CHULA VISTA LEARNING COMMUNITY CHARTER SCHOOL

Charter Renewal Petition
Presented to
The Governing Board of the
Chula Vista Elementary School District
For the term of July 1, 2025, through June 30, 2030

Submitted by Chula Vista Learning Community Charter School to Chula Vista Elementary School District in cooperation with the parents, teachers, staff, community leaders and other concerned citizens of Chula Vista, California.

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Affirmations and Declaration

Chula Vista Learning Community Charter School ("CVLCC" or the "Charter School"), located within the boundaries of the Chula Vista Elementary School District ("CVESD" or the "District"), hereby certifies that the information submitted in this petition is true to the best knowledge and belief of CVLCC; and further that the Charter School will follow any and all federal, state, and local laws and regulations that apply to CVLCC, including, but not limited to:

- CVLCC declares that it shall be deemed the exclusive public school employer of the employees of CVLCC for purposes of the Educational Employment Relations Act. [Ref. Education Code Section 47605(c)(6)]

- CVLCC shall be non-sectarian in its programs, admission policies, employment practices, and all other operations. [Ref. Education Code Section 47605(e)(1)]

- CVLCC shall not charge tuition. [Ref. Education Code Section 47605(e)(1)]

- CVLCC 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 it will hold a public random drawing to determine admission. Except as required by Education Code Section 47605(e)(2), admission to the Charter School shall not be determined according to the place of residence of the student or of that student's parent or legal guardian within the State. Preference in the public random drawing shall be given as required by Education Code Section 47605(e)(2)(B)(i)-(iv). 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(e)(2)(C). [Ref. Education Code Section 47605(e)(2)(A)-(C)]

- CVLCC shall not discriminate on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes, set forth in Section 422.55 of the Penal Code, including immigration status, or association with an individual who has any of the aforementioned characteristics). [Ref. Education Code Section 47605(e)(1)]

- If a student is expelled or leaves CVLCC without graduating or completing the school year for any reason, CVLCC shall notify the superintendent of the school district of the student's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the student, including report cards or a transcript of grades, and health information. If the student is subsequently expelled or leaves the school district without graduating or completing the school year for any reason, the school district shall provide this information to CVLCC within 30 days if CVLCC demonstrates that the student had been enrolled in the Charter School. [Ref. Education Code Section 47605(e)(3)]

- CVLCC shall adhere to each of the conditions in Education Code Section 47605(e)(4)(A)-(D), including: (A) not discouraging a student from enrolling or seeking to enroll in the Charter School for any reason; (B) not requesting a student's records or requiring a parent, guardian, or student to submit the student's records before enrollment; (C) not encouraging a student currently attending CVLCC to disenroll or transfer to another school for any reason; and (D) providing a copy of the California Department of Education ("CDE") notice regarding the requirements in Education Code Section 47605(e)(4)(A)-(D) to a parent/guardian or student if the student is 18 years of age or older: (i) when a parent/guardian or student inquires about enrollment, (ii) before conducting an enrollment lottery, or (iii) before disenrollment of a student. [Ref. Education Code Section 47605(e)(4)(A)-(D)]

Evidence of Meeting Charter Renewal Criteria

Introduction

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

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

The three performance categories are as follows:

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

For the first time since 2020, the CDE has published a list of high-, middle-, and low-performing charter schools. CVLCC is pleased to have been deemed a middle-performing school by the CDE and is thus entitled to a default renewal standard, for a five-year term.

Due to the suspension of the Dashboard in 2020 and 2021, as a result of the COVID-19 pandemic, charter schools could not be placed into performance categories as contemplated by AB 1505. For 2022, the CDE could only display the most current year of data (also known as Status) on the Dashboard. The 2022 Dashboard used one of five Status levels (ranging from Very High, High, Medium, Low, and Very Low) for all state indicators based on the 2021-22 school year data.

The 2023 Dashboard is the first since 2019 to display the intended red, orange, yellow, green, and blue performance colors for schools' status and change scores in the state indicators. As such, the 2023 Dashboard is not based on two years of color-based performance. The state indicators include the following:

- Chronic Absenteeism: kindergarten through grade eight
- Suspension Rate: kindergarten through grade twelve
- English Learner Progress: grades one through twelve
- Graduation Rate: high school only
- College/Career: high school only (Note: the College/Career Indicator is not reported on the 2022 Dashboard)
- Academic: grades three through eight and grade eleven – English Language Arts/Literacy and Mathematics

CVLCC fits into the middle performing category, as determined by law and the California Department of Education, and is eligible, and as clearly demonstrated by the evidence, meets the criterion for charter renewal for a five (5) year term, as demonstrated below.

Dashboard Performance Renewal Criteria – Middle Performing

For middle-performing charter schools, Education Code Section 47607.2(b) mandates that the District consider the performance, schoolwide and for all student subgroups, of CVLCC on the state and local indicators on the Dashboard. The District shall provide greater weight to measurements of academic performance, which include the California Assessment of Student Performance and Progress ("CAASPP") ELA and math assessments, the English Learner Progress indicator ("ELPI"), and the College/Career indicator ("CCI").

Further, in addition to the state and local indicators on the Dashboard, the District shall also consider evidence, from the assessments deemed verified data by the State Board of Education, showing measurable increases in academic achievement (at least one year's progress for each year in school), or showing strong postsecondary outcomes (college enrollment, persistence, and completion rates equal to similar peers).

CVLCC documents its performance on the Dashboard and through verified data, in support of approval of its charter renewal petition, below:

Charter School Dashboard State and Local Indicators (2022 and 2023)

The following chart reflects the Charter School's 2023 Dashboard performance indicators (points above or below standard), and for comparison purposes, the District's and the State's.

Dashboard Indicator	CVLCC	Chula Vista District	Sweetwater Union District	State
ELA	14.3	4.5	-10.4	-13.6
Math	-48.7	-16.4	-77.3	-49.1
Chronic Absenteeism	5.4%	22.6%	22.3%	24.3%
Suspension Rate	0.9%	1.2%	6.2%	3.5%
EL Progress	57.6%	52.9%	48.6%	48.7%
Graduation Rate	98.1%	n/a	88.9%	86.4%

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

As the above chart indicates, on academic measures on the 2023 Dashboard, CVLCC outperformed the Chula Vista District, Sweetwater Union District, and the State for ELA, and CVLCC outperformed the Sweetwater Union District and the State for Math. While most local educational agencies ("LEA") statewide experienced pandemic era declines in performance (Status) as measured by the Dashboard, i.e., distance from the standard ("DFS") in the case of academic measurements, CVLCC was able to increase student academic performance as measured by DFS, despite the challenges brought on by the pandemic. Notably, on the 2023 Dashboard, CVLCC's Math performance of 48.7 points below standard shows a significant increase of 14.7 points from 2022. Comparatively, on the 2023 Dashboard, the State's math performance of 49.1 points below standard and the Sweetwater Union District's math performance of 77.3 points below standard represents an increase of less than 3 points from 2022.

As evidenced by the 2023 Dashboard, CVLCC truly shines in setting its students' up for success post-graduation. CVLCC outperformed both the state and the Sweetwater Union District in college/career preparedness metrics with 79.2% of students being deemed "prepared" for their upcoming college or career paths as compared to only 41.3% of students in the Sweetwater Union District and 43.9% of students across the state. CVLCC's students' ability to progress academically is a credit to the Charter

School's resilience and its focus on building knowledge, improving students' ability to think and process their ideas, and fostering the full potential of each and every individual student.

In addition to overcoming pandemic era struggles, common to all schools, the majority of students at CVLCC are socioeconomically disadvantaged and a significant percentage of the student population is made up of English Learner students. As noted by the Organisation for Economic Co-operation and Development ("OECD")[1] and Policy Analysis for California Education ("PACE")[2], socioeconomically disadvantaged and EL students struggled more than their more advantaged counterparts with at-home distance learning, and they experienced greater learning loss during the pandemic.

The following chart(s) reflect the Charter School's 2022 Dashboard performance indicators, and for comparison purposes, the District's and the State's.

	CVLCC	Chula Vista District	Sweetwater Union District	State
ELA	High (13.2)	Medium (3.9)	Low (-6.8)	Low (-12.2)
Math	Low (-63.5)	Medium (-21.4)	Low (-78.6)	Low (-51.7)
Chronic Absenteeism	High (11.9%)	Very High (31.9%)	Very High (24.3%)	Very High (30%)
Suspension Rate	Low (1.3%)	Low (0.6%)	Medium (5.6%)	Medium (3.1%)
EL Progress	Medium (52.5%)	Medium (50.3%)	Low (49.9%)	Medium (50.3%)
Graduation Rate	Very High (96.9%)	n/a	Medium (86.8%)	Medium (87.4%)

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

[1] Hanushek and Woessmann, *The Economic Impacts of Learning Loss,* OECD (September 2020).
[2] Pier, Hough, Christian, Bookman, Wilenfeld and Miller, *COVID-19 and the Educational Equity Crisis, Evidence on Learning Loss from the CORE Data Collaborative*, PACE (January 25, 2021).

CVLCC Socioeconomically Disadvantaged and English Learner Enrollment Per 2023 Dashboard

	CVLCC
Socioeconomically Disadvantaged Enrollment	60.5%
English Learner Enrollment	25.5%

Despite studies that show that these student subgroups traditionally, and particularly during the pandemic, have performed lower on academics than their non-economically disadvantaged and non-English Learner counterparts, at CVLCC, these student subgroups, as well as others, performed on par with or better than both the District and the State.

CVLCC Socioeconomically Disadvantaged and English Learner Enrollment Per 2022 Dashboard

	CVLCC
Socioeconomically Disadvantaged Enrollment	57.5%
English Learner Enrollment	22.7%

Numerically Significant Student Subgroups ELA Performance on 2023 Dashboard

	CVLCC	Chula Vista District	Sweetwater Union District	State
Socioeconomically Disadvantaged	-2.5	-24.27	-37.3	-42.6
English Learner	-41.1	-39.8	-84.8	-67.7
Students with Disabilities	-68.2	-70.1	-113.1	-96.3
Hispanic	13.7	-13.6	-31.6	-40.2

Numerically Significant Student Subgroups Math Performance on 2023 Dashboard

	CVLCC	Chula Vista District	Sweetwater Union District	State
Socioeconomically Disadvantaged	-62.4	-45.2	-104.1	-80.8
English Learner	-88.9	-54.1	-136.4	-93.4
Students with Disabilities	-103.1	-86.4	-171.8	-127.3
Hispanic	-50.2	-35.7	-99.7	-80.8

Numerically Significant Student Subgroups ELA Performance on 2022 Dashboard

	CVLCC	Chula Vista District	Sweetwater Union District	State
Socioeconomically Disadvantaged	Medium (-1.5)	Low (-24.2)	Low (-36.6)	Low (-41.4)
English Learner	Low (-18.2)	Low (-29.1)	Very Low (-73.1)	Low (-61.2)
Students with Disabilities	Low (-60.1)	Very Low (-74.2)	Very Low (-106.9)	Very Low (-97.3)
Hispanic	High (10.2)	Low (-13.1)	Low (-27.3)	Low (-38.6)
White	Very High (73.7)	High (31.9)	Medium (16.4)	High (21.9)

Numerically Significant Student Subgroups Math Performance on 2022 Dashboard

	CVLCC	Chula Vista District	Sweetwater Union District	State
Socioeconomically Disadvantaged	Low (-76.1)	Low (-49.9)	Low (-106)	Low (-84)
English Learner	Low (-88)	Low (-51.8)	Very Low (-128.9)	Low (-92)
Students with Disabilities	Very Low (-125.6)	Very Low (-95.8)	Very Low (-168.6)	Very Low (-130.8)
Hispanic	Low (-65.4)	Low (-40)	Low (-100.6)	Low (-83.4)
White	Low (-29.4)	High (10.3)	Medium (-54)	Medium (-13.4)

As the above charts show, on the 2022 and 2023 Dashboards, for ELA CVLCC outperformed either the Chula Vista District, the Sweetwater Union District, or the State, as measured by DFS, for all of its numerically significant[3] student subgroups: 1) Socioeconomically Disadvantaged students; 2) English Learner students; 3) Students with Disabilities; and 4) Hispanic students. Further, as measured by DFS, CVLCC also performed better than the State in Math on the 2023 Dashboard for all of its numerically significant subgroups and performed on par with the Chula Vista District, the Sweetwater Union District, or the State on the 2022 Dashboard for its Socioeconomically Disadvantaged, English Learner, Students with Disabilities, and Hispanic student subgroups.

One of the tenets of the Charter Schools Act of 1992 is that charter schools will provide vigorous competition within the public school system to stimulate continual improvements in all public schools. (Education Code Section 47601(g).) CVLCC clearly meets this expectation.

Measurements of Academic Performance – Verified Data

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

(1) In addition to the state and local indicators, the chartering authority shall consider clear and convincing evidence showing either of the following:

> (A) The school achieved measurable increases in academic achievement, as defined by at least one year's progress for each year in school.
>
> (B) Strong postsecondary outcomes, as defined by college enrollment, persistence, and completion rates equal to similar peers.

(2) Measurable increases in academic achievement or strong postsecondary outcomes can be demonstrated through the use of "verified data" which is defined in the statute as "data derived from nationally recognized, valid, peer-reviewed, and reliable sources that are externally produced." (Education Code Section 47607.2(c)(1).) In

[3] The following subgroups did not have enough students at CVLCC for the Dashboard to provide a performance level for ELA or Math: Filipino (2 students), Two or More Races (1 student), and White (17 students).

November 2020, the California State Board of Education ("SBE") established the criteria to define "verified data" and released a list of valid and reliable assessments and measures of postsecondary outcomes as required by Education Code Section 47607.2. From the SBE-approved list of reliable assessments, the Charter School currently utilizes the California Assessment of Student Performance and Progress Data ("CAASPP") to meet the verified requirement.

Charter School Verified Data:

CAASPP – Percentage of Students Meeting or Exceeding Standards (All Students)

	Assessment	2019	2020[4]	2021[5]	2022	2023
Schoolwide	ELA	57.24%	Data Not Available	Data Not Available	57.96%	57.13%
	Math	28.26%	Data Not Available	Data Not Available	25.25%	30.52%

CVLCC Measurable Increases in Academic Performance (Percentage of Students Met or Exceeded Standard)

CAASPP ELA Proficiency by Grade Level	3rd	4th	5th	6th	7th	8th	9th*	10th*	11th
2015-16	50%	59%	53%	59%	74%	66%	-	-	78%
2016-17	46%	50%	66%	54%	58%	79%	-	-	84%
2017-18	48%	53%	56%	68%	53%	50%	-	-	83%
2018-19	36%	41%	50%	74%	66%	59%	-	-	72%
2019-20*	-	-	-	-	-	-	-	-	-
2020-21*	-	-	-	-	-	-	-	-	-
2021-22	33%	53%	59%	73%	57%	60%	-	-	69%
2022-23	41%	46%	56%	73%	57%	44%			84%

[4] 2019-20 CAASPP results are unavailable due to the suspension of testing as a result of COVID-19.
[5] Due to the COVID-19 pandemic, testing participation in 2020-21 varied. In CVLCC's case, fewer than 11 students tested, and, therefore, CAASPP suppressed the data to protect student privacy.

English Language Arts Proficiency	Change
2016 Grade 3 to 2019 Grade 6	+24%
2016 Grade 4 to 2023 Grade 11	+25%
2016 Grade 5 to 2022 Grade 11	+16%
2016 Grade 6 to 2018 Grade 8	-9%
2016 Grade 7 to 2017 Grade 8	+5%
2016 Grade 8 to 2019 Grade 11	+6%
Average change to highest grade level	*+11%*

*No CAASPP data was reported for the 2019-20 and 2020-21 school years; CAASPP is only assessed in grades 3-8 and 11.

