor requirements, as applicable. Charter school employment references will be provided to all staff members.

9) Financial Management and School Management Contracts

Financial Management

KAC-NCC's Executive Director will be responsible for administering the school under policies adopted by KAC-NCC's governing board. As described further below, the school anticipates that it will contract with KVE for certain of its operational, administrative, and financial planning services, and will contract with other firms for financial operations services.

KVE has a demonstrated track record of experience with virtual public schools, and will meet the charter school's service needs based on mandatory state data tracking and reporting requirements. The specific terms and cost for these services will be set forth in an annual

operational agreement or memorandum of understanding. All financial management and administrative services will be overseen by KAC-NCC's Executive Director.

Pursuant to California law, the Tracy Unified School District will provide oversight and performance monitoring services, including monitoring school and student performance data, reviewing the school's financial statements and audit reports, performing annual site visits, engaging in the dispute resolution process, and considering charter amendments and renewal requests.

KAC-NCC will coordinate with the county to report pertinent STRS payroll data. The county may request a reasonable fee for coordinating this transfer of data. The school plans on obtaining its own health and benefits comparable to those provided to other California public schools.

Material Contracts

Kaplan Academy of California – North Central California (KAC-NCC) anticipates maintaining the following material agreements for services:

An agreement for payroll processing services.

- An agreement for accounting and tax services.
- An agreement with an independent financial auditor that meets the certification and licensure requirements for conducting an independent financial audit of California public schools. This agreement will be made upon terms and conditions that are standard for the industry and will ensure a legally compliant annual audit of KAC-NCC's finances.
- An agreement for educational products and services and administrative services with Kaplan Virtual Education to assist in the operation of KAC-NCC's instructional program.

Proposed Contract for Services with Kaplan Virtual Education

KAC-NCC will contract with Kaplan Virtual Education for the provision of certain educational and operational products and services. It is contemplated that the agreement between KAC-NCC and KVE will be concurrent with the term of the initial charter petition and will be up for renegotiation upon renewal of the charter petition.

As explained further in a subsequent section, KVE provides similar products and services to schools in multiple states and can provide quality educational, administrative and staffing support in a cost effective manner.

It is anticipated that KVE will provide the following services to KAC-NCC:

- Licensing and permission to use the "Kaplan" name as the name of the charter school.
- Licensing and permission to use the online curriculum, technology platform and learning management system.
- Technical and programmatic support services for the online curriculum, technology platform and learning management system.

- Administrative, staffing and “back office” services to assist KAC-NCC in managing its operations:
 - Student attendance accounting and reporting
 - Financial planning assistance (financial operations services will be provided by other firms, as described in “Material Contracts” above)
 - Pension and benefits administration and reporting

Other Schools and Programs Managed by KVE

KVE currently serves thousands of students in partnership with public school districts, state departments of education, and private schools around the country:

Public School Partnerships:

- Kaplan Academy of California–Los Angeles (KAC-LA), a public charter school authorized by Lynwood Unified School District and serving the counties of Los Angeles, Kern, Ventura, Orange, and San Bernardino, <http://www.kaplanacademy.com/california/losangeles/index.asp>
- Kaplan Academy of California–San Diego (KAC-SD opening Fall 2009), a public charter school authorized by Mountain Empire Unified School District and serving the counties of San Diego, Orange, Riverside, and Imperial
- Missouri Virtual Instruction Program (MoVIP), the virtual high school for the state of Missouri, www.movip6-12.org
- Kaplan Academy of Kansas (KAKS), in cooperation with Leavenworth Unified School District, www.kaplanacademy.com/kansas
- Kaplan Academy of Oregon, (KAOR, opening 2009), a public statewide charter school authorized by Reynolds School District, www.kaplanacademy.com/oregon
- Kaplan Academy of Washington (KAWA), an online public school offering grades 7-12 to qualified residents statewide, in cooperation with Stevenson-Carson School District, www.kaplanacademy.com/washington
- Kaplan Academy of Idaho, (KAID, opening Fall 2009), a public statewide charter school authorized by the Idaho Public Charter School Commission
- Kaplan Academy of Colorado (KACO), a certified statewide high school program in cooperation with Garfield Re-2 School District, www.kaplanacademy.com/colorado
- St. Louis Public Schools (SLPS) Virtual School, for the St. Louis Public Schools District, www.slpsvirtualschool.com
- Chesapeake Public Schools Online Homebound Program

Privately Owned Schools (diploma granting):

- Kaplan College Preparatory School (KCPS), www.kaplancollegepreparatory.com (formerly University of Miami Online High School)
- Kaplan University High School (KUHS), www.kuhighschool.com
- Kaplan High School (KHS), www.kaplanhighschool.com

History and Background of KVE

Kaplan Virtual Education (KVE) is part of Kaplan Higher Education (KHE), a business unit of Kaplan, Inc. Founded in 1938 and now serving over 1 million students each year, Kaplan has grown into a diverse mix of educational service providers and diploma and degree granting institutions. Kaplan offers postsecondary education, professional training, test preparation, and K–12 services for children and schools throughout the world. Kaplan, Inc. is a subsidiary of The Washington Post Company.

KVE currently delivers seamless, fully-integrated education solutions to public school districts in Arizona, Missouri, Washington and Virginia, and operates statewide virtual schools in Washington, Colorado, Missouri, and Kansas. In California, KVE deploys its full suite of services to CaVEP's Los Angeles area charter school, which serves students from L.A. and surrounding counties. A second charter school to serve the counties of San Diego, Imperial, Riverside and Orange has been approved to open in 2009. Also this year, KVE is launching statewide public charter schools in Oregon (February) and Idaho (Fall 2009).

KVE has a record of success in delivering 70 to 83 percent course completion rates across our affiliates, serving traditional and at-risk students.

Technology Platform and Support

Virtual education depends critically on the quality, usability, reliability, and systems support features of the hosted Learning Management System (LMS). KVE delivers all courses via eClassroom, the K-12 learning management system developed by eCollege, a leading provider of eLearning solutions. eCollege launched its first online campus in 1996, launched eClassroom in 2000, and today serves over 3 million students. The choice to use eClassroom was driven by its enhanced functionality, intuitive acquisition by faculty and students, unparalleled uptime performance,³ highly integrated tools such as Gradebook, and 24 hour availability for user help. The Help Desk staff is co-located with the system software developers, data center staff, product management, and project management. These teams work cross-departmentally to resolve problems as they materialize, unlike many help desks that merely serve as a call center for recording problems.

Locations

KVE is headquartered at 4601 Sheridan Street, Suite 600, Hollywood, FL, 33021, and has support locations, staff, and teachers across the country.

Accreditation

KVE is accredited by The Commission on International and Trans-Regional Accreditation (CITA), PO Box 871008, Tempe, AZ 85287; 866.873.8878; www.citaschools.org. KVE's three private schools are Florida based and are accredited by the Southern Association of Colleges and Schools (SACS), 1866 Southern Lane, Decatur, GA 30033, Tel: 404.679.4500.

KVE provides curriculum, instruction, administration, and operations management to several public charter schools that were approved within the past year. Within the first operational year, these schools will begin the process for accreditation by the appropriate regional body.

Background on KVE Leaders

³ eClassroom posted total system uptime of 99.98% in 2006, 99.97% in 2007, and 99.98% in 2008.

