



The Yuba Environmental Science
Charter Academy
(YES Charter Academy)

"YES to Excellence in Education"

CHARTER PETITION

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



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Introduction

A. Affirmations

The Yuba Environmental Science Charter Academy (YES CHARTER ACADEMY or the Charter School) follows any and all federal, state, and local laws and regulations that apply to the Charter School, including but not limited to:

- The Yuba Environmental Science Charter Academy meets all statewide standards and conducts the pupil assessments required, pursuant to Education Code Section 60605, and any other state standards authorized in statute, or any other pupil assessments applicable to pupils in non-charter public schools.
- The Yuba Environmental Science Charter Academy is deemed the exclusive public school employer of the employees of the Charter School for purposes of the Educational Employment Relations Act.
- The Yuba Environmental Science Charter Academy is nonsectarian in its programs, admission policies, employment practices, and all other operations.
- The Yuba Environmental Science Charter Academy does not charge tuition.
- The Charter School admits all students who wish to attend the Charter School, and who submit a timely application; unless the Charter School receives a greater number of applications than there are spaces for students, in which case each application is given equal chance of admission through a public random drawing process. Except as required by Education Code Section 47605(d)(2), admission to the Charter School is not determined according to the place of residence of the student or his or her parents within the State. Preference in the public random drawing is given as required by Education Code Section 47605(d)(2)(B). In the event of a drawing, the chartering authority makes reasonable efforts to accommodate the growth of the Charter School in accordance with Education Code Section 47605(d)(2)(C).
- The Yuba Environmental Science Charter Academy does not discriminate against any pupil on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics)



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- The Yuba Environmental Science Charter Academy complies with the Individuals with Disabilities in Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973(Section 504), and the Americans with Disabilities Act (ADA).
- The Charter School meets all requirements for employment set forth in applicable provisions of law, including, but not limited to credentials, as necessary.
- The Charter School ensures that teachers in the Charter School hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools is required to hold. As allowed by statute, flexibility is given to noncore, non-college preparatory teachers.
- The Charter School maintains, at all times, all necessary and appropriate insurance coverage.
- The Charter School, for each fiscal year, offers at a minimum, the number of minutes of instruction per grade level as required by Education Code Section 47612.5(a)(1)(A)-(D).
- If a pupil is expelled or leaves the Charter School without graduating or completing the school year for any reason, the Charter School notifies the superintendent of the school County Office of Education of the pupil's last known address within 30 days, and, upon request, provides the County Office of Education with a copy of the cumulative record of the pupil, including a transcript of grades or report card and health information.
- The Charter School maintains accurate and contemporaneous written records that document all pupil attendance and makes these records available for audit and inspection.
- The Charter School, on a regular basis, consults with its parents and teachers regarding the Charter School's education programs.
- The Charter School complies with any jurisdictional limitations to locations of its facilities.
- The Charter School complies with all laws establishing the minimum and maximum age for public school enrollment.
- The Charter School complies with all applicable portions of the Elementary and Secondary Education Act.
- The Yuba Environmental Science Charter Academy complies with the Public Records Act and the Federal Educational Privacy Rights Act (FERPA).
- The Charter School complies with the Ralph M. Brown Act.



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The Yuba Environmental Science Charter Academy continually strives for a healthy, collaborative, synergistic relationship with Yuba County Office of Education (the County Office of Education or YCOE) and surrounding County Offices of Education.

B. Executive Summary

The Yuba Environmental Science Charter Academy, an independent K-8 public charter school, was started in 2008 by a group of parents and residents of the Dobbins and Oregon House community. YES CHARTER ACADEMY has been in operation for 9 years, graduating its first student who attended from Kindergarten to 8th grade at the end of the 2016/2017 school year. YES CHARTER ACADEMY offers elementary and junior high students a high-quality, standards based educational program which focuses on environmental science, including sustainability studies, and agriculture, as well as civic responsibility.

At YES CHARTER ACADEMY, innovation in education and the desire to use every available tool at our disposal to educate our students are our passions. We are personally accountable for the progress of our students, and as such, own our own problems and have the responsibility and authority to create solutions for them. As a school, YES CHARTER ACADEMY broadens the educational choices available to families in Yuba and contiguous counties, who wish to attend. It enables students to learn from the distinctive facilities — both natural and manmade — within the Yuba Highlands of the Sierra Foothills. These include mixed conifer forests of the Las Plumas-Tahoe National Forest, local lakes and rivers, and a school garden that offer students a unique range of experiences.

Taking advantage of our physical setting, our curriculum features a special focus on agricultural and environmental sciences to encourage high levels of student engagement and achievement. YES CHARTER ACADEMY makes use of a garden and local nature reserves to observe and examine natural phenomena in developmentally appropriate lessons and units. In the Academy's highly integrated curriculum, mathematics, science, and language arts are heavily infused with nature experiences — such as the measurement of plant life, observation and recording of weather, gardening, etc. Community service is a fundamental component of the life of YES CHARTER ACADEMY, related to stewardship of the environment and responsibility to fellow students and the larger community.