CAASPP Math Proficiency by Grade Level	3rd	4th	5th	6th	7th	8th	9th*	10th*	11th
2015-2016	38%	31%	18%	27%	33%	26%	-	-	26%
2016-2017	38%	30%	37%	24%	31%	39%	-	-	31%
2017-2018	34%	33%	22%	34%	26%	32%	-	-	30%
2018-2019	33%	25%	21%	39%	30%	26%	-	-	26%
2019-2020*	-	-	-	-	-	-	-	-	-
2020-2021*	-	-	-	-	-	-	-	-	-
2021-2022	22%	53%	26%	45%	16%	22%	-	-	21%
2022-23	33%	25%	27%	54%	28%	14%			33%

*No CAASPP data was reported for the 2019-20 and 2020-21 school years; CAASPP is only assessed in grades 3-8 and 11.

Mathematics Proficiency	Change
2016 Grade 3 to 2019 Grade 6	+1%
2016 Grade 4 to 2023 Grade 11	+2%
2016 Grade 5 to 2022 Grade 11	+3%
2016 Grade 6 to 2018 Grade 8	+5%
2016 Grade 7 to 2017 Grade 8	+6%
2016 Grade 8 to 2019 Grade 11	+0%
Average change to highest grade level	*+3%*

*No CAASPP data was reported for the 2019-20 and 2020-21 school years; CAASPP is only assessed in grades 3-8 and 11.

While the lack of data in the 2020-21 and 2019-20 school years makes it difficult to show progress over time, as the charts above show, in ELA and Math there was an overall average increase in proficiency across grade levels from the 2015-16 school year through the highest grade level of data available.

Other Measures

As shown above, CVLCC satisfied each of the local indicators in the domains of Basics: Teachers, Instructional Materials, Facilities; Implementation of Academic Standards; Local Climate Survey; and Access to a Broad Course of Study. A charter petition renewed pursuant to Section 47607.2(b) (middle performing) shall be granted a renewal term of five years. **As clearly demonstrated by the evidence above, CVLCC meets this renewal criterion and should be granted a renewal term of 5 years.**

ELEMENT ONE
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(c)(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, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals. Education Code Section 47605(c)(5)(A)(ii).

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

Vision:
We believe in the full potential of each and every individual to act with integrity and to create their own knowledge.

Mission:
At the Chula Vista Learning Community Charter School, students are respected as intellectuals as they develop their individual and authentic self. Our robust academic program is focused on expanding language, developing core ethics, and building knowledge across content areas.

Instructional Focus:
By increasing the quality and quantity of our students' reading, writing, and problem-solving across all content areas, our students will be able to clarify their thinking,

process their ideas, and precisely communicate their understanding effectively both verbally and in writing.

The Chula Vista Learning Community Charter School is a non-sectarian school and does not discriminate against any student or employee based on race, color, ancestry, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity or expression, genetic information, or immigration status.

The Chula Vista Learning Community Charter School prides itself on the pillars of dual language immersion, global perspectives, social justice and community engagement.

Dual Language Immersion
The Chula Vista Learning Community Charter School is a 50/50 model connecting theory into practice by developing multi-literacy and multiculturalism. Language is an asset rather than a deficit and all stakeholders are language learners.

Global Perspectives
The Chula Vista Learning Community Charter School provides learning opportunities to understand complex, social topics to support the intellectual, personal development of all students. It challenges learners to explore cultural perspectives to empathize with others. By promoting knowledge of human geography and having students challenge the status quo, they can critically assess the validity of commonly held assumptions about others. By producing committed global citizens, learners understand how events around the world are interconnected to allow for problem solving that transcends borders.

Social Justice
The Chula Vista Learning Community Charter School highlights social justice through classroom pedagogy and curriculum. Students explore current events, anti-bias perspectives, and participate in community service. Active learning comprises of self-reflection, knowledge acquisition, action with consciousness and personal transformation. Students develop their own understanding of the relation between individual and society.

Community Engagement and Interest
The Chula Vista Learning Community Charter School differentiates between engagement and participation. Community members are engaged in the learning process with the purpose of supporting the academic and social emotional needs of all learners. Stakeholders are included in the processes to establish ethical responsibilities

and are invested in the educational organization from the school to the home, community and world.

The school is committed to providing an innovative, supportive and safe environment for students, parents and community members. The school encompasses a transitional kindergarten through twelfth grade educational experience that challenges paradigms. Students create and articulate their knowledge in order to thrive in the global community, and creatively and critically transform their world.

Chula Vista Learning Community Charter School develops rigorous curriculum and assessments. High academic standards are implemented through action-oriented curriculum and instruction to engage learners in critical pedagogy.
Curriculum is research-based, culturally inclusive, relevant and student-centered to develop each child's full potential, while recognizing their authentic self. Our high expectations result in confident global citizens who are becoming:

- Multi-literate,
- Reflective and inquisitive,
- Collaborative and independent critical thinkers,
- Passionate constructors of their own knowledge, and
- Creators of their community.

The Chula Vista Learning Community Charter School was first authorized and commenced operations in September 1998, initially serving students in pre-kindergarten through grade 6. Since then, CVLCC has expanded to serve students in transitional kindergarten through grade 12. The educational program includes an integrated curriculum incorporating differentiated learning/teaching styles and is assessed regularly. High academic standards are utilized when implementing action-oriented curriculum and instruction. Curriculum is research-based and student-focused to develop individual perspective.

All programs provide a challenging academic process, which develops metacognitive skills and engages students in the habits of inquiry to compete in a global society. Students embrace ethical and social values by its commitment to service with compassion, in order to provide opportunities to develop and strengthen global competence and ethical leadership, foster peace and work for justice. Learning applications occur through real work settings, service-learning assignments, project-based activities, and portfolio/authentic presentations. Expectations results in multi-literate, self-reliant, confident learners, and university bound adults. Students will be prepared to actively participate in a multicultural and global world community.

Framework for Instructional Design

Chula Vista Learning Community Charter School's student population is predominantly Latino, currently comprising 97.6% of CVLCC's student body, where 25.5% are classified as Emergent Bilinguals. CVLCC's student population consists of: 97.6% Latino, 1.7% White, 0.2% Two or More Races, 0.1% Filipino, and 0.1% African American. Of the 1,427 transitional kindergarten through 12th grade students enrolled, 59.3% of students qualify for free and reduced lunch. Chula Vista Learning Community Charter School mobility rate is currently at 3.8%.

Chula Vista Learning Community Charter School's instructional design is based on the most current data on a yearly basis. Initiatives below were developed and adjusted from an analysis of schoolwide data:

- Implementation of systematic mathematics curriculum and professional learning
- Literacy development across content areas
- Further develop formative and summative assessments to monitor student progress and inform instructional practices
    - Continue to use data analysis to address student needs through curriculum and lesson design
    - Calibration of rubrics and assessments to ensure college & career preparedness
- Learning opportunities for the parent community to support the instructional program

Chula Vista Learning Community Charter School faculty and stakeholders developed a set of expected schoolwide learner outcomes aligned to the mission and vision. The learner outcomes have shifted due to data collected, meetings held with parents and students and participants being exposed to higher educational methodologies connected to theory, practice, and measurability of student performance.

Local Control and Accountability Plan ("LCAP") Goals were developed to align the Student Learner Outcomes within the schoolwide action plan:

Goal 1: Increase academic achievement for all students using multiple methods of data analysis and strategic academic interventions including differentiated instructional practices.

The focus of our instructional program is to make certain all students receive a 21st century educational experience that facilitates career and college readiness, bi-literacy,

social justice advocacy, community engagement, and global thinking to meet the needs of a constantly evolving society.

Goal 2: Engage all members of the community as partners through education, communication, and collaboration, to ensure all students are college and career ready.

The school community is actively providing opportunities to make certain all parents and students are engaged in the educational process through a safe, nurturing, and welcoming instructional atmosphere and receive differentiated and appropriate support services to be successful.

Goal 3: Provide safe, nurturing, and comfortable learning environments that meet the intellectual, social emotional, and physical needs of our school communities.

Chula Vista Learning Community Charter School will provide safe, nurturing, and comfortable learning environments that meet the intellectual, social emotional, and physical needs of our school communities.

Student Centered Academic Focus

Chula Vista Learning Community Charter School employs a variety of support staff who provide support services to students, families, and staff. Student support services are data and interest driven and focus on all aspects of student achievement within the educational setting.

Chula Vista Learning Community Charter School classrooms provide resources to embrace students in need of academic and emotional support. These resources include a team of outreach consultants, academic advisors, psychologists, nurses and resource teachers who have been trained to establish positive and rewarding relationships with students. Proactive strategies to create a culture of unity are used to promote the core values established at Chula Vista Learning Community Charter School. Team members meet with student intervention groups regularly and focus on self- awareness, understanding emotions, managing emotions, empathy and handling relationships. Low level disciplinary situations are dealt with by the guidance staff who utilize dialogue and restorative practices. Consequences vary and focus on restoring positive relationships and school climate. High level disciplinary situations are dealt with by the administrator who considers various factors to restore and prioritize a safe school environment and positive school culture and climate. Parents are given resources to community agencies and workshops are held to build the connection with families.

Academic expectations are a priority at Chula Vista Learning Community Charter School. If a child is not meeting grade level expectations and/ or state benchmarks, students are placed on an academic contract to support learning needs in the classroom and at home. A child's success also depends on a strong parent commitment. Teachers work with parents in the development of an educational learning plan for the student and create short- and long-term goals in the plan. Monitoring and implementation of the plan is completed throughout the academic school year by the teacher. It is both the teacher and the parents' responsibility to continue the communication with the teacher to follow the student's progress.

Professional assistants work with target students to support the educational learning plan. Other online reading and mathematics supports are provided through technology software.

The school has a variety of After School Programs at each site. After School Programs are based on critical learner needs and interests from students and parents. Academic classes are offered at all levels for targeted students. Sports programs run all year at all three sites. Clubs at elementary, middle and high school are student-interest driven.

The Road to Biliteracy

Chula Vista Learning Community Charter School's most unique aspect is its dual language program. The purpose of the 50/50 model at Chula Vista Learning Community Charter School is designed to eliminate the achievement gap that adversely affects target populations. By learning two languages, all students at Chula Vista Learning Community Charter School are referred to as Emergent Bilinguals, rather than identifying them as English Language Learners or Spanish Language Learners. The program strategically utilizes research-based strategies to reach all students as a way to impact social and educational change. Teachers and support staff are trained to provide differentiation strategies in order to fully support and foster the road to biliteracy.

Individualized Education Support

Currently, Chula Vista Learning Community Charter School is supported by the Chula Vista Elementary School District for purposes of special education, which is part of the South San Diego Special Education Local Plan Area ("SELPA"). Special education faculty members identify and provide services to students who meet federal and state criteria as a student with a disability. The school and district are committed to the belief that each child is an individual of great worth and is entitled to develop to the fullest potential. Chula Vista Learning Community Charter School is committed to that philosophy. We believe all students should have the opportunity to learn in the least restrictive environment and have maximum interaction with peers. Parent involvement

is essential at Chula Vista Learning Community Charter School. Parents are equal and contributing partners in all aspects of their child's education. Staff, along with parents, are committed to providing a caring community that empowers students to become active members of the school and community. Special Education has District supported programs which include specialized academic instruction ("SAI"), counseling services, speech and language, and occupational therapy. These services are taught in a positive and supportive environment with respect and consideration for the individuals learning and communication style. Students receiving services qualify under the criteria set forth by both the federal and the California statutes.

The Special Education Department is managed by the Director of Special Education and Pupil Services in the Chula Vista Elementary School District. A support team for the school sites is composed of a school psychologist, counselor, speech therapist, school nurse, resource specialist teacher, social worker, and instructional aide. The team relies on the assistance of Special Education coordinators and other support services staff as needed in implementing Individual Educational Plans for students. The Chula Vista Elementary School District also provides trainings for staff in areas related to instruction, behavior, curriculum, and individual needs.

Students are referred for Special Education services primarily through a Student Study Team (SST) process. However, in compliance with current laws, parents may refer directly to the department any student suspected of having a disability that is impacting that student's learning.

Goals for Student Achievement

Chula Vista Learning Community Charter School has created annual goals in the Local Control and Accountability Plan process aligned with the state priorities. These goals include:

- **Goal 1:** Increase academic achievement for students using multiple methods of data analysis and strategic academic interventions including differentiated instruction practices. To make certain all students receive a 21st century educational experience that facilitates career and college readiness, biliteracy, social justice advocacy, community engagement, and global thinking to meet the needs of a constantly evolving society.

- **Goal 2:** Engage all members of the community as partners through education, communication, and collaboration, to ensure all students are college and career ready. To make certain all parents and students are engaged in the educational process through a safe, nurturing, and

welcoming instructional atmosphere and receive differentiated and appropriate support services to be successful.

- **Goal 3:** Provide sage, nurturing, and comfortable learning environments that meet the intellectual, social emotional, and physical needs of our school communities. To make certain student and adult learning is prioritized in a safe, innovative, and hygienic learning environment.

Chula Vista Learning Community Charter School High School Four-Year Academic Planning/ University of California Approved "A-G" courses

History
World History
AP World History
United States History
AP United States History
AP United States Government and Politics
American Government/Civics
Economics
AP Microeconomics
Ethnic Studies

English Language Arts
English Seminar in Reading & Composition
Literary Analysis and Composition
Multicultural Literature
American Literature
AP English Language and Composition
AP English Literature and Composition

Science
Biology
Chemistry
Computer Science
Physics
Physical Science
Zoology

Mathematics
Integrated Math I
Integrated Math II
Integrated Math III
Pre-Calculus
Calculus
AP Calculus AB
AP Statistics

World Language
Spanish Fundamentals
Spanish Seminar through Art & Culture
Spanish Language
Spanish Literature
AP Spanish Language and Culture
AP Spanish Literature and Culture
Social Justice through Art

Electives
Art I
Art II
AP Art
Cobra Academy
Creators Space
Dance I
Dance II

Ballet Folklórico
Technical Film
Theater/Drama
Student Leadership – ASB
Broadcast
Financial Literacy
Yearbook

Community Partnerships:

- Junior Achievement San Diego Fellows Theory & Internship Academy
- University of California, San Diego Dual Enrollment Courses

Transferability and Eligibility of Courses

The Charter School shall inform parents about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements in its student handbook and/or during individual or group meetings.

College Coursework

Chula Vista Learning Community Charter High School students are provided the opportunity to acquire units of college credit during their junior and senior years. Credits are earned while students enroll in courses of interest at local community colleges and partnerships with four-year universities. Courses taken at the community college level may replace classes that meet the high school A-G requirements. Courses may also be considered electives taken in place of elective options offered at the high school. Some courses may be in session during the school day and student class schedules are designed to work around college courses; arrangements are made on a case-by-case basis. Courses are taken at no cost to the student. Transportation is not provided.

The Path to College

Although the path to college begins at the elementary level, the coursework intensifies at the high school. All students are held to high standards and graduation requirements exceed the A-G requirements. In order to receive credit, students need to complete A-G courses with a “C” grade or better. Students at the high school take a minimum of four courses each semester in grades 9th-12th. To graduate, a student must earn a minimum of 52 semester credits. Members of the faculty offer a range of services to students and parents. The purpose of academic advising at the high school is to help students reach their educational and career goals.

The academic advisors meet with every student to ensure their courses are on track for college. Advisors hold quarterly meetings in the evening to inform parents on a variety of topics to support student progress towards college. As students enter their junior and senior years, parent and student meetings are scheduled to assist in essay writing, financial support and share requirements and registration deadlines for their child’s respective colleges. Advisors also bring representatives from a variety of colleges and

universities to speak to all students. Advisors plan college/ university tours throughout the state of California.

Internship Program

The internship course provides students with an introduction to pathways in the Business and Finance Industry Sectors, Engineering and Architecture, Health Science and Medical Technology, Manufacturing, Hospitality, Information and Communication Technologies, Education and Family Services, Marketing, Sales and Service, and Arts, Media and Entertainment. Students explore general principles of business, finance, career preparation, economics, management, marketing, entrepreneurship, and key 21st Century Skills, with an overall emphasis on collaboration, communication, global interconnectedness. and technological applications. Seat time will predominantly consist of internship and on-the-job hours, learning in a professional work environment, and connecting classroom instruction with real world applications.

Global Perspectives

Students at Chula Vista Learning Community Charter High School are offered an opportunity to experience global perspectives and cultures firsthand by participating in the culminating international study trip to prepare them for collegiate programs, careers and workplaces abroad.