Charles Thornburgh, President

In over a decade in the education and technology fields, Mr. Thornburgh has served as a teacher, trainer, product developer, and chief executive for a variety of educational organizations. Mr. Thornburgh founded three separate educational technology companies, which has given him a unique viewpoint on what it takes to translate the promise of educational technology into practice in real-world learning environments.

Before becoming President of KVE, Mr. Thornburgh served Kaplan in several capacities, most recently as Senior Vice President overseeing strategic initiatives at Kaplan University, where he spearheaded student retention initiatives, championed the innovative use of technology and data analysis to drive student success, and provided the educational technology vision for the next-generation instructional platform. Upon first joining Kaplan, he spent four years as Vice President of Online Services for Kaplan's K12 Learning Services group.

Mr. Thornburgh also served on the SIIA Education Board of Directors. He holds an AB degree from Stanford University.

Eduardo Gomez, Vice President, Public Schools

As vice president of public schools, Eduardo Gomez provides both strategic and operational direction for all KVE public and charter schools, including setting long-range growth strategy, managing student acquisition and retention efforts, and ensuring the delivery of an outstanding experience to students across the country. He oversees on-ground, local school staff, as well as centralized headquarter personnel, ensuring effective communications and operations between them.

Before joining KVE, Mr. Gomez was the general manager of Research and Compliance Solutions, a \$100M P&L at LexisNexis. Prior to that, he co-founded a boutique private equity/consultancy focused on providing interim management for turnarounds and start-ups. Mr. Gomez has worked at Procter & Gamble and also as a strategy consultant with McKinsey & Co and Monitor Group. Eduardo serves on the board of Charter on the Beach Middle School in Miami Beach, FL. He holds an MBA from the University of Texas in Austin and BS in Finance from the University of Rhode Island.

Mary Catherine (MC) Desrosiers, Senior Vice President, Academic Products and Instructional Services

Mary Catherine (MC) Desrosiers is responsible for driving the vision behind and execution of KVE's products and instruction and their technological delivery across markets. She manages the curriculum, instruction, and institutional effectiveness teams, ensuring that those teams have the talent and resources to establish KVE's offerings as the best in the industry.

Ms. Desrosiers has a 20-plus year track record in the educational, training, and technology markets. She has established and managed all aspects of companies' core capabilities and has years of experience in building teams, processes, and controls to facilitate rapid growth. She specializes in the design, development, and delivery of products and instructional services across all types of media using a variety of emerging technologies. She has created award-winning product and services for the K–12 publishing, consumer/professional markets as well as training products and corporate business systems.

Ms. Desrosiers was one of the first executives at k12, Inc., where she formulated and delivered successful K–12 products and services for various clients and was responsible for systems/technology and operations. She also created a strategic relations and business planning group that analyzed companies and trends in the market to establish a pipeline of acquisition and partnership opportunities.

Prior to k12, Ms. Desrosiers was an executive with Atos/Origin Technologies and Philips Electronics, NA, where she established a best-of-breed organization focused on Internet technology and helped develop and implement its global e-business strategies. She worked with several Phillips’ labs on taking to market innovative ideas such as connective technologies. She also established and managed Studio Interactive, which produced award-winning educational software for CD-ROM.

Previously, Ms. Desrosiers managed the creation of multimedia applications from traditional mediums to emerging technology platforms with names such as Time-Life, Readers Digest, CTW, and the Smithsonian. She started her career at Booz-Allen & Hamilton. Ms. Desrosiers holds a B.S. from St. Mary’s College and an M.B.A. from Marymount University.

Timothy Lafferty, Executive Director of Instruction

Dr. Timothy Lafferty has established himself as a successful educator in school district communities across Pennsylvania and New York. Prior to his work at KVE, he served as District Superintendent for the Franklin Square Union Free School District on Long Island, New York. Dr. Lafferty was directly responsible for curriculum reviews and revisions, implementation of all special education mandates, and the professional development and growth of all staff members. During his 13-year tenure, the district enjoyed a period of rising enrollment and performance as it grew student population by more than 30 percent and became one of Nassau county’s top 5 districts in academic achievement (out of 56 districts).

Dr. Lafferty has served in a variety of teaching and administrative positions in Pennsylvania. In his administrative appointments, he repeatedly demonstrated commitment and achieved success in partnering with communities for long-range planning, moving toward a common vision, providing curricular and managerial leadership, and serving the unique needs of each community.

Dr. Lafferty earned his Ed.D. in Organizational Leadership from the University of Pennsylvania and an M.A. in Educational Administration from Villanova University.

Andrew Ordoover, Director of Academics

Andrew Ordoover works with both the curriculum department and the instructional staff to help develop and refine KVE’s instructional model and ensure that all Kaplan Academies provide students with rigorous, relevant curriculum materials; state of the art instructional tools; and thoughtful, innovative teachers. Previous to joining KVE, Andrew worked in Kaplan’s K12 Learning Services division, where he managed a national curriculum development team creating supplemental skills and test-readiness courses, along with full-year, core curriculum courses for a variety of school district partners. Andrew has led teacher development workshops across the country on issues of test readiness, data-driven instruction, and effective curriculum. Andrew began his career as a middle and high school teacher of English and Humanities, working in Atlanta, Brooklyn, and Manhattan. Mr. Ordoover received a BA in English from Emory University and an MFA from the University

of California at Los Angeles. He is currently pursuing an educational doctorate at Walden University.

Kathy Houlihan, Director of Student Services

Kathy Houlihan manages all student enrollment activities, textbook and laptop logistics, customer care and maintenance issues and concerns, and course setup and management for all KVE schools and programs. Prior to holding this position she was instrumental in setting up several KVE schools and has also taught in our schools. Ms. Houlihan came to us from the University of Miami Online High School where she was Mathematics Department Chair. She is certified in the state of Florida to teach math in grades 6-12. Ms. Houlihan worked for Procter & Gamble for 11 years as a manager/engineer, and during that time she earned an advanced business degree. When Kathy decided to pursue a second career in education five years ago, she began by teaching math courses online and found she loved teaching in the virtual realm where she could devote more personal attention to students than she could in a classroom setting. With her strong knowledge base and experience in virtual education, Kathy helped launch the first online schools for KVE in Missouri, Colorado and Kansas, and then applied those skills as the Director of each program. Kathy graduated with a BS in chemical engineering from Clarkson University and also holds an MBA in Marketing from the University of Scranton.

Laura Malcolm, Executive Director, Academic Technologies

Laura Malcolm oversees academic technologies at KVE, which includes platform, student portals, and student management systems—the technologies that impact every aspect of operations, from students and parents to teaching and marketing. She has been with the Kaplan organization for over six years, having filled similar roles with Kaplan K12 Learning Services and Kaplan University, respectively.

Prior to its acquisition by Kaplan, Ms. Malcolm worked at Achieva, which developed and implemented online supplemental educational programs for K–12 students. In addition, she has five years of high school teaching experience in public schools. Ms. Malcolm has a master's degree in learning, design, and technology from Stanford University.

Linda Boone, Director of Institutional Effectiveness

Dr. Linda Boone is in charge of establishing our assessment procedures and measures of success as an institution. Her team conducts data analyses on a wide variety of academic indicators, including satisfaction surveys. She also manages the corporate and school accreditation processes.

Dr. Boone spent nine years with the Middle States Commission on Secondary Schools, where she served as Associate Director for Non-Public and Distance Education Schools.

Dr. Boone holds a B.A. in English from Berea College, a M.S. in Library Science from the University of North Carolina at Chapel Hill, and a Ph.D. in Educational Leadership from Drexel University.

