

## CERTIFICATION OF COMPLETE CHARTER PETITION

### *Education Code Section 47605(b)*

A charter petition is deemed received by the governing board of the school district on the day the petitioner submits a petition to the district office, along with a signed certification that the petitioner deems the petition to be complete. The following certification is submitted in compliance with Education Code Section 47605(b).

No later than 60 days after receiving a petition, the governing board of the school district shall hold a public hearing on the provisions of the charter, at which time the governing board of the school district shall consider the level of support for the petition by teachers employed by the school district, other employees of the school district, and parents. Following review of the petition and the public hearing, the governing board of the school district shall either grant or deny the charter within 90 days of receipt of the petition, provided, however, that the date may be extended by an additional 30 days if both parties agree to the extension.

- Date of submission: 9/19/2023
- Deadline for public hearing: 11/19/2023
- Deadline for granting or denying the charter petition: 12/19/2023

### **Certification**

By signing below, I certify as follows:

1. That I am the authorized representative of Peak Prep Pleasant Valley, and that I am competent and qualified to certify to the facts herein;
2. That, as the authorized representative, I have personal knowledge of the facts forming the basis of this certification;
3. That I make this certification for purposes of Education Code Section 47605(b) only; and
4. That I deem the charter petition to be complete.

Name: Dr. S. Bishop, Lead Petitioner

Signature: 

Date: 9/19/2023

School Name: Peak Prep Pleasant Valley

# Peak Prep Pleasant Valley Charter School

Serving Transitional Kindergarten Through Grade  
Twelve

Presented to the Pleasant Valley School District  
Governing Board

## **Pleasant Valley School District**

600 Temple Ave.  
Camarillo, CA 93010-4835

### **Charter Renewal Petition**

For a Five-Year Term  
July 1, 2025 Through June 30, 2030

Lead Petitioner  
Peak Prep Pleasant Valley, Dr. Bishop

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## **AFFIRMATIONS/DECLARATION**

As the authorized lead petitioner, we, Peak Prep Pleasant Valley, under the direction of Dr. Bishop, hereby certify that the information submitted in this petition for a California public charter school to be named Peak Prep Pleasant Valley (hereafter referred to as “Charter School”), and to be located within the boundaries of Ventura County is true to the best of my knowledge and belief; and further, I understand that if renewed, Peak Prep School:

- Shall meet all statewide standards and conduct the student assessment tests pursuant to Education Code Section 60605, and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools. [Ref. Education Code Section 47605(d)(1)];
- Declares that it shall be deemed the exclusive public-school employer of the employees of Peak Prep Pleasant Valley for purposes of the Educational Employment Relations Act. [Ref. Education Code Section 47605(c)(6)];
- Shall be nonsectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. Education Code Section 47605(e)(1)];
- Shall not charge tuition. [Ref. Education Code Section 47605(e)(1)];
- Shall not discriminate on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, including immigration status, or association with an individual who has any of the aforementioned characteristics) [Ref. Education Code Section 47605(e)(1)];
- Shall admit all pupils who wish to attend Peak Prep School, unless Peak Prep School receives a greater number of applications than there are spaces for students, in which case it will hold a public random drawing to determine admission. Preferences in the public random drawing will be given in accordance with Education Code Section 47605(e)(2)(B)(i)-(iv). Except as required by Education Code Section 47605(e)(2) and Education Code Section 51747.3, admission to Peak Prep School shall not be determined according to the place of residence of the student or of that student’s parent or legal guardian within the State. In the event of a drawing, The Charter authority shall make reasonable efforts to accommodate the growth of Peak Prep School in accordance with Education Code Section 47605(e)(2)(C). [Ref. Education Code Section 47605(e)(2)(A)-(C)];
- Shall adhere to all provisions of federal law related to students with disabilities including, but not limited to the Individuals with Disabilities Education Improvement Act of 2004 (“IDEA”), Section 504 of the Rehabilitation Act of 1973 (“Section 504”), and Title II of the Americans with Disabilities Act of 1990 (“ADA”);

- Shall meet all requirements for employment set forth in applicable provisions of law, including, but not limited to credentials, as necessary. [Ref. Title 5 California Code of Regulations Section 11967.5.1(f)(5)(C)];
- Shall ensure that teachers in Peak Prep School hold the Commission on Teacher Credentialing certificate, permit, or other document required for the teacher’s certificated assignment. Peak Prep School may use local assignment options authorized in statute and regulations for the purpose of legally assigning certificated teachers, in the same manner as a governing board of a school district. Teachers employed by charter schools during the 2019–20 school year shall have until July 1, 2025, to obtain the certificate required for the teacher’s certificated assignment. [Ref. Education Code Sections 47605(l) and 47605.4(a)];
- Shall at all times maintain all necessary and appropriate insurance coverage;
- Shall, for each fiscal year, offer at a minimum, the number of minutes of instruction per grade level as required by Education Code Section 47612.5(a)(1)(A)-(D);
- If a pupil is expelled or leaves Peak Prep School without graduating or completing the school year for any reason, Peak Prep School shall notify the superintendent of the District of Residence of the pupil's last known address within 30 days, and shall, upon request, provide that the District of Residence with a copy of the cumulative record of the pupil, including report cards or a transcript of grades, and health information. If the pupil is subsequently expelled or leaves the school district without graduating or completing the school year for any reason, the school district shall provide this information to Peak Prep School within 30 days if Peak Prep School demonstrates that the pupil had been enrolled in Peak Prep School. [Ref. Education Code Section 47605(e)(3)];
- May encourage parental involvement, but shall notify the parents and guardians of applicant pupils and currently enrolled pupils that parental involvement is not a requirement for acceptance to, or continued enrollment at, Peak Prep School. [Ref. Education Code Section 47605(n)];
- Peak Prep School shall adhere to each of the conditions in Education Code Section 47605(e)(4)(A)-(D), including: (A) not discouraging a student from enrolling or seeking to enroll in Peak Prep School for any reason; (B) not requesting a student's records or require a parent, guardian, or student to submit the student's records before enrollment; (C) not encouraging a student currently attending Peak Prep School to disenroll or transfer to another school for any reason; and (D) providing a copy of the California Department of Education (“CDE”) notice regarding the requirements in Education Code Section 47605(e)(4)(A)-(D) to a parent/guardian or student if the student is 18 years of age or older: (i) when a parent/guardian or student inquires about enrollment, (ii) before conducting an enrollment lottery, or (iii) before disenrollment of a student. [Ref. Education Code Section 47605(e)(4)(A)-(D)]
- Will follow any and all other federal, state, and local laws and regulations that apply to Peak Prep School including but not limited to:

- Peak Prep School shall maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection. [Ref. Education Code Section 47612.5(a)(2)]
- Peak Prep School shall on a regular basis consult with its parents and teachers regarding Peak Prep School's education programs. [Ref. Education Code Section 47605(d)]
- Peak Prep School shall comply with any jurisdictional limitations to locations of its facilities. [Ref. Education Code Sections 47605 and 47605.1]
- Peak Prep School shall comply with all laws establishing the minimum and maximum age for public school enrollment. [Ref. Education Code Sections 47612(b) and 47610]
- Peak Prep School shall comply with all applicable portions of the Elementary and Secondary Education Act (“ESEA”), as reauthorized and amended by Every Student Succeeds Act (“ESSA”).
- Peak Prep School shall comply with the California Public Records Act, Government Code Section 6250, et seq. (“CPRA”).
- Peak Prep School shall comply with the Family Educational Rights and Privacy Act, 20 U.S.C. Section 1232g, 34 CFR Part 99 (“FERPA”).
- Peak Prep School shall comply with the Ralph M. Brown Act, Government Code Section 54950, et seq. (“Brown Act”).
- Peak Prep School shall meet or exceed the legally required minimum of school days. [Ref. Title 5 California Code of Regulations Section 11960]
- Shall comply with Government Code Section 1090, *et seq.*, as set forth in Education Code Section 47604.1 (“Section 1090”).
- Shall comply with the Political Reform Act, Government Code Section 81000, et seq. (“PRA”).

## INTRODUCTION

Peak Prep Pleasant Valley (“Peak Prep” or the “Charter School”) is proud to submit this charter renewal petition for a five-year charter for the term July 1, 2025 through June 30, 2030 consistent with the California Department of Education’s (“CDE”) determination that it is a “middle tier” charter school eligible for a presumptive renewal. At this first charter renewal mark, and following five years of operation, Peak Prep is proud of its close partnership with the Pleasant Valley School District (the “District”). As of March 2022, Peak Prep became a school of the District to expand educational options for District students and beyond. It is truly a unique endeavor that three District Board Members have partnered with two Peak Prep parents to jointly govern this special school and collaborate to meet the needs of students. Peak Prep Pleasant Valley is a community school within the District and exists to provide expanded and alternative educational options for all students.

At its core, Peak Prep is a public school that leads with *heart*. For our community, PEAK means Pride, Excellence, Academics, and Kindness. As a virtual academy, technology brings our students and teachers together and facilitates individualized learning. But it is ultimately *people* who create a strong sense of community, positive school culture, and a learning environment driven by values. Peak Prep’s educators see students for who they are and support their experience from every angle, academic, social, and emotional. Through a shared sense of community, school culture, and values, Peak Prep is a positive place for its students and teachers to grow, as attested to through surveys and parent feedback. These accolades are no accident; student and staff engagement is the result of Peak Prep’s unique approach to virtual education as addressed more fully below – by *leading with heart*.

We are proud to share two anecdotes that exemplify Peak Prep’s values and approach:

- **Narrative of a student’s progress and the family’s reaction:**

Student D is a non-verbal whose primary disability is Autism, he started with Peak Prep during the 2021-22 school year as a 7th-grade student. Upon enrolling with Peak D was capable of basic addition, but had limited to no understanding of multi-digit addition/subtraction. Additionally, D’s reading and comprehension abilities were at about a beginning Kindergarten level, due to not being able to match all letter sounds and struggling with comprehension responses for kindergarten-level texts that are read to him. Being non-verbal, D relied on his mother to verbalize the answers that he pointed out. When he enrolled with Peak, D was placed into a specialized educational setting with students of similar performance levels and provided custom lessons and instruction based specifically on their academic needs. D also received speech, adaptive pe, and assistive technology services through Peak’s contracted service providers. Moving to the present, D has shown a significant overall group, he moved past multi-digit addition/subtraction, mastered multi-digit multiplication, and is working to master multi-digit division. He now decodes words up to a 2nd grade complexity, and has up to a 75% accuracy on comprehension for up to a 2nd grade level. Most exciting of all, D no longer relies on his mother for communication in his sessions, with the guidance and support from his sessions and services, D uses a communication tablet, independently, to provide most of his responses

- **Message to a parent regarding their child's progress:** and Hello Ms. Smith (generic name for privacy reasons). As promised I wanted you to have an immediate copy of your child's performance in the assessment that he completed today. Not only that, I am also including his scores on all assessments for the year so you can see his tremendous growth over the course of the school year. I know you are incredibly proud, just like I am. I am also including Peak Prep's executive director in this email. This is just such a huge accomplishment! GREAT JOB!!!!
  - In reading this student had a typical growth goal of 17 points and a stretch growth goal of 50 points based on the August, 2022 test. On the May, 2023 test this student showed 60 points of growth for the school year, exceeding his stretch growth goal.
  - Both this achievement, and the shared achievement with the student's family, demonstrated by the message above, are examples of what make Peak Prep's program so valuable to the families who need this school model as a choice for their child.

Peak Prep decidedly serves nontraditional students whose families have, for highly diverse reasons or necessity, elected not to enroll their children in their local classroom-based public schools. Peak Prep meets those families where they are and no matter the reason for their need for an alternative educational program. Peak Prep's families include students who are highly credit deficient and below grade level, students who are performing above grade level and seek acceleration, students who have faced bullying and emotional trauma in classroom-based settings, students who work, students who are athletes with intensive training and travel schedules, and students whose parents prefer to be closely involved in their child's education, among other reasons.

There are many reasons why students come to Peak Prep. Some need acceleration, others are independent athletes or artists while some pursue individualized learning opportunities and homeschool. The flexibility of a learning environment is vital to their overall success. Although Peak Prep serves alternative students of all proficiency and mastery levels, it is important to recognize that Peak Prep's incoming students are, in general, severely behind and below grade level, as the chart below demonstrates. For most students, the educational experience they had before Peak Prep did not work for them. Peak Prep welcomes these students, and all who apply up to capacity, and is proud of the growth our students make who have not found success in their prior academic setting. Because a large majority of Peak Prep's incoming students start out behind and frequently enroll first in upper grade levels (e.g., 11<sup>th</sup> grade), Peak Prep recognizes that its academic data viewed on a snapshot basis (i.e., the Dashboard and CAASPP) may well always *appear* to be below average. Because of that structural feature, the story of Peak Prep's value is tied to the unique benefits to individual students, and the growth within each of them rather than the single datapoint they contribute to an average reported on the Dashboard or CAASPP at one moment in time.

Enrollment in Peak Prep ensures nontraditional students are served by fully credentialed teachers, are educated according to California learning standards, their learning is subject to accountability through statewide testing, and that students are under the supervision of a community of professionals looking out for their best interests. Students who would otherwise opt out of the public education system completely do not receive these public education benefits and a large

portion of Peak Prep’s enrollment would not be in a public school if an option like Peak Prep School was not available to them. The District and the State of California have an interest in ensuring these students are enrolled in a standards-aligned public school, in part to ensure all California children have a bright future and are ready to engage as citizens.

Just like the reasons parents choose to enroll their students at Peak Prep, Peak Prep’s student population is also highly diverse, and has increased in diversity over time, as shown below.

**Peak Prep demographics over time**

	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>
<b>African American</b>	<b>21.6%</b>	<b>23.8%</b>	<b>23.7%</b>
<b>Hispanic/Latino</b>	<b>8.7%</b>	<b>25.7%</b>	<b>33.7%</b>
<b>White</b>	<b>49.1%</b>	<b>35.9%</b>	<b>26.7%</b>
<b>English Learners</b>	<b>1.8%</b>	<b>5.6%</b>	<b>5.7%</b>
<b>Homeless Youth</b>	<b>2.3%</b>	<b>4.3%</b>	<b>6.7%</b>
<b>Students with Disabilities</b>	<b>10.8%</b>	<b>10.8%</b>	<b>15%</b>
<b>Socioeconomically Disadvantaged</b>	<b>62.7%</b>	<b>63.8%</b>	<b>77%</b>

As shown above, over the most recent three years the percentage of students in the following student groups have increased at Peak Prep: African American, Hispanic/Latino, English Learners, Homeless Youth, Students with Disabilities and Socioeconomically Disadvantaged students. Traditionally, these student groups show achievement gaps in their performance when compared to their White, Asian and high-income peers. This gap is present at the District, Ventura County and California, as well as nationwide. Peak Prep is proud to serve these students, maintains the same high expectations for all students and welcomes all who are interested in attending Peak Prep School up to capacity.

Peak Prep’s demographics can also be compared against the District, Ventura County and the State of California, as shown below for 2022-23.

**2022-23 Peak Prep Demographics vs. District, County, State**

<b>Subgroup</b>	<b>Peak Prep</b>	<b>Pleasant Valley</b>	<b>Ventura County</b>	<b>CA</b>
<b>African American</b>	<b>23.7%</b>	<b>2.3%</b>	<b>1.2%</b>	<b>4.7%</b>

<b>AI/AN*</b>	<b>2.7%</b>	<b>0.2%</b>	<b>0.2%</b>	<b>0.4%</b>
<b>Asian</b>	<b>1.3%</b>	<b>6.2%</b>	<b>4.4%</b>	<b>9.5%</b>
<b>Filipino</b>	<b>3.3%</b>	<b>3.3%</b>	<b>1.8%</b>	<b>2.2%</b>
<b>Hispanic/Latino</b>	<b>33.7%</b>	<b>41.7%</b>	<b>62.5%</b>	<b>56.1%</b>
<b>White</b>	<b>26.7%</b>	<b>38.6%</b>	<b>26.0%</b>	<b>20.1%</b>
<b>2 or more races</b>	<b>8%</b>	<b>7.3%</b>	<b>3.8%</b>	<b>4.3%</b>
<b>English Learners</b>	<b>5.7%</b>	<b>8.3%</b>	<b>21.7%</b>	<b>19%</b>
<b>Homeless Youth</b>	<b>6.7%</b>	<b>2.3%</b>	<b>5.4%</b>	<b>3.2%</b>
<b>Students with Disabilities</b>	<b>15%</b>	<b>14.4%</b>	<b>14.0%</b>	<b>13.1%</b>
<b>Socioeconomically Disadvantaged</b>	<b>77%</b>	<b>32.3%</b>	<b>55.1%</b>	<b>61.5%</b>

\*AI/AN = American Indian / Alaskan Native

The table shows Peak Prep serves a higher percentage of students than the District for several student groups of students who traditionally perform below the overall state average. This includes African American, American Indian / Alaskan Native, Homeless Youth and Socioeconomically Disadvantaged students. Since Peak’s enrollment expands across four counties (Kern, Santa Barbara, Ventura, & Los Angeles), the student groups do not mirror the districts. This provides additional opportunities for Peak to serve the communities it may reach.

As shown in the table below, Peak Prep, and the other charter schools within the District, increase the diversity of the overall student population in the District, including expanding the students served from traditionally underserved student groups. When looking at the entire population of students served by charter schools under the District’s authorization, there is an over-representation of African American, Hispanic/Latino, English Learner, Homeless Youth and Socioeconomically Disadvantaged students served by Peak Prep schools. Peak Prep and the District value a diverse student body and Peak Prep is proud to provide an additional high-quality choice for families and students who have not historically enjoyed the privilege of having such choices when it comes to public education.

<b>Subgroup</b>	<b>% of Charter*</b>	<b>% of District Enrollment</b>	<b>% of combined enrollment</b>
African American	<b>8.6%</b>	<b>2.3%</b>	<b>3.2%</b>
American Indian or Alaska Native	<b>1.1%</b>	<b>0.2%</b>	<b>0.4%</b>

Asian	1.5%	6.2%	5.5%
Filipino	2.4%	3.3%	3.2%
Hispanic or Latino	63.2%	41.7%	44.9%
Pacific Islander	0.0%	0.3%	0.3%
Two or More Races	5.0%	7.3%	7.0%
White	17.9%	38.6%	35.6%
English Learners	13.2%	8.3%	9.0%
Foster Youth	0.1%	0.2%	0.2%
Homeless Youth	4.0%	2.3%	2.5%
Students with Disabilities	10.8%	14.4%	13.9%
Socioeconomically Disadvantaged	53.4%	32.3%	35.4%

\*Charter refers to charter schools that are authorized by the District and included with the District’s enrollment data on CDE’s Dataquest website.

As the COVID-19 pandemic demonstrated, there is truly no one-size-fits-all approach to education, virtual learning works for some (but not all) students, and not all virtual learning programs are created equally. Peak Prep is proud of the learning continuity provided to its students throughout the pandemic, without a moment of closure. For those students desiring a virtual education, Peak Prep’s vision is to be students’ virtual school of choice. Although Peak Prep largely enrolls students who face the deepest academic challenges and deficiencies upon enrollment, Peak Prep is proud of the demonstrable academic growth that students make the longer they remain enrolled, as shown below.

**% of Peak Prep Students Scoring Close/Reaching/Exceeding Grade Level on NWEA MAP**

	Reading	Math
<b>Students in their first year at Peak Prep</b>	30%	50%
<b>Students who have been at Peak Prep for four years</b>	63%	69%

As discussed concerning Peak Prep’s student demographics, families choose Peak Prep for a variety of reasons and the majority arrive at Peak Prep School behind academically. This is shown in the above table where only 30% of students were close to grade level or higher in reading and just 50% in math. The benefit of Peak Prep is clear, as shown by the improvement in achievement

for students who have attended the school for four years. For this cohort, almost two thirds are reading close, on or above grade level and almost 70% are doing the same in math.

In addition to growth over time shown through NWEA MAP data, Peak Prep's results on the ELPAC also demonstrate the benefit of Peak Prep School's academic program and how student growth increases in correlation with the duration of enrollment. In 2022 Peak Prep's first ever ELPI was approximately 47%. For 2023 Peak Prep School is projecting an ELPI of 61% - tremendous year over year growth for a school in just its second year of earning this indicator. For comparison purposes, California's ELPI grew by just 2% from 2019 to 2022 - the only two years of ELPI data currently publicly available.

Peak Prep's graduation rate has followed a similar trend as the two academic measures discussed above. The graduation rate has increased from the first year of Peak Prep School's operation (2020) to the most recent year included on the Dashboard (2022) by 44%. This makes sense as the seniors attending Peak Prep in the first year of operation were only with Peak Prep School for one school year, compared to the most recent cohort of graduates which includes students who have attended Peak Prep for up to three years. This positive trend is continuing as Peak Prep's graduation rate for the Class of 2023 is projected to be 92% - the highest ever for Peak Prep School.

While a meaningful segment of Peak Prep's population is transitory by nature of the program serving students needing alternative educational options, the data demonstrates that even students who are enrolled at Peak Prep for a short time benefit. We have been able to graduate 100% of the students that remain with Peak Prep even if they have come later in their high school career. We have graduated the following totals: In 2020-12 graduates, in 2021-30 graduates, in 2022-26 graduates & in 2023 we had 44 graduates.

Peak Prep's verified third-party Iready data (K-5/101 students) demonstrates that Peak Prep's academic program provides a meaningful academic benefit for the majority of students Peak Prep serves, as measured by academic growth, including specifically that:

1. In the aggregate, a significant number of students made meaningful progress in meeting or exceeding annual academic growth targets, at a rate of 78% in reading and 72% in math.
2. In less than one school year, Peak Prep closed the achievement gap for a meaningful number of students, in the zone of almost doubling the number of students performing at grade level from approximately 35% in reading to approximately 60%, and in math, from approximately 25% to nearly 50%.

During the last five years, in addition to Peak Prep's exciting transition to becoming a school of the District and demonstrable academic growth, Peak Prep is pleased to celebrate many other accomplishments:

- Peak Prep partnered with the Ventura County Business Services Administration, a local public entity, for many support and back office services.
- Peak Prep has received accreditation from the Western Association of Schools and Colleges (WASC).

- The visiting committee chair remarked, *“The Visiting Committee very much enjoyed the visit to Peak Prep Pleasant Valley. The staff is remarkable, and with the energy and enthusiasm, the visiting committee is sure that the school will continue to grow in student numbers and in proficiency for all.”*
- Peak Prep is also accredited by Cognia
- Peak Prep coursework is certified by the National Collegiate Athletic Association
- Peak Prep offers high school students coursework certified by the University of California as meeting A-G college entrance requirements.
- Peak Prep has successfully served advanced 7th & 8th Math students at PVSD.
- Peak Prep’s annual audits have been clean, with zero findings
- How Peak Prep aligns with the District’s mission, core values and strategic plan
  - “strategy” from strategic plan: Increase relevance, coherence and innovation in instructional programming **in a variety of offerings across the school district**
  - Peak Prep is on the District’s website as the 9-12 grade option
  - Peak Prep serves as a homeschool option for Camarillo and advanced math students in middle school.
  - District’s strategic plan runs through 2024 and Peak Prep would be happy to participate in aligning ours or be included
- Lastly, on Peak Prep’s [website](#), [LCAP](#) and petition (review below) there are additional highlights

During the next charter term, Peak Prep looks forward to building on its model and growing academic outcomes for students. Among its plans for the future, Peak Prep’s objectives over the next five years include:

- Developing and expanding opportunities for in-person learning and social engagement
- Developing and expanding our academic growth goals
- Developing dual enrollment opportunities with local community colleges
- Developing work study/internship opportunities with local employers
- Growing Peak Prep’s model to serve more students desiring alternative education options
- Deepening Peak Prep’s partnership with the District.

In closing, Peak Prep values its partnership with the District, and respectfully asks that its charter be renewed for another five-year term so that Peak Prep can continue delivering for students and families. As shown in the following section, titled Renewal Criteria, Peak Prep has met the renewal criteria in Education Code Sections 47607 and 47607.2, and its charter should be renewed for a five-year term.

## CHARTER RENEWAL CRITERIA

Pursuant to the amendments made to Education Code Section 47607, and the creation of Education Code Section 47607.2, by Assembly Bill 1505 (2019), at the time of charter renewal, a chartering authority shall consider the performance of Peak Prep school on the state and local indicators reported on the California School Dashboard (“Dashboard”), and, in some circumstances, the performance of Peak Prep school on assessments deemed to be verified data.

In addition to the shift toward assessing Dashboard data, Assembly Bill 1505 also created a three-tiered system of evaluating charter schools’ performance, plus a separate category for Dashboard Alternative School Status schools. Each of the three tiers has unique qualifying criteria.

The three performance categories are as follows:

- High Performing – Presumptive renewal if Peak Prep school meets the established renewal criteria—Education Code Section 47607(c)(2).
- Low Performing – Presumptive non-renewal if Peak Prep school meets the non-renewal criteria, unless The Charter authority makes a finding to approve for a two-year term — Education Code Section 47607.2(a).
- Middle Performing – Renewal unless Peak Prep school failed to meet or make sufficient progress toward meeting standards and closure is in the best interest of students, evaluated using the California School Dashboard (the “Dashboard”) and Education Code Section 47607.2(b).

Due to the suspension of the Dashboard in 2020 and 2021 for the COVID-19 pandemic, charter schools cannot be placed into performance categories as contemplated by AB 1505. All charter schools with only one year of data are placed in the middle performing track. This was true prior to COVID-19 and is currently true for all charter schools in California.

The CDE can only display the most current year of data (also known as Status) on the 2022 Dashboard. Therefore, compared to prior Dashboards, the use of colors, or performance levels, using two years of data will not be reported. The 2022 Dashboard will use one of five Status levels (ranging from Very High, High, Medium, Low, and Very Low) for all state indicators based on the 2021–22 school year data.

The state indicators include the following:

- Chronic Absenteeism: kindergarten through grade eight
- Suspension Rate: kindergarten through grade twelve
- English Learner Progress: grades one through twelve
- Graduation Rate: high school only
- College/Career: high school only (Note: The College/Career Indicator will not be reported on the 2022 Dashboard)
- Academic: grades three through eight and grade eleven – English language arts/literacy and Mathematics

Accordingly, Peak Prep School fits into the middle performing category, as determined by law and the California Department of Education, and is eligible, and as clearly demonstrated by the evidence, meets the criterion for charter renewal for a term of 5 years, as demonstrated below.