Senior Project

The High School Senior Project gives students an opportunity to showcase their experiences, reflections and demonstrate how the Chula Vista Learning Community Charter School's Four Pillars have influenced their growth and continues to shape their future through a culminating presentation.

Emergent Bilingual Students

CVLCC will meet all applicable legal requirements for students learning English as a second language, including long-term learners or learners at risk of becoming long-term learners, as they pertain to annual notification to parents, student identification, placement, program options and core content instruction, teacher qualifications and training, reclassification to fluent English proficient status, monitoring and evaluating program effectiveness, and standardized testing requirements. CVLCC will implement policies to assure proper placement, evaluation, and communication regarding students learning English as a second language and the rights of students and parents.

Home Language Survey

CVLCC will administer the home language survey upon a student's initial enrollment in a California public school (on enrollment forms).

English Language Proficiency Assessment

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

Reclassification Procedures

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

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

Strategies for Emergent Bilingual Instruction and Intervention

All students learning English as a second language in TK through eighth grade receive embedded English Language Development ("ELD") instruction throughout the day. Students receive English Language instruction based on their current abilities in the four

areas of language: Speaking, Listening, Reading and Writing. Both integrated and designated ELD are utilized to ensure every student meets the linguistic and academic goals at their grade level.

Monitoring and Evaluation of Program Effectiveness

CVLCC evaluates the effectiveness of its education program for Emergent Bilingual Students by:

- Adhering to CVLCC-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 parental program choice options.
- Monitoring availability of adequate resources.

Section 504 and Special Education

Overview

CVLCC shall comply with all applicable state and federal laws in serving students with disabilities, including, but not limited to, Section 504, the ADA and IDEA.

CVLCC shall be categorized as a public school of the District in accordance with Education Code Section 47641(b). The Charter School reserves the right to seek membership as a local educational agency memebr of a SELPA, in accordance with Education Code Section 47641(a).

CVLCC shall comply with all state and federal laws related to the provision of special education instruction and related services and all Special Education Local Plan Area policies and procedures; and shall utilize appropriate SELPA forms.

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

Section 504 of the Rehabilitation Act

CVLCC 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 CVLCC.

A student who has a physical or mental impairment that substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment, is eligible for protections under Section 504.

A 504 team will be assembled 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.

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

As a public school of the District, solely for purposes of providing special education and related services under the IDEA pursuant to Education Code Section 47641(b), in accordance with Education Code Section 47646 and 20 U.S.C. Section 1413, CVLCC seeks services from the District for special education students enrolled in the Charter School in the same manner as provided to students in other District schools. CVLCC will follow the District and SELPA policies and procedures and shall utilize SELPA forms in seeking out and identifying and serving students who may qualify for special education programs and services and for responding to record requests and parent complaints and maintaining the confidentiality of student records. CVLCC will comply with District protocol as to the delineation of duties between the District central office and the local school site in providing special education instruction and related services to identified students. The Charter School does, however, reserve the right to operate as its own local educational agency ("LEA") for purposes of special education, in which case the Charter School shall apply directly for membership in a SELPA in conformity with Education Code Section 47641(a).

Goals and Actions in the State Priorities

Pursuant to Education Code Sections 47605(c)(5)(A)(ii) and 47605(c)(5)(B), a reasonably comprehensive description of CVLCC's annual goals, actions, and measurable outcomes, both schoolwide and for each subgroup of students, in and aligned with the Eight State Priorities as described in Education Code Section 52060(d), can be found in CVLCC's LCAP.

ELEMENT TWO
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 charter school demonstrate that they have attained the skills, knowledge and attitudes specified as goals in the charter school's educational program. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both schoolwide and for all pupil subgroups served by the charter school, as that term is defined in subdivision (a) of Section 52052. The pupil outcomes shall align with the state priorities as described in subdivision (d) of Section 52060, that apply for the grade levels served by the charter school. Education Code Section 47605(c)(5)(B).

Students at Chula Vista Learning Community Charter School will develop into intellectuals who are critically engaged, compassionate toward human issues, view the world with a critical lens and act by:

- embracing civic engagement through participation in Service Learning opportunities to make a positive impact in the world
- communicating effectively to express opinions and gain new information
- speaking, reading, and writing in two or more languages
- expressing deep understanding of mathematical and scientific practices
- utilizing technology in every plausible educational venue
- accepting and questioning diverse perspectives
- reading as a lifelong tool to strengthen one's own critical literacy
- drawing on meta-cognitive strategies to strengthen literacy across all content areas
- employing inquiry for new learning and further questioning
- utilizing reasoning and logical thinking in activity-based exploration across all content areas
- writing effectively to articulate knowledge, express ideas, interests and values through evaluation of task, purpose and audience
- expressing understanding of knowledge and authentic self through visual and performing arts

- demonstrating proficiency of culture, history, human geography, conflict resolution, economics, and sociopolitical events and issues
- developing lifelong habits that foster physical and emotional well-being
- collaborating actively on social, contextual and educational experiences leading to deeper learning and understanding

Chula Vista Learning Community Charter School's 2024 baseline LCAP goals are 98.1% Graduation Rate with 99% of Graduates earning Seal of Biliteracy, +14.3 points from standard on CAASPP in English (outperforming district and state averages) and -48.7 points from standard on CAASPP in Mathematics (outperforming state average). The measurable student outcomes for all subgroups in the latest data reports demonstrate a need for improvement in the area of mathematics.

Students will demonstrate academic and personal mastery of skills through the following summative and formative assessments:

California State Assessments (for relevant grade levels):

• English and Spanish Language Proficiency Assessments

• CAASPP in English and Mathematics

• California Spanish Assessment ("CSA")

• California Science Test ("CAST")

• California Alternate Assessment ("CAA")

• California Physical Fitness Test

National Assessments:

• Advanced Placement exams

• Scholastic Assessment Test and American College Testing

• Physical Fitness Test

School Site Assessments:

• individual reading assessments

• authentic assessments (writing prompts, benchmarks, teacher-created evaluations)

• end of unit exams

• performance tasks
• presentations of learning
• project exhibitions

Goals will be addressed through:

- Evaluation of Trainings, Program Review Process & Effectiveness of Inquiry Process for LCAP reviewed and modified to produce specific measurable goals using formative and summative student data.
- Data analysis has become a focus for all Chula Vista Learning Community Charter School teachers. Weekly planning, Professional Learning Communities and Articulation Institutes provide time for teachers to review and modify specific goals based on formative and summative data. Teachers are given two to four hours weekly to focus on student learning outcomes.
- Formalized and measurable connection to school culture.
- Creation and implementation of curriculum to address various academic, career, college and social opportunities.

Student Outcomes in the State Priorities

Pursuant to Education Code Sections 47605(c)(5)(A)(ii) and 47605(c)(5)(B), a reasonably comprehensive description of CVLCC's annual goals, actions, and measurable outcomes, both schoolwide and for each subgroup of students, in and aligned with the Eight State Priorities as described in Education Code Section 52060(d), can be found in CVLCC's LCAP.

CVLCC's current LCAP is on file with the District and is also available on CVLCC's website. CVLCC shall annually update and develop the LCAP in accordance with Education Code Section 47606.5 and shall use the LCAP template adopted by the State Board of Education. CVLCC reserves the right to establish additional and/or amend school-specific goals and corresponding assessments throughout the duration of the charter term through the annual LCAP update. The LCAP will not be considered a part of this charter and any such revision of the LCAP shall not require a material revision of this charter. CVLCC shall submit the LCAP to the District and County Superintendent of Schools annually on or before July 1, as required by Education Code Section 47604.33. CVLCC shall also present a report on the annual update to the LCAP and the local control funding formula budget overview for parents on or before February 28 of each year at a regularly scheduled Board meeting.

ELEMENT THREE
Methods of Measuring Student Progress

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

Chula Vista Learning Community Charter School is accountable to its students and stakeholders first and foremost. An annual report is given to the chartering agency, the Chula Vista Elementary School District, to demonstrate progress in student achievement, school programs and community engagement.

In order to monitor student progress on an ongoing basis, Chula Vista Learning Community Charter School evaluates student performance through:

- Multiple assessment measures and longitudinal data (see Element Two)
- Systematic procedures to analyze data and use the information to guide instruction, increase student performance, and determine supplemental programs to ensure student advancement toward meeting standards at or above grade level
- Instructional conversations regarding classroom implications to improve student learning and deepening understanding
- Analysis of data at the beginning of each instructional unit to plan for the next module
- Modifications of scope and sequence of units based on student performance

Chula Vista Learning Community Charter School will meet all statewide standards and conduct the student assessments required, pursuant to Education Code Section 60605, and any other statewide standards authorized in statutes, or student assessments applicable to students in non-charter public schools, as required by Education Code Section 47605(d)(1).

Currently, CVLCC uses the state's standardized testing program to monitor student progress and achievement compared to peers in other schools, including the CAASPP assessment system (Smarter Balanced Assessment Consortium ("SBAC"), California Science Test, and California Alternate Assessments). Additionally, CVLCC's Emergent Bilingual students are assessed using the ELPAC to measure their progress in English language development. Reading and mathematics assessments are used as part of the local measurement tools to determine if students are meeting basic skill levels.

Additionally, as required by law, students participate in the Physical Fitness Test ("PFT").

In addition to the State and Local assessments, A report of progress, based on student performance, is utilized by CVLCC. A process for goal setting involving faculty, students, and parents will be conducted throughout the year to measure growth and ensure students meet social and academic expectations in accordance with the Chula Vista Learning Community Charter School's instructional focus. Each classroom teacher is provided with tools and resources to assess learning, analyze results, develop improved teaching strategies, and shape instruction. Teachers are given an opportunity to collaborate with grade level/department colleagues. Teacher accountability will include Observations, release time, staff development, conferences, critical pedagogy practices, and action plans to improve student achievement.

Chula Vista Learning Community Charter School reports student progress data to parents/guardians throughout the year. Data is analyzed with parents/guardians during academic conferences, parent trainings and workshops. LCAP meetings are held in springtime to review academic goals for the entire school. New goals are created based on data and goals are revised for implementation for the upcoming year.

Chula Vista Learning Community Charter School follows the guidelines provided by the CVESD Wellness Policy. The school and district recognize the link between student health and learning and is committed to providing a healthy school environment that promotes student and staff wellness, proper nutrition, nutrition education, and regular physical activity.

Chula Vista Learning Community Charter School assess students in grades five, seven, and nine using the California Physical Fitness Test. Each student in these grade levels is tested to determine whether the student scored within the Healthy Fitness Zone (HFZ) for each assessment area.

ELEMENT FOUR
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. Education Code Section 47605(c)(5)(D).

Chula Vista Learning Community Charter School shall be operationally independent of the Chula Vista Elementary School District. Chula Vista Learning Community Charter School will be operated by a governance structure involving all parties pertaining to the educational process of students.

Chula Vista Learning Community Charter Board ("Board") members must have a vested interest in the organization and will govern the Chula Vista Learning Community Charter School.

The Chula Vista Learning Community Charter Board consists of at least seven (7) voting members. The Board will consist of two school staff representatives (one certificated and one classified), three parents, two community members (residing within CVLCC's enrollment boundaries), and, upon receipt of a petition for student representation that meets the requirements of Education Code Section 47604.2(b)(2), the Board shall include, in addition to the number of members otherwise prescribed, at least one student representative with preferential voting rights as defined in Education Code Section 47604.2(b)(4). The Board may, from time to time, adopt policies and procedures to conduct its elections and define "community members" for purposes of Board membership.

In accordance with Education Code Section 47604(c), the District may appoint a representative to sit on the Board. If the District chooses to do so, CVLCC may choose to appoint an additional member to ensure that the Board is maintained with an odd number of directors.

The Chula Vista Learning Community Charter School Chief Executive Officer will not be on the Board but will serve as secretary, coordinate meetings, and prepare board elections (by the Board). The Chula Vista Learning Community Charter School student representative is not considered a voting member of the board. This group will represent a cross-section of the school. The Chula Vista Learning Community Charter Board parent and community members will be selected through nominations and voted in by

the Chula Vista Learning Community Charter School parents. The student representative will be selected by the student body.

The Chula Vista Learning Community Charter Board is elected by the community to sustain the mission and vision of the Chula Vista Learning Community Charter School. Elected board members of the Chula Vista Learning Community Charter School will participate in on-going training, including a training in ethics, throughout their two-year term to uphold the mission and vision of the school. If a Board member leaves the board for any reason (e.g., resignation), the Board may appoint a replacement Board member to serve the remainder of the term.

Parent/Community Member Election Process:

- Announcement of vacancy shall be dispersed and available (i.e., website, newsletter, phone message, email, etc.) to all parent/ community members. The announcement will be posted 10 school days prior to the nomination deadline.

- A board member nominee registration form will be available with eachsite secretary to nominate a candidate, or a parent/ community member may nominate themselves. Candidates must sign the form accepting the nomination prior to the nomination deadline and submit to the site secretary.

- In the event a candidate is not nominated, the announcement will be reposted and the 10-day process will repeat.

- The Chula Vista Learning Community Charter Board nominees will have multiple opportunities to present their candidacy to the school community.

- All nominations received will be placed on a numbered ballot including each nominee's statement of qualifications and shall be sent by US mail, one per family.

- All ballots must be received no later than the election deadline. Ballots will be placed in the election box designated at each site for such purpose.

- The Chief Executive Officer will receive election boxes from Chula Vista Learning Community Charter School site secretaries.

- A Chula Vista Learning Community Charter Board Member and the Chief Executive Officer will count and report the votes. All ballots will be retained for 60 calendar days.

Certificated/ Classified Election Process:

- Announcement of vacancy shall be dispersed and available to all staff members prior to the nomination process. The announcement will be posted 10 school days prior to nomination deadline

- A nomination form will be available with each site secretary to nominate a candidate, or a faculty member may nominate themselves. Candidates must sign the form, accepting the nomination, prior to the nomination deadline and submit it to the site secretary

- In the event a certificated or classified candidate is not nominated, the announcement will be reposted, and the 10-day process will repeat

- Ballots will be distributed to all certificated and classified employees, accordingly. *Ballots will be placed in the election box in a place designated at each site for such purpose*

- A Chula Vista Learning Community Charter Board Member and the Executive Director count and report the votes. All ballots will be retained for 60 calendar days

Board Meetings and Duties

The Chula Vista Learning Community Charter Board shall work in collaboration with the Chula Vista Learning Community Charter School Chief Executive Officer, faculty members, students, parents and community to fulfill its major roles, which include, but are not limited to, the following:

1. During the two-year term on the board, participate and be involved in at least ten events (including athletics, performances, extracurricular activities, etc.) each academic year across the TK-12 system and independent of the grade level of the member's child (in addition to board meetings and parent responsibilities).

2. Actively engage in community leadership through open dialogue and advocacy at the local, state and national levels on behalf of Chula Vista Learning Community Charter School's mission, vision and instructional focus.

3. Ensure accountability to the local community for the education and advancement of the Chula Vista Learning Community Charter School student body in accordance with the measurable benchmarks.

4. Establish, oversee and approve basic organizational structures for all Chula Vista Learning Community Charter activities and appointed committees.

5. Represent the Chula Vista Learning Community Charter School as an individual that embodies the beliefs, attitudes and dispositions in relation to the school's educational programs and measurable student outcomes.

6. Maintain involvement by being informed of any school communication including but not limited to newsletters, websites, emails and board minutes.

7. Ensure the fiscal health and adherence to recognized accounting practices (curriculum, budget, approval of salaries) and legalities of the Chula Vista Learning Community Charter School.

8. Establish complaint procedures that ensure due process and facilitate the satisfactory resolution of issues.

9. Work with Chula Vista Learning Community Charter School Chief Executive Officer to establish employment policies, practices and procedures.

10. Collaborates with the Chula Vista Elementary School District and is responsible for the selection of the Chief Executive Officer.