G. IMPACT ON THE CHARTER AUTHORIZER

This section is intended to satisfy the requirement of Education Code section 47605(g) that the charter school provide the school district with a district impact statement. This section provides information regarding the proposed operation and potential effects of Kaplan Academy of California – North Central California on the Tracy Unified School District. It is intended to assist the school district in understanding how KAC-NCC may affect the school district but it is not intended to govern the relationship of the charter school and the school district. The relationship between the charter school and the school district will be governed by the charter petition and any subsequent written agreement between these parties.

1) Facilities

A school district provided facility will not be needed. The virtual charter school is designed to operate independently of any facility. Using their secure login and password, students will be able to connect with all aspects of the program from any computer with internet access.

2) Administrative Services

KAC-NCC will be constituted as a California Non-Profit Public Benefit Corporation and will be governed by a board of directors as described above. A school's Executive Director will have lead responsibility for administering the school under policies adopted by the school's governing board and oversight given by the governing board's Executive Committee. The school anticipates that it will contract for most of its own administrative services independent of the school district. These include financial management, personnel, and instructional program development. If KAC-NCC desires to purchase any administrative services from the school district, KAC-NCC will seek to define the specific terms and cost for any such services in an annual memorandum of understanding with the school district.

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

3) Civil Liability

California Virtual Education Partners (CaVEP) will be formed as a non-profit public benefit corporation, and will be responsible for governing Kaplan Academy of California – North Central California pursuant to Education Code section 47604. Pursuant to Education Code section 47604(c) the Tracy Unified School District is not 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, so long as the district performs its oversight responsibilities. In the event that the school district does not complete its responsibilities for charter school oversight under the Charter Schools Act, the school district may expose itself to liability. The school intends to purchase liability, property, and errors and omissions insurance as outlined above to protect the school's assets, staff, governing board members, and, where appropriate, the district from unforeseen liability.

4) General Provisions of the Proposed Charter

Term

The term of this Charter shall be 1st of July 2009 through the 30th of June 2014. This Charter may be renewed for one or more subsequent five (5) year terms upon the mutual agreement of the parties.

Revisions

Material revisions of this Charter may be made in writing with the mutual consent of the Tracy Unified School District and the KAC-NCC governing board. Material revisions and amendments shall be made pursuant to the standards, criteria, and timelines set forth in Education Code section 47605; provided however that the charter school shall not be required to obtain petition signatures prior to making material amendments to the charter petition.

Severability

The terms of this charter are severable. In the event that any of the provisions are determined to be unenforceable or invalid for any reason, the remainder of the charter shall remain in effect, unless mutually agreed otherwise by the respective boards of KAC-NCC and the Tracy Unified School District. The district and school agree to meet to discuss and resolve any issues or differences relating to invalidated provisions in a timely and good faith manner.

Miscellaneous

The Tracy Unified School District and the charter school shall engage in a mutually agreeable memorandum of understanding (MOU), which outlines further details of the relationship between the district and the charter school. The MOU may include, but not be limited to, the following:

- transportation and food services to be provided by the district, if any,
- services to be purchased by the charter school from the district, and the fee schedule for such services,
- details of the oversight and monitoring relationship between the charter school and the district,
- mutual indemnification from loss,
- cash advances to handle cash flow issues, if necessary,
- charter school's receipt of mandated cost reimbursement,
- fiscal reporting requirements to the state, either independently or through the district, and
- district support for the charter school in seeking additional funding.

The charter school may purchase administrative services from the district upon mutual agreement between both parties. Such services include site budgeting, instructional programs, development, custodial services, food services, accounting, payroll and purchasing services, and some degree of personnel support. Specific terms of most of these services should be covered by the memorandum of understanding. KAC-NCC reserves the rights to purchase additional administrative or other goods or services from any third party as needed.

The district will be expected to provide oversight and performance monitoring services, including the monitoring of school and student performance data, reviewing the school's financial statement and audit reports, performing annual site visits, and considering charter amendment and renewal requests.

The MOU will delineate the liability of the Tracy Unified School District if KAC-NCC should default. As a nonprofit organization, KAC-NCC anticipates that the school district's liability will be limited as long as the district performs its oversight functions, according to law.

Communication and Notices

All official communication between Kaplan Academy of California – North Central California and the school district will be sent via first class mail or other appropriate means to the Charter School Executive Director and the Superintendent of the district, at the following locations:

California Virtual Education Partners
1133 Westwood Boulevard, Suite 201
Los Angeles, CA 90024

Superintendent of Schools
Tracy Unified School District
1875 W. Lowell Avenue
Tracy, California 95376

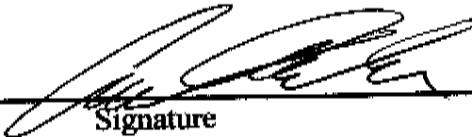
[EXHIBITS FOLLOW THIS PAGE]

EXHIBIT I - Petitioner Signatures

**PETITION FOR THE ESTABLISHMENT OF
KAPLAN ACADEMY OF CALIFORNIA –
NORTH CENTRAL CALIFORNIA,
A CALIFORNIA PUBLIC CHARTER SCHOOL
TO BE OPERATED BY
CALIFORNIA VIRTUAL EDUCATION PARTNERS**

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By the lead Petitioner:

ANDREW ORDOVER  4-3-09
Name (please print) Signature Date

The petitioners authorize the Lead Petitioner to negotiate any amendments to the attached charter necessary to secure approval by the Tracy Unified School District.

By the Petitioners:

Name (please print) Signature Date

Name (please print) Signature Date

Name (please print) Signature Date

Name (please print) Signature Date

California Virtual Education Partners

EXHIBIT I - Petitioner Signatures

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By the lead Petitioner:

Name (please print)	Signature	Date
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By the Petitioners:

Daniel W. Loder		4/4/09
Name (please print)	Signature	Date

Name (please print)	Signature	Date

Name (please print)	Signature	Date

Name (please print)	Signature	Date

EXHIBIT I - Petitioner Signatures

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By the lead Petitioner:

_____	_____	_____
Name (please print)	Signature	Date

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By the Petitioners:

Lorraine LaCroix		04/06/09
Name (please print)	Signature	Date

_____	_____	_____
Name (please print)	Signature	Date

_____	_____	_____
Name (please print)	Signature	Date

EXHIBIT I - Petitioner Signatures

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By the lead Petitioner:

Name (please print)	Signature	Date
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By the Petitioners:

<i>Hawa Ghaus-Kelley</i>	<i>Hawa Ghaus-Kelley</i>	<i>4/6/09</i>
Name (please print)	Signature	Date

Name (please print)	Signature	Date
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Name (please print)	Signature	Date
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EXHIBIT I - Petitioner Signatures

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By the lead Petitioner:

Name (please print)	Signature	Date
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The petitioners authorize the Lead Petitioner to negotiate any amendments to the attached charter necessary to secure approval by the Tracy Unified School District.

By the Petitioners:

Gayle Finch	Gayle Finch	4/4/09
Name (please print)	Signature	Date

Name (please print)	Signature	Date

Name (please print)	Signature	Date

Name (please print)	Signature	Date

EXHIBIT 1 - Petitioner Signatures

**PETITION FOR THE ESTABLISHMENT OF
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By the lead Petitioner:

Name (please print)	Signature	Date
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The petitioners authorize the Lead Petitioner to negotiate any amendments to the attached charter necessary to secure approval by the Tracy Unified School District.

