



SOAR Charter Academy's

Charter Renewal Petition



Prepared for:
The Community of San Bernardino and
San Bernardino City Unified School District

Renewal Charter Term: July 1, 2018 - June 30, 2023

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Introduction

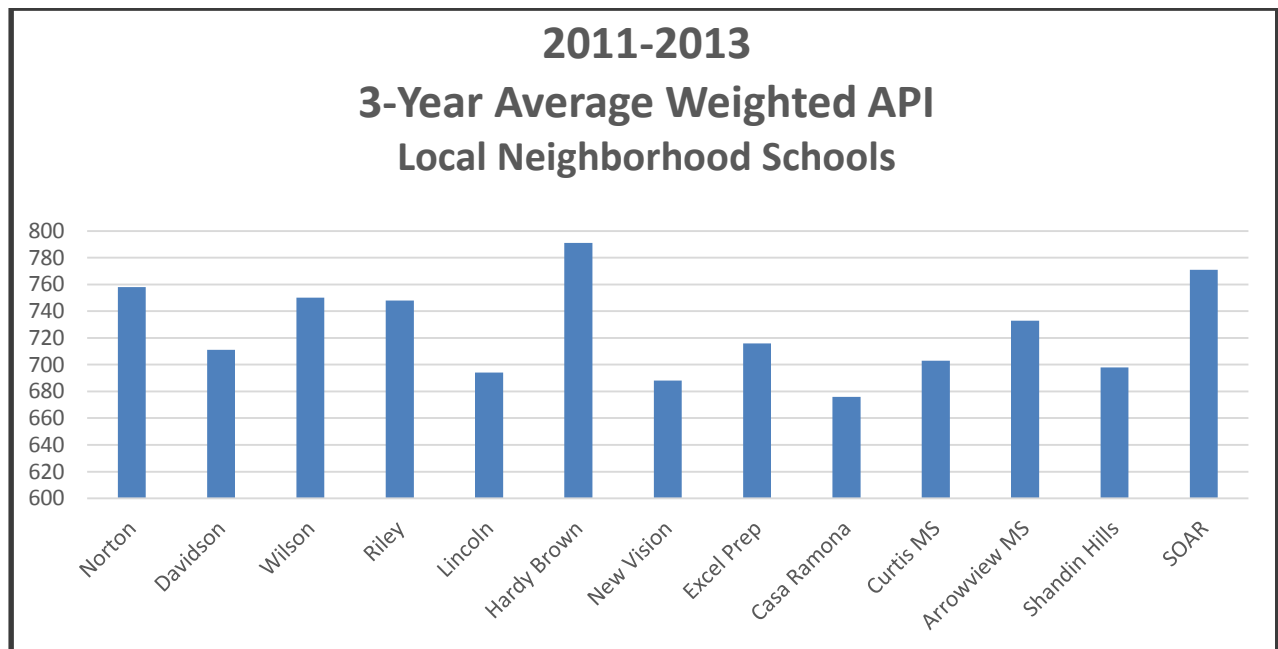
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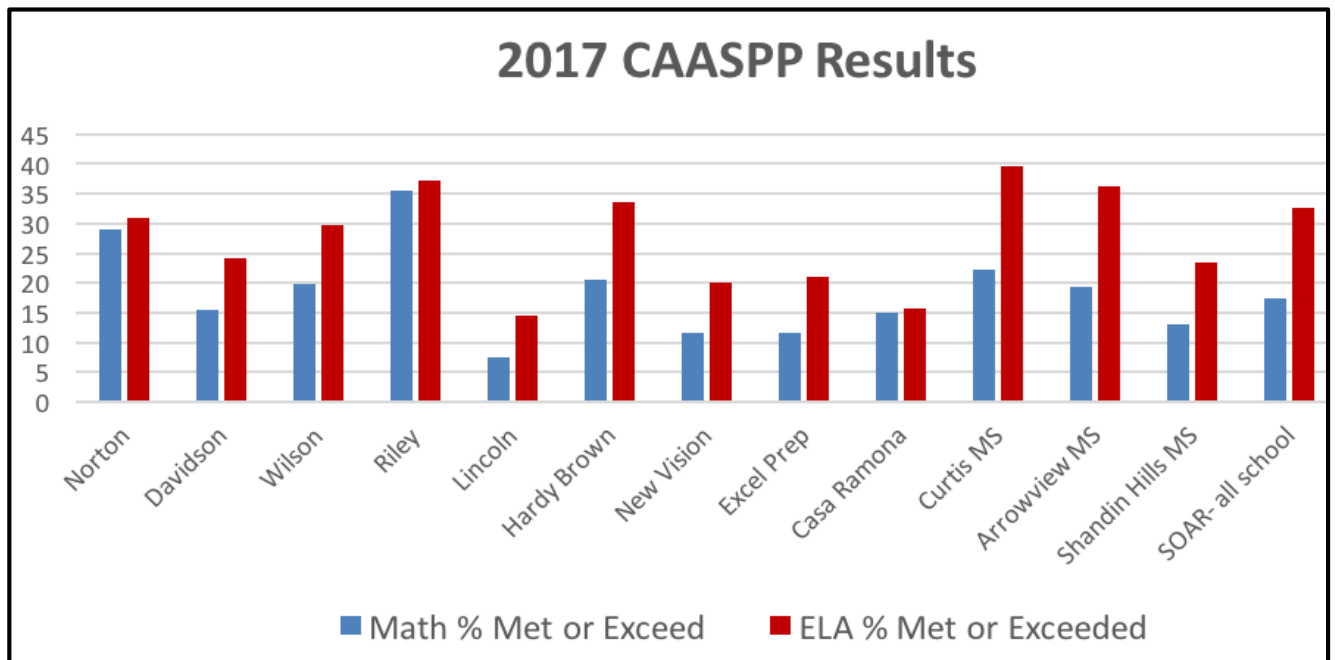
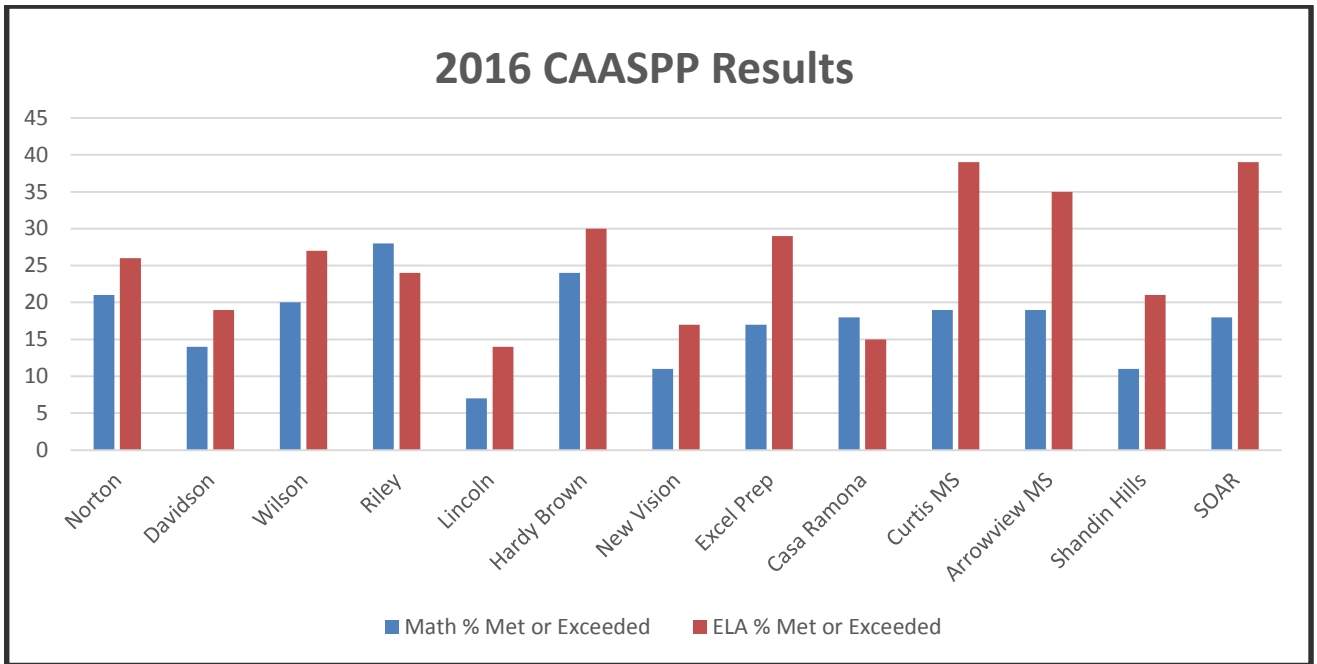
Superintendent: Dr. Dale Marsden
Charter School Director: Christopher Tickell
Board President: Dr. Margaret Hill
San Bernardino City Unified School District
777 N. F Street
San Bernardino, CA 92410

Dear Superintendent Marsden, Mr. Chris Tickell, and Board President Margaret Hill, and the members of the Board,

On behalf of SOAR Charter Academy and Board of Directors, I am writing to request a renewal of the charter for SOAR Charter Academy for a term of 5 years. We request that the staff and governing board of San Bernardino City Unified School District (“SBCUSD”) review and grant our renewal based on our past success and our future goal of continuing to strive to fully meet our mission and vision for each student that enrolls in our school.

Since it opened in 2008, SOAR has made strong gains in students’ social and academic performance and continues to strive to increase the number of students meeting or exceeding standards while providing a well-rounded education.





Other accomplishments, which reflect our mission of promoting academic and social growth and intelligence, include:

- Being awarded a \$600,000 Public Charter Schools Grant Program (“PCSGP”) charter grant our first year to begin operations.
- Receiving a 6 year WASC accreditation in 2013 for our K-8 program. We have 4-5 teachers

and/or administrators that participate on a visiting committee for other schools going through the WASC process.

- Since 2008, over **3700** community service projects have been conducted as a school, in grade level groups, or as individuals in San Bernardino and other local communities. Some examples of the impact SOAR has had on our community are: neighborhood clean ups, food drives, annual Thanksgiving Dinner and Christmas caroling for the elderly, Christmas caroling for the San Bernardino Police Department (“SBPD”), making fleece blankets for a local charity, donating clothes, shoes, and backpacks to local shelters and charities, serving dinner at the Ronald McDonald House and local shelters, making thank you and Valentine’s Day cards for Veterans and local firefighters, helping at homeless and animal shelters, participating in the Alzheimers Memory Walk and Cancer Society Walk, Purple Day at SOAR for Lupus Awareness, serving breakfast to our local public safety agencies, and more. SOAR also donates left over food to a local shelter twice a week. (See Appendix A)
- Most students participate in at least two large performances a year
- New teachers are supported by completing induction through RIMS/BTSA with an onsite coach and a staff mentor assigned to all employees when they are first hired.
- Increased technology each year. We are a 1:1 iPad school and have a computer lab with 28 Apple desktops. All teachers have a document camera, mounted projector, laptop computer, and Apple TV in their classrooms. As of the 2017/18 school year, two teachers will be chosen to pilot the use of an interactive board through an application process.
- 98% parent satisfaction rate, based on stakeholder surveys and the California Healthy Kid Survey (see Appendix B)
- Received a grant from KaBoom to build a \$75,000 playground for our students at our first site on Sierra Way. Over 300 community volunteers supported this effort
- Maintaining a 94.5% or higher attendance rate for the nine years of SOAR’s operation
- Received a Resolution from the City of San Bernardino acknowledging SOAR having a positive impact in the city
- Received a SBCUSD facility under Proposition 39 for the 2012-13 school year
- Received a \$90,000+ grant from Panda Cares and the Franklin Covey Company to become a Leader in Me school in 2016
- Multiple certificates of recognition from state assembly and congress members
- Began a successful Special Education pilot program/MOU in 2016 under the SBCUSD SELPA
- Strong extracurricular programs in sports, choral and instrumental music, and cheer
- After school program provided out of our general budget to accommodate families that need support
- Field trips in all grade levels annually with overnight field trips beginning in 4th grade
- 30-50 local businesses support our programs and events in various capacities annually. Our relationship with Loma Linda has developed into a powerful partnership in which they provide all our health screenings and classroom lessons by their University students.
- Our staff has grown from 7 employees in 2008 to 54 employees in 2017
- Employ seven instructional aides to support our students in K-8
- Employ a Bilingual English Learner Aide for additional support for our English Learners
- Strong relationship with our authorizing District

As a highly successful K-6 program for the first 4 years, we added 7th and 8th grade through a material revision in August of 2011. We have now had four promoting classes of 8th graders who leave our program academically and emotionally prepared for high school. We plan to begin tracking our former students through the National Student Clearinghouse to see where they go and what they end up doing after graduating from high school..

Our entire SOAR family, community members, and other local charter schools, are in support of SOAR continuing to educate students in San Bernardino. I have been selected by the group to act as the Lead Petitioner and will serve as the group's liaison for all communications during the renewal process. I would love the opportunity to address any concerns that may arise from the committee's review of our renewal. Please do not hesitate to contact me if you or any other board members have any remaining questions or concerns. If at all possible, we would like to meet with you and/or any board members to discuss our renewal further and as necessary to resolve or answer any outstanding questions or concerns prior to the public hearing. We look forward to continuing to develop a successful K-8 educational program that leads to a positive and lasting partnership between the charter school, the district, and the community.

We look forward to hearing from you and are excited to continue this journey with SBCUSD.

Your partner in education,
Mrs. Trisha Lancaster
Executive Director, Co-founder, and Lead Petitioner

Our Story- A Reflection of Our Second 5 Years

(See the Appendix C for A Reflection of the First 5 Years and a Description of the Founders/Directors)

2013/14

This is our second year at our new location and our first year of being fully grown! We are officially a K-8 charter school with 464 students. After the public lottery in May of 2013, we have waiting lists in all grades except 7th and 8th grade. Our staff is now at 44 members with a total of 20 credentialed teachers, 2 physical education teachers, 5 instructional aides, and other new support staff. One of the new additions to our staff was a mental health counselor that our students desperately needed. We continue to develop our middle school program, including curriculum, scheduling, and procedures. With a change to Common Core State Standards (“CCSS”), we began to do more professional development on the new standards and assessment system that was being put in place. We took the CAASPP online test for the first time this year but scores are not reported to us so we used internal data from report cards, curriculum, and benchmarks to measure our students’ performance. Our budget continues to be very strong with a great reserve. Our 2013-14 audit was completed with zero findings.

2014/15

We began this school year with 460 students in K-8 and 45 staff members. We continue to strengthen our teachers’ knowledge and confidence of CCSS while exposing them to the new online format of the state test. Many of our students do not have the technological skills necessary to show what they know on the state test. We decided to purchase 1:1 iPads for our students to better prepare for the future of state assessments and college and career readiness skills. We continue to use Character Counts to instill the character traits we believe students need to be successful members of our community. All students are still required to complete a grade level and individual community service project annually. We offered our middle school students enrichment classes which include leadership, technology, Spanish, dance, music, and art. We began developing our Sports and Cheer Programs, as well as, our Choral and Instrumental Music program. Our first reported CAASPP results are 28% met or exceeded in ELA and 19% in Math. On the Science CST 34% in 5th and 42% in 8th were proficient or advanced. This became our baseline to work with. We are showing subgroup achievement gaps so we knew we needed to focus more on our special populations. Again our annual audit was conducted and zero findings were reported.

2015/16

Our eighth year of operation brought 464 students in K-8. After receiving test scores at the end of the previous year, we saw some specific needs. One being our subgroups and how to best serve them. The first thing we decided to do was hire a Bilingual English Learner Aide to give additional support to our English Learners (“ELs”). We also hired additional instructional aides so that middle schoolers had more support as well. Administration also began to require evidence of differentiation in teacher lesson plans to ensure teachers were planning effectively to meet the needs of all students, including English Learners, At-Risk, High Achievers, IEPs, etc. We also created our Learning Center for At Risk students using our instructional aides and Director of Intervention to support students outside of their regular classroom. We had our Mid-Cycle WASC visit in April 2016 and our accreditation was reaffirmed until June 2019. Our 2016 CAASPP results for the school year are 39% met or exceeded in ELA and 18% in

Math which is an increase of 11% in ELA and decrease of 1% in Math. On the Science CSTs, 40% in 5th and 37% in 8th were proficient or advanced. Our 2015-16 audit was completed with zero findings. Administration and the Leadership Team also worked diligently to align our WASC action plan, our Single Plan for Student Achievement, and our Local Control and Accountability Plan (“LCAP”).

2016/17

Our school year started with 459 students and 54 staff members. One of the additional staff members we added was a Discipline Counselor to work alongside our Mental Health Counselor and create more consistency in our discipline system. We had applied and received a \$90,000 grant from Panda Cares at the end of the previous school year. We started this school year as a Leader in Me school. The Leader in Me program focuses on the Seven Habits of Highly Effective People by Stephen Covey and gave us a framework for our character education and community service focus. The focus on Leadership and Culture in Year 1 gave us a fantastic foundation for creating leadership among all our staff and students. We are proud that 100% of our grade levels and 84% of our students completed their community service project impacting many aspects of San Bernardino life. We had our first Leadership Day in May 2017 where our students led presentations, tours, and activities on campus for our community guests. Our parent engagement has increased due to our Parent GUIDES Program and outreach. We had over 37 events or activities that our families participated in and 47 community agencies that have participated in or supported school events or programs. Our intervention program has grown and strengthened this year. Our instructional aides in all grade levels supported approximately 200 of our At Risk students in the classroom and in the Learning Center. We developed our own Special Education program under the District’s SELPA, including hiring two RSP teachers and one RSP aide to support our students with disabilities. Our EL Aide supported 70% of our EL students outside of the classroom. 2017 CAASPP results are lower than we expected with 17.3% of students meeting or exceeding standards in Math and 32.7% met or exceeded in ELA but we have plans in place to address our areas of weakness. We transitioned to the new Science test and results will not be given this year. 86% of our EL students made growth on CELDT and we slightly closed the achievement gap with the English Only students on CAASPP. This was the first year the state introduced the California School Dashboard as a means of accountability. On the dashboard for SOAR (see chart on next page), we have some additional work to do with our Students with Disabilities, English Learners, and our African American subgroups which are already being addressed in our LCAP.

Student Group Report

SOAR Charter Academy - San Bernardino County

Enrollment: 464 Socioeconomically Disadvantaged: 75% English Learners: 11% Foster Youth: N/A Grade Span: K-8 Reporting Year: Spring 2017

Charter School: Yes

Equity Report Status and Change Report Detailed Reports **Student Group Report**

This report shows the performance levels for all students and for each student group on the state indicators. Select any of the underlined indicators for more detailed information.

State Indicators	All Students	English Learners	Foster Youth	Homeless	Socioeconomically Disadvantaged	Students with Disabilities	American Indian	Asian	African American	Filipino	Hispanic	Pacific Islander	Two or More Races	White
Chronic Absenteeism		N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Suspension Rate (K-12)			N/A	N/A			*	*		*		*	*	
English Learner Progress (K-12)		N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
English Language Arts (3-8)		*	N/A	N/A			*	*		*		*	*	
Mathematics (3-8)		*	N/A	N/A			*	*		*		*	*	

Performance Levels: Blue (Highest) Green Yellow Orange Red (Lowest)

An asterisk (*) shows that the student group has fewer than 11 students and is not reported for privacy reasons. The performance level (color) is not included when there are fewer than 30 students in any year used to calculate status and change. An N/A means that data is not currently available.