11. Approve hiring and termination of all personnel.

12. Appoint and disband all committees, subject to Board approval.

The Chula Vista Learning Community Charter Board will ensure ethical responsibilities by:

- Being knowledgeable of the general policies of the school pertaining to the educational programs and measurable pupil outcomes

- Approving and monitoring the school's budget for the fiscal year

- Receiving funds for the operation of the school in accordance with charter school laws

- Solicitating and receiving grants, donations and fundraisers consistent with the mission and vision of the school

- Approving the school's personnel policies and monitoring their implementation

- Contracting with Chula Vista Elementary School District for operations oversight and direct services

- Conducting appropriate complaint procedures that ensure due process and facilitate satisfactory resolution of issues related to employees, administration, parents and students

- Selecting the school Chief Executive Officer and any other administrative personnel in collaboration with the Chula Vista Elementary School District

- Ensuring website has current and updated information Protocol for conducting board meetings:

The CVLCC Board will meet regularly in accordance with the Ralph M. Brown Act ("Brown Act"), Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code, and Education Code Section 47604.1(c). All meetings shall occur in the county. The Chief Executive Officer or Board may call a special meeting to the members of the Chula Vista Learning Community Charter Board with a 24-hours' notice.

The presence of a majority of the members shall be required in order to constitute a quorum necessary for the transaction of the business of the Chula Vista Learning Community Charter Board.

Chula Vista Learning Community Charter Board meetings will address the following:

1. Reading of the minutes of the previous meeting
2. Reports of Standing Committees
3. Reports of Select Committees
4. Pending Business
5. New Business

An agenda must be posted to the community a minimum of 72 hours before a regular Chula Vista Learning Community Charter Board meeting. If appropriate posting has not taken place, the item will not be considered at the meeting in question.

All confidential/privileged information and records shall be released only as allowed by law. Confidential/privileged information, which is produced for, or which comes out during closed sessions of the Chula Vista Learning Community Charter Board shall not be divulged or released unless a majority of Board members agree to release the information, subject to applicable laws (i.e., education and government codes) regarding closed sessions and confidential records. This policy is not intended to cause the withholding of information about the purpose and subject(s) of the closed session as required for public information. Information from a closed session shall be released by an attending board member.

Any Chula Vista Learning Community Charter Board member who willfully and for monetary gain used or discloses confidential/privileged information could be guilty of a violation of law and subject to the consequences associated with that violation.

Any Chula Vista Learning Community Charter Board member who releases confidential/privileged information contrary to the provisions of this charter may be publicly censured by a majority vote of the members of the Chula Vista Learning Community Charter Board.

A Chula Vista Learning Community Charter Board member will consult with the Chief Executive Officer or designee for the preparation of the Board's agenda, call meetings of the Board as deemed necessary outside of the regular meetings and use the following order in conducting its meetings:

1. Call the meeting to order at the appointed time.
2. Announce the business to come before the Board in its proper order.
3. Enforce the Board's policies relating to the order of business and the conduct of the meetings.
4. Recognize persons who desire to speak and protect the speaker who has the floor from disturbance or interference.
5. Explain what the effect of a motion would be if it is not clear to every member.
6. Restrict discussion to the question when a motion is before the Board.
7. Rule on parliamentary procedure.
8. Put motions to a vote, and state clearly the results of the vote.
9. Present a monthly report sharing progress on Board business, projects and any other relevant school business.
10. Have all the rights of any member of the board, including the right to move, second, discuss, and vote on all questions before the Board

Certificated Faculty Member (1)

1. Meet and coordinate with grade level/ departments to showcase pedagogy from the pillars, related to the school's mission and vision.
2. Present how grade level/ departments implement the pillars of dual language immersion, global perspectives, social justice, and community engagement.
3. Act as a voice for the faculty related to board agenda and action items.
4. Assist in planning philanthropic faculty events during two-year term.
5. Confer with the Chief Executive Officer or designee on crucial matters which may occur between Board meetings.
6. Share relevant information with other Board members.

Classified Staff Member (1)

1. Act as a voice for the classified staff related to board agenda and action items.
2. Assist in planning philanthropic staff events.
3. Confer with the Chief Executive Officer or designee on crucial matters which may occur between Board meetings
4. Share relevant information with other Board members.

Parent/ Community Member (5)

1. Collaborate with Chula Vista Learning Community Charter Parent Community Liaison.
2. Act as a voice for the community related to board agenda and action items.
3. Assist in planning community events during two-year term.
4. Confer with the Chief Executive Officer or designee on crucial matters which may occur between Board meetings.
5. Share relevant information with other Board members.

Chief Executive Officer/ Designee of Chula Vista Learning Community Charter School

The Chula Vista Learning Community Charter School Chief Executive Officer is the liaison between the Chula Vista Elementary School District and the Chula Vista Learning Community Charter Board and reports information to board members. Other duties include:

1. Provides input to the Chula Vista Learning Community Charter Board on the school status and issues requiring Board support.
2. Provides a monthly report to the board detailing progress, obstacles, upcoming events and any other pertinent school business.
3. Sets the agenda, takes minutes and maintains records.

Term of Office

The term of office of all members of the Chula Vista Learning Community Charter Board shall be 2 years. Every Member has the right to participate in the discussion and vote on all issues before the Board, except as noted below:

1. The Chula Vista Learning Community Charter School Student Representative shall not be present for closed sessions pursuant to Education Code Section 47604.2(b)(6)(A).
2. Any Member shall be excused from the discussion and vote on any matter involving: (a) a self-dealing transaction; (b) a conflict of interest (c) any other matter at the discretion of a majority of the Members then present, unless prohibited by Government Code Section 1090.

The Board may remove, with board action, any member who:

1. Has failed to attend two or more of the Board's Regular Meetings in any calendar year.
2. Has been declared of unsound mind by a final order of court.
3. Has been convicted of a felony.
4. Has been found by a final order or judgment of any court to have breached any duty imposed by the California Nonprofit Public Benefit Corporation Law.
5. For such other good causes as the Board may determine.

Resignation by Member

A member may resign by giving written notice to the Chief Executive Officer. The resignation is effective on the giving of notice, or at any later date specified in the notice.

A vacancy is deemed to occur on the effective date of the resignation of a member, upon the removal of a member, upon declaration of vacancy pursuant to the Bylaws, or upon a member's death. A vacancy is also deemed to exist upon the increase by the Board of the authorized number of members.

Membership in the Board is not transferable or assignable.

Board members may be removed by a two-thirds majority vote of the members.

If a Board member leaves the Board for any reason (e.g., resignation or removal), the Board may appoint a replacement Board member to serve the remainder of the term.

The Chula Vista Learning Community Charter School will have three advisory entities throughout the TK-12 system: Parents, Faculty, and Student Representatives. These advisory entities will advise and inform the Chula Vista Learning Community Charter Board on the operations and activities of the faculty, students, parents, and community. The Board will review and provide input on curriculum, fundraising, and governance ideas for increasing.

Fiscal

Chula Vista Learning Community Charter School, in collaboration with the Chula Vista Elementary School District, will act as its own fiscal agent to the fullest extent of the law. Chula Vista Learning Community Charter School will operate a direct funding model through the Chula Vista Elementary School District with appropriate block grants and other funding sources. Chula Vista Learning Community Charter School will employ an independent fiscal agent to monitor and maintain standards of fiscal responsibility.

ELEMENT FIVE
Employee Qualifications

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

The employees of Chula Vista Learning Community Charter School are reflective and inclusive of the diversity of the community in gender and ethnicity. All parents, community members, and staff are teachers and role models. The school hires well qualified staff that offers diverse and international perspectives from multi-national backgrounds. They are committed to developing the social, civic, character, and academic development of each student. They are passionate for lifelong learning in a positive environment where they can be viewed as coaches and facilitators of learning. Their commitment to the stakeholders of the Chula Vista Learning Community Charter School community goes beyond their normal scope of hours and duties.

The Chula Vista Learning Community Charter School does not discriminate against any applicant based on the characteristics listed in Education Code Section 220(race or ethnicity, nationality, , actual or perceived disability, sex, sexual orientation, gender, gender identity or expression, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, including immigration status, or association with an individual who has any of the aforementioned characteristics).

Selection Process: Selection and appointment of Chula Vista Learning Community Charter School's staff members shall be in collaboration with the Human Resources Departments of both the Chula Vista Learning Community Charter School and the Chula Vista Elementary School District. All applicants must follow Chula Vista Learning Community Charter School and Chula Vista Elementary School District guidelines and criteria for hiring. As a part of the hiring process, all applicants placed for consideration must first be on the District approved "employable list." All employees of the Chula Vista Learning Community Charter School are subject to all state and federal employment laws. All employees of the Chula Vista Learning Community Charter School are employees of the Charter School and not the Chula Vista Elementary School District.

In accordance with Education Code Section 47605(e)(1), CVLCC is nonsectarian in its employment practices and all other operations.

Each employee of CVLCC shall furnish the Charter School with a criminal record summary as described in Education Code Section 44237, pursuant to Education Code Section 47605(c)(5)(F)(i).

Teachers at CVLCC shall hold the Commission on Teacher Credentialing ("CTC") certificate, permit, or other document required for the teacher's certificated assignment. CVLCC may use local assignment options authorized in statute and regulations for the purpose of legally assigning certificated teachers, in accordance with all of the requirements of the applicable statutes or regulations in the same manner as a governing board of a school district. Teachers employed by charter schools during the 2019-20 school year shall have until July 1, 2025, to obtain the certificate required for the teacher's certificated assignment.

School Directors at CVLCC shall hold the CTC Administrative Services Credential or equivalent documentation required for the certificated administrative assignment, evidence of successful experience as an administrator (elementary, middle or high school) and master's and/or doctoral degree in educational leadership (highly desirable).

The Chief Executive Officer at CVLCC shall hold the CTC Administrative Services Credential or equivalent documentation required for the certificated administrative assignment, evidence of successful executive management experience as an administrator (charter or school district) and master's and/or doctoral degree in educational leadership, business management or related field.

CVLCC shall maintain a student to adult ratio in transitional kindergarten classrooms as required by Education Code Section 48000(g).

Chula Vista Learning Community Charter Indicators of Quality Teaching and Learning

In order for individuals at Chula Vista Learning Community Charter School to act with integrity and create their own knowledge, teachers must:

Have deep understanding of curriculum and pedagogy

Quality Indicator 1 - Curriculum development
Quality Indicator 2 - Teaching approaches and strategies
Quality Indicator 3 - Scaffolds for learning

Have a clear instructional purpose

Quality Indicator 1 - Alignment to state standards
Quality Indicator 2 - Establishment of learning target and teaching points

Have effective student engagement

Quality indicator 1 - Establishment of intellectual student work
Quality indicator 2 - Student engagement strategies
Quality indicator 3 - Facilitation of student talk

Establish a conducive classroom environment and culture

Quality indicator 1 - Use of physical environment
Quality indicator 2 - Classroom routines and rituals
Quality Indicator 3 - Classroom Culture

Implement assessment for student learning

Quality indicator 1 - Development of formative and summative assessments
Quality indicator 2 - Instructional adjustments based on student assessments

Actively engage in professional collaboration and communication

Quality indicator 1 - Collaboration and communication with all educational partners to improve student learning
Quality indicator 2 - Supporting school community initiatives
Quality indicator 3 - Ethics and advocacy

ELEMENT SIX
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 require all of the following:

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

(ii) The development of a school safety plan, which shall include the safety topics listed in subparagraphs (A) to (K), inclusive, of paragraph (2) of subdivision (a) of Section 32282. For schools serving pupils in any of grades 7 to 12, inclusive, the development of a school safety plan shall also include the safety topic listed in subparagraph (L) or paragraph (2) of subdivision (a) of Section 32282.

(iii) That the school safety plan be reviewed and updated by March 1 of every year by the charter school.

Education Code Section 47605(c)(5)(F).

Procedures to ensure the health and safety of pupils and staff will parallel those currently used by the Chula Vista Elementary School District. The Chula Vista Learning Community Charter School will comply with District standards, policies, procedures, and all local, state, and federal safety laws. Below is a summary of the health and safety policies of the Charter School.

Procedures for Background Checks

The Chula Vista Learning Community Charter School shall require each employee to submit to a criminal background check and to furnish CVLCC with a criminal record summary as described in Education Code Section 44237, as required by Education Code Section 47605(c)(5)(F)(i). Applicants for employment must submit two sets of fingerprints to the California Department of Justice for the purpose of obtaining a criminal record summary. CVLCC 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. Volunteers who will volunteer outside of the direct supervision of a credentialed employee shall be fingerprinted and receive background clearance prior to volunteering without the direct supervision of a credentialed employee.

Immunizations

Students enrolled at CVLCC who receive classroom-based instruction shall be required to provide records documenting that they have complied with state mandates for 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 pertussis (whooping cough) vaccine booster. Upon a student's admission or advancement to 6th grade, the Charter School shall submit to the student and their parent or guardian a notification that advises students to adhere to current immunization guidelines regarding human papillomavirus ("HPV") before admission or advancement to 8th grade, consistent with the requirements of Education Code Section 48980.4 and Health and Safety Code Section 120336. Records of student immunization shall be maintained.

Tuberculosis Risk Assessment and Examination

All employees, and volunteers who have frequent or prolonged contact with students, shall be assessed and examined (if necessary) for Tuberculosis (TB) 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.

School Safety Plan

The Chula Vista Learning Community Charter School will maintain, review and update annually by March 1, a School Safety Plan which shall include identification of appropriate strategies and programs that will provide or maintain a high level of school safety and address the Charter School's procedures for complying with applicable laws related to school safety, including the development of all of the following pursuant to Education Code Section 32282(a)(2)(A)-(L):

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

- procedures to assess and respond to reports of any dangerous, violent, or unlawful activity that is being conducted or threatened to be conducted at the school, at an activity sponsored by the school, or on a school bus serving the school
- a protocol in the event a pupil is suffering or is reasonably believed to be suffering from an opioid overdose

The School Safety Plan shall be drafted specifically to the needs of the facility in consultation with law enforcement, the Fire Marshal, insurance carriers and risk management experts. The School Safety Plan shall include identification of appropriate strategies and programs that will provide or maintain a high level of school safety and address CVLCC's procedures for complying with applicable laws related to school safety, including Education Code Section 32282(a)(2)(A)-(L). Staff shall receive training in emergency response, including appropriate "first responder" training or its equivalent.

Disaster procedures included in the School Safety Plan shall address and include adaptations for students with disabilities. To the extent an employee, parent/guardian, educational rights holder, or student brings concerns regarding the procedures to the Director and, if there is merit to the concern, the Director shall direct the School Safety Plan to be modified accordingly.

Facility Safety

The Charter School building will be assessed for structural and fire safety, using existing state, county, and city standards for independent and parochial schools. CVLCC shall comply with Education Code Section 47610 by utilizing facilities that are either compliant with the Field Act or facilities that are compliant with the California Building Standards Code. The school's Site Emergency Procedures Plan and Safety Plan are developed with the Chula Vista Elementary School District. Together the district, school and local emergency agencies create and review with all faculty members a plan for all types of emergencies that may occur during the year at the school sites. The purpose of this plan is to outline the basic organization and procedures for responding to an emergency affecting any school site operated by Chula Vista Learning Community Charter School. The plan is reviewed by the staff twice a year to ensure a basic understanding of their role and responsibility in an emergency. CVLCC agrees to test sprinkler systems, fire extinguishers, and fire alarms annually at its facilities to ensure that they are maintained in operable condition at all times. Fire drills are conducted at least once a month at the elementary level and at least four times every school year at the intermediate levels, as required under Education Code Section 32001. Earthquake, Shelter in Place and Lock Down drills are practiced once a semester.

Vision, Hearing, and Scoliosis
Chula Vista Learning Community Charter School offers schoolwide student vision and hearing screening every school year. CVLCC will adhere to Education Code Section 49450, *et seq* as applicable to the grade levels served by the school.

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

Each relevant staff member (i.e. nurse, health specialist, etc.) is also required to have CPR/AED/First Aid certification that is renewed every 2 years. All athletic coaches are required to have CPR/AED/First Aid certification as well as concussion and heat stroke certification. Additionally, in depth training is offered to interested staff for the administration of emergency seizure medication. This is voluntary for any staff who wish to be on the Emergency Seizure Response Team for any student who requires such medication.

In the event the Charter School participates in the California Interscholastic Federation it shall, on or before April 1, 2025, post on its website a standardized incident form as developed by the CDE to receive complaints of racial discrimination, harassment, or hazing alleged to occur at high school sporting games or sporting event and shall include instructions on how to submit a completed incident form consistent with Education Code Section 33353.