By the Petitioners:

Terry Hsia	Terry Hsia	4/3/09
Name (please print)	Signature	Date

Name (please print)	Signature	Date

Name (please print)	Signature	Date

Name (please print)	Signature	Date

EXHIBIT I - Petitioner Signatures

**PETITION FOR THE ESTABLISHMENT OF
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By the lead Petitioner:

Name (please print)

Signature

Date

The petitioners authorize the Lead Petitioner to negotiate any amendments to the attached charter necessary to secure approval by the Tracy Unified School District.

By the Petitioners:

NANCY GRIEP
Name (please print)

Nancy Anne Griep
Signature

04-03-09
Date

Name (please print)

Signature

Date

Name (please print)

Signature

Date

Name (please print)

Signature

Date

EXHIBIT I - Petitioner Signatures

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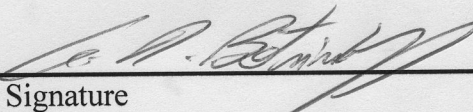
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By the lead Petitioner:

Name (please print)	Signature	Date
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The petitioners authorize the Lead Petitioner to negotiate any amendments to the attached charter necessary to secure approval by the Tracy Unified School District.

By the Petitioners:

GUSTAVO D. BOTVINIKOFF		April 5, 2009
Name (please print)	Signature	Date

	Signature	Date
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	Signature	Date
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	Signature	Date
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California Virtual Education Partners

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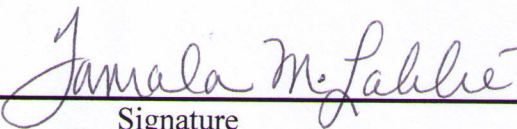
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By the lead Petitioner:

Name (please print)	Signature	Date
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By the Petitioners:

TAMALA LABBE		4/3/09
Name (please print)	Signature	Date

Name (please print)	Signature	Date

Name (please print)	Signature	Date

Name (please print)	Signature	Date

PETITION FOR THE ESTABLISHMENT OF
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By the lead Petitioner:

Name (please print)	Signature	Date
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The petitioners authorize the Lead Petitioner to negotiate any amendments to the attached charter necessary to secure approval by the Tracy Unified School District.

By the Petitioners:

Jeff S. Nichill	Jeff S. Nichill	4/3/09
Name (please print)	Signature	Date

Name (please print)	Signature	Date
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Name (please print)	Signature	Date
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Name (please print)	Signature	Date
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By the lead Petitioner:

Name (please print)	Signature	Date
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The petitioners authorize the Lead Petitioner to negotiate any amendments to the attached charter necessary to secure approval by the Tracy Unified School District.

By the Petitioners:

Jennifer Huston - CA Mult. Subject Grad.	J. Huston	4/4/09
Name (please print)	Signature	Date

Name (please print)	Signature	Date
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Name (please print)	Signature	Date
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Name (please print)	Signature	Date
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By the lead Petitioner:

Name (please print)	Signature	Date
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The petitioners authorize the Lead Petitioner to negotiate any amendments to the attached charter necessary to secure approval by the Tracy Unified School District.

By the Petitioners:

Janet Balekian		4/5/09
Name (please print)	Signature	Date

Name (please print)	Signature	Date
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Name (please print)	Signature	Date
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Name (please print)	Signature	Date
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By the lead Petitioner:

Name (please print)	Signature	Date
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The petitioners authorize the Lead Petitioner to negotiate any amendments to the attached charter necessary to secure approval by the Tracy Unified School District.

By the Petitioners:

Suzanna Martinez  **4/3/09**

Name (please print)	Signature	Date
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Name (please print)	Signature	Date
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Name (please print)	Signature	Date
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Name (please print)	Signature	Date
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EXHIBIT II

Assurances

As the authorized representative of the applicant, I hereby certify that the information submitted in this application for a charter for Kaplan Academy of California – North Central California to be authorized by the Tracy Unified School District is true to the best of my knowledge and belief; I also certify that this application does not constitute the conversion of a private school to the status of a public charter school; and further I understand that if awarded a charter, the school:

1. Will meet all statewide standards and conduct the student assessments required, pursuant to Education Code §60605, and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools. [Ref. California Education Code §47605(c)(1)]
2. Will/will not (circle one) be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Act (Chapter 10.7 (commencing with §3540) of Division 4 of Title 4 of Title 1 of the Government Code.¹ [Ref. California Education Code §47605(b)(5)(O)]
3. Will be nonsectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. California Education Code §47605(d)(1)]
4. Will not charge tuition. [Ref. California Education Code §47605(d)(1)]
5. Will admit all students who wish to attend the school, and who submit a timely application, unless the school receives a greater number of applications than there are spaces for students, in which case each applicant will be given equal chance of admission through a random lottery process. [Ref. California Education Code §47605(d)(2)(B)]
6. Will not discriminate against any student on the basis of ethnic background, national origin, gender, or disability. [Ref. California Education Code §47605(d)(1)]
7. Will adhere to all provisions of federal law relating to students with disabilities, including the IDEA, Section 504 of the Rehabilitation Act of 1974, and Title II of the Americans with Disabilities Act of 1990, that are applicable to it.
8. Will meet all requirements for employment set forth in applicable provisions of law, including, but not limited to credentials, as necessary. [Ref. Criteria for Review, §11967.5.1(f)(5)]
9. Will ensure that teachers in the 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 §47605(l)]
10. Will at all times maintain all necessary and appropriate insurance coverage.
11. Will follow any and all other federal, state, and local laws and regulations that pertain to the applicant or the operation of the charter school.


Authorized Representative's Signature

4-6-09
Date

¹ In the case of any petition to establish a charter school that is approved by the State Board of Education, the charter school must be deemed the exclusive public school employer.

EXHIBIT III

Program Alignment to California High School Diploma Requirements

The charter school will configure its minimum course completion requirements and its credit award policy so as to fulfill the high school graduation requirements of the Tracy Unified School District.

Consistent with California Law, the school will prescribe completion of the following, at a minimum:

- Four courses in English (English I, II, III, IV).
- Three courses in Mathematics, with one year of Algebra I mandatory (Algebra I, Geometry, Intermediate Algebra and one other).
- Two courses in Science (Biology, physical science, with laboratory sections).
- Three courses in Social Studies (including United States history and geography; world history, culture, and geography; a one-semester course in American government and civics, and a one-semester course in economics).
- One course in Visual or Performing Arts or Foreign Language.¹
- Two courses in Physical Education, unless the pupil has been exempted pursuant to the provisions of *Education Code* Section 51241.

¹ Students will be advised that for UC entrance, two years of Foreign Language are required/ three recommended, **plus** one year of Visual and Performing Arts.