2017/18 and BEYOND

We begin this year with 468 students and 54 staff members. We had a 100% teacher retention rate for the first time in 9 years. All teachers are staying in the same grade level except for our looping first and second grade teachers. This is Year 2 for the Franklin Covey's Leader in Me program with a focus on Academics (aligning school goals, student-led academics, and empowering instruction). Our #1 focus this year is academic growth! Our plan is to grow our parents into leaders with us and include some parent trainings this year on the 7 Habits. With our goal being on data collection and growth for 2017-18, Leader in Me is perfectly aligned to what we are working on. Our data team will play a more integral part this year with monthly collaboration meetings to ensure our teachers are using data to drive instruction and meet our students' needs more effectively. Our instructional aides will learn more on how to use our data system to gain information on the students they are supporting and monitor student growth and response to interventions they are using in the Learning Center and classrooms. Some of our instructional aides will also begin doing some enrichment with the identified GATE students.

Our Goals and a Look Forward

As we look towards SOAR Charter Academy's future, we will continue to focus on and strive to meet all our Measurable Outcomes as stated in Element 2 of the Charter Petition for Renewal, as well as, our

additional goals following the chart of Measurable Outcomes included in our LCAP. In our first nine years we have been successful in meeting most of these goals but where we have found weaknesses, we will refocus on these areas over the course of the next five years to become even more effective at giving our students everything we intended when we began in 2008.

Data on Measurable Outcomes

- **State Testing-** STAR 2009-2013 and then CAASPP 2015-present

School Year	Number of Students Tested	Grade Levels Tested	Academic Performance Index (API)	Percent Proficient/Advanced or Met/Exceeded Standards in ELA	Percent Proficient/Advanced or Met/Exceeded Standards in Math
2008/09	60	3	707	35	43
2009/10	126	3-4	755	39	47
2010/11	177	3-5	797	51	53
2011/12	232	3-6	764	45	42
2012/13	299	3-7	761	41	42
2013/14	N/A	N/A	N/A	N/A	N/A
2014/15	320	3-8	N/A	28	19
2015/16	330	3-8	N/A	39	18
2016/17	333	3-8	N/A	32.7	17.3

- **Community Service Projects-** We are coming closer each year to meeting our goal of 100% student participation in an individual community service project. We are averaging about 88% of our students completing a project by the end of the year for the last 4 years. 100% of grade levels are conducting a grade level project. Combined our grade levels and individuals students have completed over 3600 community service projects in nine years. (See Appendix A)
- **Suspensions and Referrals-**The goal of reducing suspensions and referrals by 10% each year has not been met in large part due to the fact we have grown by close to 25% each year since first year of operation until 2012 adding the higher grade levels. Also data was not collected effectively until CALPADS implemented the End of the Year Discipline submission. It will be easier to track now and the data will become more stable. We've also learned that new students take approximately a year or more to acclimate to SOAR's culture and environment. As the year progresses for new students, we start seeing changes in negative behavior. This newness is taken into account when dealing with the discipline of these students. We will be monitoring our suspension rate and ethnic breakdowns to ensure an equitable and fair discipline system is in place. By adding a Discipline Counselor to our staff in 2016, we began to have more consistency compared to the first 8 years in which the five Directors dealt with disciplinary duties in turn.
- **Improvement of Leadership Skills-** Student leadership skills have increased in and out of the classroom every year of operation. We began our ASB program our first year. It grew each year with actual officers and grade level representatives. We transitioned from focusing on the 6 pillars of good character to the 7 Habits of Highly Effective People in 2016. With this change came a change in our student leadership. We now have Eagle Leaders instead of ASB students.

In all grades, we have more students taking on leadership roles in all aspects of campus life.

- **Attendance-** As stated above our attendance rate has improved just about every year but our high expectation of 97% has still been out of reach every year except 2014/15. We plan for 95% ADA in our budget so not meeting this goal has never had a fiscal impact but continues to be stressed as something we need to work on as a school since everyday missed can create potential gaps. Our chronic absentee rate has increased every year for the last 4 years. We are addressing attendance with a new attendance policy, ongoing attendance incentives, and offering mandatory Monday school on some of our scheduled Mondays off. (Appendix W)
- **High Achievers-** Our goal is to accelerate learning for at least 10% of our population. That is approximately 4-5 students per grade level. Each year our GATE population has grown as consistent testing has been done since our 3rd year. All high achievers, identified as GATE or identified by their teachers as high achievers, are challenged with rigor, deeper level thinking skills, further investigations of concepts/topics, and/or independent study of next grade level skills once assessments show mastery of current grade level standards.
- **English Learners-** We have seen our English Learners make good progress in our program. In 2016-17 school year, 37% of EL students went up a performance level on CELDT but 86% scored higher than the previous year. Our reclassification rate was 9% in 2016 but we have averaged an 11% resclassification rate over the last 5 years. Our EL students also receive additional English Language Development in the Learning Center with an Bilingual English Learner Aide. In addition to our EL aide, our teachers' awareness of their students' English Language Development level and their use of effective teaching strategies including Specially Designed Academic Instruction in English ("SDAIE") are benefitting all our students. Our teachers and instructional aides do whatever it takes to get the concepts across to every student. Differentiation is noted in lesson plans.
- **Parent Involvement-** Our goal is to increase parent involvement each year. We know the importance of having families be a part of their child's education. Our first, second, and third year, we had a Parent Advisory Committee ("PAC") that helped organize events and activities including fundraising. We decided the fourth year to dismantle PAC and create Parent Committees for all aspects of SOAR. We encouraged parents to join committees in which they felt comfortable or had expertise. We learned that some parents like the behind the scene stuff and others want to work with kids, and some will do just about anything so we wanted to give them a choice. In 2015, we changed our parent engagement program and began a Parent GUIDE program in which every class has a designated parent that organizes, communicates, and supports the teacher. GUIDES meet 3-5 times per year to discuss upcoming events and outreach. We ask our families for ten hours of volunteer time per family to support our events, activities, classrooms, field trips, and programs. We offer TB tests and LiveScan on our campus at least once a year for the convenience of our families. (More information about GUIDES in Element 4 and the Appendix D)
- **Parent Satisfaction-** The two parent surveys (Stakeholder Survey and California Healthy Kids Survey) that we conduct each year are taken very seriously and we value our parents input and try to address the areas that have the lowest marks if at all possible. Over the course of the first 4 years, the biggest concerns were over the facility; cleanliness, age, lack of grass and play space, parking, and safety which were all valid considering we were located in the highest crime rate

area in San Bernardino City. By hiring an additional custodian and pursuing Prop 39, we answered those concerns and are currently located on a beautiful district campus. Another area that has been addressed is timely communication. We subscribe to an all call system called School Messenger that sends messages and texts to our families whenever needed. We also created a monthly newsletter to update parents on upcoming events and activities. We give academic progress reports to parents at least every 6-9 weeks along with conferences in November and March. We also created a SOAR app for Android and Apple phones that will make it even easier for us to communicate this year with our parents and our parents to communicate with us.

Besides our Measurable Outcomes, SOAR has been successful in meeting our other internal goals stated in our Charter as well. (Numbering aligned with Charter)

Data on Internal Schoolwide Goals

1. **Parental Involvement** - Approximately 95% of parents attend parent conferences each year. At our programs and events, SOAR parents come out in full force, including SBCUSD Board meetings, Family Fun Nights, and performances. At other general meetings we don't get quite the same turn out but we continue to offer workshops on parenting, technology, discipline at home, helping with homework, stress in the home, bullying, etc. Loma Linda University has been a wonderful partner over the last 4 years by collaborating with the Co-Director and our counselors on providing parent workshops on topics that our parents are interested in and classroom lessons that are developmentally age appropriate and address many of the issues that we find grade level by grade level.
2. **Teacher Retention**- We are very proud to say our teacher retention rate over four years has been close to 85% with our retention rate for 2017/18 being at 100%. We finally have a stable staff that tremendously support each other.
3. **Fiscal Responsibility**- We have been fiscally sound all years in operation. We've included a 3 year budget in our Appendices. Over the years the State's situation with deferrals and other budget issues has not impacted us due to careful and conservative planning. Our reserve is over a million dollars as of the end of the 2016/17 school year. (See Appendix AA)
4. **Public Relations**- We encourage all staff to make connections with students, parents, and community members. We recognize the importance of developing strong relationships between all parties involved. Our strong family atmosphere continues to be a strength of our program along with the high expectations we have for all students. We believe our positive public relations is what helps with our fundraising and our growing reputation in our community. Their support enables us to provide our students with more experiences and opportunities. By our school and students participating in community service projects, our academic progress, and fiscal responsibility, SOAR has earned this great reputation.
5. **Intervention and Enrichment Program**- The goal of all teachers and staff identifying and meeting the individual needs of our students academically and socially will be accomplished through monitoring students and adjusting instruction based on assessment data. Our schedule allows for team teaching in some grade levels in which teachers change the groupings of the students to meet the students' needs better. Decreasing the range of the learners in a classroom

for different subjects allows the teachers' lessons to meet the needs of the majority of the students while scaffolding and supporting the students that are having more difficulty. These groups are fluid and students change groups based on their level of performance in a given area. This team teaching model also helps meet the needs of the high achiever, as well as, the at risk learner. The teacher is able to plan lessons at a deeper, more rigorous level for the high achiever while planning for differentiation and scaffolding for the at risk student. The standards taught are the same but how they are presented, the pedagogy used, and pacing may be different. If a student needs additional support to be successful, we use many strategies; some examples are the teacher may slow down the pacing, instructional aides pull out to intensively work on a concept or goal, assignments are modified, extra small group instruction, tutoring, changing grade level for certain subject areas, and communicating with parents or guardians through phone calls, emails, texts, progress reports, conferences, and Student Success Team ("SST") meetings. (See above for how we meet the needs of our High Achievers.) Every area of education is taught at SOAR to meet our goal of a well-rounded education; Reading Language Arts, Math, Science, Social Studies/History, Physical Education, Art, Performing Arts, and Character Education and Leadership. In addition to all that, we offer many extracurricular programs to expose our students to as much as we can. We are aware that not all students will find their strengths in the academic areas so we encourage participation in extracurricular activities to help students find their strengths and passion. Some of the extracurricular programs we have are; Eagle Leaders, school performances, field trips, Art Shows, the Choral and Instrumental Music program, After School Program and Clubs, Dance, Technology, as well as our Cheer and Sports program.

6. **Attendance-** SOAR purchased Aeries (a Student Information System) our second year after doing everything manually the first year using Excel. We switched over to Illuminate in 2015. We meet our monthly deadlines for the District and all County and State reporting is done in a timely manner. (See above for Attendance Rate.)
7. **Schoolwide Reading Incentive Program-** We no longer have a schoolwide reading incentive program but teachers use various subscriptions to websites, reading book clubs, and use of the library.
8. **Community Service-** We definitely have grown in this area each year. Our focus the first couple of years was making our SOAR school community better but as the years have progressed, our classes and students have started participating in service in our community. (See Appendix A)
9. **Preparedness for Algebra-** By the time students leave us as 8th graders, the majority of students will be prepared to take Algebra I or a higher level math as a 9th grader. As 8th graders, our students take Integrated 8th Grade Math, the teacher differentiates instruction through pacing, modification, support of instructional aide, and reteaching concepts to mastery.

We continue to write SOAR Charter Academy's story. After full expansion to grade 8 in 2013, we finally are out of the growing and developing stage and are in the refining and honing stage. We feel stable in our staff and school culture and will be able to truly show what we are capable of doing. Knowing the majority of students every year will have been exposed to SOAR's high expectations socially and academically, we will finally be able to watch for consistent growth and changes in our students. We've learned that no student's story is the same. It takes time to build relationships that include truth, trust, respect, and responsibility. Knowing a student's story can change everyone's

perspective on what really is going on in a child's life and then we can start from there. Our staff's evaluations include whether they know each child by their first name to encourage accountability to all and create those personal relationships. The majority of our staff is still growing in this area because of such a large number of new students each year. We look forward and are excited to see what the next years bring to SOAR. The dedication of our staff, administration, and families to help our students be successful and do what is right is what makes us shine!

Charter Renewal Criteria

A. Evidence of Meeting Charter Renewal Standards Pursuant to Education Code Section 47607(b) and the California Code of Regulations, Title 5, Section 11966.4(a)(1)

Education Code Section 47607(b) requires that a charter school must meet at least one of the following renewal criteria prior to receiving a charter renewal:

- (1) Attained its Academic Performance Index (API) growth target in the prior year or in two of the last three years, both school wide and for all groups of pupils served by the charter school.
- (2) Ranked in deciles 4 to 10, inclusive, on the API in the prior year or in two of the last three years.
- (3) Ranked in deciles 4 to 10 inclusive, in the API for a demographically comparable school in the prior year or in two of the last three years.
- (4) The entity that granted the charter determines that the academic performance of the charter school is at least equal to the academic performance of the public schools that the charter school pupils would otherwise have been required to attend, as well as the academic performance of the schools in the school district in which the charter school is located, taking into account the composition of the pupil population that is served at the charter school.
- (5) Has qualified for an alternative accountability system pursuant to subdivision (h) of Education Code Section 52052.

The following shall serve as documentation confirming that the Charter School meets the statutory criteria required for renewal as set forth in Education Code Section 47607(b)(4) (Also see Appendix E: CDE DataQuest/CAASPP Reports and CA School Dashboard):

Analysis of Charter School and Comparison Schools Data

SOAR California Assessment of Student Performance and Progress (“CAASPP”) Scores, 2015-17

(Percentages reflect students meeting or exceeding standards)

Demographic	Assessment	2015	2016	2017
Schoolwide	ELA	28%	39%	32.73%
	Math	19%	18%	17.31%
Hispanic or Latino	ELA	28%	39%	30.65%
	Math	15%	16%	14.0%
Black or African American	ELA	26%	27%	27.58%
	Math	15%	6%	6.77%

White	ELA	37%	58%	58.33%
	Math	36%	39%	47.91%
Economically Disadvantaged	ELA	26%	31%	28.46%
	Math	14%	14%	15.65
Students with Disability	ELA	3%	5%	5.36%
	Math	3%	3%	2.56%
English Learners	ELA	4%	10%	6.25%
	Math	0%	3%	3.13%

Comparison Schools That SOAR Students Would Otherwise Be Required to Attend

School	Schoolwide Assessment	2015	2016
H. Frank Dominguez Elementary	ELA	20%	33%
	Math	10%	17%
Captain Leland Norton Elementary	ELA	16%	20%
	Math	14%	21%
Urbita Elementary	ELA	29%	32%
	Math	14%	19%
Curtis Middle School	ELA	30%	39%
	Math	9%	19%

Comparison Schools That Are Demographically Similar in the District

School	Schoolwide Assessment	2015	2016
Barton Elementary	ELA	13%	17%
	Math	10%	9%
Davidson Elementary	ELA	19%	19%
	Math	12%	14%
Howard Inghram Elementary	ELA	27%	37%
	Math	18%	22%
Del Vallejo Middle School	ELA	9%	10%
	Math	3%	22%

Charter School Intent and Charter Requirements

Education Code Section 47601 provides as follows:

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

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

The following provisions of this charter align with with the requirements of Education Code Section 47605.

Affirmations and Assurances

SOAR Charter Academy (“SOAR” or the “Charter School”) will follow any and all federal, state, and local laws and regulations that apply to the Charter School, including but not limited to:

- The Charter School shall meet all statewide standards and conduct the student assessments required, pursuant to Education Code Sections 60605 and 60851, and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools. [Ref. Education Code Section 47605(c)(1)]
- The Charter School declares that it shall be deemed the exclusive public school employer of the employees of SOAR Charter Academy for purposes of the Educational Employment Relations Act. [Ref. Education Code Section 47605(b)(6)]
- The Charter School shall be non-sectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. Education Code Section 47605(d)(1)]
- The Charter School shall not charge tuition. [Ref. Education Code Section 47605(d)(1)]
- The Charter School shall admit all students who wish to attend the Charter School, unless the Charter School receives a greater number of applications than there are spaces for students, in which case each application will be given equal chance of admission through a public random drawing process. Except as required by Education Code Section 47605(d)(2), admission to the Charter School shall not be determined according to the place of residence of the student or his or her parents within the State. Preference in the public random drawing shall be given as required by Education Code Section 47605(d)(2)(B). In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the Charter School in accordance with Education Code Section 47605(d)(2)(C). [Ref. Education Code Section 47605(d)(2)(A)-(C)]
- The Charter School shall not discriminate on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics). [Ref. Education Code Section 47605(d)(1)]
- The Charter School shall adhere to all provisions of federal law related to students with disabilities including, but not limited to, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990 and the Individuals with Disabilities Education Improvement Act of 2004.
- The Charter School shall meet all requirements for employment set forth in applicable provisions of law, including, but not limited to credentials, as necessary. [Ref. Title 5 California Code of Regulations Section 11967.5.1(f)(5)(C)]
- The Charter School shall ensure that teachers in the Charter School hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools is required to hold. As allowed by statute, flexibility will be given to noncore, non-college preparatory teachers. [Ref. Education Code Section 47605(l)]

- The Charter School shall at all times maintain all necessary and appropriate insurance coverage.
- The Charter School shall, for each fiscal year, offer at a minimum, the number of minutes of instruction per grade level as required by Education Code Section 47612.5(a)(1)(A)-(D).
- If a pupil is expelled or leaves the Charter School without graduating or completing the school year for any reason, the Charter School shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card and health information. [Ref. Education Code Section 47605(d)(3)]
- The Charter School shall maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection. [Ref. California Education Code Section 47612.5(a)(2)]
- The Charter School shall on a regular basis consult with its parents and teachers regarding the Charter School's education programs. [Ref. Education Code Section 47605(c)]
- The Charter School shall comply with any applicable jurisdictional limitations to the locations of its facilities. [Ref. California Education Code Sections 47605 and 47605.1]
- The Charter School shall comply with all laws establishing the minimum and maximum age for public school enrollment. [Ref. Education Code Sections 47612(b) and 47610]
- The Charter School shall comply with all applicable portions of the Elementary and Secondary Education Act ("ESEA"), as reauthorized and amended by the Every Student Succeeds Act ("ESSA").
- The Charter School shall comply with the Public Records Act.
- The Charter School shall comply with the Family Educational Rights and Privacy Act.
- The Charter School shall comply with the Ralph M. Brown Act.
- The Charter School shall meet or exceed the legally required minimum number of school days. [Ref. Title 5 California Code of Regulations Section 11960]
- Throughout this Charter and any attachments, exhibits, and/or appendices hereto, any and all references to SOAR and/or the Charter School and/or the School shall apply with full force and effect to the school itself and the non-profit 501(c)(3) SOAR corporate entity, and for all purposes related to this Charter to the operations of SOAR, both the School and SOAR, to the extent that they are separate entities, shall be fully obligated to comply with the provisions of this Charter and any attachments, exhibits and/or appendices hereto, without regard to whether one or both of those entities is referenced or specifically listed or identified therein. The appendices and exhibits to this Charter are incorporated herein and made a part hereof by this reference.
- Throughout this Charter and any attachments, exhibits, and/or appendices hereto, anytime that SOAR states that it will follow the requirements of a particular Section of the Education Code or other law, it means that SOAR will comply with these laws in the same manner as required for California noncharter public schools, except where otherwise specified.
- Should the provisions of this Charter conflict with the Articles of Incorporation, Bylaws, policies, or practices of the School or the corporation, the provisions of this Charter shall prevail. SOAR shall provide written notice to SBCUSD of any proposed revisions to the

Articles of Incorporation and/or Bylaws no less than three (3) weeks prior to consideration of adoption of the revision(s) by the SOAR governing board. Should SBCUSD consider the proposed revision(s) to be a material revision to SOAR's governance structure or Charter, SOAR may not formally adopt such revision(s) unless and until the revision(s) is first approved through the process set forth in Education Code section 47607 for material revision to the Charter. Should SOAR adopt revision(s) to its Articles of Incorporation and/or Bylaws in accordance with these requirements, it shall provide a final copy of the revised document to SBCUSD within three (3) business days of the adoption of such revision(s). SOAR shall provide to SBCUSD copies of all of its Governing Board agendas (including all backup materials), and agendas (including all backup materials) of any other boards and committees, on or before the date required for posting of such agendas in compliance with the Brown Act.