Medication in School
On-site student medication administration is overseen by the school nurse and managed daily by the health specialists in the health office on each campus. Board policies and procedures adhere to Education Code Section 49423 regarding administration of medication in school and Education Code Section 49414 regarding epinephrine auto-injectors and training for staff members. Staff procedure forms have been adapted from Chula Vista Elementary School District and the San Diego County Office of Education.

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. CVLCC shall provide mandated reporter training to all employees annually in accordance with Education Code Section 44691.

Diabetes
CVLCC shall make type 1 diabetes informational materials accessible to the parent or guardian of a student when the student is first enrolled in elementary school. CVLCC 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 shall include, but 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
CVLCC shall follow the District's policy on student suicide prevention in accordance with Education Code Section 215.

Prevention of Human Trafficking
CVLCC shall identify and implement the most appropriate methods of informing parents and guardians of students in grades 6 through 12 of human trafficking prevention resources.

Menstrual Products
CVLCC shall stock the school's restrooms at all times with an adequate supply of menstrual products, available and accessible, free of cost, in all women's restrooms and all-gender restrooms, and in at least one men's restroom. The Charter School shall post a notice regarding the requirements of this section in a prominent and conspicuous location in every restroom required to stock menstrual products, available and accessible, free of cost, pursuant to this section. This notice shall include the text of this section and contact information, including an email address and telephone number, for a designated individual responsible for maintaining the requisite supply of menstrual products.

All Gender Restrooms
On or before July 1, 2026, the Charter School shall provide and maintain at least one all-gender restroom for voluntary student use at each of its schoolsites that has more than one female restroom and more than one male restroom designated exclusively for student use. The restroom shall have signage identifying the bathroom as being open to all genders, it shall remain unlocked, unobstructed, and easily accessible by any student, and be available during school hours and school functions when students are present. The Charter School shall designate a staff member to serve as a point of contact and to post a notice regarding these requirements.

Nutritionally Adequate Free or Reduced Price Meal CVLCC shall provide breakfast and lunch free of charge during each school day to any student who requests a meal without consideration of the student's eligibility for a federally funded free or reduced-price meal, with a maximum of one free meal for each meal service period. The meals provided under this paragraph shall be nutritionally adequate meals that qualify for federal reimbursement.

The Charter School shall provide each student adequate time to eat as determined by the Charter School in consideration of available guidance.

Recess
As of the 2024-25 school year and except where a field trip or other educational program is taking place, if the Charter School provides recess, to the extent required by Education Code Section 49056, the Charter School shall provide supervised and unstructured recess, distinct from physical education courses and mealtimes, of at least 30 minutes on regular instructional days and at least 15 minutes on early release days. The Charter School shall not restrict a student's recess unless there is an immediate threat to the physical safety of the student or one or more of their peers.

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

Mental Health Education
If CVLCC offers one or more courses in health education to students in grades 7-12, CVLCC shall include in those courses instruction in mental health that meets the requirements of Education Code Section 51925, *et seq.*

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

Workplace Violence
As of July 1, 2024, the Charter School shall establish, implement, and maintain, at all times in all work areas, an effective workplace violence prevention plan consistent with the requirements of Labor Code Section 6401.9.

Blood-borne Pathogens
CVLCC 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 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-, Alcohol-, and Smoke-Free Environment
CVLCC shall function as a drug-, alcohol-, and smoke-free environment.

Comprehensive Anti-Discrimination and Harassment Policies and Procedures
CVLCC 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. CVLCC shall develop a comprehensive policy to prevent and immediately remediate any concerns about discrimination or harassment at CVLCC (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 CVLCC's anti-discrimination and harassment policies.

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

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

Supporting LGBTQ Students
Commencing with the 2025-26 school year and ending with completion of the 2029-30 school year, the Charter School shall use an online training delivery platform and curriculum to provide at least 1 hour of required LGBTQ cultural competency training annually to teachers and other certificated employees and maintain records of such training as required by Education Code Section 218.

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

Gun Safety Notice
At the beginning of the first semester, CVLCC shall distribute a notice to the parents/guardians of each student addressing California's child gun access prevention laws and laws related to firearm safety utilizing the most updated model language published by the CDE.

Transportation Services

Effective July 1, 2025, the Charter School shall comply with the requirements of Education Code Section 39875(c), if applicable, relating to background checks and testing for individuals providing transportation services for students.

ELEMENT SEVEN
Student Population Balance

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

Chula Vista Learning Community Charter School seeks to maintain a racial and ethnic, special education, and Emergent Bilingual students, including redesignated Emergent bilingual students, balance within its student population. Students will not be denied admission to the school based on race, color, ancestry, national origin, ethnicity, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity or expression, genetic information, or immigration status.

Recruitment and admission practices at the elementary school are expected to reflect the racial and ethnic, special education, and Emergent Bilingual, including redesignated Emergent Bilingual students, balance of the general population of the Chula Vista Elementary School District. Middle and high school recruitment and admission practices are expected to reflect the racial and ethnic, special education, and Emergent Bilingual, including redesignated Emergent Bilingual students, balance among its students that is reflective of the general population of the city of Chula Vista and the surrounding communities.

The school will strive to achieve a racial and ethnic, special education, and English Learner, including redesignated Emergent bilingual students, balance of students, which reflects that of the entire school district.

CVLCC's enrollment for the 2022-23 school year included: 2 African American students (0.1%), 2 Filipino students (0.1%), 1,393 Hispanic or Latino students (97.6%), 24 White students (1.7%), 3 students of two or more races (0.2%), 364 English learners (25.5%),

7 homeless youth (0.5%), 89 students with disabilities (6.2%), and 864 socioeconomically disadvantaged students (60.5%).

The Chula Vista Elementary School District enrollment (in charter and non-charter schools) for the 2022-23 school year included: 1,050 African American students (3.6%), 44 American Indian or Alaska native students (0.2%), 671 Asian students (2.3%), 2,585 Filipino students (8.9%), 20,644 Hispanic or Latino students (71.3%), 96 Pacific Islander students (0.3%), 2,313 White students (8%), 1,471 students of two or more races (5.1%), 8,217 Emergent Bilingual (28.4%), 86 foster youth (0.3%), 513 homeless youth (1.8%), 3,922 students with disabilities (13.5%), and 14,612 socioeconomically disadvantaged students (50.5%), with a total of 28,952 students.

As shown by the high percentage of Hispanic/Latino students (97.6% at CVLCC and 71.3% at the District), the similar percentage of Emergent Bilingual students (25.5% at CVLCC and 28.4% at the District), homeless youth (0.5% at CVLCC and 1.8% at the District), and socioeconomically disadvantaged students (60.5% at CVLCC and 50.5% at the District), CVLCC's previous efforts to achieve a balance of racial and ethnic, special education, and Emergent Bilingual, including redesignated Emergent Bilingual students that is reflective of the general population residing within the territorial jurisdiction of the Chula Vista Elementary School District, has been successful. Additionally, CVLCC has increased the percentage of students with disabilities it serves over the last eight (8) years from 4.4% in the 2014-2015 school year, to 7.3% this past school year.

CVLCC will continue its efforts to achieve a student population balance by:

- **Marketing and Advertising**: Creating and distributing informational materials to appeal to various racial and ethnic groups within the District. Marketing materials will be developed in English, Spanish, and other common languages within the District and distributed thoughout the local community.

- **Holding Open Houses**: Hosting a number of open houses and scheduled tours for interested parents and students within the District in an effort to promote the CVLCC's recruitment efforts.

- **Attend and Establish Presence at Community Events**: Making significant efforts to establish visibility in the community. CVLCC leadership will plan to attend upcoming community events, to ignite interest about the school. CVLCC will also set up information tables/booths in high traffic and high visibility areas during well – attended local and regional community events.

- **Establish Partnerships with Community Organizations**: Establish potential partnerships within the local and regional communities inclusive of local community colleges and the local business sector.

- **Social Media and Online Advertising**: Utilize website and social media to connect with interested parents and community members who are interested in visiting and learning more about CVLCC.

In addition, CVLCC intends to establish an enrollment and recruitment timeline that is aligned with the diverse needs and composition of the District population. CVLCC will continue to engage in ongoing recruitment and outreach efforts as described above with the continued development of: marketing materials, advertising, online and social media presence, hosting and attendance of community events, and continued efforts to establish community partnerships. CVLCC's budget includes financial resources allocated to outreach efforts.

ELEMENT EIGHT
Admission Policies and Procedures

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

Admission Requirements

The Chula Vista Learning Community Charter School will admit all pupils who wish to attend. However, if the number of pupils who wish to attend exceeds capacity, then admittance, except for current pupils, shall be determined by a lottery process. The Chula Vista Learning Community Charter School will not charge tuition. The Chula Vista Learning Community Charter School is a public school committed to equal opportunity. The Charter School believes in having balanced and diverse classrooms. An equal number of students from multiple academic levels will be admitted. No test or assessment shall be administered to students prior to acceptance and enrollment into the Charter School. The Charter School is nonsectarian in its programs, admission policies, and all other operations, and will not charge tuition. CVLCC 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 student or the student's parent/guardian within the state. In accordance with Education Code Sections 49011 and 47605(e)(2)(B)(iv), admission preferences shall not require mandatory parental volunteer hours as a criterion for admission or continued enrollment. CVLCC shall admit all students who wish to attend the Charter School on a nondiscriminatory basis without regard to race, color, ancestry, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity or expression, genetic information, or immigration status, language proficiency, or academic achievement, or any other characteristics listed in Education Code Section 220. Admission exams or special admission requirements will not be required for applicants.

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

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

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

Public Random Drawing

Applications will be accepted during a publicly advertised open enrollment period each year for enrollment in the following year. Chula Vista Learning Community Charter School students do not need to reapply as they are already a part of the school's continuum. Following the open enrollment period each year, applications shall be counted to determine whether any grade level has received more applications than availability. In the event CVLCC has more students wanting admission beyond the Charter School's capacity, CVLCC will conduct a public random drawing (or "lottery") to determine admission for the impacted grade level, with the exception of existing students, who are guaranteed admission in the following school year.

Admission preference in the case of a public random drawing will be prioritized in the following manner:

- Siblings of current Chula Vista Learning Community Charter School students who are in good standing according to the parent compact and handbook.
- Residents of the District

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

The Board will take all necessary efforts to ensure lottery procedures are fairly executed. Lottery spaces are pulled in order of grade level by the designated lottery official (appointed by the Chief Executive Officer). Separate lotteries shall be conducted for each grade in which there are fewer vacancies than students interested in attending. All lotteries will take place on the same day in a single location. Lotteries will be conducted in ascending order beginning with the lowest applicable grade level. There is no weighted priority assigned to the priority categories; rather, within each grade level, students will be drawn from pools beginning with all applicants who qualify for the first priority category

and shall continue with that priority category until all vacancies within that grade level have been filled. If there are more students in a priority grade category than there are spaces available, a random drawing will be held from within that priority category until all available spaces are filled. If all students from the priority category have been selected and there are remaining spaces available in that grade level, students from the second priority category will be drawn in the lottery, and the drawing shall continue until all spaces are filled and priority categories are exhausted in the order provided above.

Waitlist

At the conclusion of the public random drawing, the Charter School will create a waiting list for admission and provide all students who were not granted admission due to capacity with the option to put their name on the waitlist according to their draw in the lottery. The waitlist will allow students the option of enrollment in the event of an opening during that given school year. In no circumstance will a waitlist carry over to the following school year.

Rules, Dates, and Deadlines

Public random drawing rules, dates and times, and deadlines will be communicated in the application form and on CVLCC's website. Public notice for the date and time of the public random drawing will also be posted once the application deadline has passed. CVLCC will also inform all applicants and interested parties of the rules to be followed during the public random drawing process via mail or email prior to the lottery date. CVLCC will conduct the lottery in the spring for enrollment in the fall of that calendar year.

Enrollment Packet

For new enrollment, parents must complete step one and two below within the application timeline in a timely manner:

Transitional Kindergarten through 6th

Step one: Complete the necessary online home school district enrollment process and apply for a Zone Transfer to the Chula Vista Learning Community Charter.

Step two: Compete and submit Chula Vista Learning Community Charter School's online interest form within the timeframe established by Chula Vista Learning Community Charter School (dates will be available at school offices and website).

7th through 12th

Step one: Complete and submit the Chula Vista Learning Community Charter School interest form and registration process with the corresponding school site.

Step two: Within 30 calendar days of the application, parents will be notified by a letter of acceptance or a notice of public random drawing and waiting list placement. If an opening occurs, parents/ guardians are notified by a phone call from the Chula Vista Learning Community Charter School site secretary. Parents/Guardians must respond within 24 hours to secure admission.

Once a student has been admitted, the student's parents will fill out an enrollment packet, which shall include the following:

- Student enrollment form
- Proof of immunization
- Home Language Survey
- Completion of Emergency Medical Information Form
- Proof of minimum age requirements
- Release of records[6]

Parents will be encouraged to support their children's learning in the following ways:

- Monitor their child's attendance
- Ensure children arrive on time and attend school as required
- Participate in decisions processes relating to their child's education
- Reinforce school and classroom expectations
- Stay informed about and participate in their child's education and academic progress through consistent communication with the school (promptly reading notices received by their child or by mail and responding as appropriate)
- Educate their child on and reinforce the use of appropriate behavior that promotes the school's core values
- Adhere to the school's uniform policy at each school site
- Participate in non-mandatory parent volunteer opportunities in a timely manner
- Show courtesy and respect toward members of the community at all times
- Follow established traffic patterns and guidelines at each school site
- Provide a supportive environment and necessary materials to complete assigned schoolwork and academic responsibilities

[6] In accordance with Education Code Section 47605(e)(4)(B), CVLCC shall not request a student's records or require a parent/guardian or student to submit the student's records to CVLCC before enrollment.

- Ensure homework is completed
- Attend and participate in Chula Vista Learning Community Charter Board and school advisory groups
- Support their child as a global citizen by participating in the TK-12 educational experiences offered by the Chula Vista Learning Community Charter School

Students will be accountable for their own learning in the following ways:

- Be proud of a quality or skill related to an academic task
- Complete homework assignments every day and ask for help when needed
- Inquire and ask for clarity
- Explore the world through reading a variety of texts at least 20 to 30 minutes every day outside of school time
- Communicate all notices and information about the school to the adult who is responsible for their welfare
- Challenge themselves to grow in academic commitment and practice a growth mindset
- Demonstrate and maintain appropriate behavior and embrace all Chula Vista Learning Community Charter School Core Values
- Prevent physical, emotional and cyber bullying, harassment and intimidation
- Know and follow all school and classroom expectations
- Come prepared to school with appropriate materials for learning
- Inspire an academic environment with appropriate uniform attire
- Engage in global activism
- Invite family members to school functions and special events
- Be responsible for their own learning and maintain a high academic standing

ELEMENT NINE
Annual Independent Financial Audits

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. Education Code Section 47605(c)(5)(I).

The Chula Vista Elementary School District will annually review the fiscal integrity of the Chula Vista Learning Community Charter School in order to ensure sound financial procedures are in place and are being followed. An annual independent financial audit of the books and records of CVLCC will be conducted as required by Education Code Sections 47605(c)(5)(I) and 47605(m). 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 employ generally accepted accounting procedures. The audit shall be conducted in accordance with applicable provisions within the California Code of Regulations governing audits of charter schools as published in the State Controller's K-12 Audit Guide.

The Chula Vista Learning Community Charter School as advised by the Chula Vista Elementary School District Budget Department is responsible for contracting the independent auditor from a list provided by the state. The Charter School's Chief Executive Officer is aware of this process by a formal letter from the Chula Vista Elementary School Budget Department. Once the audit is completed, the Budget Department is responsible for overseeing it.

The independent auditor will conduct an annual financial audit by December 15 annually for CVLCC Board approval, with a copy to be forwarded to the Chula Vista Elementary School District, the County Superintendent of Schools, the State Controller, and the CDE. This audit will verify the accuracy of the Charter School's financial statements, revenue and expenses related to data and reporting practices. The audit will also include attendance and enrollment accounting records and practices and a review of the Charter School's internal controls related to financial transactions of the Charter School.