EXHIBIT IV

KVE Course Catalog

Five pages follow this title page

Kaplan Virtual Education Course Catalog	
Course Name	Credit
High School Core Catalog	
Language Arts	
Grammar & Composition, First Semester	0.5
Grammar & Composition, Second Semester	0.5
English 1: Survey of Literature, First Semester	0.5
English 1: Survey of Literature, Second Semester	0.5
English 1 Honors: Survey of Literature, First Semester	0.5
English 1 Honors: Survey of Literature, Second Semester	0.5
English 2: World Literature, First Semester	0.5
English 2: World Literature, Second Semester	0.5
English 2 Honors: World Literature, First Semester	0.5
English 2 Honors: World Literature, Second Semester	0.5
English 3: American Literature, First Semester	0.5
English 3: American Literature, Second Semester	0.5
English 3 Honors: American Literature, First Semester	0.5
English 3 Honors: American Literature, Second Semester	0.5
English 4: British Literature, First Semester	0.5
English 4: British Literature, Second Semester	0.5
English 4 Honors: British Literature, First Semester	0.5
English 4 Honors: British Literature, Second Semester	0.5
Smart Track Remedial Reading	
ESL ReadingSmart	
Mathematics	
Consumer Math, First Semester	0.5
Consumer Math, Second Semester	0.5
Pre-Algebra, First Semester	0.5
Pre-Algebra, Second Semester	0.5
Algebra IA, First Semester	0.5
Algebra IA, Second Semester	0.5
Algebra IB, First Semester	0.5
Algebra IB, Second Semester	0.5
Algebra I, First Semester	0.5
Algebra I, Second Semester	0.5
Algebra I Honors, First Semester	0.5
Algebra I Honors, Second Semester	0.5
Algebra II, First Semester	0.5
Algebra II, Second Semester	0.5
Algebra II Honors, First Semester	0.5
Algebra II Honors, Second Semester	0.5
Geometry, First Semester	0.5
Geometry, Second Semester	0.5
Geometry Honors, First Semester	0.5
Geometry Honors, Second Semester	0.5
Trigonometry - one semester	0.5
Pre-Calculus – first semester	0.5
Pre-Calculus - second semester	0.5
Calculus – first semester	0.5
Calculus – second semester	0.5

Kaplan Virtual Education Course Catalog	
Course Name	Credit
Science	
Biology - first semester	0.5
Biology - second semester	0.5
Biology Honors - first semester	0.5
Biology Honors - second semester	0.5
Chemistry, First Semester	0.5
Chemistry, Second Semester	0.5
Chemistry Honors, First Semester	0.5
Chemistry Honors, Second Semester	0.5
Earth Space Science - first semester	0.5
Earth Space Science - second semester	0.5
Earth Space Science Honors - first semester	0.5
Earth Space Science Honors - second semester	0.5
Marine Science - first semester	0.5
Marine Science - second semester	0.5
Physical Science - first semester	0.5
Physical Science - second semester	0.5
Physics - first semester	0.5
Physics - second semester	0.5
Physics Honors - first semester	0.5
Physics Honors - second semester	0.5
Environmental Science - first semester	0.5
Environmental Science - second semester	0.5
Social Studies	
American History - first semester	0.5
American History - second semester	0.5
American History Honors - first semester	0.5
American History Honors- second semester	0.5
World History first semester	0.5
World History second semester	0.5
World History Honors first semester	0.5
World History Honors second semester	0.5
American Government	0.5
American Government Honors	0.5
Economics	0.5
Economics Honors	0.5
Geography - first semester	0.5
Geography - second semester	0.5
Foreign Language	
Spanish 1 - first semester	0.5
Spanish 1 - second semester	0.5
Spanish 2 - first semester	0.5
Spanish 2 - second semester	0.5
Spanish 3 - first semester	0.5
Spanish 3 - second semester	0.5
French 1 - first semester	0.5
French 1 - second semester	0.5
French 2 - first semester	0.5
French 2 - second semester	0.5
French 3 - first semester	0.5
French 3 - second semester	0.5
Latin 1 - first semester	0.5
Latin 1 - second semester	0.5
Latin 2 - first semester	0.5
Latin 2 - second semester	0.5
Latin 3 - first semester	0.5
Latin 3 - second semester	0.5
Mandarin Chinese 1 - first semester	0.5
Mandarin Chinese 1 - second semester	0.5
Mandarin Chinese 2 - first semester	0.5
Mandarin Chinese 2 - second semester	0.5

Kaplan Virtual Education Course Catalog	
Course Name	Credit
Other Electives	
Thinking and Learning Strategies	0.5
Journalism - first semester	0.5
Journalism - second semester	0.5
Psychology - 1 semester only	0.5
Art History - first semester	0.5
Art History - second semester	0.5
Music Appreciation	0.5
Computer Literacy - first semester (Google docs)	0.5
Computer Literacy - second semester (Google docs)	0.5
Computing for College and Careers, First Semester	0.5
Computing for College and Careers, Second Semester	0.5
Health	0.5
Nutrition	0.5
Physical Education 1	0.5
Physical Education 2	0.5
Physical Ed. for the Special Education Student (IEP or 504 Plan)	0.5
Personal Finance	0.5
Career Planning	0.5
Digital Photography and Graphics (GIMP)	0.5
Digital Video Production (Movie Maker)	0.5
Web Design (KomboZer)	0.5
Flash Animation (CS 4)	0.5
Game Design I	0.5
Game Design II	0.5
Online Game Design (CS 4)	0.5
CAHSEE Test Prep	0.5
ACT Prep	0.5
SAT Prep (math and English)	0.5
Advanced Placement	
AP English Literature - first semester	0.5
AP English Literature - second semester w/ Exam Review	0.5
AP English Language - first semester	0.5
AP English Language - second semester w/Exam Review	0.5
AP Art History - first semester	0.5
AP Art History - second semester w/ Exam Review	0.5
AP Statistics - first semester	0.5
AP Statistics - second semester	0.5
AP CalculusAB - first semester	0.5
AP CalculusAB - second semester w/Exam Review	0.5
AP CalculusBC - first semester	0.5
AP CalculusBC - second semester	0.5
AP Chemistry – first semester	0.5
AP Chemistry – second semester	0.5
AP Physics B - first semester	0.5
AP Physics B - second semester	0.5
AP Biology - first semester	0.5
AP Biology - second semester w/ Exam Review	0.5
AP Microeconomics	0.5
AP Macroeconomics w/Exam Review	0.5
AP US Government and Politics w/ Exam Review	0.5
AP US History - first semester	0.5
AP US History - second semester w/ Exam Review	0.5
AP World History - first semester	0.5
AP World History - second semester	0.5