- SOAR will adhere to the Political Reform Act (Government Code section 8100, et seq.) and will adopt and promulgate a conflict of interest code that incorporates by reference the Fair Political Practices Commission's standard conflict of interest code at 2 CCR section 18730.
- SOAR shall ensure its corporate Bylaws that one SOAR Board representative is reserved for a parent of a student currently attending a charter school operated by SOAR, subject to any other limitations set forth in the SOAR Bylaws.
- By the terms of this Charter, the Charter School and SOAR are obligated to comply with the requirements of Government Code Section 1090 et seq., the Political Reform Act, the Brown Act, and the California Public Records Act to the same extent as if the Charter School were a noncharter California public school district regardless of any arguments regarding the applicability generally of those laws to California charter schools. In the event that the laws/rules/provisions of Government Code Section 1090 et seq. and the Political Reform Act of 1974 permit an action or means of taking action that is restricted or prohibited by the other conflict of interest statute's laws/rules/provisions, the most restrictive law/rule/provision shall control.
- By July 1, 2018, SOAR will comply with the requirements of Government Code Section 1090 et seq. to the same extent as if the Charter School were a noncharter California public school district regardless of any arguments regarding the applicability generally of those laws to California charter schools.
- SOAR will provide copies of the revised Conflicts of Interest Code, and updated Board Bylaws by May 1, 2018.

Lead Petitioner: Trisha Lancaster

Date

ELEMENT 1: EDUCATIONAL PROGRAM

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

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

Vision Statement

Empowering SOAR students today to become world leaders tomorrow!

Mission Statement

SOAR’s mission is to equip students to become independent critical thinkers. Our program will instill the values of making a positive impact by serving our community. Our emphasis on the whole child will produce leaders that not only excel beyond the state’s academic standards but also become well-rounded, creative, life-long learners who will be prepared to make a difference in the 21st century.

Students to Be Served - Target Population

SOAR Charter Academy’s enrollment is currently at 468 students. SOAR currently has waiting lists for every grade except 7th and 8th. At full capacity, SOAR expects to serve 488 students in grades K-8.

SOAR Charter Academy strives to serve the same student population that is representative of San Bernardino City Unified School District. SOAR seeks to enroll a population that is reflective of the racial and ethnic balance of the District, and shall admit all students (including in district and surrounding districts) who wish to attend subject to capacity. SOAR will not provide transportation to or from the Charter School (except as required by a student’s IEP, as applicable) but is dedicated to encouraging its parents to assist one another with transportation through the use of carpooling and volunteerism.

SOAR will not discriminate against any child on the basis of race, ethnicity, nationality, gender, gender identity, gender expression, disability, religion, or sexual orientation and or association with individuals with one or more of these characteristics or any other characteristic that is contained in the definition of hate crimes as set forth in Section 422.55 of the Penal Code in any program or activity conducted by an educational institution that receives, or benefits from, state financial assistance or enrolls pupils who receive state student financial aid. SOAR recognizes this extends to the prohibition against discrimination against any person based on the perception that the person has any of those

characteristics or that the person is associated with someone who has, or is perceived to have, any of those characteristics. All students are welcomed at SOAR. Poor academic performance and prior disciplinary problems will not preclude a student from attending SOAR, as SOAR believes that the personal attention and quality of our academic program can greatly benefit many students who may have experienced problems at other schools. Each year, SOAR will advertise in the community via flyers and advertisements in local newspapers. Our flyers will be placed in community centers, businesses, daycares and preschools, libraries, social service agencies, faith-based organizations, apartment complexes, and grocery stores.

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

SOAR Charter Academy believes students must possess two kinds of literacy in the 21st century: academic and social. These two kinds of literacy will enable students to become self-motivated, competent, and lifelong learners. We also recognize that it has become important to learn how to live in a dynamically changing world. Our information-rich global society requires our students to be exposed to and comfortable with technology as a powerful tool for communication, learning, and 21st century careers.

Students not only need a strong academic foundation in reading, writing, math, science, social studies, technology, and the arts, but also solid skills in critical thinking, problem solving, creativity, communication, leadership, and cooperation. It is crucial for them to understand who they are in light of others and develop character traits that will lead them, as well as others in bettering our diverse community. Students will need critical thinking skills to search for solutions to a wide variety of problems. They will need to be risk-takers and effective communicators to connect with and contribute to their community and society.

Educated people in the 21st century need to be mentally and physically well-rounded, with a knowledge of their individual worth, as well as the worth of others. They need to understand the value of participating in the community around them in order for it to improve. 21st century students will need to be leaders who demonstrate leadership, patriotism, responsibility, honesty, courage, integrity, respect, kindness, and persistence. They need to realize their life affects the lives of others around them. SOAR will prepare students to excel in this challenging world by not only providing an exemplary education that goes beyond a typical academic program but a well-rounded education that focuses on personal growth, self-esteem, character building, community service, and leadership. Teachers and staff will be dedicated to teaching and having students participate in all subjects areas. Students will also be empowered by the use of technology as a powerful tool in their education and future lives.

How Learning Best Occurs (SOAR's Philosophy)

SOAR Charter Academy staff believes that learning to be a self-motivated, competent, and lifelong learner best occurs when these 14 elements are in place:

1. The Charter School instills a love of learning in every child.
2. Students are assured a safe, peaceful, and respectful learning environment with a low teacher to student ratio that enables every student's needs to be met by their teachers, parents, and school community.
3. The expectation is that **every** learner will reach their highest potential. Students will be aware of the expectations, the standards, and what the steps are to ensure they reach their potential. Goal

setting and action planning are used to reinforce personal growth.

4. Learning is differentiated for individual students based on their needs.
5. Students are expected to apply their academic and social learning to meaningful real-life activities and situations.
6. Students are given opportunities in language arts, math, science, social studies, technology, and the arts to show independence, critical thinking, collaboration, reflection, and creativity.
7. Students are actively engaged in a rigorous and challenging standards-based curriculum that is research based.
8. Teachers are dedicated to use assessment and program evaluation data to collaboratively plan and improve all aspects of educating students.
9. There is a strong, consistent discipline plan and structure in place which is used by all staff.
10. Teachers, parents, students, and staff value character development.
11. Students are surrounded by nurturing people and receive encouragement daily from teachers, peers, and family members that all students can and will learn.
12. Parents and community are involved in educating students through both direct and indirect methods.
13. Teachers and administrators are aware of students' developmental needs and make adjustments to the program accordingly; including academic and social experiences and daily scheduling.
14. Leadership is a shared responsibility.

We believe the combination of small learning communities, a safe environment, high academic and social expectations, a rigorous well-rounded curriculum, real life applications, teacher dedication, character education, leadership development, and strong family involvement, will create an environment of success in which the struggling, as well as proficient learner will exceed expectations. Our focus on students developing leadership and taking responsibility in their personal and academic lives will have an impact on the students that promote from SOAR Charter Academy and go onto being world leaders. These beliefs and expectations begin in kindergarten and will continue through eighth grade.

Enrollment

The number of classes for each grade level below are what we are anticipating. It is possible to add 20% based on demand for entrance into SOAR Charter Academy.

Grade	Proposed Class Size	# of classes	Annual Instructional Minutes	# of School Days
Kindergarten	22	2	60,675	175
1 st Grade	22	2	55,650	175
2 nd Grade	22	2	55,650	175
3 rd Grade	22	2	55,650	175
4 th Grade	26	2	55,650	175
5 th Grade	26	2	55,650	175
6 th Grade	26	2	55,650	175

7 th Grade	26	3	58,515	175
8 th Grade	26	3	58,515	175

SOAR will meet the minimum required number of instructional minutes. For charter schools, the annual required grade level minimum number of minutes is as follows:

Grade	Minutes
Kindergarten	36,000 minutes
Grades 1 through 3	50,400 minutes
Grades 4 through 8	54,000 minutes

SOAR's academic calendar shall commence before September 30 annually, and includes no less than 175 instructional days. The school hours will be 8:00am-2:45pm for K-6 and 8:00am-2:55pm for 7th-8th. We will be working on a 5/4 school week, in which there will be no school every other Monday. Approximately three of these Mondays will be used for staff development/planning along with five additional days before or after school begins. SOAR's parents are responsible for sending their children to school and providing an explanation for absences. (See Appendix F and G)

Curriculum and Instruction

SOAR is a site based K-8 charter school. Students in kindergarten through grade 8 will receive well-rounded standards-based instruction that encourages the development of academic, social, and creative skills with a focus on character development, community service, and leadership. All subject areas will be taught in all grade levels. Teachers will be responsible for planning and teaching standards-based lessons incorporating a published curriculum for reading/language arts and math for all students in grades K-8. Fifth through eighth grade will also use a published curriculum for science and grades six through eight has a published social studies/history curriculum. The Charter School has means in which when a new curriculum needs to be purchased we will use our general fund to obtain such curriculum. For all lessons in all other subjects, teachers will use the CCSS, California standards, and Frameworks to prepare units and/or lessons that meet not only the standards but also the needs of the students. All grade levels will also receive physical education and health education according to grade level standards to ensure that students understand the importance of health and being physically fit.

SOAR recognizes that children have a natural curiosity that will be fostered in a supportive, positive environment which permits interaction and exploration, as well as, receiving direct, structured lessons to help each student reach their potential. Each grade will build on the existing interests, skills, and motivations of the learner until the understanding and mastery of academic standards are achieved. The founders/directors of SOAR are all teachers that recognize that the traditional approach to instruction and even tightening up on the traditional approach does not work for **all** children. We believe that the

combination of an **innovative instructional schedule in a small learning community, combined with a strong academic and social curriculum** is a more effective approach to meet the needs of all students and help them reach their full potential. (See Appendix X)

Instructional Program and Research

At SOAR, we are committed to combining the best practices described in current and past research, with what we know from our combined experience as educators, to ensure our children are learning and meeting or exceeding our federal, state, and school expectations.

All K-8 core curriculum at SOAR will be CCSS or California standards-based depending on the subject area. (See Appendix X) Students will be expected to meet or exceed grade level standards in reading, writing, speaking, math, science, social studies, the arts, and technology.

The Charter School's belief that all students can and will learn is also assumed by constructive education theorists and the Integrated Thematic Instructional ("ITI") approach developed by Susan Kovalik. Constructive education is based on the belief that learning occurs as learners are involved in a process of making meaning, rather than passively receiving information. Based on this theory, project-based hands-on learning will occur in all grade levels to encourage students to think for themselves and express and follow-through with their ideas. ITI combines current brain research, effective teaching strategies, and integrated curriculum development. The main tenet of ITI is that learning best occurs when eight elements are present:

1. absence of threat
2. meaningful content
3. choices
4. adequate time
5. enriched environment
6. collaboration
7. immediate feedback
8. mastery

ITI research shows that by making connections across subject areas and grade levels using integrated instruction, teachers are able to teach more and students learn more effectively because the brain naturally searches for patterns and interconnections. This is evidence that using character development traits and habits to make connections across the curriculum and grade levels will be one way to meet our academic and social goals.

SOAR has established its K-8 program based on the research and writing of Jon Wiles. Wiles' ideas are aligned with constructivist theories and he quotes constructivist views throughout his books. According to Wiles, there is "strong research evidence that leaving students in an elementary

Twenty Top Arguments for K-8 Schools

1. Better academic achievement
2. Better student attitudes toward school
3. Safety in neighborhood schools
4. Fewer disciplinary problems
5. One less school transition for students
6. Teachers know kids for 9 years
7. Ease of transportation for parents with siblings in same school
8. Lower dropout rate in high school
9. Personal small-school identity
10. Technology allows in-depth academic and specialization
11. More attention to at-risk students
12. Lessens district busing requirements
13. Parents more comfortable with schools
14. Can run a middle school program inside the K-8 building
15. Continuous progress is more probable
16. Seamless curriculum with better articulation between the grades
17. Teachers more qualified for child-centered approach
18. Possible for students to experience more leadership roles
19. Less teacher turnover
20. Discipline and suspension lowered

school through the eighth grade results in better standardized test scores... fewer problems with truancy, discipline referrals, suspensions, and student attitudes in K-8 schools.” (2009) The twenty top arguments for K-8 schools in current educational literature as described by Wiles are presented in this chart.

Wiles states if a new K-8 school “accepts that not all students will progress at the same rate, grade by grade, they can free themselves to plan a different and more appropriate kind of curriculum for students.” (2009) In educational planning we must also consider that for every year in school, there is one year of range. The use of our instructional schedule and instructional aides allows SOAR to differentiate instruction and meet the needs of all learners. Wiles also suggests that “a K-8 continuum be developed from national and state standards to assist in overcoming articulation (grade to grade) problems within and between the elementary and intermediate programs.” (2009) Some of SOAR’s staff development during the next 5 years will be used to continue to develop these grade level continuums and vertical planning conversations and to look at research based instructional practices such as differentiated instruction, service learning, cooperative learning, and curriculum mapping. These practices will be used to encourage access to the curriculum and to promote collaboration in learning.

To be a successful K-8 school, Wiles states that the academic curriculum must be:

- organized by distinct phases of development
- be concerned with general education and mastery of learning skills that can be transferred to real world settings
- content must be defined by state standards
- benefit younger and older children and preadolescents
- prepare students for high school, and
- remain highly focused at all times on the mission and vision

Another piece of research SOAR has added to its philosophy and day to day operations is the work of Stephen Covey and the 7 Habits of Highly Effective People. In K-8, all students will be exposed and expected to practice the 7 Habits. SOAR adopted and received a start up grant from Panda Cares to implement Franklin Covey’s The Leader in Me program in 2016. The Leader in Me is a whole school transformation process. It teaches 21st century leadership and life skills to students and creates a culture of student empowerment based on the idea that every child can be a leader. Content from The 7 Habits of Highly Effective People is a key component of the overall The Leader in Me process. The 7 Habits is a synthesis of universal, timeless principles of personal and interpersonal effectiveness, such as responsibility, vision, integrity, teamwork, collaboration and renewal, which are secular in nature and common to all people and cultures. The Leader in Me is also aligned to many national and state academic standards. The process teaches students the skills needed for academic success in any setting. These skills include critical thinking, goal setting, listening and speaking, self-directed learning, presentation-making and the ability to work in groups. (The Leader in Me website, theleaderinme.org) This program gave us a framework for our entire social curriculum that integrates perfectly with our academic program. (See Appendix Q)

Regular goal setting, shared decision-making, and assessment by all three participating groups - teacher, parents, and child - will ensure that learning is relevant, ongoing, and maximized. Teachers will provide various ongoing academic assessments and use the data to plan collaboratively. Teachers will also assess the students' on their social and character development. By teaching subjects at the same time in each grade level, team teaching, a modified block schedule, and similar academic and social language from grade to grade, students will be academically prepared and able to make connections between content levels and from year to year. Students will participate in performances, community service, leadership opportunities, field trips, and family nights to enrich and apply the curriculum.

The goal for all students at SOAR is success. As such, students and parents will know and understand the school wide academic and social expectations of the curriculum. Families will continue to be asked to give 10 volunteer hours a year per family in or out of the classroom to be involved in their children's education. SOAR's curriculum will create successful students that are ready for high school, students that monitor their academic goals, accept responsibility, possess self-esteem, are organized, exhibit positive attitudes, an enthusiasm for learning, and a desire to give back to their community. Students will be ready to take on leadership roles in their community and the world.

Instructional Schedule

Our teachers also know and understand that all children learn differently and at different paces. In his research, Larry Lezotte discusses the benefits of restructuring the typical classroom setting into “**achievement-centered groups**.” SOAR uses a schedule that allows the students to move up and down the levels of standards in math and language arts depending on assessments and the students' individual needs. We implement this practice around a common schedule in which both classes in every grade level teach the same core subject at the same time. As a result, students are able to move to a higher or lower ability grouping depending on achievement and pacing needed by the learner. These groupings will be flexible and fluid depending on the subject area. This approach to grouping allows students to develop a deeper understanding of concepts being taught and to advance at a more rapid pace. This also creates a fluid atmosphere in which students can receive more instruction in an area of need and then move on. This differentiation allows students' needs to be met. Lezotte states, “If a school was to organize itself to take those students who didn't learn the lesson the first go-around and get them back through for one loop of reteaching, they could anticipate about a 25 percent bump up in student achievement.” (1999)

The K-8 curriculum and instruction is organized to provide a seamless well-rounded general education experience for all students taking the social behaviors of each distinct age level into account. The physical, social, intellectual, and emotional state of each student is different at each stage of development: early childhood (grades K-1), later childhood (grades 2-5), preadolescence and adolescence (grades 6-8). Acknowledging these stages of growth ensures that our K-8 curriculum is more relevant and effective. Each stage of the curriculum has a unique organization and purpose. (See Appendix X and Z)

- **K-6 Grades**

Having two classes of each grade level from K-6 allows team teaching and flexible groupings to occur so that teachers can make standards based instruction differentiated and more powerful. Grades K-6 align their teaching schedule of core subjects to be taught at the same time in each grade

level. (see Appendix Y). Teachers and staff will be aware of developmental tasks that need to be attended to on an ongoing basis as described by Wiles (2009) and Swiss educator Jean Piaget. Grades one through six have similar schedules. Students will have a 45 minute lunch mid-day along with two 15-minute recesses.

- **TK and K**

These two grades will be self-contained but will utilize team teaching to meet all students' needs. This learning and development stage emphasizes social adjustment and mastering basic learning skills as described by the CCSS, as well as providing appropriate experiences that enrich the students' learning experiences and developmental growth. Overarching and generic big ideas in the content areas will be introduced in simple form. The developmental tasks that will be addressed include but are not limited to: developing motor control, emerging self-awareness, developing relationships with others and developing language and thought patterns. Our Transitional Kinders are integrated into our Kindergarten program. Differentiation is done to make sure TK standards are taught. TK students begin the year by attending a half day program and transition to full day as teachers and parents agree the student is ready.

- **1-2 Grades**

Half of our first and second grades loop. Research shows that teachers that move up with their students have smoother transitions into the new year, gain instructional time, meet students' needs more effectively, students show academic gains, and parent relationships are stronger and more powerful. (*The Looping Handbook*, by Jim Grant, Bob Johnson, and Irv Richardson) This learning and development stage emphasizes social adjustment and mastering basic learning skills as described by the state and CCSS, as well as providing appropriate experiences that enrich the students' learning experiences and developmental growth. Overarching and generic big ideas/themes in the content areas will be introduced to create connections. The developmental tasks that will be addressed include but are not limited to: developing more motor control, self-awareness and self-esteem, developing relationships with others, developing independence, and learning to make good choices and exercise self-discipline.

- **3-4 Grades**

The third and fourth grade teams are also self-contained with a team teaching approach to differentiation. Teachers will deliver a broad and general education by providing standards based lessons and social experiences, and by differentiating instruction based on individual student's needs. Each student will be supported to master the core standards at his or her grade level. The developmental tasks that will be addressed include, but are not limited to: structuring the physical world, refining language and thought patterns, establishing relationships with others and acceptance of self.