YES CHARTER ACADEMY represents a community effort by local citizens to offer educational choice within the public education system. The Charter School is incorporated as a nonprofit public benefit corporation and has been granted tax exempt 501(c)(3) status. The Council of Directors includes community members, parents, and staff.



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YES CHARTER ACADEMY is located on a ten- acre site that features a 10,000 square-foot school building that conforms to the Field Act It has an occupancy permit for 125 students plus an additional 30 occupants, as required, for staff and administrative personnel.

YES CHARTER ACADEMY offers the choice of a public school with a focus on environmental science, a setting for innovative instruction, efficient management, and projects-based curriculum. The option of YES CHARTER ACADEMY is a benefit to students in this community.

C. Charter Renewal

Each charter petition must contain reasonably comprehensive descriptions of each of 16 required elements. The 16 elements, as specified in EC Section 47605(b)(5)(A-P), are:

1. A description of the educational program of the school.
2. The measurable pupil outcomes identified for use by the school.
3. The method by which pupil progress in meeting those pupil outcomes is to be measured.
4. The schools governance structure, including parental involvement.
5. The qualifications to be met by individuals employed by the school.
6. Procedures to ensure health and safety of pupils and staff.
7. The means by which the school achieves racial and ethnic balance among its pupils, reflective of the general population residing in the district.
8. Admission requirements, if applicable.
9. The manner in which annual financial audits are conducted, and the manner in which audit exceptions and deficiencies are resolved.
10. The procedures by which pupils may be suspended or expelled.
11. Provisions for employee coverage under the State Teachers Retirement System, the Public Employees Retirement System, or federal social security.
12. The public school alternatives for pupils residing within the district who choose not to attend charter schools.



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13. A description of the rights of any employee of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school.
14. A dispute resolution process.
15. A declaration whether or not the charter school is the exclusive public school employer of the charter school employees.
16. The procedures to be used if the charter school closes.

D. Council of Directors Qualifications

The Council of Directors possess professional knowledge of — and experience in — leading, supporting, and managing public service entities, private businesses, and, educational organizations. Their combined capacities enable YES to create a school culture and curriculum that offers quality, site-based general education. The current Council of Directors are:

Jacquelyn (Jackie) Stanfill retired in 2014 after working for the County of Sutter for 34 years. Her experience there included work with the Human Services Department in both Social Services and Mental Health. She last worked as the Program Manager for the Children’s System of Care (CSOC) and the Prevention and Early Intervention (PEI) Programs under Sutter-Yuba Mental Health.

Jackie has expertise and experience helping families overcome difficulties. The CSOC & PEI programs she managed included partnering with all the child-serving agencies in both Sutter and Yuba Counties. This included Probation, Child Protective Services, Health Departments, County Offices of Education as well as School Districts. Jackie has many years of experience in brokering partnerships, chairing collaborative meetings, facilitating problem-solving and creative meetings, as well as managing and supervising a variety of staff.

Jackie completed leadership and management training through the University of California, Davis in partnership with the California Institute for Mental Health. She graduated Summa Cum Laude from California State University, Sacramento with a Bachelor of Science in Psychology. She attended Yuba College and obtained a Human Services Associates Degree. Jackie graduated from Yuba City High School.

In June 2002, The Sutter County Juvenile Justice and Delinquency Prevention Commission and The Yuba City Rotary Club presented to Jackie the Rodger Kunde Volunteer Youth Service Award for her outstanding service to youth. In 1992, Jackie received an Award of Excellence for an essay which was published in the Yuba College Yuba Review.

Jackie also serves on the board as treasurer of her church.

Jackie is married and has 4 children. Her youngest 2 children attend YES CHARTER ACADEMY.

Jackie enjoys gardening and any activity that is done outdoors. She currently lives with 9 species of animals and enjoys them all.

Jackie Stanfill serves as the Council President of YES CHARTER ACADEMY.



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Paul Mc Govern graduated from University College Dublin with a major in International Marketing and Finance. He is currently CEO of Database Republic (DBR), a technology consultancy based in Oregon House that develops business process management and environmental compliance applications. Mr. McGovern is a founding member of the YES CHARTER ACADEMY Council of Directors who saw his son move through YES CHARTER ACADEMY classes when it first opened. He has recently become the proud parent of an MCAA graduate and looks forward to continuing to support quality public school options in the Yuba Foothill area.

Mr. McGovern serves as the CFO of YES CHARTER ACADEMY.

Ashlie DeVorss was raised all over California. She attended Santa Ynez High School and Roseville High. She graduated in 2001 from Roseville High and then attended Sierra College.

Ashlie started working at Sutter Roseville Hospital as a Certified Nursing Assistant in the Oncology floor in 2001. There she helped take care of patients with cancer who were undergoing chemotherapy and radiation treatments. Her daily duties were taking vital signs, assisting doctors and nurses with procedures and orders, monitoring cardiac patients, monitoring postsurgical patients, palliative care, administering C.P.R, post mortem care, and more.

In 2004 Ashlie married her husband, Justin, a firefighter, and later that year birthed their first of three sons. At this time, she chose to become a home maker. Being a firefighter's wife and a Mom is a full-time job in itself.