**Dashboard Performance Renewal Criteria – Middle Performing**

Education Code Section 47607.2(b) states:

1. For all charter schools for which [high- and low-performing categories] do not apply, The Charter authority shall consider the schoolwide performance and performance of all student groups of pupils served by Peak Prep school on the state indicators included in the [Dashboard] and the performance of Peak Prep school on the local indicators included in the [Dashboard].
2. The Charter authority shall provide greater weight to performance on measurements of academic performance in determining whether to grant a charter renewal.

“Measurements of academic performance” are defined in statute as “statewide assessments in the California Assessment of Student Performance and Progress system, or any successor system, the English Language Proficiency Assessments for California, or any successor system, and the college and career readiness indicator.” (Education Code Section 47607(c)(3)).

**DASHBOARD PERFORMANCE**

For reference, Peak Prep’s performance shown below must also be understood within the context of the student population it serves. Shown below are the demographics of Peak Prep’s student population for 2021-22 in comparison to the District and the State, which are the students who produced the results on the 2022 Dashboard.

**2021-22 Peak Prep Demographics vs. District, County, State**

<b>Subgroup</b>	<b>Peak Prep</b>	<b>Pleasant Valley</b>	<b>CA</b>
<b>African American</b>	<b>23.8%</b>	<b>2.7%</b>	<b>5.1%</b>
<b>AI/AN*</b>	<b>3.1%</b>	<b>0.2%</b>	<b>0.5%</b>
<b>Asian</b>	<b>1.9%</b>	<b>6.3%</b>	<b>9.5%</b>
<b>Filipino</b>	<b>1.5%</b>	<b>3.6%</b>	<b>2.3%</b>
<b>Hispanic/Latino</b>	<b>25.7%</b>	<b>40.9%</b>	<b>55.9%</b>
<b>White</b>	<b>35.9%</b>	<b>38.6%</b>	<b>21.1%</b>

<b>2 or more races</b>	<b>5%</b>	<b>7.4%</b>	<b>4.3%</b>
<b>English Learners</b>	<b>5.6%</b>	<b>8.4%</b>	<b>19.7%</b>
<b>Homeless Youth</b>	<b>4.3%</b>	<b>1.3%</b>	<b>2.9%</b>
<b>Students with Disabilities</b>	<b>10.8%</b>	<b>14.1%</b>	<b>12.7%</b>
<b>Socioeconomically Disadvantaged</b>	<b>63.8%</b>	<b>27%</b>	<b>59.6%</b>

\*AI/AN = American Indian / Alaskan Native

As shown in the table above there are some large discrepancies between the enrollment at Peak Prep and the two entities it is being compared with on the Dashboard - the District and the State. Peak Prep School has a significantly higher enrollment of African American students and, compared to the District, over twice as high a rate of socioeconomically disadvantaged students. Both of these student groups perform well below the State average and impact Peak Prep School's performance. It is important to note that Peak has a population of students (including high school) from four different county boundaries: Ventura, Santa Barbara, Los Angeles and Kern.

The following tables display Peak Prep School's schoolwide Dashboard state indicators and, for comparison purposes, the State's, for the 2021-22 school year.

### Schoolwide Dashboard, Comparison of 2022 Status & Performance Levels

<b>Indicator</b>	<b>Peak Prep (K-12)</b>	<b>California (K-12)</b>
<b>ELA CAASPP DFS (academic)</b>	<b>-38.7, Low</b>	<b>- 12.2, Low</b>
<b>Math CAASPP DFS (academic)</b>	<b>-102.1, Low</b>	<b>- 51.7, Low</b>
<b>ELPI (academic)</b>	<b>46.7%*</b>	<b>50.3%, Medium</b>
<b>Graduation Rate (Academic Engagement)</b>	<b>68.8%, Low</b>	<b>87.4%, Medium</b>
<b>Chronic Absenteeism (Academic Engagement)</b>	<b>13.7%, High</b>	<b>30%, Very High</b>
<b>Suspension (Conditions and Climate)</b>	<b>0%, Very Low</b>	<b>3.1%, Medium</b>

\*Had more than 10 but fewer than 30 students complete the ELPAC - no performance level awarded

2022 was Peak Prep’s first Dashboard for all indicators and the results show both strengths and areas for growth for Peak Prep School. Both the chronic absenteeism and suspension rates were below the state and District average, while the ELPI was close to the level achieved by the state. As mentioned in the prior section, academic achievement, including ELA and math scores, as well as the graduation rate, have all shown improvement as Peak Prep has students enrolled for a longer period of time. That improvement is shown below.

### **Growth from 2022 to 2023**

While not officially displayed on the 2023 Dashboard until December of 2023, Peak Prep has analyzed its 2023 data and calculated some initial, unofficial Dashboard metrics for 2023, as shown below.

#### **2022, 2023 Dashboard, Growth**

<b>Indicator</b>	<b>2022</b>	<b>2023</b>	<b>Growth</b>	<b>Change</b>
<b>ELA CAASPP DFS</b>	<b>-38.7</b>	<b>-28.2</b>	<b>10.5</b>	<b>Increased</b>
<b>Math CAASPP DFS</b>	<b>-102.1</b>	<b>-87.6</b>	<b>14.5</b>	<b>Increased</b>
<b>ELPI</b>	<b>46.7%</b>	<b>61%</b>	<b>14.3%</b>	<b>N/A</b>
<b>Graduation Rate</b>	<b>68.8%</b>	<b>92%</b>	<b>23.2%</b>	<b>Increased Significantly</b>
<b>Chronic Absenteeism</b>	<b>13.7%</b>	<b>8%</b>	<b>-5.7%</b>	<b>Declined Significantly</b>
<b>Suspension</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>Maintained</b>

As shown above, every Dashboard indicator, other than suspension, showed improvement from 2022 to 2023. While the suspension rate did not improve, it was maintained at zero percent - a baseline rate where it is not possible to show improvement. The far-right hand column displays the level of change as described by the Dashboard’s 5x5 grids for each indicator, although there is not yet such a grid for ELPI. Every Peak Prep indicator received either the highest or second highest level of change for the four applicable indicators.

## OTHER MEASURES

### 2022 Dashboard Local Indicators for Peak Prep

Basics: Teachers, Instructional Materials, Facilities	Standard Met
Implementation of Academic Standards	Standard Met
Parent and Family Engagement	Standard Met
Local Climate Survey	Standard Met
Access to a Broad Course of Study	Standard Met

As shown above, in 2022 Peak Prep satisfied each of the local indicators in the domains of Basics: Teachers, Instructional Materials, Facilities; Implementation of Academic Standards; Local Climate Survey; and Access to a Broad Course of Study.

### MEASUREMENTS OF ACADEMIC PERFORMANCE – Verified Data

At the time of renewal, AB 1505 also requires chartering authorities to review and consider verified data demonstrating the extent that a charter school’s students experienced measurable increases in achievement, as follows:

- (3) In addition to the state and local indicators, The Charter authority shall consider clear and convincing evidence showing either of the following:
  - (A) The school achieved measurable increases in academic achievement, as defined by at least one year’s progress for each year in school.
  - (B) Strong postsecondary outcomes, as defined by college enrollment, persistence, and completion rates equal to similar peers.
- (4) Subparagraphs (A) and (B) of paragraph (3) shall be demonstrated by verified data, as defined . . .

“Verified data” is defined in statute as “data derived from nationally recognized, valid, peer-reviewed, and reliable sources that are externally produced.” (Education Code Section 47607.2(c)(1).) In November 2020, the California State Board of Education (“SBE”) approved the criteria to define “verified data” and the list of valid and reliable assessments and measures of postsecondary outcomes as required by Education Code Section 47607.2. From the SBE-approved list of reliable assessments, Peak Prep School currently utilizes the California Assessment of Student Performance and Progress (“CAASPP”) data and Measures of Academic Progress by NWEA to meet the verified data requirement. Peak Prep School’s results on CAASPP in 2022 have already been shared.

### NWEA MAP data

Data below reflects student growth for grades 6-11 (n. 164) over the most recent school year on

NWEA MAP as measured by the conditional growth index (“CGI”) metric.

<b>Growth from Fall, 2022 to Spring, 2023</b>	<b>Reading</b>	<b>Math</b>
<b>Did all grade levels combined average a CGI between -0.2 and 0.2?*</b>	<b>Yes</b>	<b>Yes</b>

\*NWEA MAP considers CGI to reflect typical annual growth if it falls between -0.2 and 0.2. The assessment report is by grade level and the above “Yes” responses represent an approximation of the average growth for all tested students.

While not all students took NWEA MAP, the above results represent over 75% of the enrolled students in the span of grades 3-11, which is the same grade span where CAASPP is administered.

### **English Learner Proficiency Assessments for California**

The English Learner Proficiency Assessments for California (“ELPAC”) results were partially shown via the English Learner Progress Indicators (“ELPI”) on the above Dashboard results. In addition to showing an improvement in ELPI from 2022 (46.7%) to 2023 (61%), Peak Prep averaged 21 EL students each year and showed an increase in the English Learner Reclassification Rate over the same period. In 2022 the rate was 25% and in 2023 it was 33%, showing an increase of 8% in the Reclassification Rate for Peak Prep School.

	<b>2021-22</b>	<b>2022-23</b>	<b>Change</b>
<b>ELPI</b>	<b>46.7%</b>	<b>61%</b>	<b>14.3% Increase</b>
<b>Reclassification Rate</b>	<b>25%</b>	<b>33%</b>	<b>8% Increase</b>

### **California Assessment of Student Performance and Progress Data**

The State Board of Education has adopted standards to establish what all California children are expected to know and be able to do for particular subjects at particular grade levels, and which are assessed on CAASPP. Based on their scores on CAASPP, students are rated as having “Exceeded”, “Met”, “Nearly Met”, or “Not Met” the standard for ELA and math.

Below is a snapshot of Peak Prep’s 2022 and 2023 CAASPP results. The data demonstrates Peak Prep’s students achieved measurable increases in academic achievement based on the growth that occurred between the most recent two years relative to the most recent comparison data available. Specifically, insofar as State and District data (and subgroup data) indicate average performance within a school year, where Peak Prep growth is greater than the comparisons, Peak Prep School clearly demonstrates the measurable increases in academic achievement its students have attained.

The CAASPP data shown below uses the traditional method of viewing CAASPP results, which

is the percentage of students scoring at or above grade level (on CAASPP level 3 is considered “Met” or at grade level and CAASPP level 4 is considered “Exceeded” or above grade level). This is shown as “(school name) % M + E” in the tables below.

In addition, the Distance From Standard (“DFS”) metric is used to show performance. DFS measures how far a student is from the grade level standard. A DFS of zero means the student is scoring at the minimum level to be considered on grade level. A negative DFS means the student has not met the standard while a positive DFS puts the student above the minimum score needed to be at grade level.

Peak Prep School is including the DFS metric for multiple reasons. First, the Dashboard uses DFS when looking at CAASPP. The dashboard drives accountability for charter schools under AB 1505, as explained above, and so using DFS here aligns with how the state is viewing charter school performance. In addition, DFS measures the performance of all tested students and each individual score is weighted equally. This provides schools an incentive to maximize the academic growth and achievement of every student. When looking at the more traditional metric of percent of students at or above grade level, it only takes into account students who performed at or above a certain threshold.

The first two tables below show Peak Prep’s CAASPP data for 2021-22 and 2022-23. Data is shown both schoolwide and for all student groups where there were at least eleven test takers in 2021-22.

**Growth in CAASPP at Peak Prep, 2021-22 to 2022-23**

**ELA CAASPP**

<b>Year</b>	<b>2021-22</b>	<b>2022-23</b>	<b>Change</b>
<b>Schoolwide DFS</b>	<b>-38.7</b>	<b>-28.2</b>	<b>10.5</b>
<b>Schoolwide % M + E</b>	<b>32.5%</b>	<b>40.6%</b>	<b>8.1%</b>
<b>African American DFS</b>	<b>-81.6</b>	<b>-24.9</b>	<b>56.7</b>
<b>African American % M + E</b>	<b>19%</b>	<b>42%</b>	<b>23%</b>
<b>Hispanic DFS</b>	<b>-37.5</b>	<b>-22</b>	<b>15.5</b>
<b>Hispanic % M + E</b>	<b>27.6%</b>	<b>44%</b>	<b>16.4%</b>
<b>White DFS</b>	<b>-18.4</b>	<b>-4.8</b>	<b>13.2</b>
<b>White % M + E</b>	<b>49.1%</b>	<b>53%</b>	<b>3.9%</b>
<b>SD* DFS</b>	<b>-61.5</b>	<b>-34.3</b>	<b>27.2</b>
<b>SD* % M + E</b>	<b>26.6%</b>	<b>38%</b>	<b>11.4%</b>

<b>SWD** DFS</b>	<b>-139.7</b>	<b>-100.3</b>	<b>39.4</b>
<b>SWD** % M + E</b>	<b>9.5%</b>	<b>15%</b>	<b>5.5%</b>

\*SD = Socioeconomically Disadvantaged

\*\*SWD = Students with Disabilities

On every single measure shown above for the ELA CAASPP there was growth from 2021-22 to 2022-23, including some student groups, such as African American, Hispanic and Socioeconomically Disadvantaged students, showing significant growth.

**Math CAASPP-Met the 95% participation rate.**

<b>Year</b>	<b>2021-22</b>	<b>2022-23</b>	<b>Change</b>
<b>Schoolwide DFS</b>	<b>-102.1</b>	<b>-87.6</b>	<b>14.5</b>
<b>Schoolwide % M + E</b>	<b>15.3%</b>	<b>18.8%</b>	<b>3.5%</b>
<b>African American DFS</b>	<b>-144.1</b>	<b>-97.2</b>	<b>46.9</b>
<b>African American % M + E</b>	<b>4.8%</b>	<b>12%</b>	<b>7.2%</b>
<b>Hispanic DFS</b>	<b>-102.6</b>	<b>-82.6</b>	<b>20</b>
<b>Hispanic % M + E</b>	<b>12.1%</b>	<b>23%</b>	<b>10.9%</b>
<b>White DFS</b>	<b>-78.1</b>	<b>-69.3</b>	<b>8.8</b>
<b>White % M + E</b>	<b>23.6%</b>	<b>22%</b>	<b>-1.6%</b>
<b>SD* DFS</b>	<b>-126.8</b>	<b>-100</b>	<b>26.8</b>
<b>SD* % M + E</b>	<b>7.3%</b>	<b>13%</b>	<b>5.7%</b>
<b>SWD** DFS</b>	<b>-174.1</b>	<b>-130.5</b>	<b>43.6</b>
<b>SWD** % M + E</b>	<b>9.5%</b>	<b>10%</b>	<b>0.5%</b>

On every single measure shown above for the math CAASPP, except one, there was growth from 2021-22 to 2022-23, including some student groups, such as Hispanic students, showing significant growth. The one decline shown above is in the percent of White students to score at or above grade level. Despite this, White students still showed an increase in DFS for 2022-23.

While the growth above is impressive, it is important to show Peak Prep's year over year growth in context. In the tables below Peak Prep performance is shown for 2021-22 and 2022-23. These are the two most recent consecutive years of CAASPP data available at this time for Peak Prep School. For the comparisons the 2017-18 and 2018-19 data is shown because, for the District, County and State, these are the two most recent publicly available consecutive years of data at this

time.

To show 2018-19 and 2021-22 data would not be as accurate of a comparison due to the interruption of testing based on the COVID-19 pandemic, and the fact that the trend was to show a decline when students resumed testing following the return of the CAASPP in the Spring of 2022 following two school years with no required testing.

The 2022-23 Peak Prep DFS is calculated slightly differently compared to what will be displayed on the Dashboard as Peak Prep is showing the DFS for all students tested whereas the Dashboard will only display test results for continuously enrolled students. Peak has met the 95% participation rate.

DFS is not calculated on a county wide basis for the purposes of the dashboard. As such, only the District and State are included in the below comparisons for DFS. Ventura County (“County”) is shown for the percentage of students scoring on or above grade level.

#### **ELA CAASPP–Met 95% Participation Rate**

<b>Year</b>	<b>2021-22</b>	<b>2022-23</b>	<b>Change</b>
<b>Peak Prep DFS</b>	<b>-38.7</b>	<b>-28.2</b>	<b>10.5</b>
<b>Peak Prep % M + E</b>	<b>32.5%</b>	<b>40.6%</b>	<b>8.1%</b>
<b>Year</b>	<b>2017-18</b>	<b>2018-19</b>	<b>Change</b>
<b>District DFS</b>	<b>23.4</b>	<b>30.9</b>	<b>7.5</b>
<b>District % M + E</b>	<b>63.2%</b>	<b>65.4%</b>	<b>2.2%</b>
<b>County % M + E</b>	<b>47.1%</b>	<b>48.4%</b>	<b>1.3%</b>
<b>California DFS</b>	<b>-6</b>	<b>-2.5</b>	<b>3.5</b>
<b>California % M + E</b>	<b>49.8%</b>	<b>51.1%</b>	<b>1.3%</b>

As shown in the table above, when looking at growth over the two most recent years of publicly available testing data, Peak Prep’s growth was higher for both the increase in DFS and in the increase in the percentage of students scoring at or above grade level. By growing more rapidly than their peers students at Peak Prep will increase their academic progress towards grade level. This is especially important at Peak Prep where the majority of students start below grade level.

#### **Math CAASPP**

<b>Year</b>	<b>2021-22</b>	<b>2022-23</b>	<b>Change</b>
<b>Peak Prep DFS</b>	<b>-102.1</b>	<b>-87.6</b>	<b>14.5</b>
<b>Peak Prep % M + E</b>	<b>15.3%</b>	<b>18.8%</b>	<b>3.5%</b>

<b>Year</b>	<b>2017-18</b>	<b>2018-19</b>	<b>Change</b>
<b>District DFS</b>	<b>-6</b>	<b>0.9</b>	<b>6.9</b>
<b>District % M + E</b>	<b>50.2%</b>	<b>53.2%</b>	<b>3%</b>
<b>County % M + E</b>	<b>36.2%</b>	<b>36.9%</b>	<b>0.7%</b>
<b>California DFS</b>	<b>-36.4</b>	<b>-33.5</b>	<b>2.9</b>
<b>California % M + E</b>	<b>36.7%</b>	<b>39.7%</b>	<b>3%</b>

Similar to the ELA CAASPP, as shown in the table above, when looking at growth over the two most recent years of publicly available testing data for the Math CAASPP, Peak Prep’s growth was higher for both the increase in DFS and in the increase in the percentage of students scoring at or above grade level. This more rapid growth is equally important for Peak Prep students in math as it is in ELA as they work to reach grade level.

**CONCLUSION**

A charter petition renewed pursuant to Section 47607.2(b) (middle performing) shall be granted a renewal term of five years. As clearly demonstrated by the evidence above, Peak Prep School has provided educational benefit to students during the preceding charter term as measured by evidence of academic growth. Peak Prep meets the criteria for renewal as a charter school designated as middle tier and thus should be granted a renewal term of five (5) years from July 1, 2025 to June 30, 2030.

## ELEMENT 1 EDUCATIONAL PHILOSOPHY AND PROGRAM

*Governing Law: The educational program of Peak Prep school, designed, among other things, to identify those whom Peak Prep 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.--California Education Code Section 47605(c)(5)(A)(i).*

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

*If the proposed charter school will serve high school pupils, the manner in which Peak Prep school will inform parents about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by Peak Prep school that are accredited by the Western Association of Schools and Colleges may be considered transferable and courses approved by the University of California or the California State University as creditable under the “A” to “G” admissions criteria may be considered to meet college entrance requirements. – California Education Code Section 47605(c)(5)(A)(iii).*

**Mission Statement:** The mission of Peak Prep Pleasant Valley is to provide individualized educational options to students seeking alternatives to traditional classroom programs, to ignite the unique talents, capabilities, and joy within each student, enabling them to become citizen-leaders who make positive contributions to their local and global communities.

This will be accomplished by:

- Implementing an academically rigorous inquiry-based college preparatory curriculum which will meet all of California State, and relevant national standards through a personalized learning approach
- Developing leadership skills in each student, as well as a thorough understanding of democracy, citizenship, and civic responsibility
- Developing social-emotional intelligence, a positive and healthy sense-of-self, and grit to solve an array of challenges in an ever-challenging world
- Identifying the strengths and challenges of each student, using backwards planning to map their trajectory for growth, and creating educational programming and supports that meet their individualized needs
- Going beyond individualized learning to make meaningful connections with others, to collaborate and explore ideas, and respect differences
- Developing skills leading to independence in continued learning

## Educational Philosophy

Each student is unique and approaches school with differing experiences, learning preferences, skills, challenges, and goals, and all students benefit from learning that is personalized for them. Educational excellence at Peak Prep means that all students receive an education that educates them at their “just right” level, with planning and curriculum designed to support their path to mastery and grade level, and beyond.

In education, one size does not fit all, which is why Peak Prep School exists to provide students and families with a flexible learning program with the oversight and support of a credentialed teacher providing accountable learning consistent with Common Core State Standards (“CCSS”), Next Generation Science Standards (“NGSS”), History-Social Science Framework, English Language Development (“ELD”) Standards, and the remaining State Content Standards (collectively, the “State Standards”).

Peak Prep recognizes that the most meaningful and impactful experience of education is not purely *academic*. The fundamental purpose of school is not just to prepare students to master academic standards, but to gain confidence, develop a positive sense of self, and grow into adulthood with the capacity and social-emotional intelligence to solve challenges outside of classrooms, lead healthy and happy lives, and to spread good in the world. Peak Prep supports students towards these ends by *leading with heart* in all aspects of its program and through PEAK values.

For our community, PEAK means Pride, Excellence, Academics, and Kindness. While as a virtual academy, technology supplies the platform that brings our students and teachers together and facilitates individualized learning, it is ultimately *people* who create community, school culture, and values. Peak Prep’s educators see students for who they are and support students’ experience from every angle, academic, and social-emotional. Peak Prep is unique among virtual and homeschool education in that, notwithstanding its flex-based instructional model, Peak Prep educators take pride in the strong sense of *school culture* they create with their students, which is a feeling that it is palpable, as though students were roaming halls with smiles and laughter and a profound sense of belonging. At Peak Prep, teacher professional development is focused on best practices in creating positive school culture for all students, and supporting the needs of each individual student so that each student feels welcomed, supported, and engaged as a Peak Prep student. Through Peak Prep’s sense of community, school culture, and values, Peak Prep is a positive place for its students and teachers to grow.

Peak Prep’s educational program is designed based on the instructional and unique personal needs of our target student profile. Our target student profile is not limited to any particular demographic. Instead, Peak Prep is designed and organized to serve students and families who have chosen an educational setting for any of the following reasons, or other reasons relevant to the individual:

- Individuals who are self-directed and desire a wider range of academic options.
- Students of all ability levels seeking additional academic and learning opportunities.
- Students seeking a personalized learning approach.
- Students who are below grade level
- Students seeking credit recovery.

- Students seeking academic enrichment and acceleration.
- Students seeking an alternative educational experience driven by individual family circumstances, personal beliefs and values, and for families who prefer a choice in educational methods.
- Students requiring flexibility in scheduling learning, e.g., due to sports, drama, extracurricular activities, work, etc.
- Students for whom health reasons prohibit them from attending classroom-based programs

Additionally, Peak Prep School is designed and organized to serve disenfranchised youth who have chosen an educational setting for any of the additional following reasons:

- At promise students, wishing to successfully achieve a high school graduation or equivalency.

Peak Prep students at the high school level may choose from a variety of career pathways supported by curricular offerings that develop needed academic and employment skills as students complete high school graduation requirements and the California College & Career Readiness indicator requirements. The Career Technical Education Pathways offered include but are not limited to: Business Management, Network Systems, Photography, and Education.

Additionally, students may dually enroll in community college classes to augment their basic high school studies and also receive college credit taken at the community college level while enrolled in the high school program.

Data shows that 90% of students enrolled in career pathways graduate with a high school diploma, take a higher number of traditional academic credits, and 81% of students who didn't finish high school say relevant, real-world learning opportunities would have kept them in school. The developmental pathway exploration to career certification is motivating and effective.

Additionally, labor economists say, many high school graduates would benefit from a more comprehensive approach to gaining skills, especially in high tech fields that are increasingly in demand. Without action high school dropouts, GED certificate holders, and high school graduates will continue to lag in economic success compared to those who reach higher education attainment levels. The U.S. Government reports that this group is falling farther and farther behind in earnings and as a result, the Economic Policy Institute reports that this group is less likely to be employed, to be married, to own a home, or save for or be part of a retirement system. Additionally, today, 20% (40 million) working adults lack a high school diploma. Their chances of job advancement to higher levels is almost zero and surprisingly, General Education Development (GED) certificate holders only fare slightly better in the economy than high school dropouts (\$300/month higher wages than their like counterparts of high school dropouts). Sixty percent (60%) of low skilled workers make less than \$16,000 per year and do not receive additional benefits.

Educationally disengaged students in the 14-22-year age group are often predisposed to using technology and are tech savvy and understand the many advantages and flexibility that virtual access to their education can provide to them. Limitations on accessing reliable transportation can limit a student's ability to attend traditional classes, as can issues related to housing stability,

medical and health issues, and other personal challenges and circumstances. A virtual or homeschool option can be accessed from the comforts of home, at a nearby coffee shop, or wherever students happen to be. In addition, an online education allows for 24-hour access to education, seven days a week. With this support, many of these students will have greater opportunities to achieve their personal, academic, social, and career objectives, and become contributing members of their local community.

In sum, Peak Prep provides a unique opportunity for students by providing anytime/anywhere-learning opportunities of high quality, supervised by California-credentialed teachers with sound subject and pedagogical expertise, and as part of a connected and engaging learning community that is grounded in *heart* and PEAK values.