- **5-6 Grades**

A modified block schedule will be utilized by teachers of grades 5-6 to give the students a change in schedule and the teachers an area of expertise in which one core teacher will teach a double block of the humanities including social studies, language arts, reading, and the arts, and the other core

teacher will be responsible for teaching math and science. Each student will master as much of the core standards and knowledge as possible. The developmental tasks that will be addressed in these grade levels include, but are not limited to: mastering communication skills, building meaningful peer relationships, thinking independently, understanding sex roles, and finding constructive outlets for self-expression.

- **7-8 Grades**

Grades 7-8 will have three classes of 26 students each. Each student will have a rotating class schedule that includes; English, Math, History, Science, PE, and Enrichment Classes (Communication, Spanish, Life Skills, Communication, Art, Mentor Class, and Technology, etc). There is a Monday only schedule, Tuesday/Thursday schedule, and Wednesday/Friday schedule to allow all students to experience core subjects in the morning and afternoon classes. All middle school students have a mentor assigned that supports them academically, emotionally, and socially. The developmental tasks associated with this stage are: handling major body changes, asserting independence from the family, establishing sex role identity, dealing with peer relations, controlling emotions, constructing personal values, expanding personal interests, and developing an acceptable self-concept. All middle schoolers have a 7 period schedule, receiving a 15 minute Nutrition Break in the morning and a 40 minute lunch at noon. Passing periods are 2 minutes long.

Technology

Students and teachers will use technology on a regular basis. There is a computer lab with 26 iMac desktop computers that grades K-8 visit at least weekly. We have 1:1 iPads for all students K-8th grade. Each teacher has a laptop computer, document camera, and mounted projector in their classroom to encourage the use of technology in instruction and assessment. The effective use of technology will be a focus for teachers, parents, and students in all facets of teaching and learning. SOAR has also purchased several licenses to websites and applications that allow even more differentiation in instruction and assessment options, including Illuminate and the Inspect Item Bank for assessment items that are similar to CAASPP. Students also use digital cameras, video equipment, and production software to create morning announcements, yearbook, and other publicity for SOAR. This will expose our students to the format and tools they must use during the online state test. As of the 2017/18 school year, two teachers will be chosen to pilot the use of an interactive board through an application process. SOAR has a new app this year and in the process of redesigning our website.

Integrated Social Curriculum

We use The Leader in Me program by Franklin- Covey that we integrate throughout our entire day schoolwide. It teaches 21st century leadership and life skills to students and creates a culture of student empowerment based on the idea that every child can be a leader. Content from The 7 Habits of Highly Effective People is a key component of the overall Leader in Me process. The 7 Habits is a synthesis of universal, timeless principles of personal and interpersonal effectiveness, such as responsibility, vision, integrity, teamwork, collaboration and renewal, which are secular in nature and common to all people and cultures. (The Leader in Me website, theleaderinme.org) A social curriculum that links academic success, behavior, and character development has been scientifically proven to improve academic progress and behavior. Grade level standards will be taught while students also practice and apply skills in real life situations and community service projects. (See Appendix A) Our Lighthouse Team (Leader

in Me leadership) provide all teachers with a pacing guide for the 7 Habits and weekly lesson plans that teachers adapt for their grade level. This continuity provides a common language and application of the 7 Habits and the Leader in Me program.

Life skills are an empowering part of the integrated approach as well. By focusing on character education, the 7 Habits, and leadership across all grade levels, our students will have a common ground within our school culture to learn, discuss, and apply what they are learning. We will aim to teach children that these habits are life skills and social skills that they will need to have at every age to be successful. (See Appendix Q)

Differentiation is Key for All Students

SOAR adopts the following principles for instruction for **all** students regardless of their classification or past educational history or when they enter SOAR. These principles align specifically to differentiation of instruction, a key instructional strategy at SOAR.

- All students are capable of learning to high standards if optimal teaching and a supportive environment are provided.
- Learning is a process.
- Language is acquired through daily social interactions that are engaging, meaningful, and purposeful in and out of the classroom.
- Teaching/learning needs to be responsive and interactive. Cultural norms and expectations for effective use of language and participation in mainstream social and academic life need to be explicitly taught to students, especially English Learners.
- In instruction, the content must be rich and challenging and the teaching must be carefully scaffolded and structured to promote depth of knowledge.
- Self-assessment, self-monitoring, academic practices, and learning strategies need to be explicitly taught to students especially At-Risk and English learners.
- Evaluation, curriculum, and assessments need to be aligned to reflect high standards and best practices.

Plan for students who are academically low achieving

The key to meet the needs of all students is early intervention. Students who do not meet state standards for their age/grade level as identified by the teacher or referred by the parent due to low assessment results or behavior concerns will be entered into our SST process. This school wide process involves identifying low-performing students, meeting with parents and teachers, implementing various research-based interventions, and monitoring the response to interventions and the progress to overcome the student's academic or social concerns. Students will be referred to the school psychologist for academic testing if the SST process determines that various interventions have not been successful. Below is a list of possible interventions that may be recommended through the SST process (See Appendix H):

- work 1:1 or in a small group
- work in the learning center or classroom with instructional aide
- differentiated instruction

- after-school intervention/tutoring classes
- cross-age tutoring
- parent volunteers for one to one support
- small group and one-on-one instruction from the teacher
- intensive mini-lessons
- instructional software
- parent workshops
- list of resources for tutoring services and local tutors in the community
- change in achievement-level group (Students flexible grouping may change depending on ability and area of concern.)
- reteaching specific English Language Development skills as pertinent to the EL student's level of ELD proficiency
- use of library/media aide to read with students

SOAR believes that all children can learn and we will continually seek out additional solutions for students who are academically low-achieving, including instructional technology, home-to-school connections, tutoring, differentiated instruction, special education, and other strategies.

Retention and Promotion Policy

The policy of SOAR is to ensure the academic success of every student. Students are expected to meet grade-level standards and shall receive the necessary instructional support to enable them to be successful. The decision to promote or retain shall be based on consistently applied criteria for standards-based academic performance. SOAR recognizes that retention must be considered if the student has not met the criteria and has not participated in the required intervention supports. The decision to retain will be based on Board policy. The Director makes the decision concerning student promotion or retention in kindergarten following consultation with the teacher and parent/guardian. Retention in kindergarten can only occur with parental consent.

Plan for students who are academically high achieving

High achieving students will be challenged through differentiation in their individual gifted area/s. A student does not have to be designated as gifted and talented education ("GATE") to work above his/her standard level. Due to the achievement-level groups, high achievers will be able to work at higher standards with more in depth instruction. A student's instructional level in a content area will be based on, and accelerated to a higher standard level as, his/her assignments and assessments demonstrate mastery of current standards. A rich well-rounded project-based curriculum will encourage all students to express what they've learned in a variety of ways. All students at SOAR Charter Academy will be treated as high achievers. SOAR Charter Academy has developed an assessment model to identify students as Gifted and Talented. Appropriate consideration is given to screening economically disadvantaged pupils and those with varying cultural backgrounds. The Raven Progressive Matrices is used to measure intellectual ability of students in grades 2nd, 5th, and 7th with parents' permission. Signed permission to test is required for all students being evaluated. GATE testing will occur between January and March of each school year. SOAR Charter Academy works to provide a rigorous, rich, and relevant learning environment for all students. Children who are identified GATE will continue to

receive the same curriculum; however, a GATE student can expect to be challenged in the curriculum through differentiated instruction. Differentiation is done through variations in classroom projects and/or activities. Projects/activities may show depth, acceleration, novelty, and complexity. The delivery of curriculum is determined through evaluation of individual student needs, lesson objectives, and applicable teaching strategies. The most common forms of differentiation are compacting (testing out), interest/learning centers, tiered (multi-level) assignments, flexible skills grouping, high level questioning, and independent projects. As of the 2017/18 school year, our instructional aides will be doing some enrichment and challenge type of activities with our identified GATE students.

Plan for English Learners

The Charter School will meet all applicable legal requirements for English Learners (“EL”) as they pertain to annual notification to parents, student identification, placement, program options, EL and core content instruction, teacher qualifications and training, reclassification to fluent English proficient status, monitoring and evaluating program effectiveness, and standardized testing requirements. The Charter School will implement policies to assure proper placement, evaluation, and communication regarding ELs and the rights of students and parents.

Home Language Survey

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

CELDT Testing

All students who indicate that their home language is other than English will be CELDT tested within thirty days of initial enrollment and at least annually thereafter between July 1 and October 31 until re-designated as fluent English proficient.

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

All references in the charter petition to the CELDT will be understood by the Charter School and the District to mean the English Language Proficiency Assessments for California (“ELPAC”), when it replaces the CELDT.

Strategies for English Learner Instruction and Intervention

As a charter school, SOAR is not required to follow Education Code Section 305. SOAR follows the State’s English Language Development standards, which were developed to ensure EL students could meet the ELA grade level standards within the guidelines of CCSS. Teachers are familiar with the benchmarks listed in the framework to ensure the EL students are progressing in their English Development. SOAR is addressing the new CCSS English Language Development standards through the teaching done in the classroom and working with a designated English Learner Aide that works with

all EL students on campus.

SOAR does work to progress the education of all students; including the EL students by having one Bilingual English Learner Aide along with highly qualified teachers that pull students and assess them to meet their individual needs. Teachers use SDAIE strategies along with the instructional components offered through our Language Arts curriculum to assess and build our English Learners' skill base. Reflected in our CAASPP scores and CELDT results we feel that our EL population is thriving in our environment and we are meeting their needs without implementing a boxed ELD curriculum. (See Appendix I)

SOAR will meet all applicable state and federal requirements for English Learners as it pertains to language survey cards, annual notification to parents, student identification, placement, program options, teacher qualifications and training, English Language Development instruction, reclassification to fluent English proficient status, monitoring and evaluating program effectiveness, and standardized testing requirements. Our program is designed to provide EL students with the instruction and support necessary to break down language barriers, and master the English language and academic curriculum, thus assuring equal opportunities and access for them to succeed academically and socially. The Charter School will implement policies to assure proper placement evaluation, and communication regarding ELs and the rights of students and parents.

Our ELA curriculum has an English Learner resource that also helps support our EL students. Vocabulary is highly stressed throughout this program and EL support has even more tips on how to support these students. Teachers are familiar with the benchmarks listed in the English Language Development ("ELD") framework to ensure the EL students are progressing in their English Development. SOAR is addressing the CCSS ELD standards through the teaching done in the classroom and working with a designated bilingual English Learner Aide that works with all EL students on campus. Teachers use SDAIE strategies along with the instructional components offered through our English Language Arts curriculum to assess and build our English Learners' skill base. Reflected in our CAASPP scores and CELDT results, we feel that our EL population is thriving in our environment and we are meeting their needs without implementing a boxed ELD curriculum.

All our teachers are trained in CCSS ELD standards, SDAIE strategies, instruction to accommodate all modalities, and other effective research based techniques that address English Learners' needs during our staff development. These strategies and techniques are used daily to meet the needs of all our students through the instructional schedule used for differentiation.

- Language Survey Cards- SOAR will administer the home language survey upon a student's initial enrollment into the Charter Academy.
- CELDT/ELPAC Testing- All students who indicate that their home language is other than English will be given the CELDT/ELPAC test by a trained director within thirty days of initial enrollment and at least annually thereafter between July 1 and October 31 until redesignated as fluent English proficient. The Charter School will notify all parents/guardians of its responsibility for CELDT/ELPAC testing and of CELDT/ELPAC results within thirty (30) days of receiving results from publisher. The CELDT/ELPAC shall be used to fulfill the requirements under the Every Student Succeeds Act for annual English proficiency testing.

- ELD Instruction- All English Learners are supported through a combination of modified instruction, a supportive SOAR culture, and additional academic support as needed such as working on English Language Development with our Bilingual EL Aide. ELs have daily access to the core curriculum and are taught through structured English Immersion. Teachers have been trained in SDAIE techniques to meet the needs of English Learners. These strategies emphasize comprehensible input, including the use of visuals, realia, and hands on learning, which will help make concepts accessible to English Learners. EL students at lower proficiency levels who have a harder time accessing the core curriculum will receive it through the preview/review or frontloading method during daily differentiation. Our teachers, along with our Bilingual English Learner Aide will provide EL students with the instruction and support necessary to break down language barriers, and master the English language and academic curriculum, thus assuring equal opportunities to succeed academically. (See Appendix I)
- Reclassification- The Charter School has developed criteria to determine fluent English proficiency (“FEP”) for ELs consistent with legal requirements regarding standardized testing and other required assessments. As we transition from the use of CELDT to ELPAC we will monitor our English Learners to make sure they are performing where expected. Reclassification procedures will utilize multiple criteria in determining whether to classify a pupil as proficient in English including, but not limited to, all of the following (See Appendix J):
 1. Assessment of language proficiency using an objective assessment instrument including, but not limited to, the CELDT or ELPAC. Student must be Early Advanced or Advanced overall and nothing lower than Intermediate in each domain for two years.
 2. Participation of the pupil’s classroom teacher and any other certificated staff with direct responsibility for teaching or placement decisions of the pupil to evaluate the pupil’s curriculum mastery. Student must be meeting grade level standards in reading, language arts, and math in the classroom.
 3. 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 the school’s reclassification procedure including seeking their opinion and consultation during the reclassification process.
 4. Comparison of the pupil’s performance in basic skills against an empirically established range of performance in basic skills based upon the performance of English proficient pupils of the same age that demonstrate to others that the pupil is sufficiently proficient in English to participate effectively in a curriculum designed for pupils of the same age whose native language is English.
- Monitoring and Evaluation of Program Effectiveness- The Charter School evaluates the effectiveness of its education program for ELs by:
 - Adhering to Charter School-adopted academic benchmarks by language proficiency level and years in program to determine annual progress.
 - Monitoring teacher qualifications and the use of appropriate instructional strategies based on program design.
 - Monitoring student identification and placement.
 - Monitoring availability of adequate resources.

Plan for Special Education Including Children with Disabilities

SOAR will comply with all applicable state and federal law and implementing regulations in serving students with disabilities, including, but not limited to, Section 504 of the Rehabilitation Act (“Section 504”), the Americans with Disabilities Act (“ADA”) and the Individuals with Disabilities Education Improvement Act (“IDEA”). (See Appendix K and L)

The Charter School is categorized as a public school of the District in accordance with Education Code Section 47641(b). In the event that the Charter School is not categorized as a public school of the District for purposes of special education (e.g., if the Charter School petition is not approved by the District), the Charter School shall be its own local educational agency (“LEA”) and will apply directly for membership in a Special Education Local Plan Area (“SELPA”) in conformity with Education Code Section 47641(a).

The Charter School shall comply with all state and federal laws related to the provision of special education instruction and related services and all SELPA policies and procedures, and shall utilize appropriate SELPA forms.

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

Section 504 of the Rehabilitation Act

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

A 504 team will be assembled by the Executive Director and shall include the parent/guardian, the student (where appropriate) and other qualified persons knowledgeable about the student, the meaning of the evaluation data, placement options, and accommodations. The 504 team will review the student’s existing records; including academic, social and behavioral records, and is responsible for making a determination as to whether an evaluation for 504 services is appropriate. If the student has already been evaluated under the IDEA but found ineligible for special education instruction or related services under the IDEA, those evaluations may be used to help determine eligibility under Section 504. The student evaluation shall be carried out by the 504 team, which will evaluate the nature of the student’s disability and the impact upon the student’s education. This evaluation will include consideration of any behaviors that interfere with regular participation in the educational program and/or activities. The 504 team may also consider the following information in its evaluation:

- Tests and other evaluation materials that have been validated for the specific purpose for which they are used and are administered by trained personnel.

- Tests and other evaluation materials including those tailored to assess specific areas of educational need, and not merely those which are designed to provide a single general intelligence quotient.
- Tests are selected and administered to ensure that when a test is administered to a student with impaired sensory, manual or speaking skills, the test results accurately reflect the student's aptitude or achievement level, or whatever factor the test purports to measure, rather than reflecting the student's impaired sensory, manual or speaking skills.

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

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

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

Should SOAR be unable to provide the services necessary to comply with the requirements of Section 504 and the Americans with Disability Act, SOAR may request that the District provide the necessary services, and the District may agree if it so chooses in its sole discretion, at a cost to be negotiated between the District and SOAR separate from the terms of this charter and or SOAR shall contract with outside service providers, as SOAR's sole expense, to provide the services.

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

Services for Students Under the “IDEA” as a Public School of the District Pursuant to Education Code Section 47641(b)

The Charter School has entered into a Special Education Memorandum of Understanding (“MOU”) with the District. Special education and related services will be provided and funded pursuant to this MOU. A copy of the MOU is attached as Appendix L.

Nutritional Services

SOAR participates in the National School Lunch Program following all applicable laws for such participation. SOAR provides a breakfast, lunch, and supper program.

Goals and Actions in the State Priorities

SOAR has provided a reasonably comprehensive description of its annual goals and actions in the state priorities, schoolwide and for all numerically significant pupil subgroups, in accordance with Education Code Section 47605(b)(5)(A)(ii), in Element 2, in the tables “Local Control and Accountability Plan Goals and Actions” and “Measurable Outcomes: Goals and Objectives.”

ELEMENT 2: MEASURABLE STUDENT OUTCOMES

Governing Law: The measurable pupil outcomes identified for use by the charter school. “Pupil outcomes,” for purposes of this part, means the extent to which all pupils of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school’s educational program. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both school wide and for all groups of pupils served by the charter school, as that term is defined in subparagraph (B) of paragraph (3) of subdivision (a) of Section 47607. The pupil outcomes shall align with the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school. Education Code Section 47605(b)(5)(B).


School Wide Outcomes

SOAR will comply with all requirements pursuant to Education Code Section 47605(b)(5)(B) including the development of school wide and pupil subgroup goals as applicable and aligned to the eight state priority areas identified in Education Code Section 52060(d). SOAR will comply with all the elements of the LCAP, including the adoption of any templates required by the State Board of Education. The goals in alignment with the state priorities are included below. SOAR will accurately submit and meet all established timelines for CALPADS reporting or any other system required by CDE for student data and logistics. For all assessments and testing documentation, SOAR will be an independently reporting charter school for State data submission and will annually submit the appropriate LEA Coordinator designation forms.

SOAR will pursue the following school-wide and subgroup outcome goals, as measured by multiple and varied benchmark assessments that are aligned to state and federal standards including the new CCSS and reflect proficiency measures, as well as applicable state priorities detailed in Education Code Section 52060(d) that apply for the grade levels served, or the nature of the program operated, by the Charter School. For purposes of measuring achievement of these goals, a numerically significant pupil subgroup will be defined as one that meets both of the following criteria: “(i) The subgroup consists of at least 50 pupils each of whom has a valid test score; (ii) The subgroup constitutes at least 15 percent of the total population of pupils at a school who have valid test scores.” Education Code Section 52052(a)(3).

The following chart delineates SOAR’s school-wide and subgroup outcome goals and performance targets aligned to the state’s priorities that apply for the grade levels served, or the nature of the program operated, by the Charter School, methods for measuring progress and the individual(s) with primary responsibility for each, all aligned with the state’s priorities defined in Education Code Section 52060(d). SOAR will work with the District to ensure that it creates and updates its plans and goals accordingly. The LCAP shall not be deemed part of the charter, and therefore, annual amendments to the LCAP shall not be considered a “material revision to the charter” as defined in section Education Code Section 47607.