In 2014 Ashlie joined the Plumas Lake Unified School District serving as a board member. She enjoyed learning the functions of the board and serving the district's schools. Ashlie volunteered regularly in her sons' classes as well as chaperoning all field trips and helping with school events.

In 2015 Ashlie and her family moved from Plumas Lake to Oregon House, California. There they live on 5 acres and can enjoy country living. Ashlie enjoys animals, and since the move, has owned horses, mules, chickens, goats, dogs and cats. Her interests vary from painting to archery and doing anything to promote a healthy lifestyle for her and her family.

Ashlie's three sons attend YES CHARTER ACADEMY. She is thankful for the educational environment that YES provides and the ability to be involved with the classes and Council of Directors.

Ashlie DeVorss serves as the Council Secretary of YES CHARTER ACADEMY

Louise Miller is the Principal/Superintendent of Yuba Environmental Science Charter Academy where she leads a dynamic school community. Educators at YES CHARTER ACADEMY guide students as they apply the scientific method to solve real world environmental problems through hands on investigations and collaborative projects.

Louise earned a Bachelor of Arts in History from California State University, Chico, in 1983 and a Multiple Subject Credential from Chapman University in 1996. In 2010 she earned a Masters in Educational Leadership and Administration from California State University, Chico, graduating with distinction.

In her over 20 year career as a teacher, she fulfilled roles such as teacher in charge, literacy coach, and Shady Creek Outdoor School principal. As a literacy coach Louise lead professional development, coached teachers, and analyzed data for school improvement. With special interests in literacy and science, she served on both English Language Arts and science curriculum adoption committees and developed year-long thematic units of study that integrated science, social studies, writing, and art.



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Louise reaches out to the community to create rich experiences for students. She has partnered with businesses and organizations to complete beautification projects, to hatch salmon eggs in the classroom, and to bring exciting field trips and assemblies to her students.

Her interests are native plants and pollinators. She is an avid gardener and member of the Xerces Society (What the Audubon Society is to birds, the Xerces Society is to bugs). A pollinator friendly California native landscape that she developed was featured in the American Association of University Women (AAUW) Garden Tour in 2015. She is a beekeeper and was on the panel of tasters that developed the UC Davis Honey and Pollination Center Honey Flavor and Aroma Wheel. Her honey was a finalist for the Martha Stewart American Made Agriculture and Sustainability Award in 2014 and won Best of Show, Specialty Food at the 2015 Taste of Yuba Sutter.

Louise is married and has a blended family with children and grandchildren.

Louise Miller serves as the Superintendent/Principal of YES CHARTER ACADEMY.

Amy Edwards grew up in Seattle, Washington where her passion for the environment began. She was president of her high school's environmental club. She helped start the schoolwide recycling program there, and helped organize Earth Day celebration events. For college she went to The University of Montana where she started off majoring in Forestry but soon realized that she was more interested in dance and education. Amy is interested in finding ways to connect dance to the environment. Her undergraduate thesis was a site-specific dance in a park on a beautiful creek that connected art to the beauty of nature. While at the University of Montana she worked for the recycling program. Her degrees are a BFA in Dance from the University of Montana and a Master of Education from National University. She also has a certificate of completion from The New Mexico College of Natural Healing in Herbal Medicine. She has a passion for native plants and is working on collaborating with other community members and staff to develop a native plant walk on our school campus with her class.

For much of her professional life Amy has worked as a dance educator leading workshops in schools and in private studio settings, teaching dance to all age levels infant to adult. In 2011, she moved to the Grass Valley area from Montana and began her journey as a general education teacher in the classroom environment. She was a student teacher at Scotten School and Bell Hill Academy in Grass Valley. She had her first full time teaching job as a 3rd grade classroom teacher at the Nevada City School of the Arts where she was connected to Project Wet and Project Wild through collaboration with the 3-5 grade team. She has participated in the Sacramento Floodplain and Watershed Ecology professional development program. Amy has also participated in professional development offered by the California Education and the Environment Initiative. She is currently the 3/4 teacher at YES Charter Academy.

Amy Edwards serves as the Teacher Representative on the Council of YES CHARTER ACADEMY.

I. Element 1 -- Educational Program

"A description of the educational program of the school, designed, among other things, to identify those whom the school is attempting to educate, what it means to be an "educated person" in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling pupils to become self-motivated, competent, and lifelong learners."



Education Code Section 47605(b)(5)(A)(i)

A. Mission Statement

YES CHARTER ACADEMY educates K-8 students in a school culture that values the scientific method and a curricular focus on environmental studies. The highest Common Core State Standards, as well as high standards of moral conduct, are emphasized.

B. Whom YES CHARTER ACADEMY Seeks To Educate

YES CHARTER ACADEMY is a California public charter school serving grades K-8 in northern Yuba County. As such, it offers an open enrollment policy. YES CHARTER ACADEMY intends to achieve a student population generally reflective of the Yuba County Office of Education jurisdiction. The setting for our school is Oregon House, California which has a student population of approximately 100 students. YES CHARTER ACADEMY is particularly interested in attracting students, regardless of their prior success in school, with the following characteristics:

- The interest and motivation to be educated in the scientific method of inquiry, observation, deduction, and use of critical thinking strategies.
- The ability and capability to work independently and as a team.
- The propensity to be a self-impelled leader.