### **What It Means to be an Educated Person in the 21st Century**

The fundamental characteristic of the new millennium is ever accelerating change. Information is becoming obsolete as quickly as it is multiplying, and ideas are continually revisited, retested and revised. At the same time, the world is becoming increasingly dependent on technology. These challenges mean that students must *learn in a technological environment* in order to participate effectively in the 21st century. As such, Peak Prep School believes an educated person in the 21st century has a solid foundation in all core academic subjects and 21st century learning skills; and mastery of 21st century tools in order to be college or career ready.

Much of the program for Peak Prep Pleasant Valley for TK-12 is provided through online curriculum options. Virtual education allows students to access the curriculum conveniently from the comforts of their own home or access the curriculum if they are traveling or transitioning to another location. In the twenty-first century, virtual education is becoming more visible and a viable option that more and more students are taking advantage of. According to the Babson Survey of Online Learning, virtual education has seen 3.9% growth over last year. Virtual education continues to experience increased growth, because students and families are recognizing their need for and are pursuing alternative options in education. This continued growth in virtual education comes at a time that higher education programs are seeing a decrease in overall participation.

“While enrollments in higher education institutions decreased overall, enrollments in online programs continued to increase. We have seen strong growth in online professional degree programs as learners are increasingly focused on employability and career advancement. As more institutions turn to professional degree programs to meet this new demand, we expect to see accelerated growth in online learning continue over the next 3-5 years,” said Todd Hitchcock, senior vice president, Online Learning Services, Pearson.

More than one in four college age students (28%) are taking online courses as part of their continuing education. The Babson Study also notes, the percent of academic leaders rating the learning outcomes in online education as the same or superior to those in face-to-face instruction is at 71.4%. Of the 5.8 million college age students that accessed their educational options virtually, 2.85 million students took all of their courses virtually, while 2.97 million took some of

their courses online.

“Blended and online schools meet the needs of these students because:

- They allow students to make up ground if they have fallen behind in courses or credit accumulation. Students can work through courses more quickly than in a traditional school while still meeting course requirements and gain more credits in a year than they would at a traditional school. In addition, students are often able to start recovering a course as soon as they have fallen behind, sometimes in mid-year or even mid-semester, so they don’t have to wait until the following school year to get back on track.
- They often provide specific support that addresses the reasons that students fell behind or dropped out of school. For example, schools that have a substantial number of students who are pregnant, or parenting may provide day care and associated resources to support young parents.
- Online curriculum allows students to move through material at their own pace and specially to go more slowly through, or repeat, lessons that the student does not initially understand.
- Some schools actively seek students who have dropped out and are open to re-enrolling in a different school to complete their high school diploma.
- Students can choose areas of interest in which to focus, perhaps including an internship or job, creating greater engagement in school and a drive to succeed in all academic areas to further their area of interest. Some schools focus on career education for students who prefer to focus on career opportunities instead of a four-year college.
- Students who are ahead in their academic progression can take a nearly limitless range of online courses that expand their interests and knowledge in a specific topic area.
- Blended programs often have fewer students than traditional schools, and the smaller school environment is more comfortable for many students than larger schools.

Although some of these schools have arrangements with the local school district that allows students to participate in sports or other extracurricular activities, students often report that they prefer the extent to which sports are de-emphasized in the alternative schools. They feel that the focus should be on their academic pursuits and they are more comfortable showing their academic interest in the alternative school.”

*(Evergreen Education Group, “Why do students choose blended and on-line schools? The end of average requires personalized learning environments.” 2017)*

Peak Prep will prepare self-motivated, competent, life-long learners for the 21st century. Peak Prep School will provide a blend of online learning and independent study methods to ensure all students gain the knowledge and skills that are valued in the modern world and necessary for future success. As a result, students graduating from Peak Prep School will demonstrate the core characteristics of an educated person in the 21st Century:

1. Solid foundations in core academic subjects: Students will graduate proficient in all State Standards.
2. Students will graduate with the following 21st Century learning skills:

- Information and communication skills,
- Thinking and problem-solving skills,
- Interpersonal and self-directional skills.

3. **Mastery of 21st Century Tools:** Students will graduate with a mastery of the use digital technology and communication tools to access, manage, integrate, and evaluate information; construct new knowledge; and effectively communicate with others.

### **How Learning Best Occurs**

Peak Prep School believes that learning best occurs when:

- Students are offered a rigorous core curriculum
- Outstanding and compassionate staff is employed
- Students are held to high standards and expectations
- The instructional techniques used by Peak Prep School are research-based
- Students’ social-emotional needs are understood and supported
- Students’ academic growth is accompanied by social-emotional growth
- Students feel engaged and connected in a positive school culture
- Technological tools support the instructional model
- Quality instructional time can be devoted to working with students
- Students have the opportunity to choose their time, their place, and their pace for studying, thereby empowering students to become independent, self-directed learners
- Collaborative relationships are developed among Peak Prep School, student and parent

Peak Prep School is structured to support high student achievement by providing an effective online and independent study environment for its students. The leadership and staff believe that our innovative TK through high school programs embodies Peak Prep School’s definition of “how learning best occurs.” As such, Peak Prep School may model the successful strategies already operating in other high achieving schools.

### Challenging Learning Environment

Peak Prep School provides students with a demanding educational program and effective teachers. Peak Prep School is committed to establishing high standards and expectations for all students.

Our courses are rigorous, requiring significant amounts of expressive language and presentation skills as they provide students with opportunities to demonstrate higher-order thinking skills and to apply the concepts they have learned. Peak Prep School’s courses have been designed to meet today’s rigorous academic environment and follow an objective-based learning structure in accordance with State Standards. To that end, students will have the opportunity to take AP courses

### Qualified and Supported Teachers

The faculty will consist of well-prepared and credentialed teachers. Peak Prep School shall comply with Education Code Sections 47605(*l*) and 47605.4, and will meet applicable requirements of

ESSA.

Professional development and teacher collaboration is scheduled on a regular and ongoing basis to support teachers throughout their career. In establishing a professional teaching environment, Peak Prep School will ensure collaborative planning time for teachers to design student-focused curriculum, pedagogy, and assessment through which students can make connections, and deepen their understanding of concepts at higher levels.

### Attendance Guidelines

Peak Prep School will offer the same number of instructional minutes as set forth in Education Code 47612.5(a) for the appropriate grade levels and will operate, at minimum, 175 days of instruction. Peak Prep School expects that students will complete work daily on school days unless ill and documented by a physician's note, or otherwise subject to a qualifying excused absence. Peak Prep School will maintain written records that contemporaneously document all student attendance and make these records available for audit and inspection.

### Pedagogical Strategies

Peak Prep School's programs are designed using an independent, learner-centered model that helps students become more self-disciplined, better time managers, and more effective problem solvers. Peak Prep School's courses make use of the latest educational techniques, including graphical enhancements, games, and multimedia activities. The following variety of instructional methods will provide the best opportunities for all students to learn through the following:

- a. Personalized Learning Approach – Meets a wide array of student goals and academic needs through a diverse learning environment and options that foster development of skills and knowledge necessary for success in an ever-changing world. Best practices allow students to develop and adhere to a learning path that prepares them for first-rate universities and careers. Peak Prep School provides the rigor necessary for the development of literacy skills in reading, writing, and technology, as well as collaborative and problem-solving skills for application of learning to real world problems. Each student has a program tailored to meet their unique needs and goals with a graduation plan that fulfills their requirements and prepares them for college.
- b. Well-qualified teachers -- Subject matter teachers, who are well-qualified and certified to teach in their content area, provide assignments, feedback, and support to students on an individualized basis.
- c. Regular and appropriate feedback on progress – Through regularly scheduled meetings with their teacher of record, students will be provided needed feedback to maintain success.
- d. Guardians and students will have the support and guidance of a credentialed teacher through various forms of communication: e-mail, telephone calls, online parent/student/teacher conferences, and for homeschool program participants and subject to logistics and implementation, in-person engagement.

- e. Homeroom teachers/Teacher of Record – Homeroom teachers act as the overall supervising teacher for the student’s school experience. When possible, students keep the same homeroom teacher throughout their middle and high school experience while the elementary students may get a new one as their grade level changes. Research has shown that students who make a personal connection with a concerned adult increase their chances of successfully graduating from high school.
- f. Flexible Course Scheduling –This system allows students to progress at their own pace through a course, and to focus on fewer subjects at a time than they would in a traditional school setting. Students complete the same amount of credits within a school year as in a traditional classroom setting, thus staying on track for high school graduation.
- g. Technology– Technology underpins the pedagogical strategy of Peak Prep School.
  - Students taught online receive instruction through asynchronous curriculum and synchronous interactive lessons. Asynchronous and synchronous course work are available with any Internet connection, Students are encouraged to join the sessions at the time they are live, or to view them at a later date from an archive area for recorded sessions.
  - In the online session, teachers load prepared presentations that they have created, and they can share their screen and take students anywhere on the internet to view materials that are pertinent to the discussion; students can also use a virtual whiteboard to share their work with the class. Anything that can be done in a physical classroom for instruction can be adapted for use in the online classroom in a way that meets the variety of needs and learning preferences of students who attend Peak Prep School.
- h. With the growth of our programs/ home school, there is a wider range of curricular options to meet Common Core State Standards- Courses at Peak Prep offer online content (like Imagine Learning/Edgenunity & Edynamics), textbooks from nationally recognized publishers with course pacing guides, a variety of informational texts, and use of quality literature including classical and contemporary works. Curricular offerings are challenging, relevant, and aligned with Common Core State standards. In addition to these options, we have increased our instructional offerings to accommodate our growth and homeschool program’s individualized needs (i.e. Stride, Bright Thinker, Subjects.com).
- i. Implementation of the Universal Design for Learning strategies are embedded in the course offerings and the operation of Peak Prep School.

### Teaching Strategies

Teachers utilize online classrooms, independent study methods, and direct instruction to provide various curricula that allows more time to be spent on the other value-added tasks undertaken by highly effective teachers. In addition, collaboration with families allows for more quality instructional time to be spent working with students and interacting with them in the learning environment rather than on some of the behavioral and administrative tasks teachers typically

assume. This enhances the learning experience for students, incorporates family engagement in education, and allows teachers to spend more focused time on individual needs of students.

The table below describes 6 primary tasks executed by highly effective teachers and the differences between the independent study Charter School setting and a traditional classroom setting.

Task	Traditional Classroom	Independent Study
Lesson Planning – Content Development	Lesson plan for daily teaching Prepare materials used for lessons Teach lessons Review lessons not learned	Material already planned, and contents already prepared – minimal planning and preparation required.  Homeschool students will be provided their monthly assignments from their teacher of record.
Grading	Grading all student work Short turnaround on math and daily assignments Longer turnaround times in Language Arts on research papers or essays Other subjects fall in the middle	Student work graded automatically or through observation Math work grading will be done largely by computer Language Arts heavy on writing and require grading time equal to Face-to-Face More time available for “value-added” grading Teacher of Record will review and grade our homeschool families.
Answering Questions	Must respond to students in the classroom Have limited time per day to answer questions	Questions come via email or in online chat sessions Can receive questions anytime Can respond to questions within 24 hours Many questions are repeated and teachers develop pre- arranged answers or will schedule a virtual session. For homeschool families, they may also visit our learning resource center.
Monitoring Student Achievement	Monitor in classroom Check grade book Respond to parent concerns Alert parents when problems arise Review student data and adjust teaching	Monitor online Refer to grade book Respond to parent/student concerns Alert parents when problems arise Review student data and coach student progress Homeschool families are assigned work and reviewed during their monthly Learning Period Meeting

Monitoring Behavior	Ensure appropriate classroom behavior is maintained and distractions minimized. Monitor hallways Monitor school grounds Management of student interaction	Student behavior is maintained through family collaboration and teacher involvement resulting in less loss of instructional time. Monitor discussion boards Monitor communication among students Encouragement of and guidance towards appropriate student interaction
Communication	Regularly communicate verbally to students Occasionally communicate in writing to students Phone calls to parents/students	Regularly communicate through: <ul style="list-style-type: none"> <li>● Email</li> <li>● Online chats &amp; virtual sessions</li> <li>● Phone calls to students/parents</li> <li>● Message board like Parent Square</li> </ul>

- a. Student/Teacher contact: Peak Prep School’s instructional model allows for a flexed-based learning experience in a structured environment, with an appropriate amount of interaction between well qualified certificated teachers and the independent study learner through face-to-face meetings and online sessions. For example:
- Teachers will have instructional sessions for individual, small group, and intervention.
  - These sessions are intended to assist students who may need additional help or who may be working at their own pace.
  - Student discussion boards are utilized for unit topics in each subject as group discussions in which students will participate.
  - Teachers will send outbound personalized emails to students.
  - Grading and responses to student questions by phone, email, and synchronous tutoring are ongoing. Teachers are required to respond to all student communications within one school calendar day.
- b. Content Teachers and Homeroom Teachers monitor student progress and activity regularly through activity and grade book reporting
- c. Assignments: Pacing guides are available for students in an Independent Study format to support students who work at their own pace. Assignments will include reading and activity assignments or discussion board responses, and are assessed in a variety of ways such as:
- Students reflect on their learning to self-evaluate progress and to determine steps for improvement and advancement of their learned academic skills. As students work towards meeting standards they will use information as a strategic lifelong resource. They will learn to identify problems, find and evaluate resources, plan work strategies, and synthesize and/or present information.
  - Students will receive regular verbal or written feedback from their teachers on assignments and students can contact their teachers at any time to discuss comments or

any other aspect of the class. These meetings can take the form of telephone calls or online sessions. Teachers will initiate online meetings with students anytime a student's quality of work requires attention. Students, parents or learning coaches may request an individual meeting with the teacher at any time to discuss progress.

- d. Reporting of student progress: In addition to feedback and responsiveness to student and parent questions, regular reporting will occur and will include methods as follows:
- Regularly scheduled online, telephone, or face-to-face conferences to review and report on progress with completing and understanding assignments, development of critical thinking, progress toward mastery of skills and concepts, and meeting goals and objectives.
  - Written or verbal reports from the teacher containing current grades, graduation status, comments on the quality and pacing of student work, and strategies for improvement. The reports may require comments or responses from parents indicating that they have received and reviewed the report.
  - Regular parent conferences to review progress to date for each student. They can request either to attend face to face or via online platform. Parents who choose to not attend the meetings will be required to speak with the counselor or their designee by phone about student progress.
  - A copy of student report cards will be e mailed to the parent's address as indicated in the student record. 30 days following the end of each semester.

## **Curriculum and Instructional Design**

Peak Prep School's curriculum will meet Standards. The curriculum will develop a foundation of basic skills and cultivate higher-order thinking skills. It will be simultaneously rigorous, engaging and relevant to students. Peak Prep School's curriculum and instructional framework is guided by independent study learning models used nationwide.

Courses at Peak Prep School offer off-line content with textbooks from nationally recognized publishers. This model offers a rich learning environment in that it combines a vast amount of age-appropriate learning resources available from a variety of sources including print, electronic media, and real-world experiences. This method of delivery relies on providing quality learning opportunities and Peak Prep School instructional staff guiding individualized student learning to facilitate student progress. Student learning will include online instruction and activities, off-line (print-based) activities and assignments, instructional staff/student discussion boards, project-based learning assignments, group instruction, and opportunities for collaborative projects.

Courses are structured around objectives, content, and assessments. Peak Prep School's courses are designed to meet today's rigorous academic environment and Standards. Peak Prep School's courses follow an objective-based learning structure. Courses are structured to include reading assignments, activities, projects, written assignments, oral or multimedia presentations, collaborative opportunities, or problem-solving and application assignments.

Students will utilize the available "Learning Guide"/Modules prepared by the course author to

supplement textbook readings with additional supporting instructional material regarding a particular concept; guidance as to “what to look for” during the reading assignment, and additional reference materials from the Internet or other sources to expand on the concepts presented in the readings, stories, and supplemental texts.

Additional activities (which will be graded or ungraded) in each course may include:

- Research Papers
- Journals and Story writing
- Discussion board activities (classroom participation grade)
- Practice quizzes at the end of most topics
- Projects (both independent and collaborative)
- Oral or multimedia presentations

Courses are rich with multimedia to keep students engaged throughout their online experience. All courses contain a variety of tutorials that include audio, text, language translation and video components that reinforce course content and are designed to address various learning styles. All of the courses are rich with engaging self-check and practice activities for students to self-assess their mastery of the course content. A variety of games including flashcard activities, crossword puzzles, drag and drop/matching activities, as well as basic self-check quizzes are provided.

These activities can be completed as many times as the student desires until they have mastered the learning objectives and skills. We offer animations to students to demonstrate a concept where appropriate. We have added avatars that both entertain and teach concepts. Avatars are used to present dialogues in foreign language courses as well as instructional tutorials within core subjects.

### **Provide a Range of Materials**

The materials Peak Prep School provides are broad in order to support students in meeting Common Core standards. Peak Prep School’s courses are built around a blend of textbooks published by nationally recognized textbook publishers, quality literature and informational text, online resources including IXL, Raz Kids, Kahn Academy, Iready, Brain POP activities, and authentic educational experiences. This approach ensures that Peak Prep School courses include complete and broad topic coverage for all courses and are aligned to state content standards to challenge students.

Peak Prep School for each course offered has developed course pacing guides. Students will use the weekly reading assignments, writing assignments and other activities included in the guides to keep on schedule for course completion and to monitor progress during each learning period. Peak Prep School teachers will have the ability to adapt assignments to fit the learning needs and styles of the student population and to personalize student assignments as needed. Students will be under the direction of a well-qualified credentialed teacher for all subjects offered. Furthermore, these course-pacing guides identify whether the course is an approved A-G course for University of California and California State University systems.

### **Independent Study Legal Compliance**

Peak Prep School will comply with all applicable independent study laws and regulations including but not limited to Education Code Sections 51745, *et seq.*; 47612.5; 47634.2; and Title 5, California Code of Regulations, Sections 11700-11705; and 19850-19854. These laws require, among other things, that Peak Prep School will operate pursuant to an adopted independent study Board policy; each student will have a master agreement as required by law; and Peak Prep School receive an approved funding determination by the State Board of Education as a condition of funding.

## **Socialization**

Through their interactions with others in a variety of contexts, students develop and pursue friendships as they learn to be active members of their communities. Examples of activities that promote socialization include, but are not limited to: online sessions, participation in Charter School Commons (message boards based on student interests), Charter School sponsored events based on mutual interests of families, field trips and other activities such as service projects in coordination with organizations and schools.

## **Peak Prep Pleasant Valley Homeschool Academy**

Peak Prep will offer a homeschool option to students (the “Homeschool Academy”), distinct from its primary virtual learning program (the “Virtual Academy”).

The Virtual Academy will continue to offer students the same school program that Peak Prep has operated since its inception, and as described in its charter: a fully facilitated virtual school day defined by immersion in Peak Prep’s core curriculum and social-emotional programming, continuous teacher-led instruction and support, and technology-driven engagement. Although parent engagement in student learning is encouraged in the Virtual Academy, the program is inherently designed to allow for students to participate independently, with Peak Prep teachers serving as their principal guide and regular contact point in their learning.

In contrast to the Virtual Academy, the Homeschool Academy experience will be substantially parent-driven.<sup>1</sup> Each student in the Virtual Academy will be assigned a Teacher Advisor, a credentialed member of Charter School staff who will serve as the student’s teacher-of-record, coordinate and liaise with the student’s parent(s) on their individual program and progress, supervise learning, and provide ongoing support to the student and parent(s). Parents will be able to select among multiple standards-aligned curricula approved by Peak Prep’s governing board. And, in coordination with each student’s Teacher Advisor and consistent with Peak Prep School’s policies, parents may supplement the approved curriculum with experiences, activities, learning content, and projects.

Students in the Homeschool Academy will be required to participate in the same State and Charter School-required assessments applicable to Virtual Academy students. Homeschool Academy students will be offered all instructional minutes consistent with Education Code Section 47612.5, and will be required to demonstrate daily engagement and produce work product demonstrating

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<sup>1</sup> All references herein to “parents” are also intended to refer to and incorporate students’ legal guardians.

the time value consistent with instructional minutes requirements. The course of study, coordination, supervision, and recordkeeping for all Homeschool Academy students will be consistent with all requirements of California independent study laws and regulations, Peak Prep’s independent study policy (as updated from time to time), and each student’s individual master agreement.

Homeschool Academy students will participate in live daily or weekly engagement with their Teacher Advisor consistent with California independent study requirements, but the principal mode of daily instruction will be parent-coordinated and supervised (subject, in all cases, to ultimate supervision by the Teacher Advisor.) The Homeschool Academy allows parents to take a significant and active role in their children’s educational experience, including through regular, daily parent involvement in the learning process as defined in each student’s independent study master agreement and the Homeschool Academy’s Board-adopted policies and procedures.

To be clear, the Homeschool Academy is designed for those parents who are specifically seeking that type of time investment and participation in the educational process. Thus, the Homeschool Academy is intended to meet a specific community need, i.e., of parents seeking to homeschool their children so that they can play an active role in their education. But, the Homeschool Academy provides a deeper benefit to students and the public at large as compared with traditional homeschooling: homeschooling under Peak Prep’s supervision ensures that students are engaged in standards-aligned learning using approved curriculum, that students are accountable for their learning and making progress (including as measured by State assessments), and that credentialed teachers are responsible for coordinating and overseeing each student (and ensuring their overall well-being as mandated reporters) – none of which would be guaranteed in a private homeschool program.

Because of the extent of parent involvement, the Homeschool Academy program format is varied from the Virtual Academy to incorporate, facilitate, expect, and respect a specific level of parent participation in each child’s educational program. Although Homeschool Academy students will benefit from and have access to Peak Prep’s technology platforms and learning management system, for parents seeking to limit their children’s screen time, Homeschool Academy students will be able to engage in a significant degree of learning offline, based on the preferences of their parents and in coordination with Teacher Advisors. Peak Prep will also develop unique programming for the Homeschool Academy, based on parent and student interest and Charter School objectives and capacity, which may include but would not be limited to, parent workshops, parent-as—teacher “professional development,” in-person meetups and social activities, and Homeschool Academy-specific social-emotional learning programming.

In all other respects, Homeschool Academy students are Peak Prep students, and except for programmatic variations described in this section, the entirety of Peak Prep’s charter applies to Homeschool Academy students. Students who do not abide by the Homeschool Academy policies, procedures, and agreements, or do not make sufficient academic progress in the Homeschool Academy, may be returned to the Virtual Academy pursuant to the policies, procedures, and agreements for the Homeschool Academy. To the extent that Homeschool Academy participation becomes infeasible for parents, e.g., due to a parent’s schedule, all Homeschool Academy students may revert to the Virtual Academy.

As academies within Peak Prep, all students seeking participation in Peak Prep’s Virtual Academy and Homeschool Academy must first gain admission into Peak Prep pursuant to the procedures in Element 9. As required by under Education Code Section 47605€(2)(A) and subject to applicable qualifications, all California students, including students residing in the Pleasant Valley School District attendance boundaries, may enroll in and attend Peak Prep (and its Virtual Academy and Homeschool Academy). Per Section 47605€(2)(B), Pleasant Valley School District students shall have a preference in admission to Peak Prep per Section 47605€(2)(B).

After admission, and prior to the completion of the enrollment process, students will elect whether to participate in the Virtual Academy or Homeschool Academy. Students will, by default, be enrolled in the Virtual Academy. Students seeking to participate in the Homeschool Academy will be required to agree to the policies, procedures, and agreements specific to the Homeschool Academy, as adopted by Peak Prep’s governing board. Prior to the completion of enrollment in the Homeschool Academy, parents will participate in individual conferences with Peak Prep staff to ensure that the Homeschool Academy is the optimal fit for their student. After enrollment in the Homeschool Academy, students and parents will participate in an orientation meeting with their assigned Teacher Advisor and create an individualized learning plan.

Peak Prep’s governing board may, at its election, set a capacity for the Homeschool Academy, overall and/or by grade level. In the event that demand for enrollment exceeds capacity, administration will conduct a random drawing pursuant to standards and procedures set by Peak Prep’s Governing Board.

### **Social-Emotional Learning**

Peak Prep’s model in leading with the heart and working with our students naturally meets social emotional learning. Beyond the trust and relationships that are established with communication, check ins, and cheerleading, we offer SEL courses, school counseling, and a school psychologist.

### **Clubs**

As Peak grows, we have added clubs like Chess, Yogo, Book Club, and Baking.

During the first 4 years, Peak has implemented other social components such as, 10@10 and assemblies. These are designed for our students to meet one another and partake in social opportunities.

### **Incorporate Technology**

Peak Prep School advocates a 21st century vision for education. As part of the program, students enrolled in Peak Prep School will be issued a laptop computer, which will allow them to complete online learning courses, complete research projects, create multi-media presentations, and complete homework assignments. Online platforms, web applications, and software are used for synchronous, real-time interactive lessons, asynchronous instruction, coursework, and assignment completion, as well as videoconferencing and email.

The on-line electronic classroom is available and is designed to facilitate student learning and enable teacher support. The learning structure for Peak Prep School's online learning includes:

- Web style access – students can navigate anywhere in a course they need to (course map), All content is in one place (self-contained Learning Management System (“LMS”) module – embedded multimedia and activities)
- Easy structure to follow (topics and page sequencing)
- Directions are clear (embedded and linked direction sets)- Consistent look and feel (all content structured in same manner)
- Embedded Accessibility
- Digital Citizenship

All online school-related interactions have rules and policies designed to ensure that information posted is appropriate for the school environment. Students are expected to follow the identified online procedures and social media policy. Staff will instruct students on professional online interactions and to refrain from inappropriate posts and materials.