Local Control and Accountability Plan Goals and Actions

LCAP Goal 1: Pupil Outcomes Increase the number of students meeting or exceeding grade level Common Core State Standards and decrease the achievement gap between all identified subgroups.	
 Goal 1 Budget = \$759,555.00	Related State Priorities: <input checked="" type="checkbox"/> Basic Services <input checked="" type="checkbox"/> Academic Standards <input checked="" type="checkbox"/> Student Achievement <input checked="" type="checkbox"/> Course Access <input checked="" type="checkbox"/> Other Outcomes
Maintain or increase usage of Education City by identified at-risk, EL students, including subgroups and students in the SST process to at least 2-3 times a week.	<input checked="" type="checkbox"/> All Schools
Purchase updated version of EnVision Math curriculum and supplemental CCSS curriculum	<input checked="" type="checkbox"/> All Schools
Provide professional development that enhances programs, curriculum, and teacher effectiveness. Provide professional development in the following priority areas: Common Core Math curriculum, working with high achievers, Leader in Me, Illuminate SIS and Data system. Provide a budget for chosen professional development that meets individual teacher needs; teachers will log 10 hours of outside professional development beyond what is provide onsite by SOAR	<input checked="" type="checkbox"/> All Schools
Learning Center- Continue servicing at-risk learners, EL students, and begin enrichment for high achieving students in the Learning Center	<input checked="" type="checkbox"/> All Schools
Two middle school instructional aides to support students that need additional help since middle school students will not get services in the Learning Center besides EL support.	<input checked="" type="checkbox"/> All Schools
Kindergarten Aide will continue to work with students in the classroom 1:1 and in small groups as well as assist teacher with whole group instruction	<input checked="" type="checkbox"/> All Schools
Teachers will add EL, At-Risk, and High Achiever strategies to their lesson plans for evidence of differentiation.	<input checked="" type="checkbox"/> All Schools
Continue translating school documents into Spanish as needed	<input checked="" type="checkbox"/> All Schools
Purchase additional technology or infrastructure to make the Common Core instruction more effective and aligned to the state assessment system. Continue with 1:1 iPads in all classrooms.	<input checked="" type="checkbox"/> All Schools
Gather data in one system for school level, grade level, subgroup, and individual student reporting. This will continue to be led by the Data team. They will add information into Illuminate and disseminate reports and data to staff. Data analysis will be done with disaggregated reports using multiple assessments and information gathered in Illuminate. Data team will meet with teachers to look at data and set goals.	<input checked="" type="checkbox"/> All Schools
Director of Instruction and Assessment will visit classrooms, coach teachers, do model lessons, pull data, provide feedback, and support teachers with SOAR's academic programs to ensure Common Core is being implemented effectively. She is also the state test coordinator.	<input checked="" type="checkbox"/> All Schools
Provide extended library and computer lab time for students and parents. Extended hours: open 7:30am and close 4:00	<input checked="" type="checkbox"/> All Schools
Director of Parent Involvement and Intervention will over see the SST Process for At-Risk students. Teachers will continue to identify at-risk students early and refer to the SST process; include the counselor if behavior or confidence is an issue; meetings with aides and grade levels to discuss student progress and next steps and Learning Center scheduling.	<input checked="" type="checkbox"/> All Schools
Monday make up school	<input checked="" type="checkbox"/> All Schools
Special Education Program	<input checked="" type="checkbox"/> All Schools

LCAP Goal 2:**Conditions of Learning**

Provide a positive, safe, and stable learning environment in which students' academic, social, and emotional needs are met by a high quality staff with an emphasis on leadership, character education, community service, and 21st century skills.



Goal 2 Budget = \$639,965.00

Related State Priorities:

- ☒ Basic Services
- ☒ Academic Standards
- ☒ Student Achievement
- ☒ Student Engagement
- ☒ School Climate
- ☒ Course Access
- ☒ Other Outcomes


Retain two person custodial day team to keep the campus clean and presentable. Develop custodial runs that are equitable and completed as scheduled; check off systems in bathrooms, deep cleaning plan. Retain Custodial company for evenings.	<input checked="" type="checkbox"/> All Schools
Retain Mental Health Counselor; Small group and individual counseling for students and resource for parents and staff.	<input checked="" type="checkbox"/> All Schools
Address facility issues that come from SARC and surveys; Continue creating positive relationships with all departments at the District; including Maintenance and Operations, in order to deal with space, maintenance, and safety issues in an effective manner. MOU with School Police.	<input checked="" type="checkbox"/> All Schools
Leader in Me: Continue to focus on character education, leadership, and community service throughout the campus using Leader in Me as a framework.	<input checked="" type="checkbox"/> All Schools
Implement actions and procedures from Safety Plan and provide training annually including safety drills during the day and add drills during the After School Program.	<input checked="" type="checkbox"/> All Schools
Create a monthly plan for Rec Aides to engage students in structured recess activities and games that can change by the week or bimonthly to engage more students in activities at recess to lessen behavior issues. Give the calendar to teachers to promote in the classrooms.	<input checked="" type="checkbox"/> All Schools
Sports and Cheer Programs	<input checked="" type="checkbox"/> All Schools
Video production of Friday morning announcements to keep all students informed, Habit reinforced, and environment positive. Morning announcements will include the Pledge of Allegiance and SOAR Pledge with a pause in the middle of the two.	<input checked="" type="checkbox"/> All Schools
Eagle Leaders in all grade levels to promote more leadership in all students not just ones elected by their peers. There will be an 8th grade president and 7th grade vice president and 14 grade level Eagle Leaders that also make up our Student Lighthouse Team.	<input checked="" type="checkbox"/> All Schools
Provide art and music lessons to all grade levels through classroom teacher and Meet the Masters, Provide opportunities for performances; create calendar of performances for the year.	<input checked="" type="checkbox"/> All Schools
Continue to refine the After School programs, activities, and clubs to engage students.	<input checked="" type="checkbox"/> All Schools
Provide opportunities for real world experiences through field trips	<input checked="" type="checkbox"/> All Schools

Computer lab time available to focus on teaching technology skills to all grade levels aligned to Technology Scope and Sequence. Implement Technology Skill Scope and Sequence school-wide.	<input checked="" type="checkbox"/> All Schools
Provide enrichment classes for middle school that include college and career readiness skills, 21st century skills, personal growth, and character education. Continue Mentor Program in which every 7th and 8th grader will have an adult mentor on campus to support students academically, socially, and emotionally	<input checked="" type="checkbox"/> All Schools
Award assemblies to promote achievement, leadership, and growth	<input checked="" type="checkbox"/> All Schools
Recruit, hire, and retain teachers, substitutes, and support staff that are happy and understand SOAR expectations	<input checked="" type="checkbox"/> All Schools
Create opportunities to explore college and career readiness through a couple college tours, 8th grade exit projects, organizational training embedded, guidance lessons, and support of local businesses	<input checked="" type="checkbox"/> All Schools
Retain a Discipline Counselor for K-8 for discipline duties, detention, supervision, and counseling.	<input checked="" type="checkbox"/> All Schools
Recognize classes and students that have 95% or higher attendance, outstanding attendance and perfect attendance	<input checked="" type="checkbox"/> All Schools

LCAP Goal 3:

Engagement

Increase parent and community engagement to support the success of all students.

 Goal 3 Budget = \$63,668.00		Related State Priorities: <input checked="" type="checkbox"/> Basic Services <input checked="" type="checkbox"/> Parent Involvement <input checked="" type="checkbox"/> Student Achievement <input checked="" type="checkbox"/> Other Outcomes
Engagement Plan events and activities for parents and community to get involved on the campus.	<input checked="" type="checkbox"/> All Schools	
Communication Communicated regularly with parents and families, and our community using a variety of means.	<input checked="" type="checkbox"/> All Schools	
Recognition parents, families, and the community for their involvement at SOAR.	<input checked="" type="checkbox"/> All Schools	

Students will be held responsible for producing quality work with personal integrity and will be able to cooperate and collaborate with others to solve problems. The goals and objectives of the Charter School will reflect the Common Core State Standards, California State Standards, and State Frameworks where applicable. We will participate in the CAASPP testing program and strive to meet the growth targets outlined by the state in the California School Dashboard accountability model. We understand as a public charter school, if we take Title I funds, the Charter School is required by the federal government to meet federal guidelines as established by ESSA.

Measurable Outcomes: Goals and Objectives

The following chart outlines the measurable standards to which our students will be held accountable as defined in Education Code Section 47605(b)(5)(B). SOAR acknowledges that exit outcomes and performance goals may need to be modified over time.

Measurable Outcomes: GOALS	State Priority Addressed	Subgroup Addressed	Assessments/Measure	Timeline
Increase the number of students meeting or exceeding grade level Common Core State Standards and decrease the achievement gap between all identified subgroups.	<ul style="list-style-type: none">• Basic Services• Academic Standards• Student Achievement• Course Access• Other Outcomes	<ul style="list-style-type: none">• All Students• Hispanic• African Americans• Students with Disabilities• English Learners• Econ. Dis.	<ul style="list-style-type: none">• CAASPP Summative Data• teacher/program assessments• Report Card Data	CAASPP testing administered in the spring to all 3 rd -8 th grade students and the CAST test administered to all 5 th and 8 th grade students
To have 100 percent of the school staff and students implement at least one community service project.	<ul style="list-style-type: none">• Basic Services• Academic Standards• Student Achievement• Student Engagement• School Climate• Course Access• Other Outcomes	<ul style="list-style-type: none">• All Students• Hispanic• African Americans• Students with Disabilities• English Learners• Econ. Dis.	<ul style="list-style-type: none">• Public presentation of project.	Projects completed throughout the school year.
To reduce the number of suspensions and referrals.	<ul style="list-style-type: none">• Basic Services• Academic Standards• Student Achievement• Student Engagement• School Climate• Course Access• Other Outcomes	<ul style="list-style-type: none">• All Students• Hispanic• African Americans• Students with Disabilities• English Learners• Econ. Dis.	<ul style="list-style-type: none">• Discipline records in Illuminate• CALPADS EOY report.	End of the Year school year. EOY CALPADS Report.

Students will improve their leadership skills on and off campus.	<ul style="list-style-type: none"> • Basic Services • Academic Standards • Student Achievement • Student Engagement • School Climate • Course Access • Other Outcomes 	<ul style="list-style-type: none"> • All Students • Hispanic • African Americans • Students with Disabilities • English Learners • Econ. Dis. 	<ul style="list-style-type: none"> • Leader in Me program (Leadership Notebooks K-8) • Eagle Leaders • school discipline records in Illuminate • observations • parent surveys • completion of community service projects • Report Cards 	ongoing
97 percent average daily attendance.	<ul style="list-style-type: none"> • Basic Services • Academic Standards • Student Achievement • Student Engagement • School Climate • Course Access • Other Outcomes 	<ul style="list-style-type: none"> • All Students • Hispanic • African Americans • Students with Disabilities • English Learners • Econ. Dis. 	<ul style="list-style-type: none"> • School attendance reports in Illuminate. • Chronic Absentee Rate in Illuminate and CALPADS 	Daily and Monthly Illuminate Reports CALPADS EOY Report
To improve 100% our EL students CELDT/ELPAC scores and show one level growth each year	<ul style="list-style-type: none"> • Basic Services • Academic Standards • Student Achievement • Course Access • Other Outcomes 	<ul style="list-style-type: none"> • English Learners 	<ul style="list-style-type: none"> • Annual CELDT/ELPAC • Reclassification rate 	Within 30 days of enrollment or by October 31 each year.
To increase parent involvement in their child's education.	<ul style="list-style-type: none"> • Basic Services • Parent Involvement • Student Achievement • Other Outcomes 	<ul style="list-style-type: none"> • All Students • Hispanic • African Americans • Students with Disabilities • English Learners • Econ. Dis. 	<ul style="list-style-type: none"> • Parent/Volunteer Sign In • Attendance at Volunteer Luncheon • Parent Surveys • Involvement in Parent Meetings, GUIDE program, school board, and school activities 	ongoing

To show parent satisfaction with school programs.	<ul style="list-style-type: none"> • Basic Services • Parent Involvement • Student Achievement • Other Outcomes 	<ul style="list-style-type: none"> • All Students • Hispanic • African Americans • Students with Disabilities • English Learners • Econ. Dis. 	<ul style="list-style-type: none"> • Stakeholder Survey • California Healthy Kids Survey 	2 surveys a year
To improve indicators on the California Dashboard to green and blue.	<ul style="list-style-type: none"> • Basic Services • Academic Standards • Student Achievement • Student Engagement • School Climate • Course Access • Other Outcomes 	<ul style="list-style-type: none"> • All Students • Hispanic • African Americans • Students with Disabilities • English Learners • Econ. Dis. 	<ul style="list-style-type: none"> • California School Dashboard indicators for Chronic Absenteeism, Suspension, English Learners, English Language Arts, and Math 	Annually as published by the state

Please see the Introduction section of this charter for information on SOAR's achievement of its measurable student outcomes during the second term of the charter.

SOAR Charter Academy has also determined the following internal school-wide goals to be evaluated on an annual basis by the SOAR governing board:

1. Retain highly qualified staff members who demonstrate exemplary professional practice and maintain a low staff turn over rate.
2. Manage the financial revenue in an efficient and capable manner.
3. Engage in positive public relations resulting in businesses partnering with the Charter School for fiscal and moral support.
4. Develop an intervention and enrichment program based on student needs.
5. Maintain accurate attendance records and a high attendance percentage.
6. Charter School service will be supported, as parents and students will be motivated to contribute their time, energies, and talents to improve the quality of life at SOAR Charter Academy and our surrounding communities.
7. Community service projects will involve students, teachers, and parents. (See Appendix A)
8. Encourage student and staff participation in extracurricular activities (cheer, music, sports, After School Program, etc)

ELEMENT 3: METHODS OF ASSESSMENT

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(b)(5)(C).

Assessment Assumptions and Plan

SOAR recognizes that assessment is a critical element for student success and teacher planning in all grades. Assessment data will provide the necessary information to create strategic instructional programs to meet student needs; therefore, student assessment will concentrate on the CAASPP testing administered in the spring, and various formative and summative assessments done schoolwide 2-3 times during the year, and on a regular basis by the classroom teachers and instructional aides. We will also use authentic assessments to measure standards' mastery and social development. We recognize the importance of both formative assessments which will allow for adjustment to educational strategies, as well as summative assessments to evaluate effectiveness of our programs. The following list provides some formative and summative assessments that will be used.

- Student Leadership Notebooks in which students will be tracking their own data, growth, and successes.
- Student work samples.
- Collaborative/Cooperative group opportunities, which will allow students and teachers to monitor and evaluate their progress, set priorities and goals, create options, and enable students to take responsibility for pursuing their goals.
- Assessments given regularly to determine placement and mastery of standards in math, language and reading.
- State mandated standardized tests.
- Frequent teacher and publisher developed assessments to guide instruction.
- Anecdotal records such as running records to track student reading performance. These notes will highlight particular qualities and strengths that students show during school instruction and activities. Many of these records will be placed in the student's portfolio.
- Student conduct records in Illuminate.
- Parent surveys collected each year.
- CELDT/ELPAC given to all English Learners during the school year and monitoring of their progress using the CCSS ELD standards.
- Official reports, such as progress reports and report cards, will document students' learning progress and go home every 6-8 weeks.
- As stated above, SOAR will also use site licenses (as budget allows) for online assessment programs to provide additional tools to analyze student data and adjust instruction as needed and to evaluate the effectiveness of our TK-8 program. Illuminate and the Inspect Item Bank are being utilized by all students in grades TK-8.

Use and Reporting of Data

- SOAR has an in house data team consisting of a Director and five teachers. This team supports

administration and teachers by entering and pulling data, creating assessments, attending conferences, training staff members, meeting with grade levels to analysis data, and make a plan of attack.

- All data will be housed in Illuminate for ease of pulling reports and disaggregating data.
- Data will be used for continued improvement. Teachers will use the collection of data for analysis of student achievement on a continuous basis. Reports will help determine which students need more aggressive support, acceleration, intervention, remediation, and possible referral to the SST process (See Plan for students who are academically low achieving in Element 1). Assessment and data will drive our instruction.
- Data will be used for reporting pupil achievement. In addition to formal assessments, teachers will use classroom-based observations and assessments as part of the grading process. Students will receive a standards-based report card at three intervals throughout the school year. Parent conferences will be held in November for all students and in March for all at-risk students. The report card will also include progress as a well-rounded student, attendance data, along with academic grades. Parents will receive progress reports approximately every 6-8 weeks.
- Data and facility information will be used for the School Accountability Report Card (“SARC”). The final data will also be used to create our SARC in order to report school performance to the community. The SARC will be produced on a yearly basis and housed on our website.
- Data will be used to create an annual performance report for the District, if requested, that will include:
 1. Summary data showing student and school-wide progress toward goals
 2. Summary of major decisions and policies set forth by SOAR’s Board of Directors during the year
 3. Data on the parental involvement in Charter School’s governance and other facets of the Charter School
 4. Data regarding the number of staff working at the Charter School and their qualifications
 5. A copy of the Charter School’s health and safety policies and any major changes to those policies during the year
 6. A comprehensive view of SOAR’s admission practices during the year. This will include the number of students enrolled, students on the waiting list, and the suspensions and expulsions.
 7. A parent/teacher satisfaction survey
 8. Any other information regarding the educational program, the administrative, legal, and governance operations of SOAR relative to compliance with the terms of the charter.

SOAR and SBCUSD will jointly develop any additional content, evaluation criteria, timelines and process for the annual performance report. SOAR 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 pursuant to Education Code Section 47607. Also pursuant to Education Code Section 47604.3, SOAR shall promptly respond to all reasonable inquiries including, but not limited to inquiries regarding its financial records from SBCUSD, the County Office of Education, and the State Superintendent of Public Instruction. SOAR is subject to the California Public Records Act (CPRA), however, the District’s

right to inspect and receive records is not based on the CPRA, but rather on the District's oversight role.

SOAR will use the data in the performance report to assess and improve upon its educational programs as deemed necessary. This performance report shall be made available to the public.

SOAR strives to meet all state and federal accountability measures.

ELEMENT 4: SCHOOL GOVERNANCE STRUCTURE

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

Legal Status and Conflict of Interest

SOAR is a directly funded independent charter school and is operated as a California non-profit public benefit corporation pursuant to California law upon approval of this charter renewal petition.

The Charter School shall be governed pursuant to its Corporate Bylaws adopted by the Board of Directors, as subsequently amended from time to time, which shall be maintained to be consistent with this charter. The Articles of Incorporation, Conflict of Interest, and Corporate Bylaws are provided in the Appendices. (See Appendix M)

The Charter School shall operate autonomously from the District, with the exception of the contracted services as negotiated between the District and the Charter School. Pursuant to Education Code Section 47604(c), the District shall not be liable for the debts and obligations of the Charter School, operation as a California non-profit benefit corporation, or for claims arising from the performance of acts, errors, or omissions by the Charter School, as long as the District has complied with all oversight responsibilities by law.

SOAR shall be subject to the Political Reform Act of 1974 (Gov. Code Section 87100 *et seq.*, the “PRA”) and any attendant regulations as they may be amended from time to time, and all conflict of interest laws and prohibitions applicable to California non-profit corporations and/or California public schools. All officers, employees, and members of the governing board of SOAR shall comply with the requirements of each and all conflict of interest laws and regulations, including but not limited to Government Code Section 1090, *et seq.* SOAR has adopted the Fair Political Practices Commission’s Model Conflict of Interest Code, pursuant to California Code of Regulations, title 2, section 18739, including the formal designation of reporters and reporting categories and the forms to be filed there under, and reviews, revises, and maintains that Code as current throughout the term of the charter, provides a copy of that Conflict of Interest Code and the documentation of Board action adopting it to the District (and any revisions thereto), will provide a copy of a revised Conflicts of Interest Code and the documentation of Board action adopting it to the District by July 1, 2018, and requires all affected SOAR officers, employees, representatives and governing board members to comply therewith.