C. Model of the Educated Person

YES CHARTER ACADEMY holds that an educated person is well rounded and balanced in knowledge and character. An educated person in the 21st century has the capacity to learn and adapt and:

- Uses the intellect to its fullest.
- Becomes an empathetic, collaborative member of a community
- Researches relevant information and finds the answers
- Solves a wide variety of puzzles and problems
- Clearly expresses their findings and points of view
- Practices humility, tolerance and self-criticism
- Is able to nurture and empower the people around them
- Views him/herself as a global citizen who is empowered, and responsible, for making positive changes in the world and within the immediate environment.
- Appreciates and protects the right of others to do likewise



- Develops personal habits leading to a healthy lifestyle which includes balancing leisure, work, family, and community.

A student educated at YES CHARTER ACADEMY is a:

Scholar: a student with a solid foundation in science, math, social sciences/history, writing, speaking, art and digital literacy.

Healthy Physical Being: The student is knowledgeable about, and practices, good nutrition, safety, and a healthful lifestyle. The student develops habits of physical activity in ways that provide pleasure, stress release, and fitness.

Community Member: The student is able to collaborate with others, cooperate on projects, and manage and resolve conflicts. The student is motivated and ready to provide meaningful service to others, and makes significant contributions with developed talents.

Responsible Citizen of the World: The student understands the basis of our constitutional democracy, the rights and responsibilities of all, and stays informed regarding important political, social, and environmental issues. The student is informed regarding political, social, and cultural systems and seeks to understand and co-exist peacefully. The student seeks the highest of human virtues, such as love, caring, generosity, responsibility for actions, forgiveness, compassion, and openness to one another. This leads to sharing, to cooperation, and to problem solving that seeks peace rather than violence.

Member of an Increasingly Technical and Information-based World: The student is competent and comfortable using a wide variety of technologies as an integral part of life and is open to embracing new alternatives as they become available.

D. Educational Philosophy – How Learning Best Occurs

The main aim of YES CHARTER ACADEMY is to encourage effective teaching methods in a unique setting. The desired result is an interdisciplinary K-8 publicly funded charter school whose curricular focus is environmental science. The vision of the YES CHARTER ACADEMY is to educate K – 8 students of the Sierra Foothills through a self-motivating, individualized, and comprehensive curriculum that connects learners with learning via a program, teaching staff, and school culture that value scientific methods of inquiry.

YES CHARTER ACADEMY strives to exceed the requirements of the California Education Code and Common Core State Standards. We use state-adopted textbooks as well as CCSS standards based curriculum created collaboratively with educators on and off campus in all grades to assist in achieving high CAASPP scores. The Charter School provides a site-based matriculation environment whose teachers, programs, resources, and support enable students to become educated to high-quality Common Core State Standards academic standards. It further helps them develop to their fullest capacity as competent, happy, productive individuals, family members, and contributors to a global society and a peaceful world.



YES CHARTER ACADEMY provides a nurturing and stimulating environment that maximizes individualized education and project-based learning. The curriculum is founded on the California state standards for core classes with an interdisciplinary approach that includes an overarching emphasis on developing responsible citizens and environmental stewards for the 21st century. We offer an approach to schooling that begins with agreement among our educator group (state, County Office of Education, and school) about what students should learn in each grade level, what level of achievement should be expected, and how academic performance is evaluated. Standards for content, for performance, and for evaluation are aligned so that what is taught determines what is tested. Such an approach to standards-based education aims to improve achievement by establishing clear and challenging benchmarks; to ensure that teachers know what to teach and students know what they are expected to learn; and to make learning expectations fair and accessible, so that all students have the same opportunity to achieve them. Our goals can be achieved when there is strong commitment from the learning community: from parents, teachers, community groups, and, most importantly, from the individual child. Such achievement is grounded in a philosophy of trust among individuals who are all seeking their own highest levels of expression.

E. Core Values

The Yuba Environmental Science Charter Academy believes that today's well-educated, socially aware, and personally responsible children become tomorrow's contributing, caring citizens who create a better society for us all. YES CHARTER ACADEMY students come to appreciate one very special place: the natural landscape of their youth. YES CHARTER ACADEMY places a high value on healthy living, community participation, environmental enhancement, and respect for diversity. It emphasizes the natural and human history and development of Yuba County specifically, and of Northern California in general.

1. Strong Sense of Place and Community

The children of YES CHARTER ACADEMY experience firsthand the ecology of the rural land that surrounds their school and community. They understand that we are all part of the planet Earth, and it is part of us. A strong sense of place within the natural and human community, both local and worldwide, is the legacy of YES CHARTER ACADEMY. Students and teachers learn outside each day, immersed in the natural world. Their learning about nature and culture comes through rich, first-hand contact with the world around them. Their explorations are guided by the cycles and patterns of growth, rainfall, migration, and the changing of the seasons, all of which teach lessons no classroom alone can match.

