



**The Yuba Environmental Science
Charter Academy
(YES Charter Academy)**

"YES to Excellence in Education"

**CHARTER PETITION
Element 16**

Prepared in compliance with the terms, conditions, and requirements of
The Charter Schools Act, Education Code Section 47600, *et seq.*, and
related statutes



XVI. Element 16 -- School Closure Protocol

"A declaration whether or not the charter school shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code."

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

A. Closure Protocol

The following procedures shall apply in the event YES CHARTER ACADEMY closes. The following procedures apply regardless of the reason for closure. Closure of YES CHARTER ACADEMY will be documented by official action of the Council of Directors. The action will identify the reason for closure. The Council of Directors will promptly notify YCOE of the closure and of the effective date of the closure. The Council of Directors will ensure notification to the parents and students of YES CHARTER ACADEMY of the closure and provide information to assist parents and students in locating suitable alternative programs. This notice will be provided promptly following YES CHARTER ACADEMY's Council of Directors decision to close YES CHARTER ACADEMY.

Should YES CHARTER ACADEMY close, the following procedures will be followed to ensure an orderly closing of the school:

- The school principal and board chairperson will be designated as the responsible parties to conduct closure-related activities
- The school principal and board chairperson will ensure that the parents/guardians of pupils, YCOE, the Yuba County SELPA, the STRS retirement system and Federal Social Security Administration, and the California Department of Education are informed in a timely fashion about
 - The effective date of the closure
 - The names and contact information of the principal and board chairperson to whom reasonable inquiries about the closure may be made
 - The pupils' districts of residence
 - The manner in which parents or guardians of pupils may obtain of pupil records, including specific information on completed courses and credits that meet graduation requirements



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

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

As applicable, the Charter School will provide parents, students and the County Office of Education with copies of all appropriate student records and will otherwise assist students in transferring to their next school. All transfers of student records will be made in compliance with the Family Educational Rights and Privacy Act ("FERPA") 20 U.S.C. § 1232g. The Charter School will ask the County Office of Education to store original records of Charter School students. All records of the Charter School shall be transferred to the County Office of Education upon Charter School closure. If the County Office of Education will not or cannot store the records, the Charter School shall work with the County Office of Education to determine a suitable alternative location for storage.

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

Additionally:

- The principal and chairperson will maintain a current list of students by grade level and the classes that the students have completed, together with information on the pupils' residence
- The principal and chairperson will ensure that they have all pupil records, all state assessment results, and any special education records for pupils, and that these records are kept in a secure, accessible location
- The principal and chairperson will transfer and maintain personnel records in accordance with applicable law
- An independent educational consultant may be hired to collect, organize, and submit copies of all student records to the District and/ or the school that receives the students
- The principal and chairperson will ensure that an independent final audit is completed within six months after the closure of the school. This audit may function as the annual audit, and it will include



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- An accounting of all financial assets, including cash and accounts receivable, and an inventory of property, equipment, and other items of material value
- An accounting of the liabilities, including accounts payable and any reduction in apportionments as a result of audit findings or other investigations, loans, and unpaid staff compensation
- An assessment of the disposition of any restricted funds received by or due to the charter school

- The principal and chairperson will ensure the orderly disposal of any net assets remaining after all liabilities of the charter school have been paid or otherwise addressed, including but not limited to, the following:
 - The return of any grant funds and restricted categorical funds to their source in accordance with the terms of the grant or state and federal law, as appropriate, which may include submission of final expenditure reports for entitlement grants and the filing of any required Final Expenditure Reports and Final Performance Reports.
 - The return of any donated materials and property in accordance with any conditions established when the donation of such materials or property was accepted.
 - The principal and chairperson will ensure that the annual reports required pursuant to Education Code Section 47604.33 are completed and filed.
 - The school will set aside a reserve/contingency fund for the expeditious completion of these tasks.

On closure of YES CHARTER ACADEMY, all assets of YES CHARTER ACADEMY, including but not limited to all leaseholds, personal property, intellectual property, and all ADA apportionments and other revenues generated by students attending YES CHARTER ACADEMY, remain the sole property of YES CHARTER ACADEMY and shall be distributed in accordance with the Articles of Incorporation upon the dissolution of the nonprofit public benefit corporation. On closure, YES CHARTER ACADEMY shall remain solely responsible for all liabilities arising from the operation of YES CHARTER ACADEMY.

As YES CHARTER ACADEMY is organized as a nonprofit public benefit corporation, the YES CHARTER ACADEMY Council of Directors will follow the procedures set forth in the California Corporations Code for the dissolution of a nonprofit public benefit corporation and file all necessary filings with the appropriate state and federal agencies.

Additional policies and procedures will be determined as needed by the Council of Directors based on the needs of the school and the County Office of Education.

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