SOAR Board of Directors

The Charter School is governed by a corporate Board of Directors (“Board” or “Board of Directors”) in accordance with its adopted corporate bylaws, which shall be consistent with the terms of this charter. Parent and community members will be involved in the decision making process. The Corporation shall not enter into a contract or transaction that violates Government Code Section 109 *et seq.*, the Political Reform Act of 1974, Corporations Code requirements for the operation of nonprofit corporations, or constitutes a conflict of interest in violation of the Corporation’s Conflicts of Interest Code. The Corporation shall not enter into a contract or transaction in which a director directly or indirectly has a

material financial interest (nor any other corporation, firm, association, or other entity in which one or more of this Corporation's directors are directors have a material financial interest).

Community Members

SOAR shall seek community members with expertise in areas critical to the Charter School's success, including, but not limited to, education, school finance, fundraising, facilities, government, business, and law. Community members may be nominated/appointed by SOAR Board members, parents, or employees. The District is entitled to have a representative on the SOAR Board.

Parent Members

One to two members of the Board of Directors shall be parents of current SOAR Charter Academy students. When a vacancy occurs, SOAR parents will be notified, nominations accepted, interviews with existing Board members, and voted upon by the Board.

Board Member Terms and Elections

The Board of Directors shall consist of not less than (5) five and no more than (11) eleven members. Board members shall serve a term of two or three years, as deemed by the Board at the moment of designation, and until his or her successor is appointed and qualifies. With the exception of founding Board members who may serve an unlimited number of terms, no Board member may serve more than three consecutive terms, provided, however, that a Board member who is serving as an officer may continue on the Board for so long as that member is an officer. Special appointments will be called whenever necessary to fill a mid-term vacancy, in accordance with the Bylaws. Parents may serve a two year term and may be reelected as long as they still have a child enrolled at the Charter School.

The current SOAR Board members are described in the table below.

Board Member	Expertise	Representing Group
Tony Boenzi	Middle School Educator School Counselor	Community member
Donovan Collier	Attorney	Community member
Dominic Zarecki	Data Analyst for local school	Community member
Lauren Newton	Mother Community connections	Parent
Mark Armenta	Special education, physical education	Staff member Founding Board Member

Board as of 08/15/2017

Board Structure

The District shall not be responsible or liable for the operations of SOAR. The Charter School will be governed pursuant to this charter and its Articles of Incorporation and adopted bylaws (See Appendix M). SOAR may not delegate any or all of its governance or management duties for SOAR to another person or entity, including but not limited to a parent, subsidiary, or related corporation, except as specifically provided for in this charter and/or its Bylaws. Should the provisions of this charter conflict with the Articles or Incorporation, Bylaws, policies, or practices, of the Charter School or the corporation, the provisions of this charter shall prevail. SOAR shall provide written notice to the District Superintendent of any proposed revisions to the Articles of Incorporation and/or Bylaws no less than three (3) weeks prior to consideration of adoption of the revisions by the SOAR governing board. Should the District Superintendent or designee indicate that the District considers the proposed revisions to be a material revision to SOAR's governance structure or charter, SOAR may not formally adopt such revisions unless and until the revisions are first approved through the process set forth in Education Code Section 47607 for material revisions to the charter. Should SOAR adopt revisions to its Articles of Incorporation and/or Bylaws in accordance with these requirements, it shall provide a final copy of the revised document to the District within three (3) business days of the adoptions of such revisions.

Roles and Responsibilities of the Board of Directors

The Board of Directors for the Charter School will meet regularly, at least quarterly and in accordance with the Brown Act. The Board of Directors is fully responsible for the operation of the Charter School including but not limited to the following:

- Upholding the mission and vision of the Charter School.
- Overseeing the implementation of the charter.
- Providing notice and holding meetings in compliance with the Brown Act.
- Creating external or subcommittees as needed
- Ensuring compliance with applicable law.
- Approving and monitoring the implementation of all operational policies.
- Approving and monitoring the SOAR annual budget and budget revisions.
- Monitoring the Charter School's fiscal practices.
- Act as a fiscal agent, including receipt of funds for the operation of the Charter School, solicitation, and receipt of grants and donations.
- Approving and monitoring service contracts with outside service providers, such as Charter Impact which will be a contracted for fiscal services.
- Actively pursue fundraising on an ongoing basis, with the objective of raising operating and capital funds.
- Solicit and receive grants and donations consistent with the Mission of SOAR Charter Academy.
- Approving and monitoring the instructional programs and materials.
- Approving personnel policies, and overseeing and approving all hiring, promotion, discipline and dismissal of Charter School personnel upon recommendation of the Executive Director.
- Hiring, supervising, evaluating, disciplining, and dismissing of the Executive Director.
- Approving and monitoring management of school liabilities, insurance, health, safety, and risk related matters.
- Approving all expenditures over \$20,000 of the total school budget.

- Contract with an external independent auditor to produce an annual financial audit according to generally accepted accounting practices.
- Regularly measure progress of both student and staff performance based on reports and evaluations.
- Involve parents and the community in school related programs.
- Execute all applicable responsibilities provided for in the California Corporations Code.
- Strategic planning.
- Approve the school calendar and schedule of Board meetings.
- Meet as such times and places as required by these Bylaws.
- Review requests for out of state or overnight field trips.
- Participate in the dispute resolution procedure and complaint procedures when necessary.
- Approve charter amendments as necessary and submit material revisions as necessary for District consideration.
- Approve annual fiscal audit and performance report.
- Shall conduct an annual meeting at the end of each fiscal year.
- Appoint an administrative panel or act as a hearing body and take action on recommended student expulsions.
- Adopt an independent study policy for students that will miss school for an extended period of time.
- Compare and structure administrative Directors' compensation.
- Attend annual Board trainings.
- Ensure the ethnic and cultural diversity of the communities served by SOAR Charter Academy is reflected and honored in all the activities of the Board and its committees.

The SOAR Board may initiate and carry on any program or activity or may otherwise act in the manner which is not in conflict with or inconsistent with or preempted by any law and which are not in conflict with the purposes for which charter schools are established.

All SOAR Board meetings shall comply with the Brown Act.

Roles and Responsibilities of the Executive Director

The Executive Director shall have general authority over the day-to-day management and operation of the Charter School. The Executive Director's responsibilities may include, but are not limited to, the following duties:

Student and Parent Support

- Lead in expulsion hearings
- GATE test coordination and test examiner
- Assist with discipline as needed
- Assist with Supervision/Duty as needed
- Field Trip participation (possibly one trip a year)
- Mentor for middle school students
- Receive input from stakeholders for school plans through parent meetings and surveys

- Co-facilitate assemblies
- Classroom observations

Professional Development and Oversight

- Oversight of all directors
- Run staff meetings
- Plan and run staff development days with Director of Instruction and Assessment
- Teacher observations and certificated evaluations including goal setting
- Organizational development (deciding on new positions needed, positions deemed unnecessary, etc.)
- Releasing staff as needed with the Director of HR/PR
- Participate in the interview process
- New Teacher Induction (Executive Director serves as the Agency Representative, Credential Advisor, and Site Admin for SBCOE who we contract these services through.)
- Research effective education practices
- Review and revise professional action plan annually

Performance Analysis, Continual Improvement

- Participate in data analysis with teachers and data team
- Pull data as needed for action plans
- Write action plans and review annually with staff as needed
- Oversee completion of the SARC report annually
- Oversee completion of monthly Director updates for Board
- Certify Level 2 in CALPADS
- Review middle school report cards (7th-8th)
- LCAP review and revision annually
- Monitor Western Association of Schools and Colleges reporting and compliance

Planning/Advocacy

- Attend meetings as deemed necessary, including conferences (CCSA, CSDC, etc.)
- Attend monthly San Bernardino charter school meetings
- Speak at SBCUSD Board meetings as needed
- Attend public lottery as needed
- Assist with monthly newsletter as needed
- Weekly Director meetings
- California Advocacy Leader role for California Charter Schools Association

Governance/General

- Attend SOAR Charter Academy Board meetings
- Follow through on all Board requests from meetings
- Write charter renewals
- Write material revisions to charter

- Create and manage Board resolutions and policies as needed (with Director of Finance and Operations)
- Report to Board on applicable legislation, governance, and Board improvements
- Recruitment of Board members as needed
- Authorized check signer
- Approve invoices over \$14,999.99

Liability/Relationship Management

- Oversee interactions with legal counsel regarding handbooks, leases, employment, Prop. 39, District relations, and all other matters
- Contact District and Board members when necessary
- Meet with District personnel concerning matters with Director of Finance/Operations
- Supervise and evaluate all credentialed teachers
- Stay informed on current school laws and regulations

The Executive Director must report directly to the Charter School Board of Directors, and s/he is responsible for the orderly operation of the Charter School, the implementation of SOAR Board adopted policy, and the supervision of all the employees in the Charter School. The Executive Director oversees the responsibilities of the other Directors in administrative roles (See Appendix N).

With exception of personnel matters, the Executive Director may delegate or contract as approved by the Board of Directors to a co-director or other employee, or to an appropriate third party contractor as allowed by law.

Leadership Team

This team will consist of classified and certificated representatives. The Leadership Team operating size is a minimum of 5 and maximum of 12 staff members. The Charter School Directors will be seated on the Leadership Team. The roles and responsibilities of this team are as followed:

- Assist in the development of Charter School plans
- Input on curriculum
- Part of decision making process
- Develops a list of priorities for future consideration, informed by family and staff member perspectives
- Identify new policy proposals and procedures
- Communicate with other staff members
- Present to and train other staff members

Parent GUIDE Program

Each year parents are given the opportunity to sign up to be a GUIDE for their child's classroom. The GUIDE is the point person to support the teacher and communicate with other parents.

G- goal setter

U- united together

I- involving others

- D- decision maker
- E- encourage others

Directors use this group of parents as the source of parent input and feedback, as well as, creating connections with other parents to grow our parent participation rate. SOAR has parent volunteer activities for all aspects of SOAR. We encourage parents to participate in aspects they feel comfortable with or have expertise. These volunteer opportunities allow parents to give input and have involvement in the full education of their children. (See Appendix O and D)

Parent Involvement

Including parents on the SOAR Board of Directors, as GUIDES in their child's class, and all the Parent/Volunteer Opportunities offered, parents are strongly encouraged to contribute a minimum of 10 hours per family, per academic year to the Charter Academy. The Co-Director shall maintain a comprehensive list of volunteer opportunities including but not limited to the following: volunteering in the classroom/school, tutoring, participating in our community service projects; attendance at general parent meetings; the Charter School Board of Directors (as member or observer), or any applicable parent group functions; participation in the planning of, or attendance at, fund raising, math and literacy nights, field trips, or academic/art events; or, other activities. Recruiting for school volunteers, support, and donations will also count as involvement hours. Parents are also encouraged to log in to their child's Illuminate Parent Portal to check grades and attendance. We hold general parent meetings and the Executive Director will attend all GUIDE meetings to gather feedback for ongoing school improvement and planning.

Contracts – CMO, EMO or BACK OFFICE

SOAR shall include the following language in all contracts for the provision of any back office, administrative or consulting services by an educational management organization ("EMO") or charter management organization ("CMO") for the school in excess of \$10,000.

The CMO, EMO or back office provider retained by SOAR and SOAR will, upon request of the SBCUSD representatives, SBCUSD staff and/or FCMAT, respond to provide copies of any and all documents related to the operations of the school in the possession and control of the CMO, EMO or back office services provider. Additionally, the CMO, EMO and/or back office provider will respond to any and all reasonable inquiries in the same manner as the charter school, as provided in Education Code section 47604.3. If the CMO, EMO and/or back office provider fail to provide the requested information to SBCUSD, SBCOE and/or FCMAT, the charter school will take affirmative steps to terminate the contract between the charter school and its operating organization SOAR and the CMO, EMO and/or back office provider.

ELEMENT 5: EMPLOYEE QUALIFICATIONS

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

SOAR is dedicated to hiring the most dedicated and knowledgeable staff. SOAR will seek to hire teachers with different areas of expertise. SOAR believes that all of its employees play a key role in creating a successful learning environment and will recruit qualified employees throughout the organization. The Charter School shall be nonsectarian in its employment practices and all other operations. The Charter School shall not discriminate on the basis of gender, gender identity, gender expression, sex, race, ethnicity, national origin, religion, political beliefs, sexual orientation, or disability or any other characteristic described in Education Code Section 220. All employees shall be fingerprinted and receive a background clearance in the accordance with Education Code Section 44237 prior to commencing employment with the Charter School.

For the 2017/18 school year (based on available funds), SOAR will employ 18 full time credentialed teachers (K-8), one Executive Director, one Director of Finance and Operations, one Director of Instruction and Assessment, one Director of Human Resources and Communication, one Director of Intervention and Parent Engagement, one bilingual office manager, one Attendance and Student Information Technician, one bilingual office clerk, one Parent Liaison and Outreach Specialist, 6-7 Instructional Aides, 4 Enrichment teachers, two Physical Education teachers, 4-5 recreational aides/after school program workers, and janitorial staff. All individuals to be employed by SOAR must possess the characteristics, knowledge, and qualifications identified in posted job descriptions.

The following are a list of key personnel to be employed by the Charter School along with corresponding qualifications:

Teacher Qualifications

The most important characteristic of teachers at SOAR will be their care for students, enthusiasm, willingness to work hard and take responsibility for student learning.

Specific qualifications include holding a Commission on Teacher Credentialing certificate, permit or other document equivalent to that which a teacher in other public school would be required to hold, in compliance with Education Code Section 47605(1). These documents shall be maintained on file at the Charter School and shall be subject to periodic inspection by the District. All teachers will also be required to hold a CLAD certification or an equivalent recognized by the California Commission on Teacher Credentialing. SOAR will verify annually the validity of teaching credentials through the Commission’s Online Verification System along with a hard copy of a credentialing certificate from the commission on file.

SOAR shall only assign teachers to subjects for which they are properly credentialed, including English Learner authorization.

Directors' Qualifications

The Directors shall be able to supervise students, the campus teachers, and non-instructional staff. The Executive Director shall act as the instructional leader at the Charter School and shall be responsible for helping the students achieve outcomes as outlined in the Educational Program. The administration team consists of the Executive Director, Director of Finance and Operations, the Director of Human Resources, the Director of Instruction and Assessment, and the Director of Intervention and Parent Engagement. All positions have specific roles and responsibilities. A list of these roles can be found in the Appendices. (See Appendix N) These positions require a Bachelor's degree at the minimum. An Administrative Credential is desired, however prior experience will be considered.

Non-Certificated Staff

The Charter School shall seek non-certificated candidates who embrace the mission and vision of SOAR and are flexible and able to work collaboratively with administrators, students, faculty, staff, and parents. Non-certificated candidates must possess adequate professional training and/or experience.

Recruitment

SOAR's recruitment plan may involve the creation of a web-based employment application, attendance at the California State University, San Bernardino's teacher employment fair, and job postings in the media.

When a vacancy occurs, the Executive Director shall:

- Announce openings;
- Recruit applications; request resumes; and
- Interview and select candidates

Professional Development/ Leadership Model

Staff development will take place approximately three full Mondays each school year and five days before the school year begins. Teachers will also meet on a weekly basis to develop their skills and expertise in focused areas.

SOAR will also use a leadership model with teachers at the school. Teachers with greater experience will be used as mentors for the teachers with less experience. Mentors will be required to do peer observations, as well as coaching in terms of best practices and instructional methods. (See Appendix G)

Employment Handbook

SOAR has created an Employee Handbook for all staff. (See Appendix P)

ELEMENT 6: HEALTH AND SAFETY PROCEDURES

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

In order to provide safety for all students and staff, the Charter Academy has adopted and implemented full health and safety procedures and risk management policies at our school site in consultation with its insurance carriers.

The following is a summary of the health and safety policies of the Charter Academy:

Procedures for Background Checks

Employees and contractors of SOAR Charter Academy will be required to submit to a criminal background check and furnish a criminal record summary as required by Education Code Sections 44237 and 45125.1. Applicants for employment must submit two sets of fingerprints to the California Department of Justice for the purpose of obtaining a criminal record summary. The Charter School shall not hire any person, in either a certificated or classified position, who has been convicted of a violent or serious felony, except as otherwise provided by law, pursuant to Education Code Sections 44830.1 and 45122.1 The Executive Director of the Charter School shall monitor compliance with this policy and report to the Charter School Board of Directors on a regular basis. The Board President 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 direct supervision of a credentialed employee.

Conditions that preclude working at SOAR include conviction on charges of serious or violent misdemeanors or felonies, particularly those committed against minors or involving abuse or molestation. Additionally, should an employee subsequent to their employment with SOAR be convicted of serious or violent misdemeanors or felonies, it is expected that the employee will report such to the Executive Director of SOAR.

Role of Staff as Mandated Child Abuse Reporters

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

Tuberculosis (“TB”) 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.

All staff will need to renew their TB risk assessment every 4 years. Employees will be notified in writing 90 days in advance of when renewal of their TB risk assessment is due. Any entity providing student services to SOAR will be contractually required to ensure that all contract workers have had TB risk assessment that shows them to be free of active TB prior to conducting work with SOAR students. Documentation of employee and volunteer compliance with TB risk assessments and exams (if necessary) will be kept on file in the office.

Immunizations

All enrolled 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 7th grade students must be immunized with a TDAP vaccine booster prior to attending school.

Administration of Medication in School

Students will not be given any medications at school unless an *Authorization for Medication Form* is completed and signed by the child's doctor and submitted to the school office. Prescription medication must be brought to school in the original prescription bottle labeled with the child's name. Students should never bring medication in their backpacks, lunch pails or pockets under any circumstances. This includes cough drops, Tylenol, Tums, etc. The Charter School will adhere to Education Code Section 49423 regarding administration of medication in school. The Charter School will adhere to Education Code Section 49414 regarding epinephrine auto-injectors and training for staff members.

Vision/Hearing/Scoliosis

SOAR shall adhere to Education Code Section 49450 *et seq.* as applicable to the grade levels served by the Charter School. The Charter School will provide health screening of students' vision and hearing and scoliosis to the same extent as would be required if the students attended a traditional public school.

Diabetes

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

1. A description of type 2 diabetes.
2. A description of the risk factors and warning signs associated with type 2 diabetes.
3. 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.
4. A description of treatments and prevention methods of type 2 diabetes.
5. A description of the different types of diabetes screening tests available.

Suicide Prevention Policy

The Charter School has adopted and will maintain a policy on student suicide prevention in accordance with Education Code Section 215.

Emergency Preparedness

The Charter School adheres to a Safety Plan maintained at the school site and drafted specifically to the needs of the school site in conjunction with local law enforcement and the Fire Marshall. This Plan includes, but is not limited to the following responses: fire, flood, earthquake, terrorist threats, and hostage situations. If assuming a facility that was previously used as a school site, any existing emergency preparedness plan for the school site shall be used as a starting basis for updating the handbook for the Charter School. The SOAR Board has developed related procedures and policies. SOAR staff will receive training in emergency response, including appropriate “first responder” training or its equivalent.

Blood borne Pathogens

The Charter School shall meet state and federal standards for dealing with blood borne pathogens and other potentially infectious materials in the work place. 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, staff and students shall follow the latest medical protocol for disinfecting procedures.

Drug Free/Alcohol Free/Smoke Free Environment

The Charter School shall function as a drug-, alcohol- and smoke-free environment.