### **Sample of Daily Student Activity**

Peak Prep School is founded on the principle of personalized learning and therefore a typical day varies with the modifications in curricular activities designed by the teacher in concert with the parent or guardian for those students under the age of 18 years and in concert with the student for those students 18 years of age or older. There are basic activities that occur each instructional day for all students as outlined below. The primary effort is to construct a learning plan that best meets the needs of the student and provides sufficient scaffolding of academic skill development to prepare the student for the next level of education and, in the case of senior high students, readies them for post high school education or entry into the economy. Peak Prep School's goal of developing independent learners spans the entire grade level spectrum. The natural flow of independent learner development follows three benchmarked and measurable developmental steps. The steps are: (1) Early Elementary Grades organized to promote dependent learning based on extensive support of the teacher and learning coach in an environment of richness of exploration and student success oriented interactive activities provided by the curriculum, technology interaction +/- 20 minutes per day maximum, teacher and learning coach; (2) Upper Elementary Grades organized to promote acquisition of academic skills and the application of those skills in developing higher order thinking skills enriched with activities that develop and promote the use of independent learning through research, reading and writing, basic and advanced numeracy, provided by the teacher and technology interaction +/- 90 minutes per day maximum; (3) Middle School organized to develop and promote exploration through independent problem solving, self-recognition of deficiencies in academic preparation, motivation to learn, and enhanced use of technology applications and solutions leading to higher levels of academic achievement provided by the teacher and technology interaction of +/- 3 hours per day maximum; (4) Senior High School organized to scaffold learning deficits to bring students to acceptable and higher levels of skill and propel them forward in mastering the 21<sup>st</sup> Century Skills needed post high school through advanced study, taking A-G required UC approved subjects, advanced placement opportunities, career pathways, facilitated by the teacher, the on-line school and utilization of enriching

technology applications as needed throughout the day to work independently and complete asynchronous and synchronous assignments.

### **Early Elementary TK<sup>2</sup>-3 Sample Activities:**

- Parent/Learning Coach logs onto the LMS
- The LMS serves up lessons for the day and scheduled activities including those activities to be supported by the Learning Coach
- Learning Coach and pupil read together the assignments and the daily schedule
- Pupil and learning coach organize the physical materials for the day's lessons and begin typical early elementary activities in three to four subject areas of concentration involving perceptual-motor development, reading individually out loud, listening, reading together out loud, and basic numeracy skill development
- Pupil and Learning Coach attend periodic synchronous sessions via the electronic classroom
- Pupil participates independently in technology supported learning games served up by the on-line school
- Teacher verifies attendance (3-5 hours required daily) [*CDE attendance guidance provides that "...To put the matter another way, the minimum amount of work necessary to constitute a charter school day of non-classroom-based independent study attendance is within Peak Prep schools and teacher's discretion to determine - but whatever that minimum amount of work is, it must be done on the scheduled school day for which it is claimed as attendance for ADA purposes."*]
- Teacher and Learning Coach review daily progress and modify on-line school's menu as needed to maximize the learning potential of the student

### **Upper Elementary 4-6 Sample Activities:**

- Parent/Learning Coach and Student logs into the LMS
- The LMS serves up lessons for the day and scheduled activities including those activities to be supported by the Learning Coach and Teacher
- Learning Coach and pupil read together the assignments and the daily schedule
- Pupil organize the physical materials for the day's lessons and begin typical upper elementary activities in four to five subject areas of concentration involving perceptual-motor development, reading individually out loud, listening, reading together out loud, and basic numeracy skill development in addition to science, language development, and foreign language study if assigned.
- Pupil is introduced to age appropriate novels and other readings and assigned reading assignments from a reading list of relevant novels
- Pupil interacts with technology supported learning activities designed to strengthen academic skills at a level determined by computer adaptive academic skill testing to be the

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<sup>2</sup> Peak Prep offers a TK program consistent with legal requirements and the curricular and content standards articulated by the California Department of Education, as applicable to charter schools. Peak Prep's TK program employs the same instructional methods and strategies applicable to its kindergarten program, modified as appropriate to meet the developmental stage of students enrolled in TK. It is designed to prepare students for the primary grade span, to the same extent as kindergarten, but where students cannot enroll in kindergarten in a given year because they will not turn five years old as of the date statutorily-required for kindergarten enrollment.

appropriate level for the pupil

- Grade 6 students are introduced to numeracy skills common in the middle school curriculum and using technology to electronically submit writing assignments to the teacher
- Pupil may attend learning center program in a physical location up to three hours per week
- Teacher verifies attendance (4-6 hours required daily)[*CDE attendance guidance provides that "...To put the matter another way, the minimum amount of work necessary to constitute a charter school day of non-classroom-based independent study attendance is within Peak Prep schools and teacher's discretion to determine - but whatever that minimum amount of work is, it must be done on the scheduled school day for which it is claimed as attendance for ADA purposes."*]
- Teacher, Student and Learning Coach review daily progress and modify on-line schools' menu as needed to maximize the learning potential of the student

### **Middle School 7-8 Sample Activities:**

- Parent/Student logs into the LMS
- The LMS serves up lessons for the day and scheduled activities including those activities to be supported by off line activities and the organization of science experiments to be done in concert with the on-line science curriculum
- Parent/Learning Coach reviews the days lessons and activities with the student
- Five subject areas are prepared for the day's learning activities
- Pupil attends a learning session under the direction of the teacher
- Pupils interact with others online in the development of group projects and assignments that require peer collaboration to complete
- Pupil interacts with technology supported learning activities designed to strengthen academic skills at a level determined by computer adaptive academic skill testing to be the appropriate level for the pupil
- Pupils work independently on skill and knowledge attainment assignments
- Pupils review expected outcomes for the day
- Pupils take quizzes and end of unit exams to measure skill mastery and attainment based on the lessons for the day
- Student electronically submits all required written assignments to the teacher
- Teacher verifies attendance (4-6 hours required daily)[*CDE attendance guidance provides that "...To put the matter another way, the minimum amount of work necessary to constitute a charter school day of non-classroom-based independent study attendance is within Peak Prep schools and teacher's discretion to determine - but whatever that minimum amount of work is, it must be done on the scheduled school day for which it is claimed as attendance for ADA purposes."*]
- Teacher, Student and Learning Coach review daily progress and modify on-line schools' menu as needed to maximize the learning potential of the student
- Parent/Guardian logs into Parent/Guardian on-line school account to review progress and request assistance if needed and sign Learning Logs (when needed).
- Teacher meets with parent/guardian and pupil every month to review monthly progress, complete required documentation, and provide academic counseling or referrals to appropriate agencies for services as needed

## Senior High School 9-12 Sample Activities:

- Student logs into the LMS
- The LMS serves up lessons for the day and scheduled activities including those activities to be supported by offline activities and the organization of science experiments, readings, written assignments, and synchronous activities to be done in concert with the on-line curriculum
- Student reviews the days lessons and activities with the Parent/Learning Coach
- Pupils review expected outcomes for the day
- Five to six subject areas are prepared for the day's learning activities (some may be less depending on their accommodations)
- Pupil attends a learning session under the direction of the teacher
- Pupils interact with others online in the development of group projects and assignments that require peer collaboration to complete
- Pupil interacts with technology supported learning activities designed to strengthen academic skills at a level determined by computer adaptive academic skill testing to be the appropriate level for the pupil
- Pupils take quizzes and end of unit exams to measure skill mastery and attainment based on the lessons for the day
- Student electronically submits all required written assignments to the teacher
- Teacher verifies attendance (4-6 hours required daily)[*CDE attendance guidance provides that "...To put the matter another way, the minimum amount of work necessary to constitute a charter school day of non-classroom-based independent study attendance is within Peak Prep school's and teacher's discretion to determine - but whatever that minimum amount of work is, it must be done on the scheduled school day for which it is claimed as attendance for ADA purposes."*]
- Teacher, Student and Learning Coach review daily progress and modify on-line school menu as needed to maximize the learning potential of the student
- Students may participate in interest clubs, student government, and other clubs
- Pupils participate in community support activities
- Parent/Guardian logs into Parent/Guardian on-line school account to review progress and request assistance if needed
- Teacher meets with parent/guardian and pupil every month to review monthly progress, complete required documentation, and provide academic counseling or referrals to appropriate agencies for services as needed

For all students, subject to grade and age appropriate structures, Peak Prep's instructional program and course scheduling is intended to be flexible to meet students' individual needs and their learning styles. For example, some students receive and execute assignments early in the morning on the same rhythm of a traditional school, but many more find their productivity is best in the afternoon or evenings. At Peak Prep School, students learn at the times convenient to their schedules. Though students have the flexibility to choose the time frame in which they study, they are required to demonstrate work on at least one subject each school day. Students may seek teacher support and answers to questions either through email, by telephone or by logging on to an online session where any number of students meet in a "virtual classroom."

Students complete and turn in assignments regularly through the online course, take tests and

quizzes, and also submit papers, essays and fieldwork assessments. A student's progress and grades are posted on a secure, private site so that both student and parents are always aware of their current status.

Students will work with the teacher and parent to agree upon the order in which the assignments will be worked on to ensure all coursework is completed in a semester. Some students may spend an entire week concentrating on math or history; others work on all their courses throughout the week.

### **Peak Prep Pleasant Valley Multitrack Calendar**

Peak Prep will operate a multitrack calendar that offers families two school start dates: a summer program start date to commence on or shortly after July 1 of each year, and a fall program start date, to commence in mid to late August of each year. Each track will operate in compliance with Education Code Section 47612(d), i.e., for purposes of calculating average daily attendance, no pupil shall generate more than one day of attendance in a calendar day, and Peak Prep's multitrack calendar shall comply with all of the following: (1) Peak Prep shall calculate attendance separately for each track. The divisor in the calculation shall be the calendar days in which school was taught for pupils in each track; (2) Peak Prep shall operate each track for a minimum of 175 days. (3) For each track, Peak Prep will provide the total number of instructional minutes, as specified in Section 47612.5, e.g., 64,800 minutes for students in grades 9-12; (4) no track shall have less than 55 percent of its schooldays before April 15; and (5) no pupil shall generate more than one unit of average daily attendance in a fiscal year.

Each track will be operated in accordance with all California independent study laws and regulations applicable to charter schools.

The summer track will support a variety of needs within and outside of existing Peak Prep enrollment. Students from other schools seeking summer programming may enroll in Peak Prep's summer track, including students in need of credit recovery immediately following the end of their prior school year. Similarly, students who have completed an academic year with Peak Prep in the fall track may transfer into the summer track in the following school year to expedite their learning, and thus finish the school year sooner, e.g., a 12<sup>th</sup> grade student with a few credits outstanding may potentially finish their degree over the summer and graduate.

Peak Prep's Board of Directors shall annually adopt a school calendar for each track. Both tracks shall be operated pursuant to the same program, standards, and requirements articulated in Peak Prep's charter.

## **Plan for Students who are Academically Low Achieving**

Students who are academically low achieving will be identified by Charter School teachers through ongoing progress and attendance reports, placement tests, course assessments, standardized test results, and parent and student observation. Peak Prep School will utilize strategies, intervention and tutoring to improve student success such as curriculum modification, parent education, and advisory mentorship.

Peak Prep School will identify students who are performing below or above grade level, or those students otherwise having issues that are impacting the Student academically and utilize a Student Success Team (“SST”) process to develop a plan to address their individual needs. Once students are identified, parents are notified and brought into the process and participate at all stages of the process outlined below.

An SST uses a systematic problem-solving approach to assist students with concerns that are interfering with success. The SST clarifies problems and concerns; develops strategies and organizes resources; provides a system for school accountability; and serves to assist and counsel the parent, teacher and student. An SST is a general education function. All students can benefit from an SST, including but not limited to, those students achieving below or above grade level, students who have experienced emotional trauma, or have behavioral, or language concerns.

Anyone who has a concern for a student can refer that student to SST for consideration. Anyone who is connected with that student can be included in the SST to provide information to share about the student’s strengths, concerns and strategies that have been used in the past. These people will include, but are not limited to, teachers, parents, counselors, doctors, administration, social workers and law enforcement. The meeting is designed to bring out the best in the people involved.

Peak Prep School’s 12 SST meeting steps will include:

1. Team members introduce themselves and their roles
2. Purpose and process of the meeting are stated
3. Timekeeper is appointed
4. Strengths are identified
5. Concerns are discussed, clarified and listed
6. Pertinent information and modifications are listed
7. Concerns are synthesized with one or two chosen for focus
8. Strategies to deal with are chosen; concerns are brainstormed
9. Team chooses best strategies to carry into actions
10. Individuals make commitments to actions
11. Person responsible and timelines for actions are recorded
12. Follow-up date is set

After implementation of a SST plan and follow up, if the problem continues, revisions to the plan will be discussed, or if necessary, a referral for special education or Section 504 assessment might be deemed necessary by the SST.

All students will be assigned to a teacher in a virtual homeroom. The homeroom teacher meets with their assigned students as a group and individually by on-line meetings and telephonic meetings to discuss student support needs and progress. For the low achiever, the homeroom teacher assists in the coordination of support services. This adds another layer of support for students. A homeroom teacher will be focusing on follow up with students based on data from the LMS and based on referrals from teachers. Specific strategies will be developed for individual students through joint work with teachers, the student, parents, and other appropriate staff.

### **Plan for Students who are Academically High Achieving**

Students who are academically high achieving will be identified by teachers of Peak Prep School through ongoing progress and attendance reports, placement tests, course tests, standardized test results, and parent and teacher observation. High achievers are able to move through self-paced course pacing guides while still under the supervision of a well-qualified, credentialed teacher. These guides include challenge activities for high achieving students, which allow the student to complete a more in-depth study or to move more quickly through the curriculum allowing for differentiated instruction. In addition, they have access to honors, AP and other advanced course work. Furthermore, our high achieving students can utilize pretesting and potentially complete more courses in an academic school year.

### **Plan for English Learners**

Peak Prep School will meet all applicable legal requirements for English Learners (“EL”), including long-term English Learners or English Learners at risk of becoming long-term English Learners, as it pertains to annual notification to parents, student identification, placement, program options, EL and core content instruction, teacher qualifications and training, re-classification to fluent English proficient status, monitoring and evaluating program effectiveness, and standardized testing requirement. Peak Prep School will implement strategies and provide designated & integrated English Language Development for serving English Learners that are research based, supported by Charter School resource, and evaluated annually for effectiveness.

An Intervention Specialist with experience working with English Learner experience and experience providing low-economic or struggling students will be provided in the program, as warranted by the size of the student population.

The Homeroom teacher works with students to encourage them and help them stay on track in their academic progress. The Intervention Specialist and the homeroom teacher provide additional support in addition to the assigned classroom teachers. In addition, students will have access to counseling support. All of these support specialists will assist students who have often struggled in traditional education and provide several layers of additional educational support.

### Home Language Survey:

Peak Prep School will administer the home language survey upon a student’s initial enrollment in a California public School (on enrollment forms).

### ELPAC:

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

The ELPAC consists of two separate assessments:

- Initial Assessment (“IA”)

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

- Summative Assessment (“SA”)

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

Both the ELPAC SA and IA are assessments administered in seven grade spans—TK/K, 1, 2, 3–5, 6–8, 9–10, and 11–12. In transitional kindergarten/kindergarten and grade 1, all domains are administered individually. In grades 2–12, the test is administered in groups, exclusive of speaking, which is administered individually. The ELPAC IA and SA will be administered via a computer-based platform, while the ELPAC Writing Domain for Kindergarten through 2<sup>nd</sup> grade will continue to be administered as a paper-pencil test.

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

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

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

administering the test during the annual assessment window.

Peak Prep School will notify all parents of its responsibility for ELPAC testing and of ELPAC results within thirty days of receiving results from publisher. The ELPAC shall be used to fulfill the requirements under Every Student Succeeds Act and Every Student Succeeds Act for English proficiency testing.

#### English Learner Instructional Strategies and Curriculum:

Courses are available for English Learners that will include an option for students to listen to the text on the screen in addition to reading it themselves. This strategy increases student comprehension of the material while supporting their English language skills. English Learners will be able to receive the same level of individual support as all k through 12 students to meet any designated student needs.

EL students will receive additional English Language Development assistance from a teacher carrying appropriate credentials to serve EL students. This assistance will include academic support in vocabulary development and comprehension either outside of the student's core courses, or in working with the core course instructor(s) to ensure the students receive the support they need to increase their English language development and be successful in their courses.

#### Reclassification Procedures:

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

- Assessment of language proficiency using an objective assessment instrument including, but not limited to the ELPAC;
- Participation of the pupil's teachers and any other certificated staff with direct responsibility for teaching or placement decisions of the pupil to evaluate the pupil's curriculum mastery;
- Parental opinion and consultation, achieved through notice to parents or guardians of the language reclassification and placement including a description of the reclassification process and the parent's opportunity to participate, and encouragement of the participation of parents or guardians in Peak Prep School's reclassification procedure including seeking their opinion and consultation during the reclassification process
- Comparison of the pupil's performance in basic skills against an empirically established range of performance and basic skills based upon the performance of English proficient pupils of the same age that demonstrate to others that the pupil is sufficiently proficient in English to participate effectively in a curriculum designed for pupils of the same age whose native language is English.
- Teachers will measure progress regarding comprehension, fluency, vocabulary, pronunciation, and grammar usage will use the Measure of Academic Progress (MAP) assessments.

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

Peak Prep School provides special education instruction and related services in accordance with the IDEA, Education Code requirements, and applicable policies and practices of the SELPA. Peak Prep School provides services for special education students enrolled in Peak Prep School. Peak Prep School follows SELPA policies and procedures, and utilizes SELPA forms in seeking out and identifying and serving students who may qualify for special education programs and services and for responding to record requests and parent complaints, and maintaining the confidentiality of pupil records.

All children shall have access to Peak Prep School and no student shall be denied admission to Peak Prep School due to the nature, extent, or severity of his/her disability or due to the student's request for, or actual need for, special education services.

The specific manner in which special education and related services is provided and funded is set forth in a Memorandum of Understanding ("MOU"), delineating the respective responsibilities of Peak Prep School and the Ventura County Special Education Local Plan Area ("SELPA"). The MOU includes provisions related to staffing, notification and coordination of special education services, identification and referral (child find), assessments, IEP meetings, development and implementation, student placement, complaint procedures, and due process hearings. Peak Prep School is subject to the allocation plan of the SELPA.

A copy of the MOU is available upon request.

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

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

A 504 team will be assembled by the Director of Operations or their designee of Peak Prep School, and shall include parents/guardians, the student (where appropriate), and other qualified persons knowledgeable about the student, such as the teacher, evaluators, and any other person deemed necessary, the meaning of the evaluation data, placement options, and accommodations. The Section 504 team will review the student's existing records, including academic, social and behavioral records and is responsible for deciding as to whether an evaluation for 504 services is appropriate. If the student has already been evaluated under the IDEA but found ineligible for special education instruction or related services under the IDEA, those evaluations may be used to help determine eligibility under Section 504. The Section 504 team will evaluate the nature of the student's disability and the impact upon the student's education shall carry out the student evaluation. This evaluation will include consideration of any behaviors that interfere with regular participation in the educational program and/or activities. The Section 504 team may also consider the following information in its evaluation:

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

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

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

The 504 Plan shall describe the Section 504 disability and any program modification and services that may be necessary to allow the disabled student access to Peak Prep School. Peak Prep School understands it is entirely responsible for compliance with Section 504, including by way of implementing 504 Plans.

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

Parents/guardians shall be notified in writing of all decisions regarding the identification, evaluation or educational placement of students with disabilities or suspected disabilities.

Notifications shall include a statement of their rights to: examine relevant records, have an impartial hearing with an opportunity for participation by the parents/guardians and their counsel,

have the right to file a Uniform Complaint pursuant to school policy, and seek review in federal court if the parents/guardians disagree with the hearing decision.

If a parent/guardian disagrees with the identification, evaluation or educational placement of a student with disabilities under Section 504, he/she may request a hearing to initiate due process procedures. The Section 504 Policy and Procedures shall outline the alternative dispute resolution process and the hearing process to deal with any such complaints. Pursuant to Education Code 51745(c), a student with special needs will not be enrolled unless the student's Individualized Education Program (IEP) provides independent study is an appropriate educational setting.

### **Annual Goals and Actions to Achieve State Priorities**

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

### **Transferability of Courses**

Peak Prep School has gained accreditation with AdvancED/Cognia and WASC.

Peak Prep School will inform parents of course transferability through the publication and distribution of a parent/student handbook that includes specific information on course transferability to other public schools and that outlines school policies and expectations for all students and parents. Courses that meet University of California and California State University entrance requirements will be listed in the parent/student handbook as soon as available. All incoming students and parents will be required to complete an orientation that will include a review of the handbook. In addition to the A-G UC/CSU approved course list that will be included in the handbook, a statement regarding the transferability of courses to other public high schools will be included. Both the A-G list and transferability of classes will be updated on an annual basis. A state- certified high school diploma will be issued to all students who meet Peak Prep School's graduation requirements:

## High School Graduation Requirements

Subject	Number of Courses
English	3 Year-Long Courses
Math	2 Year-Long Courses (through Algebra I)
Science	2 Year-Long Courses
Social Studies	3 Year-Long Courses
Visual and Performing Arts or Foreign Language or Career Technical Education	1 Year-Long Course
Physical Education	2 Year-Long Courses
Electives (including CTE Pathway/Dual Enrollment)	9 Year-Long Courses
<b>TOTAL</b>	<b>22 Year-Long Courses (220 Credits)</b>

### Peak Prep School Career and Technical Education

The economy has changed and so has the way we can prepare students for their future. Traditional vocational training for a few has evolved into career and technical education (“CTE”) for all students. The new economy beckons with high-skill, high-demand jobs for students right out of school as well as for college graduates. With our approach, students can leave with a diploma in an industry- recognized certification. But, more importantly, this will ensure the school and student meet the college & career ready indicator. They’ll be equipped with the knowledge and skills they need, whether they’re looking to launch a career right after graduation or planning to pursue postsecondary studies. We support the individual and career achievement of students through a rigorous process of career exploration, development, preparation, and credentialing.

### Career Clusters

The curriculum brings a comprehensive approach with several of the most critical, high-demand Career Clusters in the CTE world today. Together these clusters comprise industries that represent key cornerstones of our economy.

Peak Prep School provides a curriculum that supports students in career clusters. Each Career Cluster includes three separate, clearly defined pathways for students to follow toward certification providing a total of 6 career pathways:

- Business
- IT
- Art
- Education

## **ELEMENTS 2/3**

### **MEASURABLE STUDENT OUTCOMES AND OTHER USES OF DATA**

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

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

#### **Goals, Actions and Measurable Outcomes Aligned with the Eight State Priorities**

Pursuant to Education Code Sections 47605(c)(5)(A)(ii) and 47605(c)(5)(B), a reasonably comprehensive description of Peak Prep School’s annual goals, actions and measurable outcomes, both schoolwide and for each subgroup of pupils, in and aligned with the Eight State Priorities as described in Education Code Section 52060(d), can be found in Peak Prep School’s Local Control and Accountability Plan (“LCAP”). Each of these goals addresses the unique needs of all students attending Peak Prep School, including our numerically significant student student groups: The metrics associated with these goals help Peak Prep School to ensure that these specific student groups are making satisfactory progress, and are provided with necessary additional supports made possible by additional funds from the Local Control Funding Formula.

The current LCAP is on file with the District and is also available [on our website at [www.peak-prep.org](http://www.peak-prep.org). Peak Prep School shall annually update and develop the LCAP in accordance with Education Code Section 47606.5 and shall use the LCAP template adopted by the State Board of Education. Peak Prep School reserves the right to establish additional and/or amend school-specific goals and corresponding assessments throughout the duration of Peak Prep term through the annual LCAP update. Peak Prep School shall submit the LCAP to the District and County Superintendent of Schools annually on or before July 1, as required by Education Code Section 47604.33.

The LCAP and any revisions necessary to implement the LCAP shall not be considered a material revision to Peak Prep, and shall be maintained by Peak Prep School at its administrative offices.

#### **Methods of Assessment**

The effective use of assessment is critical to the learning process. At Peak Prep School, several types of assessments are used, including Iready, NWEA, IXL, practice quizzes, short answer and

essay questions, multiple choice and objective exams. All instruction is designed with regular evaluation of student work. Assignments and examinations measure student performance in each course. Charter School teachers perform systematic reviews of student work that include reviews of assignments, evaluation of progress and evaluations of completed work (quality and quantity). Charter School homeroom teachers serving as the supervising teacher for purposes of independent study, working closely with parents and/or concerned adults, have the first responsibility for measuring and monitoring student progress and performance.

A summary of the methods used by Peak Prep School to measure pupil progress is provided below:

<b>Assessment</b>	<b>Purpose</b>	<b>Grade</b>	<b>Timeline/ Frequency</b>	<b>Expectation</b>
ELPAC Initial Assessment (IA)	The ELPAC IA is used to identify students as either an English Learner, or as fluent in English.	TK-12 As prescribed	First 30 days of enrollment	Students are identified as either scoring Initially Fluent or English Learner.
ELPAC Summative Assessment (SA)	The ELPAC SA is to measure how well ELs are progressing with English development in each of the four domains.	TK-12 Every year until Reclassified as Fluent English Proficient	Once a year	The results are used as one of four criteria to determine if the student is ready to be reclassified as fluent English proficient, to help inform proper educational placement, and to report progress for accountability.

CAASPP	State criterion-based assessment in ELA and Math	3-8, 11	Spring/Once a year	The number of students scoring as having met or exceeded standard mastery increases annually as per goals listed in the current year's LCAP.
CAST	State criterion-based assessment in Science	5, 8, once in high school	Spring/Once a year	The number of students scoring as having met or exceeded standard mastery increases annually as per goals listed in the current year's LCAP.
CAA	State alternative assessment in ELA, Math, and Science for qualified students	3-8, 11 for qualified students	Spring/Once a year	The number of students scoring as having met or exceeded standard mastery increases annually as per goals listed in the current year's LCAP.
NWEA MAP & Iready	State Board of Education-approved assessment for purposes of generating "verified data" measuring academic growth within each school year in ELA and math	7th-12th (MAP) K-6th (Iready)	Two-Three times each year (fall, winter, spring)	Students will demonstrate one or more years of progress in ELA and math for each school year

Internally created test and performance tasks (presentations, papers, projects)	Measure standards mastery across all courses/subjects	TK-12	Daily/ Weekly	Students show mastery and proficiency in content knowledge.
Curriculum Based Assessments	Assess mastery of unit/lesson content	TK-12	End of unit/end of semester/end of year	Students show mastery and proficiency in content knowledge.
Curriculum Based Benchmarks	Determine progress toward Standard Mastery in grade level core curriculum	TK-12	Quarterly	Students demonstrate progress toward Standards Mastery
PSAT	Preparation for AP Courses	10, 11	As prescribed	Students demonstrate aptitude for HS AP Courses.
CPFT	State criterion-based assessment in Physical Fitness	5, 7, 9	Spring/Once a year	Students demonstrate levels of health-related fitness
Smarter Balanced Practice Test	Practice the Smarter Balanced Assessment to familiarize the students with the structure of the SBAC Test	3-8, 11	Once per year	Students will become familiar with the test format.