Kaplan Virtual Education Course Catalog	
Course Name	Credit
<i>Middle School Catalog</i>	
Language Arts	
6th Grade Language Arts, First Semester	0.5
6th Grade Language Arts, Second Semester	0.5
6th Grade Language Arts, First Semester, Advanced	0.5
6th Grade Language Arts, Second Semester, Advanced	0.5
7th Grade Language Arts, First Semester	0.5
7th Grade Language Arts, Second Semester	0.5
7th Grade Language Arts, First Semester, Advanced	0.5
7th Grade Language Arts, Second Semester, Advanced	0.5
8th Grade Language Arts, First Semester	0.5
8th Grade Language Arts, Second Semester	0.5
8th Grade Language Arts, First Semester, Advanced	0.5
8th Grade Language Arts, Second Semester, Advanced	0.5
Mathematics	
6th Grade Mathematics, First Semester	0.5
6th Grade Mathematics, Second Semester	0.5
6th Grade Mathematics, First Semester, Advanced	0.5
6th Grade Mathematics, Second Semester, Advanced	0.5
7th Grade Mathematics, First Semester	0.5
7th Grade Mathematics, Second Semester	0.5
7th Grade Mathematics, First Semester, Advanced	0.5
7th Grade Mathematics, Second Semester, Advanced	0.5
8th Grade Mathematics, First Semester	0.5
8th Grade Mathematics, Second Semester	0.5
8th Grade Mathematics, First Semester, Advanced	0.5
8th Grade Mathematics, Second Semester, Advanced	0.5
Science & Health	
6th Grade Science, First Semester	0.5
6th Grade Science, Second Semester	0.5
6th Grade Science, First Semester, Advanced	0.5
6th Grade Science, Second Semester, Advanced	0.5
7th Grade Science, First Semester	0.5
7th Grade Science, Second Semester	0.5
7th Grade Science, First Semester, Advanced	0.5
7th Grade Science, Second Semester, Advanced	0.5
8th Grade Science, First Semester	0.5
8th Grade Science, Second Semester	0.5
8th Grade Science, First Semester, Advanced	0.5
8th Grade Science, Second Semester, Advanced	0.5
6th Grade Health / Physical Ed, First Semester	0.5
6th Grade Health / Physical Ed, Second Semester	0.5
7th Grade Health / Physical Ed, First Semester	0.5
7th Grade Health / Physical Ed, Second Semester	0.5
8th Grade Health / Physical Ed, First Semester	0.5
8th Grade Health / Physical Ed, Second Semester	0.5
Social Studies	
Social Studies (World Geography), First Semester	0.5
Social Studies (World Geography), Second Semester	0.5
Social Studies (World Geography), First Semester Advanced	0.5
Social Studies (World Geography), Second Semester Advanced	0.5
Social Studies (World Cultures), First Semester	0.5
Social Studies (World Cultures), Second Semester	0.5
Social Studies (World Cultures), First Semester Advanced	0.5
Social Studies (World Cultures), Second Semester Advanced	0.5
Social Studies (US History), First Semester	0.5
Social Studies (US History), Second Semester	0.5
Social Studies (US History), First Semester Advanced	0.5
Social Studies (US History), Second Semester Advanced	0.5

Kaplan Virtual Education Course Catalog	
Course Name	Credit
Electives - Middle School	
6th Grade Smart Track Reading (Remedial)	
7th Grade Smart Track Reading (Remedial)	
8th Grade Smart Track Reading (Remedial)	
6th Grade Smart Track Mathematics (Remedial)	
7th Grade Smart Track Mathematics (Remedial)	
8th Grade Smart Track Mathematics (Remedial)	
Computer Fundamentals, First Semester	0.5
Computer Fundamentals, Second Semester	0.5
Career Explorations, One Semester	0.5
Art Appreciation (6th), One Semester	0.5
Music Appreciation (6th), One Semester	0.5
Art Appreciation (7th), One Semester	0.5
Music Appreciation (7th), One Semester	0.5
Art Appreciation (8th), One Semester	0.5
Music Appreciation (8th), One Semester	0.5
Keyboarding	0.5

California Virtual Education Partners
Supplemental Information to the Charter School Petition
Regarding Daily Instruction at the Charter School

Staffing Structure

KAC will employ a layered instructional approach. Each student receives individualized support from an academic team that includes Academic Department Chairpersons, Instructors and Academic Advisors. The Department Chairperson manages the department and provides leadership in the development of goals and quality instruction within each subject-area department. Instructors work directly with students by answering their questions, explaining concepts and techniques as necessary, adjusting lessons and assignments as needed, and monitoring student pace. Academic Advisors encourage student achievement through mentoring and support, for example by helping students plan for their academic future and success, navigate the online system, understand school policies and protocols, and plan their class schedules and course sequencing.

Student-Teacher Interaction

The KVE teaching model fosters quality interaction between students and the academic team. Opportunities for one-on-one contact include individual student/teacher phone calls, teacher/parent phone conferences, academic advisor phone conferences with parents and/or students; academic team phone conferences (these include parents and student); and individual student/teacher “whiteboard” sessions. These synchronous sessions can also be conducted with groups of students.

In addition to lesson-related “contact” assignments that are part of every course, students are required to initiate one direct communication with each of their online Instructors on a weekly basis. Direct communication includes phone, email, or instant message.

In addition to the lesson contact and weekly required contact, teachers are required to contact each student at least twice monthly, via phone call or instant message, for academic review and assistance purposes. For a student taking six classes, this translates to twelve such sessions per month. Instructors are also expected to initiate contact if there are signs of a student falling behind pace, as indicated by the tracking functions of the LMS.

Instructors are required to return e-mail and phone calls within 24 hours; deliver grades for tests and assignments within 48 hours of submission; and take full advantage of the communication tools and protocols described above. The Department Chairperson coordinates the student’s academic team to ensure that these communication protocols are being followed and that student needs are being identified and addressed.

In the flexible, student-driven virtual environment, “quality” interaction means skillful and appropriate to individual learner needs, and therefore relies on factors that go beyond lesson planning or required contact policies. It begins with how teachers are trained for interaction in the online environment.

Under the KVE regimen, the school Executive Director (ED) and all faculty undergo two days of training on-site. The format is part instruction and part interactive exercises that enable attendees to learn the concepts and procedures through actual practice.

Additionally, all participants undergo remote training that is position-specific for duration: the ED (6 hours), Department Chairpersons and Academic Advisors (5 hours), and Instructors (4 hours)¹. Training is provided in these modules:

- Philosophy/Guiding Principles
- Employee Handbook
- Position-specific Welcome Call
- Job-specific Academic Operation Policies & Procedures
- eCollege Platform/LMS
- Student Management System
- Academic Integrity Software
- Accommodating exceptional students (covers special needs; special education; gifted and talented)
- Instructional strategies for the English Language Learner
- Anticipating and responding to student conduct violations and disciplinary scenarios
- Telecom
- Email
- Instant Messaging
- State Testing Procedures
- HR Overview

In addition to these policies, protocols, and system/software proficiencies, the program teaches effective online communication. Great emphasis is placed on techniques for providing quality feedback to students; i.e., feedback that students find helpful and effective because it is personable, constructive, and detailed. The training manual includes examples of excellent, good, and poor instructor feedback (written comments) on graded assignments.

Faculty training materials also illustrate how the Student Management System should be used to maintain frequent contact that will keep the system updated and all parties apprised of student progress, special situations or impending interruptions (for example, a medical leave of absence). This enables teachers and students to proactively respond to, or plan around, any such exigencies.

In addition to the formal training module that teaches navigation and use of the LMS, all faculty have access to an eCollege training course that is very similar to what students experience when they log in and navigate the system. The teacher can experience first-hand what students will see when they are working through and completing KAC courses.

¹ After this initial training, the ED and faculty are required to complete additional professional development every semester.

Plan for Students Who Are Academically Low Achieving

Identifying and Understanding Low Achievers

KAC's instructional team is prepared to work with a diverse student population, and to focus intensively on those who struggle academically and perform below expectations.

The petitioners understand that students can find themselves struggling for a variety of reasons. Some have difficulty staying on task; others have become accustomed and resigned to lowered expectations based on a pattern of past setbacks (to give just two examples).

These students will be identified through past performance as recorded on transcripts; discussions with parents and previous counselors; IEPs; student assessments; writing samples; and ongoing one-on-one communication between teacher and student. KAC teachers will use this information to proactively support students and address individual needs before more intensive intervention efforts are required.

Structural Elements and Strategic Responses for Raising Student Achievement Levels

To meet the challenges faced by struggling students, instructors will offer continuous motivation and support; seek ways to engage students in meaningful learning through multiple delivery methods; and work one-on-one with students and parents in various ways. These include individual student/teacher calls, teacher/parent phone conferences, academic team phone conferences (these include parents and student); and individual student/teacher "whiteboard" sessions. Where needed, instructors or advisors will also provide individual tutoring.