The audit will be conducted in accordance with generally accepted accounting principles. To the extent required under applicable federal law, the audit scope will be expanded to include items and processes specified in the applicable Office of Management and Budget Circulars.

The independent financial audit of the Charter School is a public record to be provided to the public upon request.

The Chula Vista Learning Community Charter School as advised by the Chula Vista Elementary School District Budget Department is responsible for contracting the independent auditor from a list provided by the state. The Charter School's Chief Executive Officer is aware of this process by a formal letter from the Chula Vista Elementary School Budget Department. Once the audit is completed, the Budget Department is responsible for overseeing it.

The state provides a list of experienced independent auditors in finance education, thus one of them is selected to conduct the audit. Once the Independent Auditor provides the audit report, Chula Vista Elementary School District Budget Department resolves exceptions and deficiencies within the timeline established.

The Chula Vista Elementary School District Budget Department on behalf of the Chula Vista Learning Community Charter School will annually prepare and submit the following reports to the authorities specified in Education Code sections 47604.33 and 47606.5:

- On or before July 1, a preliminary budget.
- On or before July 1, an annual update required pursuant to Education Code section 47606.5 addressing the goals of the proposed educational program and annual actions to achieve those goals.
- Before December 15, an interim financial report that reflects changes through October 31.
- On or before March 15, a second interim financial report, which reflects changes through January 31; and
- On or before September 15, a final unaudited report for the full prior year.

ELEMENT TEN
Suspension and Expulsion Procedures

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

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

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

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

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

(iii) Contain a clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice of the intent to remove the pupil no less than five school days before the effective date of the action. The written notice shall be in the native language of the pupil or the pupil's parent or guardian, or, if the pupil is a homeless child or youth, or a foster child or youth, in the native language of the homeless or foster child's educational rights holder. In the case of a foster child or youth, the written notice shall also be provided to the foster child's attorney and county social worker. If the pupil is a Indian child, as defined in Section 224.1 of the Welfare and Institutions Code, the written notice shall also be provided to the Indian child's tribal social worker and, if applicable county social worker. The written notice shall inform the pupil, the pupil's parent or guardian, the homeless child's educational rights holder, the foster child's educational rights holder, attorney, and county social worker, or the Indian child's tribal social worker and, if applicable, county social worker of the right to initiate the procedures specified in clause (iii) before the effective date of the action. If the pupil's parent or guardian, the homeless child's educational rights holder, the foster child's educational rights holder, attorney, or county social worker, or the Indian child's tribal social worker or, if applicable,

county social worker initiates the procedures specified in clause (iii), the pupil shall remain enrolled and shall not be removed until the charter school issues a final decision. For purposes of this clause, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions specified in clauses (i) and (ii).

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

Education Code Section 47605(c)(5)(J).

The focus of the Chula Vista Learning Community Charter School is on learning. The staff of the Chula Vista Learning Community Charter School will design and implement a comprehensive school-wide positive environment rooted in restorative practices to minimize suspensions and expulsions. The criteria and procedures for suspension and expulsion of students at the Chula Vista Learning Community Charter School will be consistent with applicable state and federal laws. Consistent with the efforts to share the governance of the school, the Chula Vista Learning Community Charter School will provide students due process hearings in conformity with the requirements of state and federal law regarding discipline, special education, confidentiality, and protected information. CVLCC's established Suspension and Expulsion Policy and its Procedures comply with constitutional standards of due process. This process will provide parents and students with an opportunity to exercise such leadership skills as problem solving, shared decision making, conflict resolution and restorative practices, as well as fostering a sense of personal and community responsibility. This Policy and its procedures will be printed and distributed annually as part of the Charter School's parent/student[7] handbook and will clearly describe CVLCC's discipline expectations. Transfer students and their parents/guardians shall be notified at the time of enrollment.

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 this Policy, corporal punishment does not

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

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.

A student identified as an individual with disabilities or for whom CVLCC has a basis of knowledge of a suspected disability pursuant to the IDEA or who is qualified for services under Section 504 is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to general education students except when federal and state law requires additional or different procedures.

CVLCC will follow District Policy and all applicable federal and state laws, including, but not limited to the applicable provisions of the Education Code, when imposing any form of discipline on a student identified as an individual with disabilities, for whom CVLCC has a basis of knowledge of a suspected disability, or who is otherwise qualified for such services or protections in according due process to such students.

No student shall be involuntarily removed by CVLCC for any reason unless the parent/guardian of the student has been provided written notice of intent to remove the student no less than five (5) school days before the effective date of the action. The written notice shall be in the native language of the student or the student's parent/guardian and shall inform the student, and the student's parent/guardian of the basis for which the student is being involuntarily removed, and the student's parent/guardian's right to request a hearing to challenge the involuntary removal. If a student's parent/guardian requests a hearing, CVLCC shall utilize the same hearing procedures specified below for expulsions before the effective date of the action to involuntarily remove the student. If the student's parent/guardian requests a hearing, the student shall remain enrolled and shall not be removed until CVLCC issues a final decision. As used herein, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include removals for misconduct which may be grounds for suspension or expulsion as enumerated below.

Procedures

In the event of a mandatory expulsion, suspension, or involuntary removal recommendation, incidents are reviewed and assessed on a case-by-case basis; restorative practices will be bypassed. The Chula Vista Learning Community Charter School will comply with all state and federal laws pertaining to student rights and disciplinary proceedings. During a disciplinary process, parents/guardians and students will be informed of their rights and due process in regard to the disciplinary process should an expulsion or suspension be deemed necessary.

The Chief Executive Officer or designee will act as liaison between the Chula Vista Learning Community Charter School and the Chula Vista Elementary School District regarding student suspensions, expulsions, and involuntary removals. The Chula Vista Learning Community Charter School will periodically review and revise disciplinary policies and qualifying offenses for expulsion and suspension. In certain occasions the Chula Vista Learning Community Charter School implements restorative practices or future prevention in discipline issues to support emotional and academic student outcomes.

Pursuant to Education Code Section 47605(e)(3), in the event of an expulsion of a student or if a student leaves the Chula Vista Learning Community Charter School without graduating or completing the school year for any reason, CVLCC will notify the superintendent of the school district of the student's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the student, including report cards or a transcript of grades, and health information.

Grounds for Suspension and Expulsion of Students

In creating this Policy, CVLCC has reviewed Education Code Section 48900, *et seq.*, which describes the offenses for which students at noncharter schools may be suspended or expelled and the procedures governing those suspensions and expulsions in order to establish its list of offenses, which is generally consistent with the language of Education Code Section 48900, *et seq.* The Chula Vista Learning Community Charter School administration will adhere to the following Education Codes. A student may be suspended or expelled for prohibited misconduct if the act is related to school activity or school attendance committed 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; or d) during, going to, or coming from a school-sponsored activity.

<u>Definitions</u>
Suspension from school means removal of a student from ongoing instruction for adjustment purposes. "Suspension" does not mean any of the following:

1. Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Governing Board for students of the same grade level.

2. Referral to a certificated employee designated by the Director or designee to advise students.

3. Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the Director or designee as provided in Education Code Section 48910. Removal from a particular class shall not occur more than once every five school days.

Expulsion means removal of a student from the immediate supervision and control, or the general supervision, of school personnel.

The CEO, Director, or designee may use their discretion to provide alternatives to suspension or expulsion for a student subject to discipline, including, but not limited to counseling and an anger management program. Alternatives to suspension or expulsion will be used with students who are truant, tardy, or otherwise absent from assigned school activities.

Instructional Leader or Immediate Supervisor Must Recommend Suspension and/or Expulsion (Mandatory Offenses):

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

b) Brandished a knife at another person.

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

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

The recommendation for expulsion shall be based on one or all of the following:

- Other means of correction are not feasible or have repeatedly failed to bring about proper conduct.
- Due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.
- States a pupil who aids or abets in infliction of physical injury to another may suffer suspension, but not expulsion. However, if a student is adjudged by a court to have

caused, attempted to cause, or threatened personal injury, the student may be expelled.

Instructional Leader or Immediate Supervisor May recommend suspension and/or expulsion for the following violations (Discretionary Offenses):

a) Caused, attempted to cause, or threatened to cause physical injury to another person.

b) Willfully used force or violence upon the person of another, except self-defense.

c) Unlawfully possessed, used, or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053- 11058, alcoholic beverage, or intoxicant of any kind.

d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.

e) Committed or attempted to commit robbery or extortion.

f) Caused or attempted to cause damage to school property or private property, which includes but is not limited to, electronic files and databases.

g) Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.

h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of a student's own prescription products by a student.

i) Committed an obscene act or engaged in habitual profanity or vulgarity.

j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.

k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties. Only students in any of grades 9-12, inclusive may be suspended for this offense. NO student may be expelled for this offense.

l) Knowingly received stolen school property or private property, which includes but is not limited to, electronic files and databases.

m) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.

n) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.

o) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.

p) Engaged in, or attempted to engage in, hazing. For the purposes of this policy, "hazing" means a method of initiation or preinitiation into a student 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 student. For purposes of this policy, "hazing" does not include athletic events or school-sanctioned events.

q) Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this policy, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars ($1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for their own safety or for their immediate family's safety, or for the protection of school property, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or their immediate family.

r) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this policy, 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 provision shall apply to students in any of grades 4 to 12, inclusive.

s) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in Education Code Section 233(e). This provision shall apply to students in any of grades 4 to 12, inclusive.

t) Intentionally harassed, threatened or intimidated school personnel or volunteers and/or a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading the rights of either school personnel or volunteers and/or 31 student(s) by creating an intimidating or hostile educational environment. This provision shall apply to students in any of grades 4 to 12, inclusive.

u) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.

1) “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:

i. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of their age, or for a person of their age with exceptional needs) or students in fear of harm to that student’s or those students’ person or property.

ii. Causing a reasonable student to experience a substantially detrimental effect on their physical or mental health.

iii. Causing a reasonable student to experience substantial interference with their academic performance.

iv. Causing a reasonable student to experience substantial interference with their ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.

2) “Electronic Act” means the creation or transmission originated on or off the schoolsite, by means of an electronic device, including, but not limited to, a

telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

i. A message, text, sound, video, or image.

ii. A post on a social network Internet Web site including, but not limited to:

(a) Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.

(b) Creating a credible impersonation of another actual student for the purpose of having one or more of the effects listed in subparagraph (1) above. “Credible impersonation” means to knowingly and without consent impersonate a student for the purpose of bullying the student and such that another student would reasonably believe, or has reasonably believed, that the student was or is the student who was impersonated.

(c) Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. “False profile” means a profile of a fictitious student or a profile using the likeness or attributes of an actual student other than the student who created the false profile.

iii. An act of cyber sexual bullying.

(a) For purposes of this policy, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a student to another student or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.

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

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

v) A student 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 student 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 (31)(a)-(b).

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

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

The Charter School will use the following definitions:

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

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

- The term "destructive device" means any explosive, incendiary, or poison gas, including but not limited to: (A) bomb; (B) grenade; (C) rocket having a propellant charge of more than four ounces; (D) missile having an explosive

or incendiary charge of more than one-quarter ounce; (E) mine; or (F) device similar to any of the devices described in the preceding clauses.

Suspension Procedure

All requests for student suspension are to be processed by the Director or designee of the Charter School. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Director or designee. Suspensions shall be initiated according to the following procedures:

1. Conference

Suspension shall be preceded, if possible, by a conference conducted by the Director or designee with the student and the student's parent/guardian and, whenever practical, the teacher, supervisor or Charter School employee who referred the student to the Director or designee.

The conference may be omitted if the 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 Charter School personnel. If a student is suspended without this conference, both the parent/guardian and the student shall be notified of the student's right to return to school for the purpose of a conference.

At the conference, the student shall be informed of the reason for the disciplinary action and the evidence against the student and shall be given the opportunity to present their version and evidence in their defense, in accordance with Education Code Section 47605(c)(5)(J)(i). This conference shall be held within two (2) school days, unless the student waives this right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization. Penalties shall not be imposed on a student for failure of the student's parent or guardian to attend a conference with Charter School officials. Reinstatement of the suspended student shall not be contingent upon attendance by the student's parent/guardian, at the conference.

2. Notice to Parents/Guardians

At the time of the suspension, an administrator or designee shall make a reasonable effort to contact the parent/guardian in person, by email, or by telephone. 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(s) committed by the student as well as the date the student may return to school following

the suspension. If Charter School officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may request that the parent/guardian respond to such requests without delay.

3. Suspension Time Limits/Recommendation for Expulsion

Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension. Upon a recommendation of expulsion by the Director or designee, the student and the student's parent/guardian shall be notified of the extension and invited to a conference to determine if the suspension for the student 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 student and the student's parent/guardian, unless the student and the student's parent/guardian fail to attend the conference.

This determination to extend the suspension will be made by the Director or designee upon either of the following: 1) the student's presence will be disruptive to the education process; or 2) the student poses a threat or danger to others. Upon either determination, the student's suspension will be extended pending the results of an expulsion hearing.

4. Homework Assignments During Suspension

In accordance with Education Code Section 47606.2(a), upon the request of a parent, a legal guardian or other person holding the right to make education decisions for the student, or the affected student, a teacher shall provide to a student in any of grades 1 to 12, inclusive, who has been suspended from school for two (2) or more school days, the homework that the student would otherwise have been assigned.

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

5. Closed Hearing

When the Board is considering a suspension, disciplinary action, or any other action (except expulsion) against any student, it shall hold closed sessions if a public hearing

would lead to disclosure of information violating a student's right to privacy under Education Code Sections 49073-49079.

The Board shall provide the student and their parent/guardian with written notice of the closed session by registered or certified mail or personal service. Upon receiving this notice, the student or parent/guardian may request a public meeting, and this request shall be granted if made in writing within 48 hours after receipt of the Board's notice. However, any discussion that conflicts with any other student's right to privacy still shall be held in closed session.

Authority to Expel

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

A student may be expelled either upon the recommendation of a neutral and impartial Hearing Officer or a recommendation by the Chief Executive Officer ("CEO"). The Hearing Officer or CEO may recommend expulsion of any student found to have committed an expellable offense.

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 CEO or designee determines that the student has committed an expellable offense and recommends the student for expulsion.

The student is entitled to one postponement of an expulsion hearing for a period of not more than thirty (30) calendar days. The request for postponement shall be in writing. Any subsequent postponement may be granted at the Board of Director's discretion. If the Charter Board finds it impractical to comply with these time requirements for conducting an expulsion hearing, the Charter Board may, for good cause, extend the time period by an additional five school days. Reasons for the extension shall be included as a part of the record when the expulsion hearing is held.

Once the hearing starts, all matters shall be pursued with reasonable diligence and concluded without unnecessary delay. An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to

accommodate the special physical, mental or emotional needs of a student who is the complaining witness.

The CEO or designee shall either select a Hearing Officer to hear and consider the recommendation for expulsion or the recommendation shall be heard and considered by the Charter Board. The hearing shall be held in closed session (complying with all student confidentiality rules under the Family Educational Rights and Privacy Act ("FERPA")), unless the student makes a written request for a public hearing in open session at least five (5) days prior to the date of the scheduled hearing. If such request is made, the meeting shall be public unless another student's privacy rights would be violated.

Whether the expulsion hearing is held in closed or public session, the Charter Board may meet in closed session to deliberate and determine whether or not the student should be expelled. If the Board admits any other person to this closed session, the parent/guardian, the student, and the counsel of the student shall also be allowed to attend the closed session.

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 student. The notice shall include:

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

Special Procedures for Expulsion Hearings Involving Sexual Assault or Battery Offenses

Whenever any allegation of sexual assault or sexual battery is made, the Chief Executive Officer shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending.

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 that 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 student.

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of their right to (a) receive five (5) days notice of their scheduled testimony; (b) have up to two (2) adult support persons of their choosing present in the hearing at the time the complaining witness testifies, which may include a parent/guardian, or legal counsel; and (c) elect to have the hearing closed while testifying.

2. 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.

3. At the discretion of the entity conducting the expulsion hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which the complaining witness may leave the hearing room.

4. The entity conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.

5. The entity conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours the

complaining witness is normally in school, if there is no good cause to take the testimony during other hours.