Smarter Balanced Interim Comprehensive Assessment (ICAs)	Provide students with the same item types and formats of the SBAC to include performance tasks Provide teachers with overall scale score and performance level of each student	3-8, 11	Twice per year	The number of students scoring as having met or exceeded standard mastery on the SBAC will increase annually as per goals listed in the current year's LCAP.
Smarter Balanced Interim Assessment Blocks (IABs)	Provide students an opportunity to show standard mastery on smaller targets for instruction	3-8, 11	As assigned by teacher	The number of students scoring as having met or exceeded standard mastery on the SBAC will increase annually as per goals listed in the current year's LCAP.
SAT/ACT	Preparation for College Entrance	11, 12	As prescribed	Students will determine aptitude for success in college. Also, it is a college entrance requirement for many colleges and universities.

AP Exams	Provide students opportunity to take a college level course while still in high school and receive credit from college. Students would take this outside of Peak.	10-12	As prescribed in May	Students will be exposed to a college level course while still in high school. Any student scoring a 3, 4 or 5 may receive credit at the college in which they enroll.
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Peak Prep School’s LCAP, incorporated herein, also contains methods of measurement specific to the identified student outcomes.

**Use and Reporting of Data**

1. Report of Individual Student Progress

Monthly meetings will be scheduled between the student, parent, and teacher to report student progress and to provide assignments for the next learning period. Parents and students will be routinely informed of student progress through these regularly scheduled meetings. Progress reports will be provided to families regularly and meetings will be followed up with a written summary.

The homeroom teacher will utilize individualized student evaluation data to tailor the student’s education program and update the master agreement, as necessary.

2. Use of Achievement Data to Improve Upon Charter School Programs

- Staff will receive data on student achievement regularly. Staff will review and utilize data to help monitor and improve Peak Prep School’s education program. Program success will be a major topic of discussion at regular staff meetings and in regular program review evaluations.
- Peak Prep School will utilize a combination of assessment tools to review the educational program on an ongoing basis and to suggest improvements in areas of low performance for all identified student populations.
- Peak Prep School also will survey parents on an annual basis to get valuable program feedback to be used to make program improvements.
- A Parent Satisfaction survey will be provided electronically to all parents in May of each school year. The survey will be developed specifically to assess parent input on effectiveness of all aspects of Peak Prep School from their perspective, related to their experience. The results of this survey will be reviewed in June of the school year along with information on program effectiveness from other assessments of effectiveness such as student engagement reports, test results, student success to identify the key program areas that will require modification for the coming school year. Feedback will

be given to parents to indicate specifically how their survey suggestions were used.

Pursuant to Education Code Section 47604.3, Peak Prep School will promptly respond to all reasonable inquiries, including, but not limited to inquiries regarding its financial records from the Pleasant Valley School District. Peak Prep School will automatically submit all financial reports required under Section 47604.33 and 47605(m). Peak Prep School recognizes the right of the Pleasant Valley School District to conduct inspections of Peak Prep School pursuant to Section 47607.

## **ELEMENT 4 GOVERNANCE STRUCTURE**

*Governing Law: The governance structure of Peak Prep school, including, but not limited to, the process to be followed by Peak Prep school to ensure parental involvement—California Education Code Section 47605(c)(5)(D)*

### **Non-Profit Public Benefit Corporation**

Peak Prep School will be a directly funded independent charter school and will be operated as Peak Prep Pleasant Valley, a California public benefit nonprofit corporation.

Peak Prep School will operate autonomously from the Pleasant Valley School District, with the exception of the supervisory oversight as required by statute and other contracted services as negotiated between the Pleasant Valley School District and Peak Prep School, the District's representation on Peak Prep School's Board of Directors, and collaboration on educational programming and operations between Peak Prep employees and District employees as contemplated herein.

Pursuant to California Education Code Section 47604(d), the Pleasant Valley School District shall not be liable for the debts and obligations of Peak Prep School, operated by a California non-profit benefit corporation or for claims arising from the performance of acts, errors, or omissions by Peak Prep School as long as the Pleasant Valley School District has complied with all oversight responsibilities required by law. Attached, as an appendix, please find the Articles of Incorporation and Corporate Bylaws for Peak Prep School, and conflicts code.

Peak Prep School's Conflict of Interest Code complies with the Political Reform Act, Government Code Section 1090, *et seq.*, as set forth in Education Code Section 47604.1, and Corporations Code conflict of interest rules, and which shall be updated with any charter school-specific conflict of interest laws or regulations. As required, the Conflict of Interest Code will be submitted to the County Board of Supervisors for approval.

### **Board of Directors**

Peak Prep School is governed by a corporate Board of Directors who shall be elected, serve, and govern Peak Prep School in accordance with their adopted corporate bylaws and policies and procedures which shall be maintained to align with the terms of this charter, the MOUs, and applicable law. Peak Prep Pleasant Valley will have five board members on the governing board.

Three of the five members of Peak Prep School's Board shall consist of members appointed by the District's Board of Trustees, to be selected pursuant to the District's appointment process of the District's choosing. Such representatives shall serve at the pleasure of and be removed only by the action of the District Governing Board.

Two of the five members of Peak Prep School's Board shall consist of parents/guardians of students currently enrolled at Peak Prep School, to be appointed pursuant to the policies and

procedures adopted by the Parent Advisory Council (“Advisory Council”) as described below. If such a member of Peak Prep’s Board is no longer a parent or guardian of an enrolled student, they shall be replaced by a new parent/guardian by the Advisory Council. Notwithstanding the foregoing, during the 2022-23, 2023-24, and 2024-25 school years, while the Advisory Council is developed, Peak Prep’s Executive Director shall be responsible for appointing parent/guardians to Peak Prep’s Board.

The parent/guardian Board members may serve two consecutive three-year terms.

Commencing July 1, 2023, and each year thereafter, upon receipt of a petition for a high school student representation that meets the requirements of Education Code Section 47604.2(b)(2), the Board shall order the inclusion within its membership, in addition to the number of members otherwise prescribed, of at least one high school student member. A student member of the Board shall have preferential voting rights as defined in Education Code Section 47604.2(b)(4).

### **Board Duties**

The Board of Directors will be responsible for the operation and fiscal affairs of Peak Prep School including but not limited to:

1. Approval of the annual school budget, calendar, major fundraising events, and grant writing;
2. Approval of contracts;
3. Approval of accountability reports required to be submitted to government entities, including the LCAP and interim financial reports;
4. Hiring, supervision, discipline, and termination of Peak Prep School’s Executive Director;
5. Ratification of employment contracts for Charter School employees hired by Peak Prep School’s Executive Director
6. Approval of bylaws, resolutions, and policies and procedures of school operation
7. Approval of all changes to Peak Prep to be submitted to the Pleasant Valley School District as necessary in accordance with applicable law
8. Long-term strategic planning for Peak Prep School and strategic partnerships with the District in service to the District’s students;
9. Participation as necessary in dispute resolution;
10. Monitoring overall student performance;
11. Monitoring the performance of Peak Prep School and taking necessary action to ensure that Peak Prep School remains true to its mission and charter;
12. Monitoring the fiscal solvency of Peak Prep School;
13. Participation in Peak Prep School’s independent fiscal audit;
14. Participation in Peak Prep School’s performance report to the Pleasant Valley School District, as applicable;
15. Participation as necessary in student expulsion and involuntary removal matters; and Increasing public awareness of Peak Prep School
16. Fundraising efforts

Peak Prep School’s Board of Directors may initiate and carry out any program or activity that is

not in conflict with or inconsistent with its charter or specifically disallowed under state or federal laws and regulations applicable to charter schools.

### **Board Meetings**

Peak Prep School Board will meet monthly (but may forgo a July meeting) pursuant to a calendar set at its annual organizational meeting and shall set additional special board meetings as necessary. The Board will comply with the Brown Act and Education Code Section 47604.1(c). Board meetings will originate and be held within the county where the greatest number of Peak Prep students reside. Meetings may combine virtual and site-based meeting attendance, subject to the requirements under the Brown Act for public meetings.

A Board Chair, who will be elected annually by the Board in accordance with Corporations Code Section 5213 at the annual organizational meeting of the school year each September, will head the Board of Directors meetings.

### **Board Training**

The Board of Directors shall participate annually in training regarding board governance, the Brown Act, and conflicts of interest rules.

### **Board Delegation of Duties**

The Board may execute any powers delegated by law to it and shall discharge any duty imposed by law upon it and may delegate to an employee or contractor of Peak Prep School any of those duties. The Board however, retains ultimate responsibility over the performance of those powers or duties so delegated. Such delegation will:

- Be in writing;
- Specify the entity designated;
- Describe in specific terms the authority of the Board being delegated, any conditions on the delegated authority or its exercise and the beginning and ending dates of the delegation; and
- Require an affirmative vote of a majority of present Board members.

### **Charter School Executive Director**

The Executive Director will be the leader of Peak Prep School. The Executive Director will report directly to the board, and they are responsible for the orderly operation of Peak Prep School and the supervision of all employees in Peak Prep School.

1. Provide leadership to Peak Prep School
2. Liaise with the District's Superintendent on collaborations between Peak Prep School and the District in service to all students and collaborate on projects, including but not limited to, marketing, enrollment, connecting District students to Peak Prep, connecting Peak Prep students to District services, development of innovations in alternative educational

- programming, and sharing resources.
3. Attend meetings at the County Office of Education as requested by the Pleasant Valley School District and stay in direct contact with the Pleasant Valley School District to assist the Pleasant Valley School District in its oversight duties;
  4. Subject to Charter School policies and operative contracts, hire, supervise, discipline, and terminate all employees, independent contractors, vendors, advisors, and consultants of Peak Prep School; make hiring recommendations to the Board of Directors regarding the hiring of all Charter school employees for ratification by the Board of Directors;
  5. Provide performance evaluations of all Charter School employees at least once annually;
  6. Prepare proposals of policies for adoption by the Board of Directors;
  7. Provide comments and recommendations regarding policies presented by others to the Board;
  8. Advise the Board and make written recommendations to the Board on programs, policies, budget and other school matters;
  9. Communicate with Peak Prep School's legal counsel;
  10. Participate in the dispute resolution procedure and the complaint procedure when necessary;
  11. Write applications for grants;
  12. Attend meetings with the Chief Financial Officer of the Pleasant Valley School District on fiscal oversight issues periodically upon request;
  13. Provide all legally required financial reports to the Pleasant Valley School District and County Office of Education;
  14. Compliance with the budget as approved by the Board in accordance with generally accepted accounting principles;
  15. Present quarterly financial reports to the Board of Directors;
  16. Aid and coordination in the implementation of curriculum;
  17. Oversee parent/student/teacher relations;
  18. Attend IEP meetings as required by law;
  19. Oversee student disciplinary matters;
  20. Coordinate and/or supervising the coordination of the administration of standardized testing;
  21. Plan and coordinate student orientation;
  22. Attend all Charter School Board meetings and attend as necessary Pleasant Valley School District meetings;
  23. Site safety (if a site is operated);
  24. Foster an amicable relationship between Pleasant Valley School District and Peak Prep School and facilitate a sharing of resources between both entities;
  25. Establish a Communication Model to facilitate communication among all the groups within Peak Prep School, between Peak Prep School and the Pleasant Valley School District, and between Peak Prep School and the community at large;
  26. Graduations;
  27. Develop Peak Prep School annual performance report and SARC;
  28. Present performance report to Peak Prep School Board and, upon review by Peak Prep School Board
  29. Present reports to the Pleasant Valley School District as requested; and
  30. Facilitate open house events.

The above duties may be delegated or contracted as approved by the Board to another employee of Peak Prep School or to an appropriate third-party provider as allowed by applicable law.

### **Parent Participation in Governance and Parent Advisory Council**

Peak Prep School will ensure parents have an opportunity to participate in governance of Peak Prep School, through involvement in the Advisory Council and participation on the Board of Directors.

The Advisory Council shall be composed of seven members, including Peak Prep School's Executive Director, who will be a standing member and serve as the chairperson, a teacher, and five parents/guardians of current Charter School students. The teacher representative will be appointed by a majority vote of Peak Prep School's teachers. The initial parent members shall be appointed by the Executive Director, and subsequently, the Advisory Council as a whole will nominate and vote on the parent membership of the Advisory Council after inviting parents/guardians of the school community to participate. Parent members of the Advisory Council are eligible to serve simultaneously as members of the Board of Directors.

The Advisory Council shall meet regularly, review matters of current school and student affairs, and shall make and report recommendations to the Peak Prep Board on matters of interest and concern to the parents of Peak Prep students.

The Advisory Council is an advisory body and is not organized as a corporation, but may adopt bylaws and written policies and procedures to guide the Advisory Council's operations. Meetings of the Advisory Council shall be communicated to parents/guardians of students in advance, and they shall be invited to attend and provide written or oral comments. In the event that the provisions of any such bylaws, written policies, and procedures are inconsistent with the provisions of this charter, they shall be amended to be consistent with Peak Prep. The Advisory Council shall maintain a complete record of all the minutes, acts and proceedings of the Advisory Council.

The role of the Advisory Council will be to:

- Make recommendations to the Peak Prep Board in the following areas, and such other areas as may be requested by the Peak Prep Board:
  - To recommend events and activities to be carried out at Peak Prep.
  - To annually review the operating budget and Peak Prep operations.
  - To annually review and provide input and feedback on Peak Prep's draft LCAP and other accountability instruments for which parent/guardian input is required or should be sought.
  - To provide ongoing evaluation of Peak Prep and provide public accountability.
  - To make recommendations for the improvement and further development of Peak Prep.
  - To strive for a diverse student population, reflective of the community, and aligned to Peak Prep's mission.

- Review and recommend business and school partnerships with the communities served by Peak Prep.
- Ensure that all students are learning State Standards by reviewing achievement data.
- Review, promote, monitor and evaluate educational initiatives affecting Peak Prep.
- Organize activities to raise funds or otherwise solicit and gather monetary donations or other gifts for Peak Prep.
- Carry out such other duties as requested by the Peak Prep Board.

The Advisory Council shall also develop procedures to elect and appoint parent/guardian representatives (“Parent Representatives”) to the Board. The Advisory Council may vote to remove a Parent Representative on the Board of Directors and fill vacancies pursuant to the corporate bylaws and its adopted policies and procedures.

## **ELEMENT 5**

### **QUALIFICATIONS OF SCHOOL EMPLOYEES**

*Governing Law: The qualifications to be met by individuals to be employed by Peak Prep school. California Education Code Section 47605(c)(5)(E)*

In accordance with Charter School health and safety policies, described below, all employees shall be fingerprinted, backgrounds check and receive background clearance and tuberculosis clearance prior to commencing employment with Peak Prep School.

Peak Prep School's key staff members will meet the following qualifications:

#### Executive Director Qualifications

Peak Prep School's Executive Director will be the instructional leader at Peak Prep School and will be responsible for helping Peak Prep School and students achieve the outcomes outlined in this charter petition.

*Required knowledge, skills, and abilities:*

- Understanding of distance learning methodology, measurement and implementation
- Understanding of employee evaluation in a corporate / non-profit setting
- Superb communication and community-building skills
- Deep knowledge of curriculum development and program design
- A record of success in operating not / for profit business
- A record of success in building community partnerships and fundraising
- Entrepreneurial passion
- Knowledge of school / non-profit management

*Required educational level:*

- Master's Degree or Education Administrative Experience

*Credentialing:*

- California Commission on Teacher Credentialing School administrative credential preferred.

#### Director of Operations Qualifications

Peak Prep School's Director will be responsible for working with the Executive Director to help Peak Prep School and students achieve the outcomes outlined in this charter petition. The Director of Operations will have the following qualifications:

*Required knowledge, skills, and abilities:*

- Understanding of distance learning methodology, measurement and implementation
- Understanding of teacher evaluation in an online school
- Superb communication and community-building skills
- Deep knowledge of curriculum development and program design

- A record of success in developing teachers
- Entrepreneurial passion
- Knowledge of school management

*Required educational level:*

- Master's Degree required

*Credentialing:*

- California Commission on Teacher Credentialing School administrative credential preferred.

*Required experience:*

- 5 plus years teaching and administrative experience
- Experience in performance assessment
- Experience in school management

Teacher Qualifications

*Required knowledge, skills, and abilities:*

- Candidates are evaluated using these standards:
- Committed to students and learning
- Experience teaching in an online environment
- Qualified under applicable requirements of the Every Student Succeeds Act ESSA
- Technologically knowledgeable
- Skilled in management of learning
- Reflective in their practice
- Community-oriented

*Required educational level / credentialing:*

Peak Prep School shall comply with Education Code Sections 47605(1) and 47605.4, which provide and require, in relevant, part that:

- Peak Prep School's teachers shall hold the Commission on Teacher Credentialing certificate, permit, or other document required for the teacher's certificated assignment. These documents shall be maintained on file at Peak Prep School and are subject to periodic inspection by The Charter authority .
- Subject to Board approval as required, Peak Prep School may use local assignment options authorized in statute and regulations for the purpose of legally assigning certificated teachers, in accordance with all of the requirements of the applicable statutes or regulations in the same manner as a governing board of a school district.
- Peak Prep School may request an emergency permit or a waiver from the Commission on Teacher Credentialing for individuals in the same manner as a school district.
- All teachers shall possess a certificate of clearance and satisfy the requirements for professional fitness pursuant to Sections 44339, 44340, and 44341.
- Teachers employed by charter schools during the 2019–20 school year shall have until July

1, 2025, to obtain the certificate required for the teacher's certificated assignment.

As required under Education Code Section 48000(g)(4), and subject to any future amendments, all teachers who are first assigned to a transitional kindergarten classroom after July 1, 2015 must possess at least one of the following:

- At least 24 units in early childhood education, or childhood development, or both.
- As determined by Peak Prep School, professional experience in a classroom setting with preschool age children that is comparable to 24 units of early childhood education, or childhood development.
- A child development teacher permit, or an early childhood education specialist credential, issued by the Commission on Teacher Credentialing.

Student to teacher ratio will be in accordance with Education Code Section 51745.6. Peak Prep School will maintain auditable files of teacher credentials in compliance with applicable law.

#### *Teacher Recruitment:*

Peak Prep School will develop a comprehensive teacher recruitment policy to attract well-qualified, credentialed teachers. Peak Prep School recruitment strategies for employing well qualified teachers include using established teacher credentialing services, such as EdJoin, Monster.com, and college employment fairs, among other generally acceptable strategies.

#### *Staff Selection*

Peak Prep Pleasant Valley Charter School prohibits discrimination, harassment, intimidation, bullying and sexual harassment based on actual or perceived ancestry, age, color, disability, gender, gender identity, gender expression, nationality, immigration status, marital status, parental status, family status, pregnancy status, race or ethnicity, religion, sex, sexual orientation, or association with a person or a group with one or more of these actual or perceived characteristics in all educational programs, school related or school sponsored activities, school attendance or employment policies which may have an impact or create a hostile environment at school as required by Title IX of the 1972 Education amendments, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, the California Fair Employment and Housing Act, and other applicable laws and regulations. For questions or concerns regarding discrimination, harassment, intimidation, bullying or sexual harassment, please contact the District's Discrimination, Equity, and Title IX Compliance Officer.

#### *Professional Development:*

Professional development will be provided on an ongoing basis and will be built into the school calendar. Professional development workshop days will include:

- Regular meetings to implement and design as needed current and instructional strategies that address the needs of our targeted student population.
- A comprehensive monthly staff meeting.

- Other designated professional development days scheduled throughout the school year.

Professional development needs will be assessed through analysis of student assessment data, annual parent surveys, and formal staff discussions on recommended modifications to the educational program.

## **ELEMENT 6 HEALTH AND SAFETY**

*Governing Law: The procedures that Peak Prep school will follow to ensure the health and safety of pupils and staff. These procedures shall require all of the following:*

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

In order to provide safety for all students and staff, Peak Prep School will adopt and implement full health and safety procedures in consultation with its insurance carriers and risk management experts to implement the above policies. These procedures will be incorporated into Peak Prep School's student and staff handbooks and will be reviewed on an ongoing basis by Peak Prep School Director and Board of Directors. Peak Prep School shall ensure that staff are trained annually on the health and safety policies. These policies will be made available to the District for review upon request.

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

### **1. Procedures for Background Checks**

Employees and contractors of Peak Prep School will be required to submit to a criminal background check and furnish a criminal record summary as required by Education Code Sections 44237 and 45125.1. New employees not possessing a valid California Teaching Credential must submit two sets of fingerprints to the California Department of Justice for the purpose of obtaining a criminal record summary. Peak Prep School shall not hire any person, in either a certificated or classified position, who has been convicted of a violent or serious felony except as otherwise provided by law, pursuant to Education Code Sections 44830.1 and 45122.1. The Executive Director of Peak Prep School shall monitor compliance with this policy and report to Peak Prep School Board of Directors on a regular basis. The Board Chair shall monitor the fingerprinting and background clearance of the Executive Director. Volunteers who will volunteer outside of the direct supervision of a credentialed employee shall be fingerprinted and receive background clearance prior to volunteering without the direct supervision of a credentialed employee.

### **2. Role of Staff as Mandated Child Abuse Reporters**

All employees will be mandated child abuse reporters and will follow all applicable reporting laws, the same policies and procedures used by the District. Peak Prep School shall provide mandated reporter training to all employees annually in accordance with Education Code Section 44691.

### **3. Tuberculosis Risk Assessment and Examination**

Employees and volunteers who have frequent or prolonged contact with students, will be assessed

and examined (if necessary) for tuberculosis prior to commencing employment and working with students, and for employees at least once each four years thereafter, as required by Education Code Section 49406.

#### **4. Immunizations**

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

#### **5. Medication in School**

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

#### **6. Vision, Hearing/Scoliosis**

Students will be screened for vision, hearing and scoliosis in accordance with Education Code Section 49450, *et seq.*, as applicable to the grade levels served by Peak Prep School.

#### **7. Diabetes**

Peak Prep School shall make the type 1 diabetes informational materials accessible to the parent or guardian of a student when the student is first enrolled in elementary school. Peak Prep School will provide an information sheet regarding type 2 diabetes to the parent or guardian of incoming 7<sup>th</sup> grade students. The information sheet shall include, but shall not be limited to, all of the following:

- a. A description of Type 2 Diabetes.
- b. A description of the risk factors and warning signs associated with Type 2 Diabetes.
- c. A recommendation that students displaying or possibly suffering from risk factors or warning signs associated with Type 2 Diabetes should be screened for Type 2 Diabetes
- d. A description of treatments and prevention methods of Type 2 Diabetes.
- e. A description of the different types of diabetes screening tests available.

#### **8. School Safety Plan**

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

- child abuse reporting procedures

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

The School Safety Plan shall be drafted specifically to the needs of the facility in conjunction with law enforcement and the Fire Marshal. Staff shall receive training in emergency response, including appropriate “first responder” training or its equivalent.

## **9. Blood borne Pathogens**

Peak Prep School shall meet state and federal standards for dealing with blood borne pathogens and other potentially infectious materials in the workplace. The Board shall establish a written infectious control plan designed to protect employees and students from possible infection due to contact with blood borne viruses, including human immunodeficiency virus (“HIV”) and hepatitis B virus (“HBV”).

Whenever exposed to blood or other bodily fluids through injury or accident, students and staff should follow the latest medical protocol for disinfecting procedures.

## **10. Drug Free/Alcohol Free/Smoke Free Environment**

Any facilities operated by Peak Prep School shall function as a drug, alcohol, e-cigarette, and tobacco free environment.

## **11. Comprehensive Sexual Harassment Policies and Procedures**

Peak Prep School is committed to providing a school that is free from sexual harassment, as well as any harassment based upon such factors as race, religion, creed, color, national origin, ancestry, age, medical condition, marital status, sexual orientation, or disability.

## **12. Technology Safety Policies**

Peak Prep School has developed technology safety policies which address: privacy on student computers; liability for service interruptions and information; internet usage guidelines; accuracy

of information; enforcement of the instructional technology policy and guidelines.

### **13. Prevention of Human Trafficking**

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

### **14. Nutritionally Adequate Free or Reduced-Price Meal**

Peak Prep School shall provide each needy student, as defined in Education Code Section 49552, with one nutritionally adequate free or reduced-price meal, as defined in Education Code Section 49553(a), during each school day. Peak Prep School shall provide this meal for any eligible student on any school day that the student is scheduled for educational activities, as defined in Education Code Section 49010, lasting two or more hours, at a school site, resource center, meeting space, or other satellite facility operated by Peak Prep School.

### **15. California Healthy Youth Act**

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

### **16. Facility Safety**

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

### **17. Comprehensive Anti-Discrimination and Harassment Policies and Procedures**

Peak Prep School is committed to providing a school that is free from discrimination and sexual harassment, as well as any harassment based upon the actual or perceived characteristics of race, religion, creed, color, gender, gender identity, gender expression, nationality, national origin, ancestry, ethnic group identification, genetic information, age, medical condition, marital status, sexual orientation, sex and pregnancy, physical or mental disability, childbirth or related medical conditions, military and veteran status, denial of family and medical care leave, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, or any other basis protected by federal, state, local law, ordinance or regulation. Peak Prep School shall develop a comprehensive policy to prevent and immediately remediate any concerns about discrimination or harassment at Peak Prep School (including employee to employee, employee to student, and student to employee misconduct). Misconduct of this nature is very serious and will be addressed in accordance with Peak Prep School's anti-discrimination and harassment policies.

A copy of the policy shall be provided as part of any orientation program conducted for new and continuing pupils at the beginning of each quarter, semester, or summer session, as applicable, and to each faculty member, all members of the administrative staff, and all members of the support staff at the beginning of the first quarter or semester of the school year, or at the time that there is a new employee hired. To the extent Peak Prep School maintains any facilities in the future that are attended by students, Peak Prep School shall create a poster that notifies students of the applicable policy on sexual harassment in accordance with Education Code Section 231.6, and shall prominently and conspicuously display the poster in each bathroom and locker room at the school site and in public areas at the school site that are accessible to, and commonly frequented by, pupils.