While all students can benefit from the flexible pacing inherent in the school's virtual program, struggling students in particular will benefit from a curriculum that does not mandate that all students demonstrate their knowledge and skills in identical ways or at identical times. Instruction is designed around a variety of graded assignments that afford students varied ways to demonstrate mastery of content. These include class discussions; worksheets; practice assignments; quizzes; journals; essays; creative writing papers; research projects; group projects; exams; reviews/case studies; and portfolio pieces, in addition to State testing.

Along with this range of assignments, the program provides teachers with varied instructional suggestions to help different students master the material, each created to address different learning styles and levels of challenge. By drawing upon this menu of strategies and assignments to build a student's individual learning plan, teachers can provide comprehensive learning experiences tailored to each student's needs.

Some additional ways in which the virtual classroom is geared to accommodate each student's singular needs and learning style are:

- individual support from a team of academic professionals: department chairpersons, instructors, and academic advisors;
- multimedia format that accommodates differences in knowledge acquisition by delivering mutually redundant/reinforcing text, visual, and audio content;

- hyperlinks providing immediate web access to reference materials and context sources;
- prompt response and feedback on graded assignments;
- the ability of students to check grades and track their progress (and retrieve all course submissions to read instructor comments) via the Gradebook interface described in B. 3) below;
- multiple avenues for frequent one-on-one contact between teacher and student, including synchronous whiteboard sessions, but also asynchronous e-text modes that afford the extra time for reflection and revision that helps level the playing field for certain types of learners;
- the ability to balance or choose between highly independent and collaborative modes of working on some assignments;
- the de-coupling of curriculum breadth from district resources derived from local tax revenue. This enables all students, wherever they are situated, to access any course they need ranging from remedial to AP and honors.

EXHIBIT V

Standard Curriculum Sequence: English I, II, III, IV

Four pages follow this title page

English 1: Survey of Literature

Semester 1 only; Semester 2 available January 2009

0.5 credits

Prerequisites: none

Course Description

In English 1: Survey of Literature, students investigate the connections between literature, culture, and their own life experiences. Grade-level appropriate reading selections include novels, short stories, and poetry representing a broad cross-section of American subcultures and literary traditions. The course also builds fundamental writing and communication skills. Through frequent writing assignments and writing-focused lessons, students are introduced to the writing process and the basic principles of academic research.

Course Materials

Semester 1

Required Books:

- *To Kill a Mockingbird*, by Harper Lee
- One of the following: *Alice's Adventures in Wonderland*, by Lewis Carroll; *The Wonderful Wizard of Oz*, by L. Frank Baum; or *The Jungle Book*, by Rudyard Kipling
- One of the following: *A Lesson Before Dying* by Ernest Gaines; *My Name is Asher Lev*, by Chaim Potok; *Snow Falling on Cedars* by David Guterson; or *Uncle Tom's Children* by Richard Wright
- *When I Was Puerto Rican* by Esmeralda Santiago

Course Outline:

Semester 1

Module 1: Reading Literature

Unit 1: What is Literature?

Unit 2: How Should You Read?

Unit 3: The Importance of Context

Module 2: Discovering Literature

Unit 1: Identifying Themes

Unit 2: Getting to Know Characters

Unit 3: Characters and Their Conflicts

Module 3: Analyzing Literature

Unit 1: The Role of Setting

Unit 2: Setting the Mood

Unit 3: The Moral of the Story

English 2: World Literature

Semester 1 only; Semester 2 available January, 2009

0.5 credits

Prerequisites: none

Course Description

This course introduces students to major literary traditions from all corners of the globe. Reading selections include novels, short stories, epic poetry, drama, and mythology spanning the millennia of human history. As students explore various time periods and cultures through literature, they also build proficiency in writing, literary analysis, and critical thinking.

Course Materials

Semester 1

Required Books:

- *Fahrenheit 451* by Ray Bradbury

Recommended Books:

- *1001 Arabian Nights*, various authors
- *Tigers on the Tenth Day and Other Stories*, by Zakaria Tamer
- *Antigone*, by Sophocles
- *The Iliad*, by Homer
- *Don Quixote*, by Cervantes
- *Le Cid*, by Pierre Corneille

Course Outline

Semester 1

Module 1: Learning Lessons From Literature

Unit 1: What is Language Arts?

Unit 2: Stories with Purpose

Unit 3: Read the Selection: Greek Literature

Unit 4: Literature as Warning

Module 2: Classifying Character

Unit 1: Characters as Mirrors

Unit 2: What Makes a Hero?

Module 3: Evaluating Character

Unit 1: What Makes a Good Person? (Eastern Wisdom)

Unit 2: What Makes A Good Person? (Middle Eastern Wisdom)

English 3: American Literature

1.0 credits

Prerequisites: none

Course Description

This course provides students experience in analyzing American texts and writers of the historical literary periods including the Puritans, Westward Expansion, the Industrial Revolution, Transcendentalism, the Roaring Twenties, the Great Depression, and the Civil Rights Movement. Students will continue to improve strategies for writing timed essays for the SAT writing assessment and will use the process approach to research. Students will write a paper about American ideals consistent with the MLA style of documentation. In addition to online reading texts, students will study American novels and an American play.

Course Materials

Semester 1

None required.

Semester 2

Required Books:

- *The Great Gatsby* by F. Scott Fitzgerald
- *Of Mice and Men* by John Steinbeck
- *A Raisin in the Sun* by Lorraine Hansberry

Required Film Rental:

- *Matewan* (1987)

Course Outline

Semester 1

Module 1: The American Dream

Unit 1: Propaganda: The Call to a New Frontier

Unit 2: Individualism in America

Module 2: Varying Perspectives of the American Dream

Unit 1: The Native Americans, Slavery, and Forced Relocations

Unit 2: Call to a New Frontier

Semester 2

Module 1: Dissolution of the American Dream

Unit 1: America: The Roaring 20s and the Great Gatsby

Unit 2: Westward Expansion, Boom and Bust, and The American Dream Deferred

Module 2: Alienation, Displacement, and Disappointment

Unit 1: The Importance of Place

Unit 2: The Power of People

English 4: British Literature

1.0 credits

Prerequisites: none

Course Description

This course provides college-bound students a solid background in British Literature, from the early epic *Beowulf* to the science fiction of George Orwell. Students will develop the sophisticated skills of analyzing poetry and conducting close readings of difficult texts. Asynchronous discussions about difficult texts will help students develop literary analyses and comparison-contrasts of literary elements and devices.