2. Healthful living

Children learn about the life cycles of animals and plants, as well as the interdependence of life, through our use of plants for food, and through their observations, projects, and real work on the farm,



woodlands, and landscapes that surround the Academy. YES CHARTER ACADEMY students have the time and opportunity to learn through their senses, experiences, and discoveries, sparked by curiosity and a sense of wonder. They experience the joy and excitement that comes when hard work leads to understanding and competence. We strive for excellence in all we do, recognizing many different types and measures of excellence we can achieve both personally and collectively.

3. [Curricular Review and Rigor Aimed to Meet the California State Standards](#)

The written, taught, learned and collateral curriculum is examined regularly by various constituents of the learning community — including teachers, administrators, and students. Scrutiny in accomplishing the aims and goals of the state curriculum is sought and discussed by the faculty and study teams. The study teams look for factors to determine, and adjust where necessary, the success of English language learners and students with special needs. Our unique approach to teaching and learning, described below, and the school's expressed interest in a science-based education suggest that its very existence is examined thoroughly for effectiveness across multiple measures.

4. [A small school that fosters learning](#)

At YES CHARTER ACADEMY learning takes place when teachers can give individual attention to each child, and the school community is small enough for everyone to know and support each other. In this setting every child is known well by the teachers, and his or her gifts, talents, and special needs are recognized and addressed. Our intention is to remain a small school

5. [An integrated approach to learning that focuses on the natural sciences and the environment](#)

Because the natural world is inherently interesting to most children, it serves as a setting and springboard for learning in all subjects studied at YES CHARTER ACADEMY. Teachers help students to deepen their understanding of the world by connecting all disciplines and to communicate their observations and understanding to others.

6. [Character development woven into the fabric of learning](#)

YES CHARTER ACADEMY intentionally incorporates character development into its daily curriculum and activities. Teachers, administrators, students, and families work together to assure the healthy development of every child, and to address moral and ethical issues so that each has the knowledge, skills, and resiliency to act with integrity.



7. Accountability and responsibility

We pay close attention to leadership, governance, and management at YES CHARTER ACADEMY. This includes maintaining our charter, meeting state requirements, and ensuring financial viability. Ultimately, we are most accountable for the children's learning. Teachers and other staff members collaborate to promote a sense of collective purpose. Teachers reflect together on their practices, critically analyze learning situations in their classrooms, and suggest and engage in creative strategies to provide experiences that enable each child to meet our high expectations.

8. Parents

Parents play an integral role in the educational experience of the children through volunteer opportunities inside and outside the classroom, leadership positions, and reinforcement at home.

9. Commitment to lifelong learning and high achievement

Students come to understand that natural and human communities are one and that environmental stewardship and civic responsibility go hand in hand. They gain a love for learning and for caring for the earth and its citizens that continues to develop after they have graduated.

F. Curriculum

(See Appendix 1A, "*Seeds of Science - Planets and Moons*" and Appendix 1B, "*Seeds of Science - Light Energy*" for sample curricula)

The academic program in the upper elementary and middle school is organized around periods daily. Some students stay later for the after school program. Our curriculum plan has sound educational theory and research. YES CHARTER ACADEMY is founded upon core values such as a strong sense of place and community; healthful living; curricular review and rigor aimed to meet the state standards; environmental protection and enhancement; and commitment to lifelong learning and high achievement. Core academic subjects are taught through integrated thematic units, and include practical experience.

Students examine the ecology and history of the land and people of the area, learn about animals and plants through personal observation and experience, and use the community's resources as a living laboratory. The YES CHARTER ACADEMY gardens and nature mini-reserves foster extensive field experiences even for the youngest children. The Las Plumas National Forest, as well as area public institutions and civic organizations, provide additional settings for exploration. YES Charter Academy uses CCSS aligned ELA curriculum, Zaner-Bloser, and Math curriculum, Go Math.



G. The Environmental Focus: Earth Literacy

In creating and implementing its environmental sciences focus, YES CHARTER ACADEMY educators are guided by California's Environmental Principles and Concepts from the Education and the Environment Initiative supported by assembly bills 1548 and 1721 (see Appendix 1C, "*California's Environmental Principles and Concepts*"), to ensure that instruction is credible, reliable, objective, and factually based. Focal areas of study include conservation, plant and animal life and stewardship and civic responsibility, interdependence and natural balance, pollution, and health and fitness. Teachers incorporate lesson planning and activities through the use of *Project WET*, *Project WILD*, *Project Learning Tree*, and *Roots of Reading Seeds of Science* curriculum. YES CHARTER ACADEMY students participate in trips to observe other environmental and cultural resources.

YES CHARTER ACADEMY is equipped with current information technologies, including computers with Internet access.

H. Instructional Design

YES CHARTER ACADEMY is organized as a series of multi-aged classrooms. A single teacher, at times assisted by parent volunteer and /or an instructional aide, may teach more than one grade in a multi-age class.