### **18. Bullying Prevention**

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

### **19. Menstrual Products**

To the extent that this Charter School operates any facilities attended by students, Peak Prep School shall stock Peak Prep School's restrooms at all times with an adequate supply of menstrual products, available and accessible, free of cost, in all women's restrooms and all-gender restrooms, and in at least one men's restroom. Peak Prep School shall post a notice regarding the requirements of this section in a prominent and conspicuous location in every restroom required to stock menstrual products, available and accessible, free of cost, pursuant to this section. This notice shall include the text of this section and contact information, including an email address and telephone number, for a designated individual responsible for maintaining the requisite supply of menstrual products.

### **20. Athletic Programs**

To the extent Peak Prep School offers athletic programming, Peak Prep School shall comply with all applicable laws related to health and safety policies and procedures surrounding athletic programs at charter schools, including but not limited to providing information to athletes regarding sudden cardiac arrest and annually providing each athlete an Opioid Factsheet for Patients. In the event Peak Prep School participates in any interscholastic athletic programs, it shall comply with all applicable requirements, including, but not limited to, adopting a written emergency action plan for sudden cardiac arrest or other medical emergencies related to athletic programs, and acquiring at least one automated external defibrillator.

### **23. Mental Health Education**

If Peak Prep School offers one or more courses in health education to students in grades 7-8, Peak Prep School shall include in those courses instruction in mental health that meets the requirements of Education Code Section 51925, et seq.

## **24. Mental Health Information**

Beginning in the 2023-24 school year, Peak Prep School shall create and post a poster at any schoolsite(s) it operates identifying approaches and resources addressing student mental health in compliance with Education Code Section 49428.5. The poster shall be displayed in English and the primary language(s) spoken by 15 percent or more of students enrolled at the schoolsite. The poster shall be prominently and conspicuously displayed in appropriate public areas that are accessible to, and commonly frequented by, students at the schoolsite. The poster shall also be digitized and distributed online to students through social media, internet websites, portals, and learning platforms at the beginning of each school year.

## **25. Suicide Prevention Policy**

Peak Prep School shall maintain a policy on student suicide prevention in accordance with Education Code Section 215. Peak Prep School shall review, at minimum every fifth year, its policy on pupil suicide prevention and, if necessary, update its policy. Pursuant to AB 58 (2021-22), Peak Prep School will also review and update its suicide prevention policy by January 1, 2025 to incorporate best practices identified by the California Department of Education's model policy, as revised.

## **26. Homicide Threats**

Peak Prep School shall comply with all requirements under Education Code Sections 49390-49395 regarding mandatory reporting in response to homicidal threats. All employees and Board members who are alerted to or who observe any threat or perceived threat in writing or through an action of a student that creates a reasonable suspicion that the student is preparing to commit a homicidal act related to school or a school activity shall make a report to law enforcement.

## **27. Gun Safety Notice**

Beginning in the 2023-24 school year, at the beginning of the first semester, Peak Prep School shall distribute a notice to the parents/guardians of each student addressing California's child gun access prevention laws and laws related to firearm safety utilizing the most updated model language published by the California Department of Education.

**ELEMENT 7**  
**BALANCE OF RACIAL, ETHNIC, SPECIAL EDUCATION, AND**  
**ENGLISH LEARNER PUPILS**

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

Peak Prep School will implement a student recruiting strategy that includes but is not necessarily limited to the following elements or strategies designed to achieve the-above referenced balance among students that is reflective of the territorial jurisdiction of the Pleasant Valley School District:

- An enrollment process that is scheduled and adopted to include a timeline that allows for a broad-based recruiting and application process.
- The development of promotional and informational material that appeals to all of the various racial and ethnic groups, as well as English Learners and special education students represented in the District.
- Student recruitment efforts may include, but are not limited to, direct mail, print advertising, and informational meetings directed toward targeted student populations to recruit students from the various racial and ethnic groups, as well as English Learners and special education students represented in the District.

## **ELEMENT 8**

### **STUDENT ADMISSIONS AND ATTENDANCE POLICIES AND PROCEDURES**

#### **Student Admission Policies and Procedures**

*Governing Law: Admissions policies and procedures, consistent with [Education Code Section 47605] subdivision (e). Education Code Section 47605(c)(5)(H)*

Peak Prep School will be nonsectarian in its programs, admission policies, and all other operations, and will not charge tuition nor discriminate on the basis of the characteristics listed in Section 220 (actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, including immigration status, or association with an individual who has any of the aforementioned characteristics). Peak Prep School shall comply with all applicable legally required minimum and maximum age requirements.

Upon admission to Peak Prep School, the registration process is comprised of the following<sup>3</sup>:

- Completion of a student registration form;
- Proof of immunization;
- Home Language Survey;
- Completion of Emergency Medical Information Form;
- Proof of minimum and maximum age requirements;
- Execution of a master agreement as required by independent study law; and
- Completion of Technology Use and Parent Permission Forms.

All students who wish to attend Peak Prep School shall be admitted, subject only to capacity. No test or assessment shall be administered to students prior to acceptance and enrollment into Peak Prep School. Peak Prep School will comply with all laws establishing minimum and maximum age for public school attendance in charter schools. Admission to Peak Prep School shall not be determined by the place of residence of the student or their parent in the State, except as provided in Education Code Section 47605(e)(2) and Education Code 51747.3(b). In accordance with Education Code Sections 49011 and 47605(e)(2)(B)(iv), admission preferences shall not require mandatory parental volunteer hours as a criterion for admission or continued enrollment.

In accordance with Education Code Section 47605(e)(4)(A), Peak Prep School shall not discourage a pupil from enrolling or seeking to enroll in Peak Prep school for any reason, including, but not limited to, academic performance of the pupil or because the pupil exhibits any of the characteristics described in Education Code Section 47605(e)(2)(B)(iii), including pupils with disabilities, academically low-achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, or pupils who are economically disadvantaged, as determined by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race,

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<sup>3</sup> The Charter School shall not request a pupil's records or require a parent, guardian, or pupil to submit the pupil's records to the Charter School before enrollment.

ethnicity, or sexual orientation. Similarly, in accordance with Section 47605(e)(4)(C), Peak Prep School shall not encourage a pupil currently attending Peak Prep School to disenroll from Peak Prep School or transfer to another school for any reason, including, but not limited to the academic performance of the pupil or because the pupil exhibits any of the characteristics described in Education Code Section 47605(e)(2)(B)(iii), as listed above.

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

If the number of students who wish to attend Peak Prep School exceeds Peak Prep School's capacity, admission, except for existing students of Peak Prep School, who are guaranteed admission in the following school year, shall be determined by a public random drawing. In the case of a public random drawing, the following will be given preference for admission to Peak Prep School:

1. Siblings of students admitted to or attending Peak Prep School.
2. Children of school staff; and
3. Students who reside in the District.

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

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

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

Public random drawing rules, deadlines, dates and times will be communicated in the application form and on Peak Prep School's website. Public notice for the date and time of the public random drawing will also be posted once the application deadline has passed. Peak Prep School will also

inform all applicants and interested parties of the rules to be followed during the public random drawing process via mail or email at least two weeks prior to the lottery date.

Peak Prep School will conduct the lottery in the spring for enrollment in fall of that year.

## **ELEMENT 9 INDEPENDENT FISCAL AUDIT**

*Governing Law: 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 Charter authority — California Education Code Section 47605(c)(5)(I).*

An annual independent fiscal audit of the books and records of Peak Prep School will be conducted as required under Peak Prep Schools Act, section 47605(c)(5)(I) and 47605(m). The books and records of Peak Prep School will be kept in accordance with generally accepted accounting principles and shall be conducted in accordance with applicable provisions within the California Code of Regulations governing audits of charter schools as published in the State Controllers K-12 Audit Guide.

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

It is anticipated that the annual audit will be completed within four months of the close of the fiscal year and that a copy of the auditor's findings will be forwarded to the Pleasant Valley School District, County Superintendent of Schools, the State Controller, and to the CDE by the 15th of December of each year. The Executive Director, along with the audit committee, will review any audit exceptions or deficiencies and report to Peak Prep School Board of Directors with recommendations on how to resolve them. The Board will submit a report to the Pleasant Valley School District describing how the exceptions and deficiencies have been or will be resolved to the satisfaction of the Pleasant Valley School District along with an anticipated timeline for the same.

The independent fiscal audit of Peak Prep School is a public record and shall be provided to the public upon request.

## ELEMENT 10 SUSPENSION/EXPULSION PROCEDURES

*Governing Law: The procedures by which pupils can be suspended or expelled from Peak Prep school for disciplinary reasons or otherwise involuntarily removed from Peak Prep school for any reason. These procedures, at a minimum, shall include an explanation of how Peak Prep school will comply with federal and state constitutional procedural and substantive due process requirements that is consistent with all of the following:*

*(i) For suspensions of fewer than 10 days, provide oral or written notice of the charges against the pupil and, if the pupil denies the charges, an explanation of the evidence that supports the charges and an opportunity for the pupil to present the pupil's side of the story.*

*(ii) For suspensions of 10 days or more and all other expulsions for disciplinary reasons, both of the following:*

*(I) Provide timely, written notice of the charges against the pupil and an explanation of the pupil's basic rights.*

*(II) Provide a hearing adjudicated by a neutral officer within a reasonable number of days at which the pupil has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate.*

*(iii) Contain a clear statement that no pupil shall be involuntarily removed by Peak Prep school for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five school days before the effective date of the action. The written notice shall be in the native language of the pupil or the pupil's parent or guardian or, if the pupil is a homeless child or youth, or a foster child or youth, in the native language of the homeless or foster child's educational rights holder. In the case of a foster child or youth, the written notice shall also be provided to the foster child's attorney and county social worker. If the pupil is a Indian child, as defined in Section 224.1 of the Welfare and Institutions Code, the written notice shall also be provided to the Indian child's tribal social worker and, if applicable, county social worker. The written notice shall inform the pupil, the pupil's parent or guardian, the homeless child's educational rights holder, the foster child's educational rights holder, attorney, and county social worker, or the Indian child's tribal social worker and, if applicable, county social worker of the right to initiate the procedures specified in clause (ii) before the effective date of the action. If the pupil's parent or guardian, the homeless child's educational rights holder, the foster child's educational rights holder, attorney, or county social worker, or the Indian child's tribal social worker or, if applicable, county social worker initiates the procedures specified in clause (ii), the pupil shall remain enrolled and shall not be removed until Peak Prep school issues a final decision. For purposes of this clause, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions specified in clauses (i) and (ii).*

*(iv) A foster child's educational rights holder, attorney, and county social worker and an Indian child's tribal social worker and, if applicable, county social worker shall have the same rights a parent or guardian of a child has to receive a suspension notice, expulsion notice, manifestation determination notice, involuntary transfer notice, and other documents and related information. Education Code Section 47605(c)(5)(J).*

This Pupil Suspension and Expulsion Policy and Procedures have been established in order to promote learning and protect the safety and wellbeing of all students at Peak Prep School. In

preparing this policy, Peak Prep School has reviewed other suspension and expulsion policies, as well as the Education Code Section 48900 et seq. which describe the offenses for which students at non-charter schools may be suspended or expelled and the procedures governing those suspensions and expulsions in order to establish its list of offenses and procedures for suspensions, expulsions, and involuntary removal. Peak Prep School is committed to annual review of policies and procedures surrounding suspensions, expulsions, and involuntary removals, and, as necessary, modification of the lists of offenses for which students are subject to suspension, expulsion or involuntary removal.

Consistent with this policy, it may be necessary to suspend or expel a student from regular classroom instruction. This policy shall serve as Charter School's policy and procedures for student suspension, expulsion, and involuntary removal, and it may be amended from time to time without the need to amend Peak Prep so long as the amendments comport with legal requirements. Although many of the students of Peak Prep School work from home, this policy is written broadly to apply as needed to Peak Prep School students at school-sponsored activities or at school facilities.

Staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This Policy and its Procedures will clearly describe discipline expectations, and it will be printed and distributed as part of the Student & Parent Information Packet that is sent to each student at the beginning of the school year.

Discipline includes but is not limited to advising and counseling students, conferring with parents/guardians, detention during and after school hours, use of alternative educational environments, suspension and expulsion.

Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of or willfully causing the infliction of physical pain on a student. For purposes of the Policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff, other persons, or to prevent damage to school property or otherwise comply with legal requirements regarding restraints.

Peak Prep School administration shall ensure that students and their parents/guardians<sup>4</sup> are notified in writing upon enrollment of all discipline and involuntary removal policies and procedures. The notice shall state that these Policy and Administrative Procedures are available on request from the Executive Director.

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

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<sup>4</sup> The Charter School shall ensure that a homeless child or youth's educational rights holder; a foster child or youth's educational rights holder, attorney, and county social worker; and an Indian child's tribal social worker and, if applicable, county social worker have the same rights as a parent or guardian to receive a suspension notice, expulsion notice, manifestation determination notice, involuntary transfer notice, involuntary removal notice, and other documents and related information. For purposes of this Policy and its Procedures, the term "parent/guardian" shall include these parties.

A student identified as an individual with disabilities or for whom Charter School has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 (“IDEA”) or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 (“Section 504”) is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to regular education students except when federal and state law mandates additional or different procedures. Charter School will follow all applicable federal and state laws, including the IDEA, Section 504, implementing regulations and implementing state law and regulations, when imposing any form of discipline on a student identified as an individual with disabilities or for whom Charter School has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students.

No student shall be involuntarily removed by Peak Prep School for any reason unless the parent or guardian of the student has been provided written notice of intent to remove the student no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the student or the student’s parent/guardian and shall inform the student and the student’s parent/guardian of the basis for which the student is being involuntarily removed and the student’s parent/guardian’s right to request a hearing to challenge the involuntary removal. If a student’s parent/guardian requests a hearing, Peak Prep School shall utilize the same hearing procedures specified below for expulsions, before the effective date of the action to involuntarily remove the student. If the student’s parent, guardian, or educational rights holder requests a hearing, the student shall remain enrolled and shall not be removed until Peak Prep School issues a final decision. As used herein, “involuntarily removed” includes disenrolled, dismissed, transferred, or terminated, but does not include removals for misconduct which may be grounds for suspension or expulsion as enumerated below. Students may be involuntarily removed for reasons including, but not limited to, failure to comply with the terms of the student’s independent study Master Agreement pursuant to Education Code Section 51747(c)(4).

#### **A. Grounds for Suspension and Expulsion of Students**

A student may be suspended or expelled for prohibited misconduct if the act is related to:

1. A school activity,
2. School attendance, or
3. A Charter School sponsored event.

A Student may be suspended or expelled for acts that are enumerated below and related to school activity or attendance that occur at any time, including, but not limited to any of the following:

1. While on school grounds;
2. Travelling to or from school;
3. During, going to, or coming from a school-sponsored activity.

#### **B. Enumerated Offenses**

1. Discretionary Suspension Offenses. Students may be suspended when it is determined the student:
  - a. Caused, attempted to cause, or threatened to cause physical injury to another person.
  - b. Willfully used force of violence upon the person of another, except self-defense.
  - c. Unlawfully possessed, used, or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind.
  - d. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
  - e. Committed or attempted to commit robbery or extortion.
  - f. Caused or attempted to cause damage to school property or private property, which includes but is not limited to, electronic files and databases.
  - g. Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.
  - h. Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of the student's own prescription products by a pupil.
  - i. Committed an obscene act or engaged in habitual profanity or vulgarity.
  - j. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5.
  - k. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties. This section shall apply to pupils in any of grades 9 to 12, inclusive.
  - l. Knowingly received stolen school property or private property, which includes but is not limited to, electronic files and databases.
  - m. Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
  - n. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
  - o. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
  - p. Engaged in or attempted to engage in hazing. For the purposes of this

subdivision, “hazing” means a method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, “hazing” does not include athletic events or school-sanctioned events.

- q. Made terrorist threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for their own safety or for their immediate family's safety, or for the protection of school property, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or their immediate family.
- r. Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- s. Caused, attempted to cause, threaten to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- t. Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- u. Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
  - 1) “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student

or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:

- i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of their age, or for a person of their age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
- ii. Causing a reasonable student to experience a substantially detrimental effect on their physical or mental health.
- iii. Causing a reasonable student to experience substantial interference with their academic performance.
- iv. Causing a reasonable student to experience substantial interference with their ability to participate in or benefit from the services, activities, or privileges provided by Peak Prep School.

2) "Electronic Act" means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

- i. A message, text, sound, video, or image.
- ii. A post on a social network Internet Web site including, but not limited to:
  - (a) Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
  - (b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
  - (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
- iii. An act of cyber sexual bullying.
  - (a) For purposes of this clause, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an

electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.

(b) For purposes of this clause, “cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

3) Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

v. A pupil who aids or abets, as defined in Penal Code Section 31, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1)(a)-(b).

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

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

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

b) Brandishing a knife at another person.

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

d) Committing or attempting to commit a sexual assault or committing a sexual battery as defined in in Penal Code Sections 261, 266c, 286, 287, 288, or 289 or former Section 288a of the Penal Code, or committed a sexual battery as defined in Penal Code Section 243.4.

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

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

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

- 1) “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
  - i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of their age, or for a person of their age with exceptional needs) or students in fear of harm to that student’s or those students’ person or property.
  - ii. Causing a reasonable student to experience a substantially detrimental effect on their physical or mental health.
  - iii. Causing a reasonable student to experience substantial interference with their academic performance.
  - iv. Causing a reasonable student to experience substantial interference with their ability to participate in or benefit from the services, activities, or privileges provided by Peak Prep School.
  
- 2) “Electronic Act” means the creation or transmission originated on or off the schoolsite, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
  - i. A message, text, sound, video, or image.
  - ii. A post on a social network Internet Web site including, but not limited to:
    - (a) Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
    - (b) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
    - (c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
  - iii. An act of cyber sexual bullying.
    - (a) For purposes of this clause, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or

to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.

(b) For purposes of this clause, “cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

3. Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

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

(v) Possessed, sold, or otherwise furnished any knife or other dangerous object of no reasonable use to the student unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee’s concurrence.

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

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

b) Brandishing a knife at another person.

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

d) Committing or attempting to commit a sexual assault or committing a sexual battery as defined in Penal Code Sections 261, 266c, 286, 287, 288, or 289 or former Section 288a of the Penal Code, or committed a sexual battery as defined in Penal Code Section 243.4.

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

The term “knife” means (A) any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing; (B) a weapon with a blade fitted primarily for stabbing; (C) a weapon with a blade longer than 3½ inches; (D) a folding knife with a blade that locks into place; or (E) a razor with an unguarded blade.

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

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

### **Suspension/Expulsion Procedures**

Alternatives to suspension or expulsion will first be attempted with students who are truant, tardy, or otherwise absent from assigned school activities.

#### Suspensions

Suspensions shall be initiated according to the following procedures:

##### 1. Conference

Suspension shall be preceded, if possible, by a conference conducted by the Executive Director or the Executive Director’s designee with the student and their parent and, whenever practical, the teacher, supervisor or Charter School employee who referred the student to the Executive Director. The conference may be omitted if the Executive 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.

At the conference, the pupil shall be informed of the reason for the disciplinary action and the evidence against the student and shall be given the opportunity to present their version and evidence in their defense in accordance with Education Code Section 47605(c)(5)(J)(i).

This conference shall be held within two (2) school days, unless the pupil waives this right or is

physically unable to attend for any reason including, but not limited to, incarceration or hospitalization.

No penalties may be imposed on a pupil for failure of the pupil's parent or guardian to attend a conference with school officials. Reinstatement of the suspended pupil shall not be contingent upon attendance by the pupil's parent or guardian at the conference.

## 2. Notices to Parents/Guardians

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

## 3. Suspension Time Limits/Recommendation for Placement/Expulsion

Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension. Upon a recommendation of Placement/Expulsion by the Executive Director or Executive Director's designee, the student and the student's guardian or representative will be invited to a conference to determine if the suspension for the student should be extended pending an expulsion hearing. In such instances when Peak Prep School has determined a suspension period shall be extended, such extension shall be made only after a conference is held with the student or the student's parent/guardian, unless the student and the student's parent/guardian fail to attend the conference.

The Executive Director or designee upon either of the following determinations will make this determination: 1) the pupil's presence will be disruptive to the education process; or 2) the pupil poses a threat or danger to others. Upon either determination, the pupil's suspension will be extended pending the results of an expulsion hearing.

## 4. Homework Assignments During Suspension

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

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

## Expulsions

### *Authority to Expel:*

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

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

Expulsions shall be initiated according to the following procedures:

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

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

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

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

evidence on the student's behalf including witnesses.

### ***Special procedures for Expulsion Hearings Involving Sexual Assault or Battery Offenses***

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

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive a notice within five days of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.
2. Peak Prep School must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.
3. At the discretion of the person or panel conducting the hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which they may leave the hearing room.
4. The person conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The person conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the entity presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The person conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.
7. If one or both of the support persons is also a witness, Peak Prep School must present evidence that the witness' presence is both desired by the witness and will be helpful to Peak Prep School. The person presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising their discretion to remove a person from the hearing whom they believe is prompting, swaying, or influencing the witness.
8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.
9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in the public at the request of the pupil being expelled, the complaining witness shall have the right to have their testimony heard in a closed session when testifying at a public

meeting would threaten serious psychological harm to the complaining witness and there are not alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing by means of closed-circuit television.

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

### **Record of Hearing**

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

### **Presentation of Evidence**

While technical rules of evidence do not apply to expulsion hearings, evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. A recommendation by the Administrative Panel to expel must be supported by substantial evidence that the student committed an expellable offense.

Findings of fact shall be based solely on the evidence at the hearing. While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay and sworn declarations may be admitted as testimony from witnesses of whom the Board or Administrative Panel determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

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

### **Expulsion Decision**

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

If the expulsion-hearing panel decides not to recommend expulsion, or the Board of Directors

ultimately decides not to expel, the pupil shall immediately be returned to their previous educational program.

The Board of Directors may also determine to suspend the enforcement of the expulsion order for a period of not more than one (1) calendar year from the date of the expulsion hearing and return the student to the student's previous educational program under a probationary status and rehabilitation plan to be determined by the Board. During the period of the suspension of the expulsion order, the student is deemed to be on probationary status. The Board of Directors may revoke the suspension of an expulsion order under this section if the student commits any of the enumerated offenses listed above or violates any of Peak Prep School's rules and regulations governing student conduct. If the Board revokes the suspension of an expulsion order, the student may be expelled under the terms of the original expulsion order. The Board of Directors shall apply the criteria for suspending the enforcement of the expulsion order equally to all students, including individuals with exceptional needs as defined in Education Code Section 56026. The Board of Directors shall further comply with the provisions set forth under Education Code Section 48917, except as otherwise expressly set forth herein.

### **Written Notice to Expel**

The Executive Director or designee following a decision of the Governing Board to expel shall send written notice of the decision to expel, including the Governing Board's adopted findings of fact, to the student and the student's parent/guardian. This notice shall also include the following:

1. Notice of the specific offense committed by the student
2. Notice of the student or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with Peak Prep School.
3. The Executive Director or designee shall send a copy of the written notice of the decision to expel to the student's district of residence. This notice shall include the following:
  - i. The student's name
  - ii. The specific expellable offense committed by the student Disciplinary

### **Disciplinary Records**

Peak Prep School shall maintain records of all student suspensions and expulsions at Peak Prep School. Such records shall be made available to the Pleasant Valley School District upon request.

### **No Right to Appeal**

The student shall have no right of appeal from expulsion from Peak Prep School as the Governing Board decision to expel shall be final.

### **Expelled Pupils/Alternative Education**

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

parents/guardians or by the school district of residence to assist with locating alternative placements during expulsion.

### **Rehabilitation Plans**

Students who are expelled from Peak Prep School 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 (1) year from the date of expulsion when the pupil may reapply to Peak Prep School for readmission.

### **Readmission or Admission of Previously Expelled Student**

The decision to readmit a student after the end of the student's expulsion term, or to admit a previously expelled student from another school, school district or Charter School who has not been readmitted/admitted to another school or school district after the end of the student's expulsion term, shall be in the sole discretion of the Governing Board following a meeting with the Executive Director and the student and parent/guardian or representative to determine whether the student has successfully completed the rehabilitation plan and to determine whether the student 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 their determination. The Board shall then make a final decision regarding readmission or admission of the student during the closed session of a public meeting, reporting out any action taken during closed session consistent with the requirements of the Brown Act. The student's readmission is also contingent upon Peak Prep School's capacity at the time the student seeks readmission or admission to Peak Prep School.

### **Notice to Teachers**

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

### **Removal Due to Noncompliance with Independent Study Requirements**

In accordance with Education Code Section 51747 and Peak Prep School's Board policy on independent study, after excessive missed assignments accrue as specified in the policy, an evaluation is held to determine whether it is in the best interest of the student to remain in independent study. If it is determined that it is not in the student's best interest to remain in independent study, Peak Prep School may involuntarily remove the student after Peak Prep School follows the requirements of the Missed Assignment Policy and only after providing notice and an opportunity for a parent, guardian, educational rights holder to request a hearing prior to any involuntary removal as forth herein. Students who are involuntarily removed for truancy shall be given a rehabilitation plan and shall be subject to the readmission procedures set forth herein.]

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

### **1. Notification of SELPA**

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

### **2. Services During Suspension**

Students suspended for more than ten (10) school days in a school year and Students whose cumulative suspensions constitute a change in placement under the IDEA shall continue to receive services so as to enable the student to continue to participate in the general education curriculum, although in another setting (which could constitute a change of placement and the student's IEP would reflect this change), and to progress toward meeting the goals set out in the child's IEP or 504 Plan; and receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications, that are designed to address the behavior violation so that it does not recur. These services may be provided in an interim alternative educational setting for up to 45 days.

### **3. Procedural Safeguards/Manifestation Determination**

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

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

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

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

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

- b. If a behavioral intervention plan has been developed, review the behavioral intervention plan if the child already has such a behavioral intervention plan, and modify it, as necessary, to address the behavior; and
- c. Return the child to the placement from which the child was removed, unless the parent/guardian and Peak Prep School agree to a change of placement as part of the modification of the behavioral intervention plan.