6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the person or entity presiding over the hearing from removing a support person whom the presiding person or entity finds is disrupting the hearing. The presiding person or entity conducting the hearing may permit any one of the support persons for the complaining witness to accompany the complaining witness to the witness stand.

7. 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 their discretion to remove a person from the hearing whom they believe is prompting, swaying, or influencing the witness.

8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.

9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in public at the request of the student being expelled, the complaining witness shall have the right to have their testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.

10. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the entity conducting the hearing that extraordinary

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

Record of Hearing

A record of the hearing shall be made and 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.

Subpoenas

Before commencing a student expulsion hearing, the Charter Board may issue subpoenas, at the request of either the student or the Chief Executive Officer or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Charter Board or the hearing officer may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with the Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20 (formerly 11525). (Education Code Section 48918(i))

Any objection raised by the student or the Chief Executive Officer or designee to the issuance of subpoenas may be considered by the Charter Board in closed session, or in open session if so requested by the student, before the meeting. The Charter Board's decision in response to such an objection shall be final and binding. (Education Code Section 48918(i))

If the Charter Board determines, or if the hearing officer finds and submits to the Charter Board, that a witness would be subject to unreasonable risk of harm by testifying at the hearing, a subpoena shall not be issued to compel the personal attendance of that witness at the hearing. However, that witness may be compelled to testify by means of a sworn declaration.

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 Hearing Officer or CEO to expel must be supported by substantial evidence that the student committed an expellable offense. Findings of fact shall be based solely on the evidence at the hearing. While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay. Sworn declarations may be admitted as testimony from witnesses of whom the Hearing Officer or Charter Board determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm. In cases where a search of a student's person or property has occurred, evidence describing the reasonableness of the search shall be included in the hearing record.

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

Expulsion Decision

The expulsion determination shall be in the form of written findings of fact. The Charter Board shall make the final determination regarding the expulsion within ten (10) school days following the conclusion of the hearing. If the Charter Board does not meet on a weekly basis, its decision on whether to expel a student shall be made within forty (40) school days after the student is removed from their school of attendance, unless the student requests in writing that the decision be postponed. The decision of the Charter Board is final.

If the Hearing Officer or CEO decides not to recommend expulsion, or the Charter Board ultimately decides not to expel, the student shall immediately be returned to their previous educational program. The CEO or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with Charter School staff, including the student's teachers and with the student's parent/guardian.

The Charter Board may also determine to suspend the enforcement of the expulsion order for a period of not more than one (1) calendar year from the date of the expulsion hearing and return the student to the student’s previous educational program under a

probationary status and rehabilitation plan to be determined by the Hearing Officer or CEO. During the period of the suspension of the expulsion order, the student is deemed to be on probationary status. The CEO or designee may revoke the suspension of an expulsion order under this section if the student commits any of the enumerated offenses listed above or violates any of the Charter School's rules and regulations governing student conduct. If the CEO or designee revokes the suspension of an expulsion order, the student may be expelled under the terms of the original expulsion order. The CEO or designee shall apply the criteria for suspending the enforcement of the expulsion order equally to all students, including individuals with exceptional needs as defined in Education Code Section 56026. The CEO or designee shall send written notice of any decision to suspend the enforcement of an expulsion order during a period of probation to the student or parent/guardian. The CEO or designee shall further comply with the provisions set forth under Education Code Section 48917, except as otherwise expressly set forth herein.

Written Notice to Expel

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

(a) Notice of the specific offense committed by the student
(b) Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the Charter School
(c) Notice that a description of readmission procedures will be made available to the student and the student's parent/guardian

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

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 chartering authority upon request.

No Right to Appeal

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

Expelled Students/Alternative Education

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

Rehabilitation Plans

Students who are expelled from the Charter School shall be given a rehabilitation plan upon expulsion as developed by the Charter Board at the time of the expulsion order, which may include, but is not limited to, periodic review as well as assessment at the time of review for readmission. The rehabilitation plan should include a date not later than one (1) year from the date of expulsion when the student may reapply to the Charter School for readmission.

Readmission or Admission of Previously Expelled Student

1. On the date set by the Charter Board when it ordered the expulsion, the Charter School shall consider readmission of the student.

2. The CEO or designee shall hold a conference with the parent/guardian and the student. At the conference the student's rehabilitation plan shall be reviewed and the CEO or designee shall verify that the provisions of this plan have been met. School regulations shall be reviewed and the student and parent/guardian shall be asked to indicate in writing their willingness to comply with these regulations.

3. The CEO or designee shall transmit to the Charter Board their recommendation regarding readmission. The Charter Board shall consider this recommendation in closed session if information would be disclosed in violation of Education Code Sections 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it shall be honored. The Charter Board shall make a final decision regarding readmission or admission of the student during the closed session of a public meeting, reporting out any action taken during closed session consistent with the requirements of the Brown Act.

4. If the readmission is granted, the CEO or designee shall notify the student and parent/guardian, by registered mail, of the Board of Director's decision regarding readmission.

5. The Charter Board may deny readmission only if it finds that the student has not satisfied the conditions of the rehabilitation plan or that the student continues to pose a danger to campus safety or to other District students or employees. The student's readmission is also contingent upon the Charter School's capacity at the time the student seeks readmission or admission to the Charter School.

6. If the Charter Board denies the readmission of a student, it shall provide written notice to the expelled student and parent/guardian describing the reasons for denying readmittance into the regular program.

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

Maintenance of Records
The Charter Board shall maintain a record of each expulsion, including the specific cause of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls upon receipt of a written request by the admitting school. The CEO or designee shall, within five (5) working days, honor any other district's request for information regarding an expulsion.

Notifications to Law Enforcement Authorities
Prior to the suspension or expulsion of any student, the CEO, Director, or designee shall notify appropriate city or county law enforcement authorities of any student acts of assault which may have violated Penal Code 245.

The CEO, Director, or designee also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance. In addition, law enforcement authorities shall be notified regarding any acts by students or nonstudents regarding the possession, sale, or furnishment of firearms, explosives, or other dangerous weapons in violation of Education Code 48915(c)(1) or (5) or Penal Code 626.9 and 626.10.

Within one school day after a student's suspension or expulsion, the CEO, Director, or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering or sale of controlled substances, alcohol or intoxicants of any kind. (Education Code 48902)

ELEMENT ELEVEN
Employee Retirement Systems

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

To the extent allowed by law and subject to policies of the Chula Vista Learning Community Charter School and the Chula Vista Elementary School District regarding retirement funds, employees of Chula Vista Learning Community Charter School participate in any and all teacher/employee retirement funds that they would be eligible for if they were teaching in a non-charter public school in the District.

Certificated, classified, and other staff members of the Chula Vista Learning Community Charter School, as eligible, shall participate in and retain all previously vested rights in their respective retirement systems, including, but not limited to the State Teachers' Retirement System ("STRS") or the Public Employees' Retirement System ("PERS").

Where applicable, faculty and staff and the Chula Vista Learning Community Charter School participate in the federal Social Security system and have access to other school-sponsored retirement plans according to the policies established by the Chula Vista Learning Community Charter Board and Chula Vista Elementary School District. Chula Vista Learning Community Charter School allows eligible District school faculty and staff who transfer from the District to participate in STRS or PERS.

Furthermore, Chula Vista Learning Community Charter School staff will make contributions to STRS or PERS for all eligible employees, including faculty and staff who have transferred from the Chula Vista Elementary School District or other school districts. The Chief Executive Officer or designee shall be responsible for ensuring that arrangements have been made for coverage.

ELEMENT TWELVE
Public School Attendance Alternatives

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

CVLCC is a school of choice and no student shall be required to attend CVLCC. As per state law, no governing board of a school district shall require any student enrolled in a school district to attend a charter school. Those students who reside within the District, but choose not to attend CVLCC, will be able to attend a District school as determined by the District boundaries. Those students who choose not to attend CVLCC do not have the right to admission in a particular school within CVESD unless a zone transfer, and any required accompanying paperwork, has been approved by CVESD. Chula Vista Learning Community Charter School does not provide home-to-school transportation.

ELEMENT THIRTEEN
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. Education Code Section 47605(c)(5)(M).

The Chula Vista Learning Community Charter School in collaboration with Chula Vista Elementary School District Human Resources will identify qualified potential school staff. All teachers and support staff hired by Chula Vista Learning Community Charter School will be considered "Charter School employees." These rights include:

- Seniority within the Chula Vista Learning Community Charter School
- Step and range placement (reflecting years of service subject to District policy/District salary schedule)

No District employee shall be required to work at the Chula Vista Learning Community Charter School. Any employee who so desires shall be considered for employment through an open application process, and, if hired, shall enter into a contractual agreement with the Chula Vista Learning Community Charter School, which shall have the authority to hire and terminate, in accordance with the agreement executed between the Chula Vista Learning Community Charter School and the employee. Sick or vacation leave or years of service credit at the District or any other school district will be transferred to the Charter School.

All Chula Vista Learning Community Charter School staff who choose to leave the Charter School will not be guaranteed a placement in the District. All shall be "Charter School employees."

At the Chula Vista Learning Community Charter School, faculty and staff members have a voice. If a claim by an employee has been misinterpreted, misapplied, or violated with respect to that employee and cannot be resolved internally, the conflict shall be resolved through the following process set forth below.

In the event of a complaint against the Chief Executive Officer, the dispute process will begin at Stage 3 of the process or by submitting a claim (written or verbal) directly to the Chief Executive Officer. The term "claim" shall have the meaning specified in this paragraph:

Stage 1: The Director or Immediate Supervisor: Any employee having a dispute shall present the dispute in person, or in writing, to the site director within twenty-one (21) days of the event or condition giving rise to the dispute. The director shall meet with the employee. The employee has a right to have an in-house representative. The director can also select other persons to be involved in the meeting.

Stage 2: If the dispute is not resolved in the following ten (10) days of receipt by the director, the dispute shall be deemed denied and the employee may submit the dispute in writing to the Chief Executive Officer. All claims to the Chief Executive Officer must be submitted in writing within four (4) calendar days after the ten (10) day resolution period with the site director.

Stage 3: The Chief Executive Officer– within fourteen (14) days of receipt of the written dispute will investigate the claim, and if necessary, meet with the employee, the employee's in-house representative, and other persons as determined by the Chief Executive Officer. A decision shall then be rendered within ten (10) days after the receipt of the claim.

Stage 4: If the dispute is not resolved in the following ten (10) days of receipt by the Chief Executive Officer, the dispute shall be deemed denied and the employee may submit the dispute in writing to the Chula Vista Learning Community Charter Board. All claims to the Chula Vista Learning Community Charter School Board must be submitted in writing within four (4) calendar days after the ten (10) day resolution with the Chief Executive Officer.

Stage 5: The Dispute Process – Within twenty-one (21) days of receipt of the written dispute, the Chula Vista Learning Community Charter Board will investigate the claim in any manner that it deems proper. If necessary, the Chula Vista Learning Community Charter Board will meet with the employee, the employee's representative, and other persons as determined by the Chula Vista Learning Community Charter Board. The Chula Vista Learning Community Charter Board then, shall render a decision within twenty-one (21) calendar days after the receipt of the claim.

Teacher Support Procedure

If the grade level, department team, instructional coaches, or a site administrator has determined that additional teacher support is required due to a teacher responsibility not being met, then the following steps shall be followed to remedy the issue.

STEP #1 – Plan of Action
A representative of the grade level, department team, instructional coach, or a site administrator shall notify the teacher of the intent to establish a plan in advance of the actual discussion. This discussion shall occur at the end of the school day. The discussion should center on the specific concerns. The concerns will be in writing, but only for the purpose of notes and for clarity. This writing shall contain a plan of action and a timeline shall be developed with all members (site director, coach, and teacher) and, if the teacher chooses some or all of the grade level or content team. The timeline will be determined on a case-by-case basis. If an agreement to the plan of action cannot be reached, a mediator will be called to mediate the disagreement. During the established timeline there will be at least one observation a week by the school site administrator. The school site administrator and designated coach shall revisit the plan of action at the end of the timeline. At the time of the revisit, if it is deemed by the school site administrator and designated coach that growth has occurred, the subject shall be considered closed. All documentation shall be kept confidential. The teacher will be notified in writing if documentation will be placed in the personnel file.

STEP #2 – Plan for Coaching
If it is found that the previous action plan was not implemented to an acceptable degree, then a meeting shall be called to discuss the plan of action and further coaching will be scheduled. If the teacher chooses, members of the grade level or content team shall be present. Specific goals and timeline shall be written, and growth shall be closely monitored. The timeline will be determined on a case-by-case basis. During this monitoring, the designated coach or school site administrator shall visit the classroom frequently (at least 2 times a week) and give written feedback to all parties by the end of the school day. The teacher may request that a peer, coach, or school site administrator model the desired behavior or strategy in the classroom. The school site administrator or coach can also arrange for the teacher to visit a classroom where the desired behavior or strategy is being implemented. At the time of the revisit, if all parties deem that growth has occurred, the subject shall be considered closed.

STEP # 3 – Written Notification of Noncompliance
If it is identified by the school site administrator that the support action plan was not implemented to an acceptable degree, the teacher shall be given a written notification of noncompliance. A meeting will be held between the school site administrator, an instructional support provider, and teacher. This written notification shall document the teacher's noncompliance with intervention(s). Should this written notification of noncompliance be cause for termination, written notification shall be given to the Chula Vista Learning Community Charter Board prior to termination. If there is no agreement between the teacher, school site administrator, and/or Chief Executive Officer, a closed

session by the Chula Vista Learning Community Charter Board shall be called. The Chula Vista Learning Community Charter Board shall vote to accept or deny termination. In the event of an even number of votes, the meeting chair will withdraw their vote. If the Chula Vista Learning Community Charter Board does not accept the termination, the instructional coach, school site administrator and Chief Executive Officer shall develop a plan and timeline for additional support. The timeline will be determined on a case-by-case basis. The Chief Executive Officer shall submit a report(s) of progress in writing to the Chula Vista Learning Community Charter Board. The Chula Vista Learning Community Charter Board shall call a closed session meeting to discuss appropriate action.

Right to Accrue Permanent Status

Certificated and classified employees who are working in the Chula Vista Learning Community Charter School have the right to accrue permanent status through an evaluation process and after a probationary period of two academic school years with the Chula Vista Learning Community Charter School as per Education Code.

For newly employed classified members of the Chula Vista Learning Community Charter School who are specifically designated as employees of the Chula Vista Learning Community Charter School, we designate Education Code § 45113 to govern the discipline and dismissal of classified employees. New employees designated as serving in a probationary position shall serve a probationary period of two academic school years. Any references to governing board shall refer to the governing body of Chula Vista Learning Community Charter School, specifically (reference body and add section of charter which designates).

For newly employed certificated members of the Chula Vista Learning Community Charter School who are specifically employed as employees of the Chula Vista Learning Community Charter School, we designate Education Code § 44929.21 et seq., and Education Code § 44975 and related code sections to be applicable in determining permanent status. Education Code § 44930 et seq. is designated as applicable in dismissal actions and education Code § 44949 et seq. in layoff actions.

Layoff/Dismissal Rights

In situations where discipline of an employee becomes an issue, the charter school will pursue progressive communication and action if needed based on the Chula Vista Learning Community Charter School guidelines for evaluation, discipline, termination, and re-election. All information related to any employment cases shall be shared with the Chula Vista Learning Community Charter School and the Chula Vista Elementary School District Human Resources Department.

Health and Welfare Benefits
Employees of the Chula Vista Learning Community Charter School will receive benefits in the same manner as district employees with regard to health and welfare benefits for the employee and their dependents (medical insurance, dental insurance, life insurance, and vision insurance) and state teacher retirement system.

Salary
Teachers, and other employees will be placed on the Chula Vista Learning Community Charter School salary schedule which is competitive with Chula Vista Elementary School District's teacher per diem rate and its Step and Class Schedule. Revenues, expenditures, and salary will be reviewed annually. Recommendation will be made to the Chula Vista Learning Community Charter School's Budget Committee and finalized/approved by the Chula Vista Learning Community Charter School Board. Chula Vista Learning Community Charter School employees serving on the governing board shall not discuss or vote on any decision regarding salaries, benefits, or any compensation. Minutes will be forwarded to the Chula Vista Learning Community Charter School Human Resources office.