Assessments are developed by the teaching staff and administration to help determine placement into learning groups, depending on age, below are some overarching examples:

- Measures of Academic Progress (MAP) is used to create standards based assessments that reflect growth of students as cohorts and individuals. Correlated to the California State Standards, (MAP) also contains CAASPP Blueprints for grades 3-8, to be used at key intervals in the first and second trimesters. Teacher created tests are also available on (MAP) to allow teachers to create intervention groups, target specific learning goals for students, and monitor mastery and progress.
- Informal classroom tests are used on a regular basis by teachers in all grade levels including spelling tests, concepts of print assessments, show of hands/symbols/signs to indicate class-wide and individual participation during lessons and assignments for checking for understanding and assessing progress.
- Students are assessed using diagnostic assessments, formative assessments embedded in programs, and summative assessments such as MAP, CAASPP, and CAST.



I. Instructional Methods

The school uses research-based methods of instruction as described below.

(See Appendix 1D, “*Marzano Instructional Strategies Report*”)

1. Cooperative learning

Researchers have found that cooperative learning is an effective learning strategy. Students are guided to work cooperatively on projects such as STEAM Fair projects, Earth Day projects, garden projects, and others.

2. Differentiating instructional methods

In a differentiated classroom the teacher creates multiple paths of learning so that students of different abilities, interest or learning styles experience appropriate ways to learn content. Instruction may be differentiated in the process or product. Differentiating the processes means varying learning activities or strategies to provide appropriate methods for students to explore the concepts. Differentiating product means varying the complexity of the product that students create to demonstrate mastery of the concepts.

3. Direct instruction

There are five key phases in direct instruction. These include: orientation, presentation, structured practice, guided practice, and independent practice. In orientation the teacher clarifies objectives, activates prior knowledge and connects to previous lessons. In presentation the teacher explains, demonstrates, and gives examples of concept, skill, or strategy. The teacher uses a visual representation of the material and checks for student understanding. In structured practice the teacher leads students through the practice, step by step, using a projector or chart of the practice examples as well as the visual presentation. In guided practice the students practice on their own, but with the teacher present to monitor and give corrective feedback. In independent practice students practice entirely on their own.

4. Field trips

The outdoor classroom and the direct experience of nature and other venues appropriate to the study of the curriculum is accomplished by field trips and out-of-doors activities. Each experience of this type has Common Core State Standards (CCSS) or Next Generation Science Standards (NGSS) defined and supported for the lesson and trip.



5. SDAIE instruction methods (Specially Designed Academic Instruction in English)

SDAIE classes are those classes containing English Language Learner (ELL) students, taught by teachers using special strategies designed to assist ELL students in both language-acquisition and subject-matter content. SDAIE stands for Specially-Designed Academic-Instruction in English.

SDAIE/sheltered methodology, borrowed from ELD/ESL strategies, emphasizes the concept of comprehensible input - very simply, making concepts understood by the learner. This is accomplished through the use of:

- realia (real objects and materials)
- manipulative (drawings, posters, brainstorming-clusters, graphs, tables, maps, props, multimedia presentations, storyboards, story maps)
- visuals (study-prints, textbook-illustrations, overhead-projected prints, reproductions of paintings, and documents)
- graphic organizers (matrices, Venn diagrams, and webs)
- planned opportunities for interaction between all individuals in the classroom (creating a skit and acting it out, co-operative learning, collaborative learning, and student-generated stories based on personal experiences)

J. Development of Self-Motivated, Competent and Long-Life Learners

YES CHARTER ACADEMY is committed to the development of self-motivated, competent, lifelong learners. Specific methods for encouraging self-motivated learning include:

- Project Based learning
- Multi-age, skill/readiness-based class groupings
- Interdisciplinary, project-based learning
- Use of a prepared environment and hands-on materials which are progressive in complexity and often self-correcting (in younger grades)
- Units of study built around high interest topics
- Building growth mindset through student effort leading to academic success

K. When Learning Occurs



- Students are actively engaged in meaningful tasks
- A connection is made between what students learn and the real world in which they live
- Students have some choice in the structure of their own projects and plans
- Work is accomplished individually and as members of a group
- Activities are integrated and meaningful to the individual learner
- Work is developmentally appropriate, leads to success, and is progressively complex
- Meaning is constructed from experiences
- Students are encouraged and expected to learn
- Students are encouraged to help others learn and to learn from others

L. Academic Habits

Clear expectations of how learning is approached in the classroom, as well as the cultivation of useful habits, serve the child in his/her lifelong quest for knowledge long after graduation from YES CHARTER ACADEMY. The following are some of the habits and behavioral outcomes encouraged in the pursuit of learning:

- A genuine and healthy curiosity
- Clear oral and written communication
- Creative thinking
- Logical thinking toward well-informed conclusions
- Proficient use of technologies to gain access to information
- Adapting readily and responsively to new situations and information
- Effective problem solving
- Finding, selecting, evaluating, organizing, and using information from various sources
- Seeking alternative, and contrary, perspectives
- Evaluating the reliability of information from video, audio, and printed sources, including advertising, the media, and the Internet

M. Personal Habits and Attitudes

- Accepting responsibility for personal decisions and actions
- Empathy for others and recognition of differences among people and cultures
- Self-confidence with a willingness to risk by mistakes in order to learn
- Working cooperatively with others, including listening, sharing opinions, negotiating, compromising, and taking a stand
- Courtesy, good manners, and respect