If Peak Prep School, the parent/guardian, and relevant members of the IEP team determine that the behavior was not a manifestation of the student's disability and that the conduct in question was not a direct result of the failure to implement the IEP, then Peak Prep School may apply the relevant disciplinary procedures to children with disabilities in the same manner and for the same duration as the procedures would be applied to students without disabilities.

#### 4. Due Process Appeals and 504 Appeals

The parent/guardian of a child who qualifies under the IDEA who disagrees with any decision regarding placement, or the manifestation determination, or Peak Prep School believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, may request an expedited administrative hearing through the Special Education Unit of the Office of Administrative Hearings or by utilizing the dispute provisions of the 504 Policy and Procedures. The parent of a child with a 504 plan who disagrees with any decision regarding the placement or the manifestation determination may utilize the dispute resolution process and hearing procedures as outlined in the 504 policies and procedure.

Peak Prep School shall be solely responsible for its representation at hearing and the related costs of this process and as described herein, shall fully indemnify the Pleasant Valley School District for the same. When an appeal relating to the placement of the student or the manifestation determination has been requested by either the parent or Peak Prep School, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer, in accordance with state and federal law, including 20 U.S.C. Section 1415(k), until the expiration of the forty-five (45) day time period provided for in an interim alternative educational setting, unless the parent and Peak Prep School agree otherwise.

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

In accordance with 20 U.S.C. Section 1415(k)(3), if a parent/guardian disagrees with any decision regarding placement, or the manifestation determination, or if Peak Prep School believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, the parent/guardian or Charter School may request a hearing.

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

## 5. Special Circumstances

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

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

- a. Carries or possesses a weapon, as defined in 18 USC Section 930, to or at school, on school premises, or to or at a school function;
- b. Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function; or
- c. Has inflicted serious bodily injury, as defined by 20 USC Section 1415(k) (7) (D), upon a person while at school, on school premises, or at a school function.

## 6. Interim Alternative Educational Setting

The student's IEP or 504 team shall determine the student's interim alternative educational setting.

### ***Procedures for Students Not Yet Eligible for Special Education Services***

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

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

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

about a pattern of behavior demonstrated by the child, directly to the Executive Director or to other Charter School supervisory personnel.

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

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

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

## **ELEMENT 11 RETIREMENT SYSTEMS**

*Governing Law: The manner by which staff members of Peak Prep schools will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security. —California Education Code Section 47605©(5)(K).*

All employees shall participate in the Social Security system. Peak Prep School's employees may also elect to participate in an employer-sponsored 40(3)(b) retirement program, subject to voluntary employee contribution.

The Executive Director shall coordinate and ensure appropriate participation in applicable retirement programs.

**ELEMENT 12**  
**PUBLIC SCHOOL ATTENDANCE ALTERNATIVES**

*Governing Law: The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools. —Education Code Section 47605(c)(5)(L).*

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

**ELEMENT 13**  
**EMPLOYEE RETURN RIGHTS**

*Governing Law: The rights of an employee of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school—California Education Code Section 47605(c)(5)(M)*

Persons employed by Peak Prep School are not considered employees of the Pleasant Valley School District for any purpose whatsoever. Employees of the Pleasant Valley School District who resign from Pleasant Valley School District employment to work at Peak Prep School and who later wish to return to the Pleasant Valley School District shall be treated the same as any other former Pleasant Valley School District employee seeking reemployment. Peak Prep School shall not have any authority to confer any rights to return on Pleasant Valley School District employees. Sick or vacation leave or years of service credit at the Pleasant Valley School District or any other school district will not be transferred to Peak Prep School. Employment by Peak Prep School provides no rights of employment at any other entity, including any rights in the case of closure of Peak Prep School.

## **ELEMENT 14 DISPUTE RESOLUTION**

*Governing Law: The procedures to be followed by Peak Prep school and The Charter authority to resolve disputes relating to provisions of Peak Prep. Education Code Section 47605(c)(5)(N)*

Disputes between Peak Prep School and The Charter authority :

1. Peak Prep School and the Pleasant Valley School District will be encouraged to attempt to resolve disputes between them amicably and reasonably without resorting to formal procedures.
2. In the event of a dispute between Peak Prep School and the Pleasant Valley School District, the employees of Peak Prep School agree to first frame the issue in written format and refer the issue to the Superintendent of the Pleasant Valley School District and Executive Director of Peak Prep School. In the event that the Pleasant Valley School District Board of Trustees believes that the dispute relates to an issue that could lead to revocation of Peak Prep in accordance with Education Code 47607, the matter shall be handled in accordance with Education Code Section 47607 and shall not be subject to this dispute resolution process.
3. Peak Prep School Executive Director and Superintendent shall informally meet and confer in a timely fashion to attempt to resolve the dispute, not later than thirty (30) business days from receipt of the statement.
4. If this meeting fails to resolve the dispute, the Superintendent and the Executive Director shall meet to jointly identify and agree upon a neutral third-party mediator. The Superintendent and Executive Director shall develop the format of the mediation session jointly. Mediation shall be held within ninety (90) business days of receipt of the dispute statement. The costs of the mediator shall be split between the Pleasant Valley School District and Peak Prep School. All timelines and procedures in this dispute resolution procedure may be revised if mutually agreed upon by the Pleasant Valley School District and Peak Prep School. The Executive Director and Superintendent may assign a designee(s) for participation herein.
5. If the dispute remains unresolved after mediation, both Peak Prep School and the Pleasant Valley School District shall be deemed to have exhausted their administrative remedies, thus, allowing either Party to pursue any further available legal remedy under the law.

### Internal Disputes

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

related to a possible violation of Peak Prep or law to Peak Prep School.

## **ELEMENT 15**

### **CLOSURE PROCEDURES**

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

Closure of Peak Prep School will be documented by official action of the Board of Directors. The action will identify the reason for closure. The official action will also identify the Executive Director as the person responsible to conduct all school closure related activities.

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

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

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

As applicable, Peak Prep School will provide parents, students and the Pleasant Valley School District with copies of all appropriate student records and will otherwise assist students in transferring to their next school. All transfers of student records will be made in compliance with the Family Educational Rights and Privacy Act ("FERPA") 20 U.S.C. § 1232g. Peak Prep School will ask the Pleasant Valley School District to store original records of Charter School students. All records of Peak Prep School shall be transferred to the Pleasant Valley School District upon Charter School closure. If the Pleasant Valley School District is unable to store the records Peak Prep School shall work with the County Office to determine a suitable alternative location for storage.

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

As soon as reasonably practical, Peak Prep School will prepare final financial records. Peak Prep

School will also have an independent audit completed within six months after closure. Peak Prep School will pay for the final audit. The audit will be prepared by a qualified Certified Public Accountant selected by Peak Prep School and will be provided to the Pleasant Valley School District promptly upon its completion.

The final audit will include an accounting of all financial assets, including cash and accounts receivable and an inventory of property, equipment, and other items of material value, an accounting of the liabilities, including accounts payable and any reduction in apportionments as a result of audit findings or other investigations, loans, and unpaid staff compensation, and an assessment of the disposition of any restricted funds received by or due to Peak Prep School.

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

On closure of Peak Prep School, all assets of Peak Prep School, including but not limited to all leaseholds, personal property, intellectual property and all ADA apportionments and other revenues generated by students attending Peak Prep School, remain the sole property of the non-profit public benefit corporation and shall be distributed in accordance with the Articles of Incorporation upon the dissolution of the non-profit public benefit corporation to another California public educational entity which has established its tax exempt status under Section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public educational purpose. Any assets acquired from the Pleasant Valley School District or County Office of Education property will be promptly returned upon School closure to the County Office of Education or Pleasant Valley School District. The distribution shall include return of any grant funds and restricted categorical funds to their source in accordance with the terms of the grant or state and federal law, as appropriate, which may include submission of final expenditure reports for entitlement grants and the filing of any required Final Expenditure Reports and Final Performance Reports, as well as the return of any donated materials and property in accordance with any conditions established when the donation of such materials or property was accepted.

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

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

As specified by the Budget, Peak Prep School will utilize the reserve fund to undertake any expenses associated with the closure procedures identified above.

## MISCELLANEOUS CHARTER PROVISIONS

### **Budgets**

#### *Budgets and Cash Flow*

*Governing Law: The petitioner or petitioners also shall be required to provide financial statements that include a proposed first year operational budget, including startup costs, and cash flow and financial projections for the first three years of operation. – Education Code Section 47605(h)*

### **Financial Reporting**

Peak Prep School shall provide reports to the Pleasant Valley School District in accordance with Education Code Section 47604.33 as follows and shall provide additional fiscal reports as requested by the Pleasant Valley School District or County Superintendent of Schools:

1. Cash flow projections for the program and its growth will be provided for the first three years of the program.
2. By July 1, a preliminary budget for the current fiscal year. For a charter school in its first year of operation, financial statements submitted with Peak Prep petition pursuant to Education Code 47605(h) will satisfy this requirement.
3. By July 1, a local control and accountability plan and an annual update to the local control and accountability plan required pursuant to Education Code Section 47606.5.
4. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. Additionally, on December 15, a copy of Peak Prep School's annual, independent financial audit report for the preceding fiscal year shall be delivered to the Pleasant Valley School District, State Controller, State Department of Education and County Superintendent of Schools.
5. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31.
6. By September 15, a final non-audited report from the full prior year. The report submitted to the Pleasant Valley School District shall include an annual statement of all Peak Prep School's receipts and expenditures for the preceding fiscal year.

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

Peak Prep School agrees to and submits to the right of the District to make random visits and

inspections in order to carry out its statutorily required oversight in accordance with Education Code Sections 47604.32 and 47607.

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

### **Insurance**

Peak Prep School shall acquire and finance general liability, workers compensation, and other necessary insurance of the types and in the amounts required for an enterprise of similar purpose and circumstance using recommendations from the Pleasant Valley School District insurers. The Pleasant Valley School District shall be named as an additional insured on all policies of Peak Prep School and to the extent Peak Prep School is named as an additional insured pursuant to a contract between Peak Prep School and a service provider, Peak Prep School shall ensure the extension of the “additionally insured” to the Pleasant Valley School District as well. Upon request, Peak Prep School shall provide evidence of the above insurance coverage to the Pleasant Valley School District.

Peak Prep School shall hold harmless, defend, and indemnify the Pleasant Valley School District, its Board members, officers and employees, from and against any and all actions, claims, damages, demands, and liabilities, regardless of forum, which relate to or arise out of any acts, debts, obligations, errors, or omissions of Peak Prep School, its Board members, officers, employees, vendors, affiliates or agents. To the extent Peak Prep School is indemnified in a contract between a service provider and Peak Prep School, Peak Prep School shall ensure the extension of the indemnification to the Pleasant Valley School District as well.

### **Administrative Services**

*Governing Law: the manner in which administrative services of Peak Prep school are to be provided. (Education Code Section 47605(h)).*

The Executive Director will assume the lead responsibility for administering Peak Prep School under the policies adopted by Peak Prep School’s Board of Directors. Peak Prep School will contract with an appropriate and experienced third-party for “back-office” financial services. Such experience must include practical knowledge of generally accepted accounting procedures principles for charter public schools in California (specifically, the FCMAT California Charter School Accounting and Best Practices Manual (2017) and the State of California Standardized Account Code Structure (SACS)) and demonstrated support of charter schools processing funding determinations with the California Department of Education and the State Board of Education.

Peak Prep School may, subject to Board approval, contract with educational service or non-profit vendors to supply needed services identified by the administration of Peak Prep School and approved by the governing board. Contracted services may include but not be limited to the following: curriculum, staffing, oversight, financial support and accounting, HR services, legal, insurance, and state compliance accounting, financial and programmatic compliance supervision and educational leadership/staff development.

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

## **Facilities**

*Governing Law: the facilities to be used by Peak Prep school. The description of facilities to be used by Peak Prep school shall specify where Peak Prep school intends to locate. (Education Code Section 47605(h)).* Charter School facilities shall comply with the California Building Standards Code and will comply with all ADA requirements, and Education Code Sections 47605 and 47605.1(c).

Charter School intends to lease two spaces from the District pursuant to a written agreement. One office space for records storage and miscellaneous administrative functions and a room for the Homeschool Learning Center.

## **Transportation**

Peak Prep School's school program does not require regular physical in-person attendance. Peak Prep School will not provide transportation to and from school-related activities except as mandated by law and will provide transportation to and from school-related activities for students if required by law for students with disabilities.

## **Potential Civil Liability Effects**

*Governing Law: Potential civil liability effects, if any, upon Peak Prep school and upon the school district. (Education Code Section 47605(h))*

### *Intent*

This statement is intended to fulfill the terms of Education Code Section 47605(g) and provides information regarding the proposed operation and potential effects of Peak Prep School on the Pleasant Valley School District.

### *Civil Liability*

Peak Prep School shall be operated as a California non-profit public benefit corporation. This corporation is organized and operated exclusively for charitable purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code and California Revenue and Taxation Code Section 23701d. The specific purposes for which the corporation is organized are for the operation of California public charter schools for educational services in accordance with the Education Code Section 47600, et seq.

Pursuant to Education Code Section 47604(d), an entity that grants a charter to a charter school operated by or as a non-profit public benefit corporation shall not be liable for the debts or obligations of Peak Prep school or for claims arising from the performance of acts, errors or

omissions by Peak Prep School if the authority has complied with all oversight responsibilities required by law. As stated above in the Governance section, Peak Prep School Articles of Incorporation and Bylaws are attached as an appendix. Peak Prep School shall work diligently to assist the Pleasant Valley School District in meeting any and all oversight obligations under the law, including monthly meetings, reporting, or other requested protocol to ensure the Pleasant Valley School District shall not be liable for the operation of Peak Prep School.

Further, Peak Prep School has indemnified the Pleasant Valley School District for the actions of Peak Prep School under this charter. Any indemnification or additionally insured “assurance” made by a Charter School contractor on behalf of Peak Prep School shall also extend to the Pleasant Valley School District.

The corporate bylaws of Peak Prep school shall provide for indemnification of Peak Prep School’s Board of Directors, officers, agents, and employees, and Peak Prep School will purchase general liability insurance, Directors and Officers insurance, and fidelity bonding to secure against financial risks. The Pleasant Valley School District shall be named an additional insured on the general liability insurance of Peak Prep School.

As stated above, insurance amounts will be determined by recommendation of Peak Prep school insurance company for schools of similar size, location, and student population. The Pleasant Valley School District shall be named an additional insured on the general liability insurance of Peak Prep School.

The Board of Directors of Peak Prep School will institute appropriate risk management practices, including screening of employees, establishing codes of conduct for students, and dispute resolution.

## CONCLUSION

By approving the renewal of this charter, the Pleasant Valley School District will be fulfilling the intent of Peak Prep Schools Act of 1992 to improve pupil learning; increase learning opportunities for all pupils with special emphasis on expanded learning opportunities for all pupils who are identified as academically low achieving; create new professional opportunities for teachers; and provide parents and pupils with expanded choices in education and following the directive of law to encourage the creation of charter schools. The Petitioners are eager to work independently, yet cooperatively with the Pleasant Valley School District to set the highest standard for what a charter school should and can be. To this end, the Petitioners pledge to work cooperatively with the Pleasant Valley School District to answer any concerns over this document and to present the Pleasant Valley School District with the strongest possible proposal for renewal. The term of Peak Prep shall be from July 1, 2024 to June 30, 2029. Renewal of Peak Prep shall be governed by the standards and criteria in Education Code Sections 47605, 47607, and 47607.2, as applicable.

# Appendices

Articles of Incorporation,  
Bylaws, and Conflict of Interest  
Code

	<b>Secretary of State Certificate of Amendment of Articles of Incorporation Name Change Only - Nonprofit</b>	<b>AMDT- NP-NA</b>	<b>FILED</b> Secretary of State State of California <b>JUL 30 2019</b>
<b>IMPORTANT — Read instructions before completing this form.</b>  <b>Filing Fee – \$30.00</b>  Copy Fees – First Page \$1.00 & .50 for each attachment page; Certification Fee – \$5.00			1 cc This Space For Office Use Only
<b>1. Corporation Name</b> (Enter the exact name of the corporation as it is currently recorded with the California Secretary of State)  California Quality Schools		<b>2. 7-Digit Secretary of State File Number</b>  <div style="text-align: center; font-size: 1.5em;">4290874</div>	

**3. New Corporation Name**

**Item 3a:** Enter the number, letter, or other designation assigned to the provision in the Articles of Incorporation being amended (e.g., "I," "First," or "A"). **See Instructions** if the provision in the Articles of Incorporation being amended does not include a number, letter, or other designation. Any attachment is made part of this document.

**Item 3b:** Enter the new corporate name.

3a. Article 1 of the Articles of Incorporation is amended to read as shown in Item 3b below:

3b. The name of the corporation is Peak Prep Pleasant Valley

**4. Approval Statements**

4a. The Board of Directors has approved the amendment of the Articles of Incorporation.

4b. Member approval was (check one):

By the required vote of the members in accordance with California Corporations Code section 5812, 7812, or 12502.

Not required because the corporation has no members.

**5. Read, sign and date below (See Instructions for signature requirements. Note: Both lines must be signed.)**

We declare under penalty of perjury under the laws of the State of California that the matters set forth herein are true and correct of our own knowledge and we are authorized by California law to sign.

07/26/2019  
Date

[Signature]  
Signature

JOHN CUNDEY  
Type or Print Name of President

07/26/2019  
Date

[Signature]  
Signature

JOHNNY ANDERSON  
Type or Print Name of Secretary

**BYLAWS**  
**OF**  
**PEAK PREP PLEASANT VALLEY**

A California Nonprofit Public Benefit Corporation

**ARTICLE I**  
**NAME**

Section 1. NAME. The name of this corporation is Peak Prep Pleasant Valley (the “Corporation”).

**ARTICLE II**  
**PRINCIPAL OFFICE OF THE CORPORATION**

Section 1. PRINCIPAL OFFICE OF THE CORPORATION. The principal office for the transaction of the activities and affairs of the Corporation is located at 600 Temple Ave, Camarillo, CA 93010, County of Ventura, State of California. The Board of Directors may change the location of the principal office. Any such change of location must be noted by the secretary on these bylaws opposite this Section; alternatively, this Section may be amended to state the new location.

Section 2. OTHER OFFICES OF THE CORPORATION. The Board of Directors may at any time establish branch or subordinate offices at any place or places where the Corporation is qualified to conduct its activities.

**ARTICLE III**  
**GENERAL AND SPECIFIC PURPOSES; LIMITATIONS**

Section 1. GENERAL AND SPECIFIC PURPOSES. The Corporation is a nonprofit public benefit corporation and is not organized for the private gain of any person. It is organized under the Nonprofit Corporation Law of California ("Nonprofit Corporation Law") for public and charitable purposes. The specific purposes of the Corporation are to manage, guide, direct and promote Peak Prep Pleasant Valley, a California public charter school (the “Charter School”) authorized by the Pleasant Valley School District (the “District”). Also, in the context of these purposes, the Corporation shall not, except to an insubstantial degree, engage in any other activities or exercise of power that do not further the purposes of the Corporation.

The Corporation shall not carry on any other activities not permitted to be carried on by: (a) a Corporation exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code; or (b) by a Corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code. No substantial part of the activities of the Corporation shall consist of the carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office.

#### **ARTICLE IV CONSTRUCTION AND DEFINITIONS**

Section 1. CONSTRUCTION AND DEFINITIONS. Unless the context indicates otherwise, the general provisions, rule of construction, and definitions in the California Nonprofit Corporation Law shall govern the construction of these bylaws. Without limiting the generality of the preceding sentence, the masculine gender includes the feminine and neuter, the singular includes the plural, and the plural includes the singular, and the term "person" includes both a legal entity and a natural person.

#### **ARTICLE V DEDICATION OF ASSETS**

Section 1. DEDICATION OF ASSETS. The Corporation's assets are irrevocably dedicated to public benefit purposes as set forth in the Charter School's Charter. No part of the net earnings, properties, or assets of the Corporation, on dissolution or otherwise, shall inure to the benefit of any private person or individual, or to any Director or officer of the Corporation. On liquidation or dissolution, all properties and assets remaining after payment, or provision for payment, of all debts and liabilities of the Corporation shall be distributed to a nonprofit fund, foundation, or association that is organized and operated exclusively for education, public, or charitable purposes and that has established its exempt status under Internal Revenue Code section 501(c)(3) or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by a court of competent jurisdiction of the county in which the principal office of the Corporation is then located, exclusively for such purposes or to such organization or organizations, as said, court shall determine, which are organized and operated exclusively for such purposes.

#### **ARTICLE VI CORPORATION WITHOUT MEMBERS**

Section 1. CORPORATION WITHOUT MEMBERS. The Corporation shall have no voting members within the meaning of the Nonprofit Corporation Law.

#### **ARTICLE VII**

## **BOARD OF DIRECTORS**

Section 1. GENERAL POWERS. Subject to the provisions and limitations of the California Non-Profit Public Benefit Corporation Law and any other applicable laws, and subject to any limitations of the articles of incorporation or bylaws, the Corporation's activities and affairs shall be managed, and all corporate powers shall be exercised, by or under the direction of the Board of Directors (also known as the "Board"). The Board may delegate the management of the Corporation's activities to any person(s), management company or committees, however composed, provided that the activities and affairs of the Corporation shall be managed, and all corporate powers shall be exercised under the ultimate direction of the Board.

Section 2. SPECIFIC POWERS. Without prejudice to the general powers set forth in Section 1 of these bylaws, but subject to the same limitations, the Board of Directors shall have the power to:

1. Perform each of the powers and duties imposed on the Board under the Charter School's charter;
2. Perform any and all duties imposed on the Board collectively or individually by law or by these Bylaws;
3. Make and change policies, rules and regulations not inconsistent with law, or with these Bylaws, for the management and control of the Corporation and its affairs, and of its employees, and agents;
4. Lease, purchase, or otherwise acquire, in any lawful manner, any and all real and personal property, rights, or privileges deemed necessary or convenient for the conduct of the Corporation's purpose or mission;
5. Enter into agreements and contracts for any lawful purpose;
6. Appoint and remove, at the pleasure of the Board of Directors, all corporate officers, agents, and employees; prescribe powers and duties for them as are consistent with the law, the articles of incorporation, the Charter School's charter, the Memorandum of Understanding Regarding Transition to Dependent Charter Status, and these bylaws; and fix their compensation.
7. Approve the annual budget and financial plan which shall be monitored and adjusted as necessary throughout the year;
8. Submit a final budget to the state pursuant to statute and regulation;
9. Cause to be kept a complete record of all the minutes, acts and proceedings of the Board;

10. Cause an annual inspection or audit of the accounts of the Corporation, as well as any other audits required by law, to be made by an accountant to be selected by the Board, showing in reasonable detail all of the assets, liabilities, revenues and expenses of the Corporation and its financial condition;
11. Ensure that the Corporation's money and assets are reasonably safeguarded against fraud, waste, and abuse and that Corporation's financial transactions are managed according to Generally Accepted Accounting Principles and any other applicable standards;
12. Ensure that the Corporation's financial position and performance meet all required performance framework metrics;
13. Set a proper tone at the top regarding ethical conduct in all matters concerning the Corporation;
14. Ensure ongoing evaluation of the Corporation and provide public accountability;
15. Oversee and manage the Charter School's operations consistent with the terms of its charter;
16. Uphold and enforce all laws related to charter school operations;
17. Ensure adequate funding for operation;
18. Provide appropriate assistance as to the solicitation of funds, receiving of grants, and overall fundraising needs of the Corporation;
19. Delegate the management of the activities of the Corporation to others, to the extent consistent with the Charter School's charter, so long as the affairs of the Corporation are managed, and its powers are exercised, under the Board's ultimate oversight and jurisdiction.

Section 3. DESIGNATED DIRECTORS AND TERMS.

- a. The Board will consist of five members, three of whom shall be appointed by the District, and two of whom shall be parents/guardians of current Charter School students.
  - i. The District shall adopt its own policies and procedures for filling its three Charter School Board seats. Only the District may remove its own members from the Peak Prep Board pursuant to its policies.
  - ii. The Charter School's Parent Advisory Council ("Advisory Council"), which shall be comprised of the Charter School Executive Director, Principal, a teacher, and four parents/guardians, shall adopt its own policies and procedures for the nomination and election of Charter School

parents/guardians to the two Board seats designated for Charter School parents/guardians. Parents/guardians may only be removed from Peak Prep's Board pursuant to the policies and procedures determined by the Advisory Council and the corporate bylaws. Notwithstanding the foregoing, during the 2022-23, 2023-24, and 2024-25 school years, while the Advisory Council is developed, Charter School's Executive Director shall appoint parent/guardians to the Charter School's Board.

Section 4. RESTRICTION ON INTERESTED PERSONS AS DIRECTORS. No persons serving on the Board of Directors may be interested persons. An interested person is (a) any person compensated by the Corporation for services rendered to it within the previous 12 months, whether as a full-time or part-time employee, independent contractor, or otherwise; and (b) any brother, sister, ancestor, descendant, spouse, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, or father-in-law of such person.

Section 5. DIRECTORS TERM. Each Director shall hold office for three (3) years, and may hold two consecutive terms.

Section 6 EVENTS CAUSING VACANCIES ON BOARD. A vacancy or vacancies on the Board of Directors shall occur in the event of (a) the death or resignation of any Director; or (b) the declaration by resolution of the Board of Directors of a vacancy in the office of a Director who has been convicted of a felony, declared of unsound mind by a court order, or found by final order or judgment of any court to have breached a duty under California Nonprofit Public Benefit Corporation Law, Chapter 2, Article 3.

Section 7. RESIGNATION OF DIRECTORS. Except as provided below, any Director may resign by giving written notice to the Chair of the Board, if any, or to the President or the Secretary of the Board. The resignation shall be effective when the notice is given unless the notice specifies a later time for the resignation to become effective. If a Director's resignation is effective at a later time, a successor may be chosen to take office as of the date when the resignation becomes effective consistent with the procedures applicable to whether the resigning director is a District appointee or an Advisory Council appointee.

Section 8. REMOVAL OF DIRECTORS. A District appointee may be removed only by the District pursuant to its procedures, and an Advisory Council appointee may be removed only by the Advisory Council pursuant to its procedures.

Section 9. DIRECTOR MAY NOT RESIGN IF NO DIRECTOR REMAINS. Except on notice to the California Attorney General, no Director may resign if the Corporation would be left without a duly elected Director or Directors.