Facility Safety

The Charter School shall comply with Education Code Section 47610 by utilizing facilities that are either compliant with the Field Act or the California State Building Standards Code. The Charter 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. The Charter School shall conduct fire drills as required under Education Code Section 32001 and in conjunction with the District (if at District facilities).

Comprehensive Anti-Discrimination and Harassment Policies and Procedures

The Charter 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. The Charter School has developed a comprehensive policy to prevent and immediately remediate any concerns about discrimination or harassment at the Charter 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 the Charter School’s anti-discrimination and harassment policies. (See Appendix S)

Cal/OSHA General Industry Safety Orders

SOAR will comply with all Cal/OSHA safety orders and California Code of Regulations; Title 8, Section 3203, as applicable. Posters will be posted to inform employees of these compliance requirements.

ELEMENT 7: RACIAL AND ETHNIC BALANCE

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

SOAR will be nonsectarian in its programs, will not charge tuition and will not discriminate against any student based on ethnicity, religion, national origin, gender, gender identity, gender expression, or disability or any other characteristic described in Education Code Section 220. SOAR maintains a brochure in English and Spanish to address the dissemination of information to students of all backgrounds with the goal of achieving a school population reflective of the general population residing within the territorial jurisdiction of the District. We will strategically place brochures and flyers throughout San Bernardino at local daycares, libraries, in local newspapers, and community centers. SOAR will visit and speak to local Headstart Preschools and the state preschool that shares our campus. Our website will be operational again in November 2017 and will be available to the public. We will also advertise in the local newspapers and circulars. (See Appendix T)

Our outreach plan shall be evaluated by SOAR on an annual basis to consider the level of success of each outreach method toward reaching the ethnic balance goal. As necessary the plan shall be updated to focus on the methods of outreach which have been most successful.

As of the 2017/18 school year, SOAR has a diverse population with an ethnic balance of 63% Hispanic, 15% African American, 14% White, 2% Asian, and 2% with Multiple Races and 12% English Learners, and 11% Special Education students.

ELEMENT 8: ADMISSION REQUIREMENTS

Governing Law: Admissions requirements, if applicable. California Education Code Section 47605(b)(5)(H).

The Charter School will be nonsectarian in its programs, admission policies, and all other operations, and will not charge tuition or discriminate against any student based upon any of the characteristics listed in Education Code Section 220.

The Charter School shall admit all pupils who wish to attend the Charter School. No test or assessment shall be administered to students prior to acceptance and enrollment into the School. The Charter School will comply with all laws establishing minimum and maximum age for public school attendance in charter schools. Admission, except in the case of a public random drawing, shall not be determined by the place of residence of the pupil or his or her parent or legal guardian within the state.

The Charter School shall require students who wish to attend the Charter School to complete a pre-enrollment form. After admission, students will be required to submit registration information, which shall include the following:

1. Student enrollment form
2. Parent Compact and Registration Forms
3. Proof of Immunizations
4. Home Language Survey
5. Completion of Emergency Medical Information Form
6. Proof of minimum age requirements
7. Release of records

Public Random Drawing

Pre-enrollment forms will be accepted during a publicly advertised open application period each late winter/early spring for enrollment the following school year. A pre-enrollment form will need to be filled out for every potential student stating siblings that are enrolled or are looking to be enrolled at SOAR.

Following the enrollment period each year, pre-enrollment forms shall be counted to determine whether any grade level has received more applications than availability. In the event that this happens, the Charter School will hold a public random drawing to determine enrollment for the impacted grade levels, with the exception of existing students, who are guaranteed enrollment the following school year.

Our admission policies and procedures will not discriminate against protected classes, and consistent with federal law and SOAR employees' children will only receive preference to the extent that in so doing, no protected classes are discriminated against. Preference for founding members' children and SOAR employees' children will not exceed 10% of student population. We project that approximately 15-25 students will receive this preference annually.

Preferences in the public random drawing will be given in the following order of priority in accordance with Education Code Section 47605(d)(2):

Category 1: Currently enrolled SOAR students

Category 2: Children of the original founding members' families

Category 3: Children of employees of SOAR

Category 4: Siblings of currently enrolled students who are SBCUSD residents

Category 5: Siblings of currently enrolled students who are not SBCUSD residents

Category 6: All other SBCUSD residents

Category 7: Non- SBCUSD residents

The public random drawing will be conducted by grade level starting with kindergarten. Pre-enrollment forms will be pulled and all siblings on the form will be immediately placed regardless of grade level. As grade levels are filled to capacity, siblings will be placed at the top of the waiting list. Parents will be notified of admission in a timely fashion following the public random drawing. The parents whose children are selected by public random drawing to attend SOAR Charter Academy will be required to provide registration information outlined above.

No student will be denied admission, disenrolled, or otherwise harmed due to their parent/guardian's failure to sign the Parent Compact or to volunteer in accordance with the Parent Compact. (See Appendix Y)

At the conclusion of the public random drawing, a waiting list will be established to be used for future openings throughout the school year. The wait list shall expire at the end of the school year for which created.

Parents are invited to a new family orientation meeting after officially enrolled. The purpose of this meeting is to ensure parent/guardian understanding of and commitment to the School's vision and policies. All families seeking admission will receive extensive information about the SOAR philosophy and educational program.

ELEMENT 9: INDEPENDENT FINANCIAL AUDIT

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

The SOAR Board audit committee will choose, utilizing a request for proposal format, an audit firm that is on the State Controller's list of recommended auditors for the preparation and completion of an annual, independent audit of the Charter School's financial affairs as required by Education Code Sections 47605(b)(5)(I) and 47605(m). These financial audits will be conducted by a qualified Certified Public Accountant familiar with school finances and operations who is on the State Approved Auditor list. The books and records of the Charter School will be kept in accordance with generally accepted accounting principles, and as required by applicable law, the audit will be conducted in accordance with generally accepted accounting procedures the applicable provisions of the California Code of Regulations governing audits of charter schools as published in the State Controller's California K-12 School Audit Guide. To the extent required under applicable federal law, the audit scope will be expanded to include items and processes specified in any applicable Office of Management and Budget Circulars.

The auditor will verify the accuracy of the Charter School's financial statements, accounting practices, revenue-related data collection and reporting practices and will review the Charter School's internal controls. The audit will include a review of ADA as reported by SOAR Charter Academy. Moreover, the audits will assure that the Charter School's money is being handled responsibly and that its financial statements conform to generally accepted accounting principles.

The Executive Director, along with the audit committee, will review any audit exceptions or deficiencies and report to the Charter School Board of Directors with recommendations on exceptions and deficiencies that have been or will be resolved with an anticipated timeline for the same. Audit exceptions and deficiencies shall be resolved to the satisfaction of the District. SOAR Charter Academy agrees to resolve outstanding issues from the audit prior to the completion of the auditor's final report. The audit will be completed and submitted to the District, the County Superintendent of Schools, the California Department of Education, and the State Controller by the 15th of December of each year. A copy of this audit will be submitted to the District according to their reporting deadlines. Audit appeals or requests for summary review shall be submitted to the Education Audit Appeals Panel ("EAAP") in accordance with applicable law. The independent fiscal audit of the Charter School is a public record to be provided to the public upon request.

ELEMENT 10: SUSPENSION AND EXPULSION PROCEDURES

Governing Law: The procedures by which pupils can be suspended or expelled. California Education Code Section 47605(b)(5)(J).

SOAR's Family/School Compact

Students and parents agree to sign a compact of expectations. (See Appendix Y)

Suspension and Expulsion Procedures

This Pupil Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and well-being of all students at the Charter School. In creating this policy, the Charter School has reviewed Education Code Section 48900 *et seq.* which describes the noncharter schools' list of offenses and procedures to establish its list of offenses and procedures for suspensions and expulsions. The language that follows closely mirrors the language of Education Code Section 48900 *et seq.* The Charter School is committed to annual review of policies and procedures surrounding suspensions and expulsions and, as necessary, modification of the lists of offenses for which students are subject to suspension or expulsion.

Compliance with the procedures set forth in this section of this Charter shall be the only processes for SOAR to involuntarily dismiss, remove, or otherwise exclude a student who attends SOAR from further attendance at SOAR for any reason, including but not limited to, disciplinary and academic causes. Revisions to the causes or procedures for suspension or expulsion shall constitute a material revision to this Charter Pursuant to Ed. Code section 47611,

Charter School staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This Policy and its Procedures will be printed and distributed as part of the Student Handbook and will clearly describe discipline expectations.

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 or other persons or to prevent damage to school property.

The Charter School administration shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline policies and procedures. The notice shall state that this Policy and Procedures are available on request at the Executive Director's office.

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

A student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities in Education Act (“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. The Charter School will follow Section 504, the IDEA, and all applicable federal and state laws including but not limited to the California Education Code, when imposing any form of discipline on a student identified as an individual with disabilities or for whom the 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. The Charter School shall notify the District of the suspension of any student identified under the IDEA (or for whom there may be a basis of knowledge of the same) or as a student with a disability under Section 504.

1. Grounds for Suspension and Expulsion of Students

A student may be suspended or expelled for prohibited misconduct if the act is related to school activity or school attendance occurring at any time including but not limited to: a) while on school grounds; b) while going to or coming from school; c) during the lunch period, whether on or off the school campus; d) during, going to, or coming from a school-sponsored activity.

2. Enumerated Offenses

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

- 1) Caused, attempted to cause, or threatened to cause physical injury to another person.
- 2) Willfully used force of violence upon the person of another, except self-defense.
- 3) Unlawfully possessed, used, sold 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.
- 4) 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.
- 5) Committed or attempted to commit robbery or extortion.
- 6) Caused or attempted to cause damage to school property or private property.
- 7) Stole or attempted to steal school property or private property.
- 8) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription product by a pupil.
- 9) Committed an obscene act or engaged in habitual profanity or vulgarity.
- 10) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
 - i. .

- 11) Knowingly received stolen school property or private property.
- 12) 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.
- 13) Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.
- 14) 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.
- 15) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- 16) 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.
- 17) Made terroristic threats against school officials and/or school property. For purposes of this section, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime, which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family’s safety, or for the protection of school property, or the personal property of the person threatened or his or her immediate family.
- 18) 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.
- 19) 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.
- 20) Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading student rights by creating an intimidating

or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.

- 21) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
- i. “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 acts 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:
 1. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student’s or those students’ person or property.
 2. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
 3. Causing a reasonable student to experience substantial interference with his or her academic performance.
 4. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
 - ii. “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:
 1. A message, text, sound, video, or image.
 2. 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 (i) above.
 - b. Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (i) 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~~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 (i) 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.

3. 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 (1) to (4), inclusive, of paragraph (i). 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.
 - iii. Notwithstanding subparagraphs (i) and (ii) 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.
- 22) 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 (A)(1)-(2).
- 23) 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.

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

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

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

- 1) Caused, attempted to cause, or threatened to cause physical injury to another person.
- 2) Willfully used force of violence upon the person of another, except self-defense.
- 3) Unlawfully possessed, used, sold 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.

- 4) 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.
- 5) Committed or attempted to commit robbery or extortion.
- 6) Caused or attempted to cause damage to school property or private property.
- 7) Stole or attempted to steal school property or private property.
- 8) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
- 9) Committed an obscene act or engaged in habitual profanity or vulgarity.
- 10) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- 11) Knowingly received stolen school property or private property.
- 12) 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.
- 13) Committed or attempted to commit a sexual assault as defined in Penal Code Sections Section 243.4.
- 14) 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.
- 15) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- 16) 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.
- 17) Made terroristic threats against school officials and/or school property. For purposes of this section, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime, which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family’s safety, or for the protection of school

property, or the personal property of the person threatened or his or her immediate family.

- 18) 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.
- 19) 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.
- 20) Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading student rights by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- 21) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.
 - i. "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 acts 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:
 1. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
 2. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
 3. Causing a reasonable student to experience substantial interference with his or her academic performance.
 4. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
 - ii. "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:
 1. A message, text, sound, video, or image.
 2. 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 (i) above.
 - b. Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (i) 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 (i) 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.
- 3. 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 (1) to (4), inclusive, of paragraph (i). 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.
- iii. Notwithstanding subparagraphs (i) and (ii) 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.
- 22) 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 (C)(1)-(2).
- 23) 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.

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

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

If it is determined by and Administrative Panel and/or the Board of Directors that a student has brought a fire arm or destructive device, as defined in Section 921 of Title 18 of the United States Code, on to campus or to have possessed a firearm or dangerous device on campus, the student shall be expelled for one year, pursuant to the Federal Gun Free Schools Act of 1994.

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.

3. Suspension Procedure

Suspensions shall be initiated according to the following procedures:

A. Conference

Suspension shall be preceded, if possible, by a conference conducted by the Executive Director or designee with the student and his or her parent and, whenever practical, the teacher, supervisor or 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 him or her and shall be given the opportunity to present his or her version and evidence in his or her defense. This conference shall be held within two (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.

B. Notice to Parents/Guardians

At the time of the suspension, an administrator or designee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension and the date of return following suspension. This notice shall state the specific offense committed by the student. In addition, the notice may also state the date and time when the student may return to school. If 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.

C. 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 designee, the pupil and the pupil's guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. In such instances when the Charter School has determined a suspension period shall be extended, such extension shall be made only after a conference is held with the pupil or the pupil's parents, unless the pupil and the pupil's parents fail to attend the conference.

This determination will be made by the Executive Director or designee upon one of the following determinations: 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. Authority to Expel

A student may be expelled either by the Charter School Board following a hearing before it or by the Board upon the recommendation of an Administrative Panel to be assigned by the Board as needed. The Administrative Panel should consist of at least three members who are certificated and neither a teacher of the pupil or a member of the Charter School Board. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense.

5. Expulsion 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.

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

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

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

6. Special Procedures for Expulsion Hearings Involving Sexual Assault or Battery Offenses

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

- a. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive five days' notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.
- b. The Charter 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.
- c. 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 he or she may leave the hearing room.
- d. 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.
- e. 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.
- f. 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 officer finds is disrupting the hearing. The entity conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.

- g. If one or both of the support persons is also a witness, the Charter School must present evidence that the witness' presence is both desired by the witness and will be helpful to the Charter School. The entity presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.
- h. 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.
- i. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in the public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room means of closed-circuit television.
- j. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the person conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstance can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

7. Record of Hearing

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

8. 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 and/or a decision to expel by the Board 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, Panel or designee determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

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

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

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

9. Written Notice to Expel

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

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

Additionally, in accordance with Education Code Section 47605(d)(3), upon expulsion of any student, the Charter School shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card and health information.

10. Disciplinary Records

The Charter School shall maintain records of all student suspensions and expulsions at the Charter School. Such records shall be made available to the District upon request.

11. No Right to Appeal

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

12. 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. The Charter 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.

13. Rehabilitation Plans

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

14. Readmission

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

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

a. Notification of District

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

b. Services During Suspension

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

c. 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, the Charter School, the parent, and relevant members of the IEP/504 Team shall review all relevant information in the student's file, including the child's IEP, 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/504 Plan.

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

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

- a. Conduct a functional behavioral assessment, and implement a behavioral intervention plan for such child, provided that the Charter 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 and the Charter School agree to a change of placement as part of the modification of the behavioral intervention plan.

If the Charter School, the parent, and relevant members of the IEP/504 Team determine that the behavior was not a manifestation of the student's disability and that the conduct in question was not a direct result of the failure to implement the IEP/504 Plan, then the Charter 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.

d. Due Process Appeals

The parent/guardian of a child with a disability who disagrees with any decision regarding placement, or the manifestation determination, or the Charter School believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, may request an expedited administrative hearing through the Special Education Unit of the Office of Administrative Hearings or by the utilizing the dispute resolution provisions of the 504 Policy and Procedures.

When an appeal relating to the placement of the student or the manifestation determination has been requested by either the parent or the Charter 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 the Charter School agree otherwise.

e. 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 U.S.C. 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 U.S.C. Section 1415(k)(7)(D), upon a person while at school, on school premises, or at a school function.

f. Interim Alternative Educational Setting

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

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

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

- 1) 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 is in need of special education or related services.
- 2) The parent has requested an evaluation of the child.
- 3) 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 Director of special education or to other Charter School supervisory personnel.

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

The Charter School shall not be deemed to have knowledge 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 the charter school will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security. California Education Code Section 47605(b)(5)(K).

All employees of SOAR who qualify for membership in the State Teachers' Retirement System ("STRS") shall be covered. Employees will contribute at the rate established by the STRS systems. All employees who do not qualify as members for STRS must make contributions to the social security system. The Board may establish a 403b plan for those employees who are not eligible for STRS. The Executive Director shall be responsible for ensuring appropriate arrangements for retirement coverage have been made.

SOAR will also make contributions for workers' compensation insurance, unemployment insurance, and any other payroll obligations of an employer.

SOAR shall notify all applicants for positions with the charter school that accepting employment in the charter school may exclude the applicant from further coverage in the applicant's current retirement system.

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

No student may be required to attend the Charter School. Students who reside within the District who choose not to attend the Charter School may attend school within the District according to District policy or at another school district or school within the District through the District's intra and inter-district policies. Parents and guardians of each student enrolled in the Charter School will be informed on admissions forms that students have no right to admission in a particular school of a local education agency as a consequence of enrollment in the Charter 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(b)(5)(M).

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

All employees of the Charter School will be considered the exclusive employees of the Charter School and not of the District, unless otherwise mutually agreed in writing. Sick or vacation leave or years of service credit at the District or any other school district will not be transferred to the Charter School. Employment by the Charter School provides no rights of employment at any other entity, including any rights in the case of closure of the Charter School.

ELEMENT 14: DISPUTE RESOLUTION PROCEDURES

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

The Charter School and the District will be encouraged to attempt to resolve any disputes amicably and reasonably without resorting to formal procedures.

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

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

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

Disputes Between the Charter School and the District

The Charter School and the District will be encouraged to attempt to resolve any disputes amicably and reasonably without resorting to formal procedures.

Should the District determine in writing that the violation or issue in question constitutes a severe and imminent threat to the health or safety of the pupils, it shall not be bound by any portion of this dispute

resolution process and may commence revocation proceedings immediately or take action, as it deems necessary.

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

The Superintendent and Executive Director, or their respective designees, shall informally meet and confer in a timely fashion to attempt to resolve the dispute, not later than five (5) business days from receipt of the dispute statement. In the event that this informal meeting fails to resolve the dispute, both parties shall identify two Board members from their respective boards who shall jointly meet with the Superintendent and Executive Director, or their respective designees, and attempt to resolve the dispute within fifteen (15) business days from receipt of the dispute statement. After this meeting if resolution is not reached, both parties are free to pursue any other legal remedy available. However, mediation may be commenced with the agreement of both the District and the Charter School., with the costs of the mediator to be split by both parties.

Internal Disputes

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

ELEMENT 15: CLOSURE PROCEDURES

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

The following procedures shall apply in the event SOAR Charter Academy closes. The following procedures apply regardless of the reason for closure.

Closure of SOAR will be documented by official action of the SOAR Board. The action will identify the reason for closure. The Executive Director or the Director of Finance and Operations, or other individual appointed by the SOAR Board shall be the entity or person(s) responsible for closure-related activities and a “point-person” who will remain as an ongoing contact for SOAR during the close-out process.

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

The Board will ensure that the notification to the parents and students of the Charter 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 SOAR.

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, SOAR will provide parents, students, and SBCUSD 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. SOAR will ask SBCUSD to store original records of Charter School students. All student records of SOAR shall be transferred to SBCUSD upon Charter School closure. If the District will not or cannot store the records, the Charter School shall work with the County Office of Education to determine a suitable alternative location for storage.