- Honesty and fairness
- Making and keeping commitments
- Seeking a fair share of the workload
- Seeking and utilizing various personal adaptive techniques for handling frustration, setbacks, or other barriers to reaching goals

N. Skill Conferred

YES CHARTER ACADEMY curriculum is integrated and interdisciplinary by design. Academic subjects are presented to students throughout all daily activities embracing many perspectives. Student command an appropriate age- or grade-level mastery of:

1. Primary Academic Skills

a. English and Language Arts

Students are strong, comprehensive readers. They develop strong speaking and debating skills. Grammar, writing, and vocabulary enrichment is demonstrated in many forms of expression, including descriptive language reports.

b. Mathematics

Students develop abilities to reason logically and to understand and apply mathematical processes and concepts including those within arithmetic, algebra, and geometry. They practice critical thinking, problem solving, and knowledge application skills.

c. Science

Students successfully utilize scientific research and inquiry methods to understand and apply the major concepts underlining various branches of science which may include physical and earth science, botany, zoology, physics, chemistry, environmental science, and agricultural sustainability.

d. Health and Family & Community Life Education

Students demonstrate development of the whole person — physically, emotionally, and intellectually. By applying physical activities, nutrition awareness, safety, and self-exploration practices to their daily routines, students learn to balance and manage work, leisure, family, and community.



e. History, Geography, and Social Studies

Students demonstrate and apply an understanding of historical, geographical, and cultural knowledge in order to serve as global citizens in today's world

2. Secondary Academic Skills

Appropriate age- or grade-level mastery of the following

a) Artistic Expression

Students apply and appreciate the many forms of artistic expression. Utilizing paints, sculpting materials, and drama.

b) Conflict Resolution

Conflict Resolution techniques are learned and practiced effectively in the classroom by engaging in the process of responsible, compassionate peer relations, guided by respect.

The community member skills mastered in the classroom are expanded into a sense of belonging within the YES CHARTER ACADEMY, as a whole, through inter-awareness and understanding of the school's and students' place in the community.

3. Life-Long Learning Skills

Students develop skills that enable and empower them to pursue their own path of learning throughout their adult lives. These include the following

a) Self-confidence and a Positive Attitude towards Learning

In the lower three grades tasks are designed so that each step of learning is based upon what the child has already mastered, thus removing the negative experience of frequent failure. Repeated work with tasks, which are developmentally appropriate, and a carefully planned series of successes, builds inner confidence in the child emulating a positive attitude towards future learning.

b) Abiding Curiosity



By providing the student with opportunities to discover qualities, dimensions, and relationships among a rich variety of learning situations, curiosity is stimulated and an essential element in creative learning is established. A deep, persistent, and abiding curiosity is a prerequisite for future learning and education.

c) Initiative and Persistence

By surrounding the student with developmentally appropriate materials and activities, he/she becomes accustomed to engaging in activities on his/her own. This results in a habit of initiative – an essential quality in leadership. Students feel a sense of accomplishment after completing a task. This completion expectation results in a habit of persistence.

d) Reflection and Evaluation

Multi-age classrooms are designed to facilitate peer learning and self- reflection in an environment where observation happens naturally. The emotional security and psychological safety thus created allows for evaluation of self and peer learning.

4. Social / Interpersonal Skills

The multi-age groupings create a sense of community within the classroom. This community develops avenues for students to build.

a) Citizenship

This community setting forms a sense of belonging. From this belonging students can identify personal responsibility for the full functioning of the group.

b) Collaboration

The ability to work effectively with others in intellectual endeavors, and to work cooperatively in groups encountering diverse perspectives, is addressed in the YES CHARTER ACADEMY classroom by means of team projects.

The strong community member skills mastered in the classroom are expanded into a sense of belonging within the YES CHARTER ACADEMY, as a whole, through inter-classroom collaborative projects. Other community service projects such as the South Yuba River Citizens League (SYRCL) Waterways Clean Up teach awareness and understanding of the school's and student's place in the community. Applying this awareness and these skills develop productive citizens of today's socially interactive world.



O. Special Student Populations

1. Plan for Academically Low-Achieving Students

If a student is academically low-achieving, the teacher works with the student and their parents in analyzing their individual learning plan. All students are first evaluated using in class assessments from the teacher such as spelling tests, quick write assessments, math and reading placement tests, and the MAP assessments and CAASPP. These tests and assessments provide the teacher, student, and parent with a detailed and comprehensive view of how the student is performing in standards based academic content. Additionally teachers observe and annotate any behavioral concerns and document interventions attempted through the use of the YES CHARTER ACADEMY Behavioral Notice Intervention Chart. If a student is observed as not achieving expected academic and/or behavioral standards, the teacher designs individual learning goals as part of the ILP with parent and student input. Teachers adjust assignments to allow for more practice, pre-teaching, and participation in small intervention groups, peer tutoring, mentor tutoring, and computer based practice to address the student's needs. Ongoing assessments indicate the success of these strategies and the strategies are adjusted as needed to increase student performance.