Section 10. PLACE OF BOARD OF DIRECTORS MEETINGS. All meetings of the Board of Directors shall be called, held and conducted in accordance with the terms and provisions of the Brown Act and Education Code Section 47604.1(c). All meetings shall be broadcast via a videoconferencing platform to ensure participation by the public.

Section 11. TELECONFERENCE MEETINGS. Members of the Board of Directors may participate in conference telephone, teleconference or other communication equipment meetings so long as the applicable requirements for teleconferencing in the Brown Act and Education Code Section 47604.1(c) are observed.

Section 12. ANNUAL AND REGULAR MEETINGS. Regular meetings of the Board of Directors shall be held each month as calendared by the Board at its annual meeting, except that the Board may forgo a July meeting. The Board shall hold an annual for purposes of organization, election of officers, and transaction of other business. The Board may hold regular, special and emergency meetings. At least 72 hours before a regular meeting, the Board of Directors, or its designee shall post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting. All meetings of the Board of Directors shall be called, held and conducted in accordance with the terms and provisions of the Brown Act and Education Code Section 47604.1(c).

Section 13. AUTHORITY TO CALL SPECIAL MEETINGS. Special meetings of the Board of Directors for any purpose may be called at any time by the Chair of the Board, if any, or a majority of the Board of Directors. If a Chair of the Board has not been elected, then the President and Chief Executive Officer is authorized to call a special meeting in place of the President of the Board.

Section 14. NOTICE OF SPECIAL OR EMERGENCY MEETINGS. In accordance with the Brown Act and Education Code Section 47604.1(c), special meetings of the Board of Directors may be held only after twenty-four (24) hours' notice is given to the public through the posting of an agenda. Notice of the time and place of special meetings shall be given to each Director by (a) personal delivery of written notice; (b) first-class mail, postage prepaid; (c) telephone, including a voice messaging system or other system or technology designed to record and communicate messages, either directly to the Director or to a person at the Director's office who would reasonably be expected to communicate that notice promptly to the Director; (d) facsimile; (e) electronic mail; or (f) other electronic means. All such notices shall be given or sent to the Director's address, email or telephone number as shown on the Corporation's records and shall be sent with at least such notice as is required in accordance with the terms and provisions of the Brown Act.

Notice of the time and place of special meetings shall be given to all media who have provided written notice to the Charter School.

The notice shall state the time of the meeting, the place and the business to be transacted at the meeting.

All notice requirements will comply with the terms and provisions of the Brown Act.

Section 15. QUORUM. At least three out of five members present shall constitute a quorum for the transaction of any business except adjournment. Every action taken or decision made by a majority of the Directors present at a duly held meeting at which a quorum is present

shall be an act of the Board. The vote or abstention of each Board member present for each action taken shall be publicly reported.

Section 16. ADJOURNMENT. A majority of the Directors present, whether or not a quorum is present, may adjourn any meeting to another time and place.

Section 17. COMPENSATION AND REIMBURSEMENT. Directors may not receive compensation, for their services as Directors or officers, and only such reimbursement of expenses, as the Board of Directors may establish by resolution to be just and reasonable as to the Corporation at the time that the resolution is adopted.

Section 18. CREATION OF POWERS OF COMMITTEES. The Board, by resolution adopted by a majority of the Directors then in office, may create one or more committees, to serve at the pleasure of the Board. Committees may be structured so that they report to the Charter School Executive Director. Appointments to committees of the Board of Directors shall be by majority vote of the authorized number of Directors. The Board of Directors may appoint one or more Directors as alternate members of any such committee, who may replace any absent member at any meeting. Any such committee shall have all the authority of the Board, to the extent provided in the Board of Directors resolution, except that no committee may:

- (a) Fill vacancies on the Board of Directors or any committee of the Board;
- (b) Take any final action on any matter that, under the California Nonprofit Public Benefit Corporation Law, also requires approval of the members or approval of a majority of all members;
- (c) Amend or repeal bylaws or adopt new bylaws;
- (d) Amend or repeal any resolution of the Board of Directors that by its express terms are not so amendable or subject to repeal; or
- (e) Create any other committees of the Board of Directors or appoint the members of committees of the Board;

The Board may also create one or more advisory committees composed of Directors and non-Directors. It is the intent of the Board to encourage the participation and involvement of faculty, staff, parents, students and administrators through attending and participating in open committee meetings.

Section 19. MEETINGS AND ACTION OF COMMITTEES. Meetings and actions of committees of the Board of Directors shall be governed by, held, and taken under the provisions of these bylaws concerning meetings, other Board of Directors actions, and the Brown Act, if applicable, except that the time for general meetings of such committees and the calling of special meetings of such committees may be set either by Board of Directors resolution or, if none, by resolution of the committee. Minutes of each meeting shall be kept and shall be filed with the corporate records. The Board of Directors may adopt rules for the governance of any committee

as long as the rules are consistent with these bylaws. If the Board of Directors has not adopted rules, the committee may do so.

Section 20 – CONFLICTS OF INTEREST. Directors shall not participate in Board discussions and decisions in which they are otherwise not able to discharge their fiduciary duties of loyalty and care to the Corporation and the Charter School. In addition to complying with the conflict of interest provisions applicable to nonprofit public benefit corporations as set forth in the Corporations Code, the Board shall comply with Government Code section 1090, et seq., the conflict of interest provisions of the Political Reform Act (“PRA”) as set forth in California Government Codes Section 87100 et seq. and any attendant regulations as they may be amended from time to time. The Board shall comply with any other provisions governing conflicts of interest

Section 21. NON-LIABILITY OF DIRECTORS. No Director shall be personally liable for the debts, liabilities, or other obligations of the Corporation.

Section 22. COMPLIANCE WITH LAWS GOVERNING STUDENT RECORDS. The Corporation and the Charter School operated by the Corporation and the Board of Directors shall comply with all applicable provisions of the Family Educational Rights Privacy Act ("FERPA") as set forth in Title 20 of the United States Code Section 1232g and attendant regulations as they may be amended from time to time.

## **ARTICLE VIII OFFICERS OF THE CORPORATION**

Section 1. OFFICES HELD. The officers of the Corporation shall be a President, a Secretary, and a Chief Financial Officer. The Corporation, at the Board's direction, may also have a Chair of the Board and a Vice-Chair, one or more Assistant Secretaries, one or more Assistant Treasurers, and such other officers as may be appointed by the Board.

Section 2. DUPLICATION OF OFFICE HOLDERS. Any number of offices may be held by the same person, except that neither the Secretary nor the Chief Financial Officer may serve concurrently as either the President and the Chair of the Board.

Section 3. ELECTION OF OFFICERS. The officers of this Corporation shall be chosen annually by the Board of Directors and shall serve at the pleasure of the Board, subject to the rights of any officer under any employment contract.

Section 4. APPOINTMENT OF OTHER OFFICERS. The Board of Directors may appoint and authorize the Chairman of the Board, the President or another officer to appoint any other officers that the Corporation may require. Each appointed officer shall have the title and authority, hold office for the period, and perform the duties specified in the bylaws or established by the Board.

Section 5. REMOVAL OF OFFICERS. Without prejudice to the rights of any officer under an employment contract, the Board of Directors may remove any officer with or without

cause. An officer who was not chosen by the Board of Directors may be removed by any other officer on whom the Board of Directors confers the power of removal.

Section 6. RESIGNATION OF OFFICERS. Any officer may resign at any time by giving written notice to the Board. The resignation shall take effect on the date the notice is received or at any later time specified in the notice. Unless otherwise specified in the notice, the resignation need not be accepted to be effective. Any resignation shall be without prejudice to any rights of the Corporation under any contract to which the officer is a party.

Section 7. VACANCIES IN OFFICE. A vacancy in any office because of death, resignation, removal, disqualification, or any other cause shall be filled in the manner prescribed in these bylaws for normal appointment to that office, provided, however, that vacancies need not be filled on an annual basis.

Section 8. CHAIR OF THE BOARD. If a Chair of the Board of Directors is elected, he or she shall preside at Board of Directors meetings and shall exercise and perform such other powers and duties as the Board of Directors may assign from time to time. If there is no President, the Chair of the Board shall also be the chief executive officer and shall have the powers and duties of the president of the Corporation set forth in these bylaws. If a Chair of the Board of Directors is elected, there shall also be a Vice-Chair of the Board of Directors. In the absence of the Chair, the Vice-Chair shall preside at Board of Directors meetings and shall exercise and perform such other powers and duties as the Board of Directors may assign from time to time.

Section 9. PRESIDENT. Subject to such supervisory powers as the Board of Directors may give to the Chair of the Board, if any, and subject to the control of the Board, the President shall be the general manager of the Corporation and shall supervise, direct, and control the Corporation's activities, affairs, and officers as fully described in any applicable contract, agreement, or job specification. The President shall preside at all members meetings and, in the absence of the chairman of the Board, or if none, at all Board of Directors meetings. The president shall have such other powers and duties as the Board of Directors or the bylaws may require.

Section 10. VICE-PRESIDENTS. If Vice-Presidents are appointed, and if the President is absent or disabled, the Vice-Presidents, if any, in order of their rank as fixed by the Board, or, if not ranked, a Vice-President designated by the Board, shall perform all duties of the President. When so acting, a Vice President shall have all powers of and be subject to all restrictions on the President. The Vice-Presidents shall have such other powers and perform such other duties as the Board of Directors or the bylaws may require.

Section 11. SECRETARY. The Secretary shall keep or cause to be kept, at the Corporation's principal office or such other place as the Board of Directors may direct, a book of minutes of all meetings, proceedings, and actions of the Board, and of committees of the Board. The minutes of meetings shall include the time and place that the meeting was held; whether the meeting was annual, regular, special, or emergency and, if special or emergency, how authorized; the notice given; the names of persons present at Board of Directors and committee meetings; and the vote or abstention of each Board member present for each action taken.

The Secretary shall keep or cause to be kept, at the principal California office, a copy of the articles of incorporation and bylaws, as amended to date.

The Secretary shall give, or cause to be given, notice of all meetings of members, of the Board, and of committees of the Board of Directors that these bylaws require to be given. The Secretary shall keep the corporate seal, if any, in safe custody and shall have such other powers and perform such other duties as the Board of Directors or by bylaws may require.

Section 12. CHIEF FINANCIAL OFFICER. The Chief Financial Officer shall keep and maintain, or cause to be kept and maintained, adequate and correct books and accounts of the Corporation's properties and transactions. The Chief Financial Officer shall send or cause to be given to the Directors such financial statements and reports as are required to be given by law, by these bylaws, or by the Board. The books of account shall be open to inspection by any Director at all reasonable times.

The Chief Financial Officer shall (i) deposit, or cause to be deposited, all money and other valuables in the name and to the credit of the Corporation with such depositories as the Board of Directors may designate; (ii) disburse the Corporation's funds as the Board of Directors may order; (iii) render to the President, Chair of the Board, if any, and the Board, when requested, an account of all transactions as Chief Financial Officer and of the financial condition of the Corporation; and (iv) have such other powers and perform such other duties as the Board, contract, job specification, or the bylaws may require.

If required by the Board, the Chief Financial Officer shall give the Corporation a bond in the amount and with the surety or sureties specified by the Board of Directors for faithful performance of the duties of the office and for restoration to the Corporation of all of its books, papers, vouchers, money, and other property of every kind in the possession or under the control of the Chief Financial Officer on his or her death, resignation, retirement, or removal from office.

## **ARTICLE IX CONTRACTS WITH DIRECTORS AND OFFICERS**

Section 1. CONTRACTS WITH DIRECTORS AND OFFICERS. The Corporation shall not enter into a contract or transaction in which a Director directly or indirectly has a material financial interest (nor shall the Corporation enter into any contract or transaction with any other Corporation, firm, association, or other entity in which one or more of the Corporation's Directors are Directors and have a material financial interest).

## **ARTICLE X LOANS TO DIRECTORS AND OFFICERS**

Section 1. LOANS TO DIRECTORS AND OFFICERS. The Corporation shall not lend any money or property to or guarantee the obligation of any Director or officer; provided, however, that the Corporation may advance money to a Director or officer of the Corporation for expenses reasonably anticipated to be incurred in the performance of his or her duties if that Director or officer would be entitled to reimbursement for such expenses of the Corporation.

## **ARTICLE XI INDEMNIFICATION**

Section 1. INDEMNIFICATION. To the fullest extent permitted by law, the Corporation shall indemnify its Directors, officers, employees, and other persons described in Corporations Code section 5238(a), including persons formerly occupying any such positions, against all expenses, judgments, fines, settlements, and other amounts actually and reasonably incurred by them in connection with any "proceeding," as that term is used in that section, and including an action by or in the right of the Corporation by reason of the fact that the person is or was a person described in that section. "Expenses," as used in this bylaw, shall have the same meaning as in that section of the Corporations Code.

On written request to the Board of Directors by any person seeking indemnification under Corporations Code section 5238(b) or section 5238(c), the approval of such indemnification may be made by:

- (a) A majority vote of a quorum consisting of Directors who are not parties to such proceeding; or
- (b) The court in which such proceeding is or was pending upon application made by the Corporation or the agent or the attorney or other person rendering services in connection with the defense, whether or not such application by the agent, attorney or other person is opposed by the Corporation.

## **ARTICLE XII INSURANCE**

Section 1. INSURANCE. The Corporation shall have the right to purchase and maintain insurance to the full extent permitted by law on behalf of its officers, Directors, employees, and other agents, to cover any liability asserted against or incurred by any officer, Director, employee, or agent in such capacity or arising from the officer's, Director's, employee's, or agent's status as such.

## **ARTICLE XIII MAINTENANCE OF CORPORATE RECORDS**

Section 1. MAINTENANCE OF CORPORATE RECORDS. This Corporation shall keep:

- (a) Adequate and correct books and records of account;
- (b) Written minutes of the proceedings of its Board and committees of the Board; and
- (b) Such reports and records as required by law.

## **ARTICLE XIV INSPECTION RIGHTS**

Section 1. **DIRECTORS' RIGHT TO INSPECT.** Every Director shall have the right at any reasonable time to inspect the Corporation's books, records, documents of every kind, physical properties, and the records of each subsidiary as permitted by California and federal law. The inspection may be made in person or by the Director's agent or attorney. The right of inspection includes the right to copy and make extracts of documents as permitted by California and federal law. This right to inspect may be circumscribed in instances where the right to inspect conflicts with California or federal law (e.g., restrictions on the release of educational records under FERPA) pertaining to access to books, records, and documents.

Section 2. **ACCOUNTING RECORDS AND MINUTES.** On written demand on the Corporation, any member may inspect, copy, and make extracts of the accounting books and records and the minutes of the proceedings of the Board of Directors, and committees of the Board of Directors at any reasonable time for a purpose reasonably related to the Director's interest, as a member. Any such inspection and copying may be made in person or by the Director's agent or attorney. This right of inspection extends to the records of any subsidiary of the Corporation.

Section 3. **MAINTENANCE AND INSPECTION OF ARTICLES AND BYLAWS.** The Corporation shall keep at its principal California office the original or a copy of the Article of Incorporation and bylaws, as amended to the current date, which shall be open to inspection by the Directors at all reasonable times during office hours. If the Corporation has no business office in California, the Secretary shall, on the written request of any Director, furnish to that Director a copy of the articles of incorporation and bylaws, as amended to the current date.

## **ARTICLE XV REQUIRED REPORTS**

Section 1. **ANNUAL REPORTS.** The Board of Directors shall cause an annual report to be sent to each Director within 120 days after the end of the Corporation's fiscal year. That report shall contain the following information, in appropriate detail:

- (a) The assets and liabilities, including the trust funds, or the Corporation as of the end of the fiscal year;
- (b) The principal changes in assets and liabilities, including trust funds;
- (c) The Corporation's revenue or receipts, both unrestricted and restricted to particular purposes;
- (d) The Corporation's expenses or disbursement for both general and restricted purposes;
- (e) Any information required under these bylaws; and
- (f) An independent accountant's report or, if none, the certificate of an authorized officer

of the Corporation that such statements were prepared without audit from the Corporation's books and records.

Section 2. ANNUAL STATEMENT OF CERTAIN TRANSACTIONS AND INDEMNIFICATIONS. The Corporations shall comply with Corporations Code section 6322.

## **ARTICLE XVI EFFECTIVE DATES; AMENDMENTS**

Section 1. EFFECTIVE DATE. These bylaws and any amendments shall become effective on July 1, 2022.

Section 2. AMENDMENTS. The Board of Directors may adopt, amend or repeal any of these bylaws by a majority of the Directors present at a meeting duly held at which a quorum is present, except that no amendment shall change any provisions of the charter governing the Charter School operated as or by the Corporation or make any provisions of these bylaws inconsistent with such charter, the Corporation's articles of incorporation, or any laws.

**CONFLICT OF INTEREST CODE**  
*Peak Prep Pleasant Valley*

The Political Reform Act, Government Code section 81000 et seq., requires local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code Regs., § 18730) which contains the terms of a standard Conflict of Interest Code, which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings.

The terms of California Code of Regulations, Title 2, Section 18730, and any amendment to it duly adopted by the Fair Political Practices Commission, are hereby incorporated by reference as the Conflict of Interest Code for the Peak Prep Pleasant Valley and along with the attached Exhibit A, which designates positions requiring disclosure and Exhibit B, which sets forth disclosure categories for each designated position, constitute the Conflict of Interest Code of the Peak Prep Pleasant Valley. Persons holding positions designated in Exhibit A shall file Form 700 Statements of Economic Interests with the Filing Officer specified for that position in Exhibit A.

**IN PREPARING THE FORM 700, DESIGNATED FILERS NEED ONLY DISCLOSE THOSE FINANCIAL INTERESTS FALLING WITHIN THE DISCLOSURE CATEGORIES DESIGNATED FOR THAT FILER'S POSITION AS STATED IN EXHIBITS A AND B.**

**APPROVED AND ADOPTED** this 23 day of June, 2020:

7

By:   
Print Name: Shalen Bishop  
Title: Head of School/Superintendent

**EXHIBIT A – DESIGNATED POSITIONS AND FILING OFFICERS**

<b># of POSITIONS</b>	<b>POSITION TITLE</b>	<b>DISCLOSURE CATEGORIES</b> (From Exhibit B)	<b>FILING OFFICER</b> (Designate County Clerk of Board [COB] or Local Agency's Clerk [AC])
<b>3</b>	<b>Board Member</b>	<b>1</b>	<b>Local Agency</b>
<b>1</b>	<b>Superintendent/Head of School</b>	<b>1</b>	<b>Local Agency</b>

## **EXHIBIT B – DISCLOSURE CATEGORIES**

The terms *italicized* below have specific meaning under the Political Reform Act. In addition, the financial interests of a spouse, domestic partner and dependent children of the public official holding the designated position may require reporting. Consult the instructions and reference pamphlet of the Form 700 for explanation.

### **Category 1 – BROADEST DISCLOSURE**

[SEE FORM 700 SCHEDULES A-1, A-2, B, C, D and E]

- (1) All sources of *income, gifts, loans and travel payments*;
- (2) All *interests in real property*; and
- (3) All *investments and business positions in business entities*.

### **Category 2 – REAL PROPERTY**

[SEE FORM 700 SCHEDULE B]

All interests in real property, including interests in real property held by business entities and trusts in which the public official holds a business position or has an investment or other financial interest.

### **Category 3 – LAND DEVELOPMENT, CONSTRUCTION AND TRANSACTION**

[SEE FORM 700 SCHEDULES A-1, A-2, C, D and E]

All investments, business positions and sources of income, gifts, loans and travel payments, from sources which engage in land development, construction, or real property acquisition or sale.

### **Category 4 – PROCUREMENT**

[SEE FORM 700 SCHEDULES A-1, A-2, C, D and E]

All investments, business positions and sources of income, gifts, loans and travel payments, from sources which provide services, supplies, materials, machinery or equipment which the designated position procures or assists in procuring on behalf of their agency or department.

### **Category 5 – REGULATION AND PERMITTING**

[SEE FORM 700 SCHEDULES A-1, A-2, C, D and E]

All investments, business positions and sources of income, gifts, loans and travel payments, from sources which are subject to the regulatory, permitting or licensing authority of, or have an application or license pending before, the designated position's agency or department.

### **Category 6 – FUNDING**

[SEE FORM 700 SCHEDULES A-1, A-2, C, D and E]

All investments, business positions and sources of income, gifts, loans and travel payments, from sources which receive grants or other funding from or through the designated position's agency or department.

## **APPENDIX - DESIGNATING OFFICIALS WHO MANAGE PUBLIC INVESTMENTS**

Pursuant to Government Code section 87200 et seq., certain city and county officials, as well as all “other officials who manage public investments,” are required to disclose their economic interests in accordance with the Political Reform Act. This Appendix provides the relevant definitions for determining which public officials qualify as “other officials who manage public investments,” designates the agency’s positions which qualify as such, and states the Filing Officer for each designated position.

### **APPLICABLE DEFINITIONS**

As set forth in 2 California Code of Regulations section 18701, the following definitions apply for the purposes of Government Code section 87200:

(1) “Other public officials who manage public investments” means:

(A) Members of boards and commissions, including pension and retirement boards or commissions, or of committees thereof, who exercise responsibility for the management of public investments;

(B) High-level officers and employees of public agencies who exercise primary responsibility for the management of public investments, such as chief or principal investment officers or chief financial managers. This category shall not include officers and employees who work under the supervision of the chief or principal investment officers or the chief financial managers; and

(C) Individuals who, pursuant to a contract with a state or local government agency, perform the same or substantially all the same functions that would otherwise be performed by the public officials described in subdivision (1)(B) above.

(2) “Public investments” means the investment of public moneys in real estate, securities, or other economic interests for the production of revenue or other financial return.

(3) “Public moneys” means all moneys belonging to, received by, or held by, the state, or any city, county, town, district, or public agency therein, or by an officer thereof acting in his or her official capacity, and includes the proceeds of all bonds and other evidences of indebtedness, trust funds held by public pension and retirement systems, deferred compensation funds held for investment by public agencies, and public moneys held by a financial institution under a trust indenture to which a public agency is a party.

(4) “Management of public investments” means the following non-ministerial functions: directing the investment of public moneys; formulating or approving investment policies; approving or establishing guidelines for asset allocations; or approving investment transactions.

### **DESIGNATED POSITIONS AND FILING OFFICERS**

Based on the foregoing, the following agency positions and/or consultants qualify as “other officials who manage public investments” and shall file Statements of Economic Interests (Form 700) pursuant to Government Code section 87200 et seq. with the below-designated Filing Officers:

<b># of POSITIONS</b>	<b>POSITION TITLE/CONSULTANT</b>	<b>FILING OFFICER</b> (Designate County Clerk of Board [COB] or Local Agency's Clerk [AC])

# Teacher Salary Schedule

**PEAK PREP PLEASANT VALLEY  
CERTIFICATED TEACHER SALARY SCHEDULE  
2022 - 2023**

STEP	01/CL1 CLASS 1 BACHELOR'S DEGREE	01/CL2 CLASS II BA PLUS 30 MA	01/CL3 CLASS III BA PLUS 45 MA PLUS 5	01/CL4 CLASS IV BA PLUS 60 MA PLUS 20	01/CL5 CLASS V BA PLUS 75 PLUS MA MA PLUS 35 or BA PLUS 84
1	\$44,125.00	\$44,125.00	\$46,225.00	\$50,425.00	\$54,625.00
2	\$44,125.00	\$44,965.00	\$49,165.00	\$53,365.00	\$57,565.00
3	\$44,808.00	\$47,905.00	\$52,105.00	\$56,305.00	\$60,505.00
4	\$46,645.00	\$50,845.00	\$55,045.00	\$59,245.00	\$63,445.00
5	\$49,585.00	\$53,785.00	\$57,985.00	\$62,185.00	\$66,385.00
6	\$52,525.00	\$56,725.00	\$60,925.00	\$65,125.00	\$69,325.00
7	\$55,465.00	\$59,665.00	\$63,865.00	\$68,065.00	\$72,265.00
8	\$58,405.00	\$62,605.00	\$66,805.00	\$71,005.00	\$75,205.00
9		\$65,545.00	\$69,745.00	\$73,945.00	\$78,145.00
10			\$72,685.00	\$76,885.00	\$81,085.00
11				\$79,825.00	\$84,025.00
12				\$82,765.00	\$86,965.00
13					\$89,905.00

189 Contract Days

Class I: Bachelor's Degree and a valid California Credential.

Class II: Bachelor's Degree and a valid California Credential plus 30 units earned subsequent to the B.A. or a Master's Degree

Class III: Bachelor's Degree and a valid California Credential plus 45 units earned subsequent to the B.A. or a Master's Degree plus 5 units earned subsequent to the M.A.

Class IV: Bachelor's Degree and a valid California Credential plus 60 units earned subsequent to the B.A. or a Master's Degree plus 20 units earned subsequent to the M.A.

Class V: Bachelor's Degree and a valid California Credential plus 75 units earned subsequent to the B.A. and a Master's Degree or an M.A plus 35 units earned subsequent to the M.A. or a B.A plus 84 units earned subsequent to the B.A.

Peak Prep will recognize up to 10 years of service for returning teachers in 2022-23 and up to 5 years of service for any new teachers starting in 2022-23.

Health and Welfare Annual Cap (1.0 FTE employees only): Single - \$10,010, 2-Party - \$15,360, Family - \$19,500

EFFECTIVE : July 1, 2022

BOARD ADOPTED:

REVISED: June 4, 2022

**PEAK PREP PLEASANT VALLEY  
CLASSIFIED HOURLY SALARY SCHEDULE  
2022 - 2023**

POSITION	SCHEDULE	RATE
Office Manager	02H/A/001	\$ 25.34
Administrative Assistant	02H/A/002	\$ 26.60
Attendance/Enrollment Specialist	02H/A/003	\$ 27.93
Attendance Assistant	02H/A/004	\$ 29.33
Teaching Assistant (Non-Instructional)	02H/A/005	\$ 30.80

Health and Welfare Annual Cap (1.0 FTE employees only): Single - \$10,010, 2-Party - \$15,360, Family - \$19,500

EFFECTIVE : July 1, 2022

BOARD ADOPTED:

REVISED: June 4, 2022