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

As soon as reasonably practical, SOAR will prepare final financial records. SOAR will also have an independent audit completed within six months after closure. The Charter School will pay for the final

audit. The audit will be prepared by a qualified Certified Public Accountant selected by the Charter School and will be provided to the District promptly upon its completion. The final audit will include an accounting of all financial assets, including cash and accounts receivable and an inventory of property, equipment, and other items of material value, an accounting of the liabilities, including accounts payable and any reduction in apportionments as a result of audit findings or other investigations, loans, and unpaid staff compensation, and an assessment of the disposition of any restricted funds received by or due to SOAR.

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

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

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

As SOAR is operated as a non-profit public benefit corporation, should the corporation dissolve with the closure of the Charter 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.

SOAR will utilize the reserve fund to undertake any expenses associated with the closure procedures identified above.

Miscellaneous Provisions

Term and Renewal of Charter

The term of this Charter shall run from July 1, 2018 through and including June 30, 2023. SOAR may submit a request for renewal of its Charter between October 1, 2022 and January 31, 2023 unless otherwise agreed to by the District, which timing the parties agree will provide adequate information regarding SOAR's performance during the current term, specifically including increases in pupil academic achievement, while also providing adequate time for the consideration of and action on the renewal request. SOAR understands and agrees that only after all renewal documentation, specifically including formal documentation of compliance with the applicable academic performance requirements (from a source such as CDE, not created internally by SOAR) and the documents specified below, has been submitted to the District Office, receipt of the Charter renewal will be placed on the next regular or special District Board meeting agenda for which the agenda deadline has not passed, and such receipt by the District Governing Board shall commence the timelines for action on the renewal request. SOAR further acknowledges that District Governing agenda deadlines are generally at least two weeks prior to the Board meeting, and understands that receipt of the renewal request will be placed on a Board agenda in accordance with the District's normal agenda deadline requirements, and SOAR may obtain specific agenda deadline information from the District Superintendent or designee prior to submittal.

Any renewal request shall include all of the following materials:

1. At least 12 hard copies (in notebooks or otherwise bound) of the entire renewal Charter, with the entire document (including any appendices, exhibits, or attachments) sequentially numbered from the first through the last page (including any appendices, exhibits, or attachments), and also including a table of contents which includes references to all appendices/exhibits/attachments;
2. A redline comparing the renewal Charter to the current Charter included in each notebook;
3. An electronic (Word not PDF) version of both the clean and redline versions of the renewal Charter.

The renewal process shall be governed by the provisions of Education Code Section 47607 and the California Code of Regulations, Title 5, Section 11966.4, or the provisions of law that may supersede, modify, amend, or succeed those provisions. Each renewal of the Charter shall be for the time period specified by law applicable at the time of the renewal.

The renewal process shall be governed by the provisions of Education Code Section 47607 and the California Code of Regulations, Title 5, Section 11966.4, or the provisions of law that may supersede, modify, amend, or succeed those provisions. Each renewal of the Charter shall be for the time period specified by law applicable at the time of the renewal.

The District Governing Board delegates to the Superintendent or designee and the SOAR Board delegates to the Executive Director or designee authority to waive or extend the timelines in this

Charter, law, or applicable regulation for consideration or action on material revisions and/or renewal of this Charter.

SOAR may request from the San Bernardino City Unified School District that an amendment be made to the charter at any time prior to expiration. Any such request for material revisions to this charter shall include all of the documents (hard copies and electronic) in the formats specified in this section for requests for renewal. The District's timelines for considering and acting on any request for material revision shall commence only upon receipt by the District Governing Board, which shall be agendaized for the District Board's next regular meeting following delivery of all of the required documents, as specified in this section, for which meeting the District's agenda deadline has not yet passed.

Budgets and Financial Statements

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

See the Appendices for a three-year budget and cash flow, including budget assumptions; and current financial statements for the Charter School, including a detailed balance sheet and statements of income and expense. (Appendix AA)

These documents are based upon the best data available to the Charter School at this time.

SOAR will receive funding pursuant to California Education Code Sections 47630-47635 and all applicable education codes. SOAR will provide interim financial data required by the District to fulfill its obligation to the County and State. The Executive Director and/or Director, with the assistance of a back office manager, will be responsible for providing SBCUSD with all reports and data necessary to meet County and State financial requirements. SOAR will meet District reporting deadlines to ensure the District meets the State's deadlines.

According to Education Code Section 47604.33 (a), the Charter School will annually prepare and submit in standard CDE SACS format, to the District, County Superintendent of Schools, the State Controller, and the CDE the following documents;

- Preliminary budget (on or before July 1)
- Interim financial report (on or before December 15) reflecting budget changes through October 31
- Second interim financial report (on or before March 15) reflecting budget changes through January 15
- Final unaudited report for the full prior year (on or before September 15)

The Administration will contract with companies who can provide expertise in areas in which they may be unfamiliar (attorneys, accountants, etc.). SOAR has contracted with Charter Impact, to handle all "back office" duties (payroll, accounts payable and receivable, budget projections, etc.). If the contracted services change, the District will be notified within ten days of the change.. SOAR will use a state compliant student attendance system that is compatible with the District. We currently use

Illuminate. Charter Impact is a professional services firm that brings high-level expertise to solving the business problems of California's charter schools. The Charter Impact team has extensive expertise in business management (public and private), school finance, negotiation, accounting, and student information systems. They have managed charter school budgets and finance operations for a variety of charter schools in California. They will be working closely with the Directors to ensure that the finances are fiscally sound.

Reports to District

SOAR will submit the following reports to San Bernardino City Unified School District pursuant to Education Code 47604.33:

- Provisional Budget - due in Spring prior to operating fiscal year
- Final Budget – July of the budget fiscal year
- First Interim Projections - November of operating fiscal year
- Second Interim Projections - February of operating fiscal year
- Unaudited Actuals - July following the end of the fiscal year
- Classification Report - monthly the Monday after close of the last day of the school month
- Statistical Report - is turned in at the end of each month's reporting period. Example: Month 1 is July 16 – Aug 12; Month 2 is August 15 to Sept 9. This is done in accordance to SBCUSD guidelines of —reporting months

In addition:

- P1 - first week of January
- P2 - first week of April
- Other financial information needed by San Bernardino City Unified School District to assess the fiscal condition of the Charter School
- Board Member contact information and meeting dates
- Bell schedules and calendar
- Instructional Minutes
- Professional Development days

Administrative Services

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

SOAR will contract out to a third-party administrator with experience providing back-office services to California charter schools. The Executive Director will oversee the work of the business services company, which handles all back-office business functions, including: accounts payable/receivable, general accounting, payroll, and insurance and benefits administration. The company will ensure that all reporting is submitted accurately and in a timely way, including all government financial reporting, attendance reporting, and payroll/benefits reporting. The company will also assist SOAR Charter Academy staff and Board on business issues that arise during the year, such as MOU negotiations, financial modeling of programs, strategic planning, transportation, and others. The company will help

the Directors and the SOAR Charter Academy Board create and monitor the annual budget and will provide monthly financials, cash flow projections and analyses. SOAR plans to contract out to Charter Impact.

The Charter School also anticipates purchasing some services from the District. The Charter School has entered into a MOU with the District governing the District's provision of School Police to the Charter School. SOAR Charter Academy shall retain the right to separately purchase additional administrative or other services. Any administrative services to be purchased from the District shall be mutually agreed upon and outlined in a separate Memorandum of Understanding. (See Appendix V)

Oversight

Pursuant to California law, the District will be required to provide oversight and performance monitoring services, including monitoring school and student performance data, reviewing the Charter School's financial statements and audit reports, performing annual site visits, engaging in any necessary dispute resolution processes, and considering charter amendment and renewal requests. In accordance with Education Code Section 47613(a), the District may charge for the actual costs of supervisory oversight of SOAR not to exceed 1% of the revenue of the Charter School. Pursuant to Education Code Section 47613(f), "revenue of the charter school" is defined as the amount received in the current fiscal year from the local control funding formula calculated pursuant to Education Code Section 42238.02, as implemented by Education Code Section 42238.03. Notwithstanding the foregoing, San Bernardino City Unified School District may charge the maximum supervisory oversight fee allowed under the law as it may change from time to time. The Charter School acknowledges that the District's actual costs in conducting its oversight obligations will meet or exceed the maximum percentage permitted by law and the District shall not be required to submit documentation of its actual oversight costs.

The Charter School opts to receive its funding directly from the state. Any funds due to the Charter School that flow through the District shall be forwarded to the Charter School in a timely fashion and in accordance with Education Code Section 47635(b). The District may inspect or observe any part of the Charter School at any time. Inspection, observation, monitoring, and oversight activities may not be assigned or subcontracted to a third party by the District without the consent of the Charter School Board of Directors.

Facilities

Governing Law: The facilities to be utilized by the school. The description of the facilities to be used by the charter school shall specify where the school intends to locate. California Education Code Section 47605(g).

SOAR Charter Academy is located at 198 W. Mill Street, in a District-owned facility previously known as Burbank Elementary School. The specific terms of the Charter School's use of these facilities are governed by the terms of the charter and a signed Facility Use Agreement with San Bernardino City Unified School District as of July 1, 2012.. (See Appendix U)

Potential Civil Liability Effects

Governing Law: Potential civil liability effects, if any, upon the school and upon the school district. California Education Code Section 47605(g).

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

Pursuant to Education Code Section 47604(c), 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 the Charter School or for claims arising from the performance of acts, errors or omissions by the charter school if the authority has complied with all oversight responsibilities required by law. The Charter School shall work diligently to assist the District in meeting any and all oversight obligations under the law, including monthly meetings, reporting, or other District-requested protocol to ensure the District shall not be liable for the operation of the Charter School.

The corporate bylaws of the Charter School provide for indemnification of the Charter School's Board, officers, agents, and employees, and the Charter School purchases and maintains general liability insurance, Board Members and Officers insurance, and fidelity bonding to secure against financial risks. The District shall be named an additional insured on the general liability insurance of the Charter School.

The Charter School Board maintains appropriate risk management practices as discussed herein, including screening of employees, establishing codes of conduct for students, and dispute resolution.

Hold Harmless/Defense/Indemnification Provision

To the fullest extent permitted by law, SOAR agrees to promptly, fully and completely indemnify, defend through counsel reasonably acceptable to San Bernardino City Unified School District and hold harmless the San Bernardino City Unified School District, the San Bernardino City Unified School District's Board of Trustees, and each of their members, officers, administrators, employees, agents, representatives, volunteers, successors and assigns ("Indemnitees") from and against any and all claims, demands, actions, causes of action, suits, losses, expenses, costs, penalties, obligations, or liabilities of whatever nature or kind, including, but not limited to, attorney's fees and litigation costs, that in any way arise out of or relate to any actual or alleged act or omission on the part of SOAR, and/or on the part of the board of directors, administrators, employees, agents, representatives, volunteers, subcontractors, invitees, successors, and/or assigns of SOAR in any way related to the performance of and/or to the failure to perform in whole or in part any obligation under the Charter and/or in any way related to the operation or operations of SOAR or of any other facility, program, or activity. The obligations of SOAR to defend the San Bernardino City Unified School District and the other Indemnitees identified herein is not contingent upon there being an acknowledgement of or a determination of the merit of any claim, demand, action, cause of action, or suit, and those obligations will be deemed to be triggered immediately upon the assertion of any claim, demands, actions, cause of action, or suit within the scope of this paragraph. However, nothing in this paragraph shall be

construed to obligate SOAR to indemnify Indemnitees for any claims, demands, actions, causes of action, suits, losses, expenses, costs, penalties, obligations, or liabilities resulting from an Indemnitee's sole negligence, from an Indemnitee's active negligence, or from an Indemnitee's willful misconduct where such sole negligence, active negligence, or willful misconduct has been adjudged by the final and binding findings of a court of competent jurisdiction; except, in instances where the active negligence or willful misconduct of an Indemnitee accounts for only part of the loss(es) involved, the indemnity obligations of SOAR shall be for that portion of the loss(es) not due to the active negligence or the willful misconduct of such Indemnitees.

SOAR further specifies that its indemnification, defense, and hold harmless obligations pursuant to this Charter extend to indemnify, defend, and hold the District and District Personnel harmless from any and all financial obligations in the event of an unbalanced budget.

SOAR's obligation to indemnify, defend, and hold harmless the District and District Personnel, as set forth in this section of the Charter, shall survive the revocation, expiration, termination, or cancellation of this Charter or any other act or event that would end SOAR's right to operate as a charter school pursuant to this Charter or cause SOAR to cease operations.

Insurance

Without limiting the Charter and/or the defense, indemnity, and hold-harmless obligations of Charter School and/or of SOAR Charter Academy, a non-profit public benefit corporation, throughout the life of this Charter, the Charter School and/or SOAR Charter Academy shall obtain, pay for, and maintain in full force and effect insurance policies issued by an insurer or insurers admitted by the California Insurance Commissioner to do business in the State of California and rated not less than "A" or "A-VII" by A.M. Best Insurance Rating Guide, or, in the case of self-insurance, with a California joint powers authority, a memorandum or memoranda of coverage providing coverage as follows:

COMMERCIAL GENERAL LIABILITY INSURANCE and/or coverage, which shall include coverage for: "bodily injury", "property damage", "advertising injury", and "personal injury", including, but not limited to, coverage for products and completed operations, sexual abuse/molestation, and sexual harassment with combined single limits of not less than \$5,000,000 per occurrence and \$20,000,000 in the aggregate.

COMMERCIAL AUTO LIABILITY insurance and/or coverage which shall include: coverage for owned, non-owned, and hired autos, with bodily injury and property damage liability limits not less than \$1,000,000 per person and per occurrence.

WORKER'S COMPENSATION INSURANCE and/or coverage, as required by applicable law, with not less than statutory limits.

PROPERTY INSURANCE and/or coverage, which shall include: (a) coverage for real property on an "all risk" basis with full replacement cost coverage and code upgrade coverage, (b) Fire Legal Liability, to protect against liability for portions of premises leased or rented, and (c) Business Personal Property, to protect on a Broad Form, named peril basis, for all furniture, equipment and supplies of the Charter

School. If any District property is leased, rented or borrowed, it shall also be insured by the Charter School in the same manner as (a), (b), and (c) above.

PROFESSIONAL LIABILITY INSURANCE and/or coverage, in an amount not less than \$3,000,000 per “claim” with an aggregate policy limit of \$3,000,000.

All of the insurance and/or coverage required by the foregoing provisions of this Charter shall: (a) be endorsed to name the District and its Board of Trustees, Board members, officers, Board appointed groups, committees, boards, and any other Board appointed body, and administrators, employees and attorneys, agents, representatives, volunteers, successors, and assigns (collectively hereinafter the “District and the District Personnel”) as additional insured, (b) shall insure “District and the District Personnel” to the same extent as Charter School, (c) shall be primary insurance, and any insurance and/or self-insurance or coverage maintained by the District and/or by the District Personnel shall be in excess of the Charter School’s insurance and/or coverage required by the foregoing provisions of this Charter and shall not contribute with the primary insurance and/or coverage to be provided by Charter School; (d) shall be on an “occurrence” basis rather than a “claims made” basis, excepting only educators’ legal liability and errors and omissions insurance and/or coverage, which shall be on a “claims made” basis; and (e) shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of liability set forth in the applicable policy or memorandum of coverage.

Each policy of insurance and/or memorandum of coverage required by the foregoing provisions of this Charter shall be endorsed to state that coverage shall not be suspended, rescinded, voided, canceled, reduced in coverage or in limits, or non-renewed, or materially changed for any reason, without thirty (30) days prior written notice thereof given by the insurer to the District by US mail, certified, or by personal delivery. In addition to such notice provided to the District by the insurer, the Charter School and/or SOAR Charter Academy shall also provide the District with thirty (30) days prior written notice, by certified mail, return receipt requested, of the suspension, rescission, voiding, cancellation, reduction in coverage or limits, non-renewal, or material change for any reason, of any policy of insurance or memorandum of coverage required by the foregoing provisions of this Charter. If at any time any policy of insurance or memorandum of coverage required by the foregoing provisions of this Charter is suspended, rescinded, voided, canceled, reduced in coverage or in limits, or non-renewed, or materially changed for any reason, the Charter School shall immediately notify the District if its insurance is cancelled, and will reinstate or renew its insurance within 15 days. If the Charter School does not reinstate or renew its insurance within 15 days after cancellation, the Charter School will temporarily cease operations until its insurance is reinstated or renewed. In the alternative, the District shall have the option, in case of cancellation, to purchase reasonable insurance on behalf of the Charter School and bill the Charter School for the cost and/or deduct those monies from the in-lieu property taxes.

The acceptance by the District of the insurance and/or coverage required by the foregoing provisions of this Charter shall in no way limit the liability or responsibility of the Charter School, of SOAR Charter Academy, or of any insurer or joint powers authority to the District.

SOAR will make every effort to ensure that each policy of insurance and/or memorandum of coverage required by the foregoing provisions of this Charter shall be endorsed to state that all rights of subrogation against the District and/or the District Personnel are waived.

The Charter School and/or SOAR Charter Academy shall provide to the District duplicate originals of each policy of insurance and/or each memorandum of coverage required by the foregoing provisions of this Charter, including all declarations, forms, and endorsements, which shall be received and approved by the District within ten (10) days of approval of this Charter by the District Board and by July 1 of each year thereafter. The duplicate originals and original endorsements required by this provision shall be signed by a person authorized by the insurer and/or joint powers authority to bind coverage on its behalf. The procuring of such insurance and/or coverage or the delivery of duplicate originals and endorsements evidencing the same shall in no way be construed as a limitation of the obligation(s) of the Charter School or of SOAR Charter Academy to defend, indemnify, and hold harmless the District and the District Personnel.

The limits of liability applicable to the policies of insurance and/or memoranda of coverage required by the foregoing provisions of this Charter shall not reduce or limit the obligation(s) of the Charter School or of SOAR Charter Academy to defend, indemnify, and hold harmless the District and the District Personnel.

The limits of liability applicable to the policies of liability insurance and/or memoranda of coverage in place of liability insurance required by the foregoing provisions of this Charter shall not be reduced by or apply to defense costs or attorney's fees incurred to defend against covered claims.

Any deductible(s) or self-insured retention(s) applicable to the insurance and/or coverages required by the foregoing provisions of this Charter must be declared to the District.

The Charter School and/or SOAR Charter Academy shall promptly respond to all inquiries from the District regarding any claims against the Charter School and/or SOAR Charter Academy and/or any obligation of them or of either of them under the foregoing provisions of this Charter.

Additionally, the Charter School shall, at all times, maintain a funds balance (reserve) of its expenditures as suggested by Section 15450, Title 5 of the California Code of Regulations. Currently, the reserve suggested to be maintained is 5% of total operational expenditures.

Conclusion

By approving this renewal charter petition for SOAR Charter Academy, SBCUSD will be fulfilling the intent of the Charter Schools Act of 1992: to improve student learning; increase learning opportunities for all students especially those who are identified as academically low achieving; create new professional opportunities for teachers; provide parents and students with expanded choices in education; and follow the directive of the law to encourage the creation of charter schools. The District can continue to help our city by allowing SOAR Charter Academy to continue educating students in a smaller learning community that focuses on character education and developing leaders. The Petitioners are eager to work independently, yet cooperatively with the District to raise the bar for what a charter school can and should be. To this end, the Petitioners pledge to continue to work cooperatively with the District to answer any concerns over this document and to present the District with the strongest possible proposal requesting a five year renewal term from July 1, 2018 to June 30, 2023.