Evaluation Procedure
The Chief Executive Officer and/or designee shall have the right to observe and evaluate staff using Chula Vista Learning Community Charter School and/or Chula Vista Elementary School District performance appraisal frameworks and system. The purpose of the performance appraisal system is to promote greater accountability by leading to changes in professional practice that result in the continuous improvement of student achievement. The assessment will include, but need not be limited to:

- An analysis of student achievement based on student performance on standardized and other specific assessments.
- Observations by the director in professional settings based on the California State Standards of the Teaching Profession.
- Accomplishment and growth consistent with core professional expectations as documented by the teacher in a professional performance improvement program.

Teachers of the Charter School shall be evaluated based on the 5 Dimensions of teaching and learning instructional framework, which is included as Appendix A.

ELEMENT FOURTEEN
Dispute Resolution

Governing Law: The procedures to be followed by the charter school and the chartering authority to resolve disputes relating to provisions of the charter. Education Code Section 47605(c)(5)(N).

Dispute Resolution Process

(a) Education Code Section 47605(c)(5)(N) requires that a charter designate the procedures to be followed by the charter school and the chartering authority in the event of a dispute relating to the provisions of the charter. In the case of the Chula Vista Learning Community Charter School , the chartering authority is the Chula Vista Elementary School District.

(b) In the event of a dispute between CVLCC and the District relating to the provisions of the Charter and concerning whether the Chula Vista Learning Community Charter School is meeting the goals and objectives of the Charter, the Chula Vista Elementary School District or the Chula Vista Learning Community Charter Board shall provide written notice to the other of the nature of the dispute and the facts which the party believes support the failure to comply. This notice shall be provided within 15 calendar days of when the party either knew or should have known of the possible violation unless there are extenuating circumstances.

(c) After the receipt of the notice, the District Superintendent or designee and a representative of the Chula Vista Learning Community Charter Board shall meet to try and resolve the dispute. If a resolution is reached, a written description of that resolution shall be drafted and signed and preserved as guidance for future action.

(d) If no resolution is reached, the matter shall be submitted to a certified mediator experienced in conflict resolution and educational issues chosen from a list containing seven names provided by the San Diego County Superintendent of Schools or another resource, as agreed by the parties. The first opportunity for striking shall be determined by lot. The parties shall alternately strike until one name remains. Within 10 calendar days of appointment or as otherwise mutually agreed, the parties shall meet to resolve the dispute. Any agreements reached shall be written and preserved as set out in paragraph (c) above.

If the dispute is unresolved 15 calendar days after the meeting, either party may request that the State Mediation and Conciliation service provide the names of mediators experienced in matters relating to the schools of California. Either party may choose, or not choose, to be represented by counsel. Each party shall bear its own cost and evenly divide the cost for the mediation.

Internal Disputes Arising Within CVLCC

Internal disputes regarding employees shall be handled in the manner outlined in Element 13.

ELEMENT FIFTEEN
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. Education Code Section 47605(c)(5)(O).

The Chula Vista Learning Community Charter School shall comply with all District policies and regulations and all applicable federal and state laws concerning confidentiality and the maintenance and disclosure of student records.

The Chula Vista Learning Community Charter School's assets and liabilities will be integrated into those of Chula Vista Elementary School District.

If the Chula Vista Learning Community Charter School charter should ever be revoked or non-renewed, and were the school to cease to operate, a final audit under the supervision of the Chula Vista Learning Community Charter Board and the Chula Vista Elementary School District shall be conducted to determine the disposition of all assets and liabilities. The assets remaining after the payment of all debts and liabilities shall be distributed to the Chula Vista Elementary School District. The closure plan approved by the governing board shall be consistent with Title 5, California Code of Regulations, Section 11962, and shall direct the Chief Executive Officer or designee to provide for notice to parents/guardians, Chula Vista Learning Elementary School District, San Diego County Office of Education, contractors, the retirement systems in which CVLCC's employees participate (e.g., PERS, STRS, and federal social security), the CDE, and other public agencies of the charter school's closure as well as the effective date of the closure.

Upon the school's closure, students' records shall either be returned to the District or transferred to the school to which the students transfer. All transfers of student records will be made in compliance with FERPA. Personnel records shall be sent to the department of human resources of Chula Vista Elementary School District.

MISCELLANEOUS CHARTER PROVISIONS

Budgets and Financial Reporting

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

Attached as Appendix B, please find the following documents:

- Budget narrative
- Financial projections and cash flow for three years of operation

The District, on behalf of CVLCC, shall provide reports on behalf of the Charter School to the County Superintendent of Schools as follows in accordance with Education Code Section 47604.33, and shall provide additional fiscal reports as requested by the District:

1. By July 1, a preliminary budget for the current fiscal year.
2. By July 1, a local control and accountability plan and an annual update to the local control and accountability plan required pursuant to Education Code Section 47606.5.
3. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. Additionally, on December 15, a copy of CVLCC's annual, independent financial audit report for the preceding fiscal year shall be delivered to the District, State Controller, CDE and County Superintendent of Schools.
4. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31.
5. By September 15, a final unaudited report for the full prior year. The report submitted to the district shall include an annual statement of all CVLCC's receipts and expenditures for the preceding fiscal year.

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

All major expenses must be approved by Chula Vista Learning Community Charter Board. When possible, proposed expenses should be presented to budget committee

first. If amount exceeds budget allocation financial solvency must be clarified prior approval.

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

The Chula Vista Learning Community Charter School may contract with the District for goods or services. Such contracts, however, shall not be construed to negate the operational independence of the Charter school from the District.

The Chula Vista Learning Community Charter School may contract for its administrative services including, but not limited to, accounting, budgeting, payroll, and independent audit services with the Chula Vista Elementary School District, or the San Diego County Office of Education, or a commercial firm.

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

The Chula Vista Learning Community Charter School shall serve students in transitional kindergarten through twelfth grade. The facilities to be utilized by the transitional kindergarten through sixth grade Program, based on GO Bond Authorization, shall maximize the usage of 38 classrooms. Students in seventh and eighth grade shall maximize the usage of 10 classrooms by financing additional facilities. Students in ninth through twelfth grades shall maximize the usage of 15 classrooms.

CVLCC's Elementary School program is located at 590 K. St., Chula Vista, CA 91911. CVLCC's Middle School program is located at 380 Third Ave., Chula Vista, CA 91910. CVLCC's High School program is located at 3750 Arey Dr., San Diego, CA 92154.

Insurance
The Chula Vista Learning Community Charter School will purchase and maintain as necessary general liability, automotive liability, errors and omissions, property, workers compensation, and unemployment insurance policies as part of the Chula Vista Elementary School District's insurance program.

Potential Civil Liability Effects
Governing Law: Potential civil liability effects, if any, upon the charter school and upon the school district. Education Code Section 47605(h).

Pursuant to Education Code Section 47604(d), an authority that grants a charter to a charter school operated by or as a non-profit public benefit corporation shall not be liable for the debts or obligations of the charter school or for claims arising from the performance of acts, errors or omissions by the charter school if the authority has complied with all oversight responsibilities required by law.

The Chula Vista Learning Community Charter School updates health, safety, and risk management guidelines in consultation with its insurance carriers and risk management experts, as discussed herein, including screening of employees, establishing codes of conduct for students, and dispute resolution.

Personnel Policies
The Chula Vista Learning Community Charter School adheres to personnel policies that meet with the approval of the Chula Vista Learning Community Charter Board, as advised by legal counsel. The Chula Vista Learning Community Charter School reserves the right to hire all full/part time staff, temporary consultants, auxiliary personnel, short-term at will and/or charter employees in accordance with all applicable laws.

Programmatic Audit
The Chula Vista Learning Community Charter School compiles and provides to the Chula Vista Elementary School District an annual performance report upon request. This report includes the following data:

- Summary data showing student progress toward the goals and outcomes in Element Two from assessment instruments listed in Element Three
- An analysis of whether or not student performance is meeting the goals specified in Element Two
- A summary of major decisions and policies established by the Chula Vista Learning Community Charter Board during the year
- Data on the level of parent involvement
- Data on number of employees as well qualified and working on site
- A copy of the school's health and safety plan and/or a summary of any major changes to those policies during the year

- Overview of school's admission practices and data regarding the number of students enrolled, number of students on waiting lists and the number of students expelled and/or suspended
- Analysis of the effectiveness of the school's internal and external disputes and data on the number/resolutions of disputes and complaints
- Information regarding the educational program and the administrative, legal and governance operations of the school relative to compliance with the terms of the charter

APPENDIX A

5 Dimensions of Teaching and Learning Instructional Framework

CENTER *for* EDUCATIONAL LEADERSHIP

UNIVERSITY OF WASHINGTON • COLLEGE OF EDUCATION

5 Dimensions of Teaching and Learning™

Instructional Framework Version 4.0

5D™	Subdimension	The Vision	Guiding Questions
Purpose	Standards	• The lesson is based on grade-level standards, is meaningful and relevant beyond the task at hand (e.g., relates to a broader purpose or context such as problem-solving, citizenship, etc.), and helps students learn and apply transferable knowledge and skills. • The lesson is intentionally linked to other lessons (previous and future) in support of students meeting standard(s).	• How do the standard and learning target relate to content knowledge, habits of thinking in the discipline, transferable skills, and students' assessed needs as learners (re: language, culture, academic background)? • How do the standard and learning target relate to the ongoing work of this classroom? To the intellectual lives of students beyond this classroom? To broader ideals such as problem-solving, citizenship, etc.? • What is the learning target(s) of the lesson? How is it meaningful and relevant beyond the specific task/activity? • Is the task/activity aligned with the learning target? How does what students are actually engaged in doing help them to achieve the desired outcome(s)? • How are the standard(s) and learning target communicated and made accessible to all students? • How do students communicate their understanding about what they are learning and why they are learning it? • How does the learning target clearly communicate what students will know and be able to do as a result of the lesson? What will be acceptable evidence of student learning? • How do teaching point(s) support the learning needs of individual students in meeting the learning target(s)?
	Learning Target and Teaching Points	• The learning target is clearly articulated, linked to standards, embedded in instruction, and understood by students. • The learning target is measurable. The criteria for success are clear to students and the performance tasks provide evidence that students are able to understand and apply learning in context. • The teaching points are based on knowledge of students' learning needs (academic background, life experiences, culture and language) in relation to the learning target(s).	
Student Engagement	Intellectual Work	• Students' classroom work embodies substantive intellectual engagement (reading, thinking, writing, problem-solving and meaning-making). • Students take ownership of their learning to develop, test and refine their thinking.	• What is the frequency of teacher talk, teacher-initiated questions, student-initiated questions, student-to-student interaction, student presentation of work, etc.? • What does student talk reveal about the nature of students' thinking? • Where is the locus of control over learning in the classroom? • What evidence do you observe of student engagement in intellectual, academic work? What is the nature of that work? • What is the level and quality of the intellectual work in which students are engaged (e.g. factual recall, procedure, inference, analysis, meta-cognition)? • What specific strategies and structures are in place to facilitate participation and meaning-making by all students (e.g. small group work, partner talk, writing, etc.)? • Do all students have access to participation in the work of the group? Why/why not? How is participation distributed? • What questions, statements, and actions does the teacher use to encourage students to share their thinking with one another, to build on one another's ideas, and to assess their understanding of one another's ideas?
	Engagement Strategies	• Engagement strategies capitalize on and build upon students' academic background, life experiences, culture and language to support rigorous and culturally relevant learning. • Engagement strategies encourage equitable and purposeful student participation and ensure that all students have access to, and are expected to participate in, learning.	
	Talk	• Student talk reflects discipline-specific habits of thinking and ways of communicating. • Student talk embodies substantive and intellectual thinking.	

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5D, "5 DIMENSIONS OF TEACHING AND LEARNING" AND OTHER LOGOS/IDENTIFIERS ARE TRADEMARKS OF THE UNIVERSITY OF WASHINGTON CENTER FOR EDUCATIONAL LEADERSHIP.

5D™	Subdimension	The Vision	Guiding Questions
Curriculum & Pedagogy	Curriculum	• Instructional materials (e.g., texts, resources, etc.) and tasks are appropriately challenging and supportive for all students, are aligned with the learning target and content area standards, and are culturally and academically relevant. • The lesson materials and tasks are related to a larger unit and to the sequence and development of conceptual understanding over time.	• How does the learning in the classroom reflect authentic ways of reading, writing, thinking and reasoning in the discipline under study? (e.g., How does the work reflect what mathematicians do and how they think?) • How does the content of the lesson (e.g., text or task) influence the intellectual demand (e.g. the thinking and reasoning required)? How does it align to grade-level standards? • How does the teacher scaffold the learning to provide all students with access to the intellectual work and to participation in meaning-making? • What does the instruction reveal about the teacher's understanding of how students learn, of disciplinary habits of thinking, and of content knowledge? • How is students' learning of content and transferable skills supported through the teacher's intentional use of instructional strategies and materials? • How does the teacher differentiate instruction for students with different learning needs—academic background, life experiences, culture and language?
	Teaching Approaches and/or Strategies	• The teacher makes decisions and utilizes instructional approaches in ways that intentionally support his/her instructional purposes. • Instruction reflects and is consistent with pedagogical content knowledge and is culturally responsive, in order to engage students in disciplinary habits of thinking. • The teacher uses different instructional strategies, based on planned and/or in-the-moment decisions, to address individual learning needs.	
	Scaffolds for Learning	• The teacher provides scaffolds for the learning task that support the development of the targeted concepts and skills and gradually releases responsibility, leading to student independence.	
Assessment for Student Learning	Assessment	• Students assess their own learning in relation to the learning target. • The teacher creates multiple assessment opportunities and expects all students to demonstrate learning. • Assessment methods include a variety of tools and approaches to gather comprehensive and quality information about the learning styles and needs of each student (e.g., anecdotal notes, conferring, student work samples, etc.). • The teacher uses observable systems and routines for recording and using student assessment data (e.g., charts, conferring records, portfolios, rubrics). • Assessment criteria, methods and purposes are transparent and match the learning target.	• How does the instruction provide opportunities for all students to demonstrate learning? How does the teacher capitalize on those opportunities for the purposes of assessment? • How does the teacher gather information about student learning? How comprehensive are the sources of data from which he/she draws? • How does the teacher's understanding of each student as a learner inform how the teacher pushes for depth and stretches boundaries of student thinking? • How do students use assessment data to set learning goals and gauge progress to increase ownership in their learning? • How does the teacher's instruction reflect planning for assessment? • How does the teacher use multiple forms of assessment to inform instruction and decision-making? • How does the teacher adjust instruction based on in-the-moment assessment of student understanding?
	Adjustments	• The teacher uses formative assessment data to make in-the-moment instructional adjustments, modify future lessons, and give targeted feedback to students.	
Classroom Environment & Culture	Use of Physical Environment	• The physical arrangement of the room (e.g., meeting area, resources, student seating, etc.) is conducive to student learning. • The teacher uses the physical space of the classroom to assess student understanding and support learning (e.g., teacher moves around the room to observe and confer with students). • Students have access to resources in the physical environment to support learning and independence (e.g., libraries, materials, charts, technology, etc.).	• How does the physical arrangement of the classroom, as well as the availability of resources and space to both the teacher and students, purposefully support and scaffold student learning? • How and to what extent do the systems and routines of the classroom facilitate student ownership and independence? • How and to what extent do the systems and routines of the classroom reflect values of community, inclusivity, equity and accountability for learning? • What is the climate for learning in this classroom? How do relationships (teacher-student, student-student) support or hinder student learning? • What do discourse and interactions reveal about what is valued in this classroom? • What are sources of status and authority in this classroom (e.g., reasoning and justification, intellectual risk-taking, popularity, aggressiveness, etc.)?
	Classroom Routines and Rituals	• Classroom systems and routines facilitate student responsibility, ownership and independence. • Available time is maximized in service of learning.	
	Classroom Culture	• Classroom discourse and interactions reflect high expectations and beliefs about all students' intellectual capabilities and create a culture of inclusivity, equity and accountability for learning. • Classroom norms encourage risk-taking, collaboration and respect for thinking.	

APPENDIX B

Budget Narrative and Financial Projections for three years of operation