Course Materials

Semester 1

Required Play:

- *Hamlet* by William Shakespeare

Required Film Rentals:

- *Mists of Avalon*
- *Once and Future King* *OR* *Excalibur*
- *Hamlet* (preferred version: 1990, with Mel Gibson and Glenn Close)

Semester 2

Required Book:

- *1984* by George Orwell

Course Outline

Semester 1

Module 1: A Spot of Epic Proportions

Unit 1: *Beowulf*

Unit 2: Chaucer's *Canterbury Tales*

Unit 3: Around the Round Table

Module 2: A Spot of Early Ages

Unit 1: Scansion, Schemes, and Sonnets

Unit 2: The Renaissance

Unit 3: The Romantic Age

Module 3: A Spot of Shakespeare

Unit 1: Bits of the Bard

Unit 2: *Hamlet*

Semester 2

Module 4: A Spot of the Later Ages

Unit 1: The Victorian Age

Unit 2: The Edwardian Age

Unit 3: The Modern Age

Module 5: Dystopian Literature

Unit 1: *Utopia*, *Republic*, and *1984*

Unit 2: *Brave New World*

EXHIBIT VI

Proposed Three-year Operating Budget

Kaplan Academy of California – North Central California			
	2009/10	2010/11	2011/12
Students	500	1,000	1,500
Funding per student (\$4,980K @ 100%)	\$ 4,980	\$ 5,129 ⁽¹⁾	\$ 5,283 ⁽¹⁾
Certified Teaching Staff	21	36	54
Charter School Funding	\$ 2,490,025	\$ 5,129,452	\$ 7,925,003
Miscellaneous Revenue/USDOE grants	-		
REVENUES	2,490,025	5,129,452	7,925,003
Teacher salaries and benefits	1,245,013	2,462,137	3,804,001
Instructional cost	522,905	1,308,010	2,417,126
Other Operating Expenses	597,606	1,077,185	1,268,000
Total	2,365,524	4,847,332	7,489,127
Plus			
Reserve for Contingency (5%)	124,501	256,473	396,250
Expenditures and Reserve	2,490,025	5,103,804	7,885,378
Surplus/ (deficit)	0	25,647	39,625
Cash Flow			
Beg Balance	-	125,000	275,647
Grant	125,000	125,000	
Revenues	2,490,025	5,129,452	7,925,003
Expenditures	(2,490,025)	(5,103,804)	(7,885,378)
Start Up Expenses	180,000		
Ending Balance	125,000	275,647	315,272
(1) adjusted for 3% COLA			
California Virtual Education Partners, April 2009			

CALIFORNIA - North Central (Tracy USD)

CaVEP View

\$	July-Dec 2009B Fall	Jan-June 2010B Spring	Fiscal Yr 2009-10	July-Dec 2010B Fall	Jan-June 2011B Spring	Fiscal Yr 2010-11
Revenue Paying Students (ADA)	355	593	593	1,002	1,096	
Total Students	394	659	659	1,113	1,218	
	-			-		
Revenue from State (earned)	932,624	1,947,472	2,880,095	3,289,129	3,599,424	6,888,553
Revenue from District - in lieu Property Taxes (est)	34,596	72,242	106,837	122,010	133,521	255,531
Grants (Planning & Implementation)	125,000	-	125,000	125,000	-	125,000
Total Revenue & Grants	1,092,220	2,019,713	3,111,933	3,536,139	3,732,945	7,269,084
Total Teaching & Benefits & District	381,595	893,126	1,274,722	1,466,011	1,674,639	3,140,651
Total Administration	61,250	63,700	124,950	63,700	66,248	129,948
PSA (Curricula, Textbooks, Technology, Mktg, etc.)	490,711	1,009,857	1,500,567	1,705,570	1,866,472	3,572,042
Other Operating Expenses:						
Liability Insurance	11,784	18,534	30,318	31,303	34,256	65,559
Workers Comp Insurance	6,858	15,022	21,880	23,694	27,369	51,063
Office Rent	-	-	-	-	-	-
Accounting Services	18,000	18,000	36,000	18,000	18,000	36,000
Tax Services	-	14,000	14,000	-	14,000	14,000
Annual Audit	-	13,741	13,741	-	14,017	14,017
Other Consulting	15,000	10,000	25,000	-	10,000	10,000
Payroll Fee	2,600	2,600	5,200	2,600	2,600	5,200
Annual Accreditation	-	2,000	2,000	2,000	-	2,000
Charter School Expense Reimbursement	3,250	3,250	6,500	3,250	3,250	6,500
Office Supplies / Misc	1,800	1,800	3,600	1,800	1,800	3,600
General Travel	1,800	1,800	3,600	1,800	1,800	3,600
Interest	332	-	332	-	-	-
Total	61,091	100,747	162,171	84,447	127,092	211,539
Total Expense	994,647	2,067,430	3,062,410	3,319,727	3,734,452	7,054,179
Operating Income	97,572	(47,717)	49,523	216,412	(1,507)	214,904
Cash Flow						
Beginning Cash Balance	-	414,692	-	59,717	288,149	59,717
Revenue Received	1,372,324	1,739,608	3,111,933	3,536,139	3,732,945	7,269,084
Expenses Paid	466,589	1,084,727	1,551,316	1,602,137	1,854,825	3,456,963
Loan	50,000	-	50,000	-	-	-
Repayment of Loan	50,332		50,332			-
Payment of PSA A/P	490,711	1,009,857	1,500,567	1,705,570	1,866,472	3,572,042
Ending Cash Balance	414,692	59,717	59,717	288,149	299,796	299,796

EXHIBIT VII

Articles of Incorporation for California Virtual Education Partners (3 pages including this title page)

3099023

State of California Secretary of State



I, DEBRA BOWEN, Secretary of State of the State of California, hereby certify:

That the attached transcript of 2 page(s) has been compared with the record on file in this office, of which it purports to be a copy, and that it is full, true and correct.



IN WITNESS WHEREOF, I execute this certificate and affix the Great Seal of the State of California this day of

MAY 08 2008

A handwritten signature in cursive script that reads "Debra Bowen".

DEBRA BOWEN
Secretary of State

3099023

ENDORSED - FILED
in the office of the Secretary of State
of the State of California

MAY 08 2008

ARTICLES OF INCORPORATION

Article I

The name of the corporation is California Virtual Education Partners, Inc.

Article II

This corporation is a nonprofit Public Benefit Corporation and is not organized for the private gain of any person.

A. It is organized under the Nonprofit Public Benefit Corporation Law for:

- ☐ public purposes.
- or ☐ charitable purposes.
- or ☒ public and charitable purposes.

B. The specific purpose of this corporation is to create, manage and maintain public charter schools in the state of California. The corporation may also engage in any lawful activity for which nonprofit corporations may be organized under the laws of California and within the meaning of Section 501(c)(3) of the Internal Revenue Code, or the corresponding provision of any future federal tax code. The corporation is organized exclusively for public and educational purposes including, for that purpose, the making of distributions to organizations that qualify as exempt organizations under Section 501(c)(3) of the Internal Revenue Code, or the corresponding provision of any future federal tax code.

Article III

The name and address in the State of California of this corporation's initial agent for service of process is:

Name: Gary Borden
Address: 34 Farnsworth Lane
City: San Francisco
State: California
Zip Code: 94117

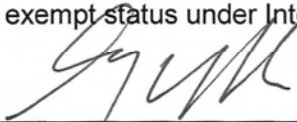
Article IV

A. This corporation is organized and operated exclusively for public and charitable purposes within the meaning of Internal Revenue Code section 501(c)(3).

B. No substantial part of the activities of this corporation shall consist of carrying on propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate or intervene in any political campaign (including the publishing or distribution of statements) on behalf of any candidate for public office.

Article V

The property of this corporation is irrevocably dedicated to charitable purposes and no part of the net income or assets of this corporation shall ever inure to the benefit of any director, officer or member thereof or to the benefit of any private person. Upon the dissolution or winding up of the corporation, its assets remaining after payment, or provision for payment, of all debts and liabilities of this corporation shall be distributed to a nonprofit fund, foundation or corporation which is organized and operated exclusively for charitable purposes and which has established its tax exempt status under Internal Revenue Code section 501(c)(3).



Gary Borden, Incorporator



EXHIBIT VIII

CaVEP Filing for Federal Tax-Exempt Status

[forthcoming]