YES CHARTER ACADEMY has high expectations for *all* students. YES CHARTER ACADEMY is committed to working both with students who are not meeting outcomes to help them achieve at expected levels and with those who are performing above grade level and needing additional challenge. The individual learning plan is utilized as a first step in identifying these students. YES CHARTER ACADEMY identifies students who are academically low- or high achieving, or those students otherwise having behavior/social issues, and utilize a Student Success Team process

2. Student Success Team

A Student Success Team (SST) includes the parent, the student (when appropriate), the teacher, and other school personnel or interested persons, and uses a systematic problem solving approach to assist students with concerns that are interfering with success. The SST clarifies problems and concerns; develops strategies and organizes resources; provides a system for School accountability; and serves to assist and counsel the teacher and student. An SST is a general education function. All students can benefit from an SST, including but not limited to those students achieving below grade level, those who are achieving above grade level and require greater challenge, and students who have experienced emotional trauma, behavioral issues, or language issues.

Anyone who has a concern for a student can refer that student to a SST for consideration. Anyone who is connected with that student can be included in the SST to provide information to share about the student strengths, concerns, and strategies that have been used in the past. These people may include, but are not limited to teachers, parents, counselors, doctors, administrators, social workers, probation officers, and other law enforcement officials.



The following is a ten-step process for guiding an SST:

1. Team members introduce themselves and their roles.
2. The purpose and process of the meeting are stated.
3. The strengths and challenges facing the student are identified.
4. The concerns are discussed clarified, and listed.
5. The concerns are synthesized; one or two are chosen for focus.
6. Modification and accommodations to the student's educational plan and to classroom activities and instruction are discussed.
7. Modifications and accommodations are finalized.
8. Persons responsible for implementing modifications and accommodations are identified.
9. All of the above is included in the SST Plan.
10. A follow-up date is set.

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

3. Plan for Academically High-Achieving Students

All students are first evaluated using in-class assessments from the teacher such as spelling tests, quick write assessments, math and reading placement tests, and the Measures of Academic Progress (MAP) assessments. Previous CAASPP scores are considered. These tests and assessments provide the teacher, student, and parent with a detailed and comprehensive view of how the student is performing in standards based academic content. Additionally, teachers observe and annotate any behavioral concerns and document interventions attempted through the use of the YES CHARTER ACADEMY Behavioral Notice Intervention Chart.

If a student is observed as achieving higher than expected academic standards, the teacher designs individual learning goals to advance their academic progress as part of the ILP with parent and student input. Parents are given a list of strategies and activities to practice at home to support the student's learning and the teacher adjusts assignments to allow for advanced projects, peer coaching, and participation in advanced small groups, peer tutoring, mentor tutoring, and computer based practice to address the student's needs. Ongoing assessments indicate the success of these strategies and the strategies are adjusted as needed to increase student performance.

Students who are academically high-achieving are served by increasing the level of course work required by the individual learning plan. Students who are academically high achieving may take part in advanced projects, such as designing science experiments and researching areas of student interest pertaining to the units being studied. Students are allowed to participate in coursework with classes of upper grade levels as appropriate, such as moving into the Algebra class for an advanced math student for the math portion of their day. Students participate in a self-paced math and science course through



the Khan Academy online instructional program. If it is not appropriate to participate in an upper grade class for a portion of the day, the student may participate in a small group advanced course within the grade level classroom or receive individualized tutoring or mentoring in advanced course work.

4. Plan for English Learners

The Charter School meets all applicable legal requirements for English Language Learners (ELL) as it pertains to annual notification to parents, student identification, placement, program options, ELL and core content instruction, teacher qualifications and training, re-classification to fluent English proficient status, monitoring and evaluating program effectiveness, and standardized testing requirement. The Charter School implements policies to assure proper placement, evaluation, and communication regarding ELLs and the rights of students and parents.

Home Language Survey

The Charter School administers the home language survey upon a student's initial enrollment into the Charter School

ELPAC Testing

All students who indicate that their home language is other than English are English Language Proficiency Assessments for California (ELPAC) tested within thirty days of initial enrollment in California public schools and at least annually thereafter until re-designated as fluent English proficient.

The Charter School notifies all parents of its responsibility for ELPAC testing and of ELPAC results within thirty days of receiving results from the publisher. The ELPAC is used to fulfill the requirements under the Every Child Succeeds Act for annual English proficiency testing.

Reclassification Procedures

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

- Assessment of language proficiency using an objective assessment instrument including, but not limited to, the ELPAC.
- Participation of the pupil's classroom teachers and any other certificated staff with direct responsibility for teaching or placement decisions of the pupil to evaluate the pupil's curriculum mastery.
- Parental opinion and consultation, achieved through notice to parents or guardians of the language reclassification and placement including a description of the reclassification process and the parents' opportunity to participate, and encouragement of the participation of parents or guardians in the reclassification procedure including seeking their opinion and consultation during the reclassification process.



- Comparison of the pupil's performance in basic skills against an empirically established range of performance in basic skills based upon the performance of English proficient pupils of the same age that demonstrate to others that the pupil is sufficiently proficient in English to participate effectively in a curriculum designed for pupils of the same age whose native language is English.

Strategies for English Language Learner Instruction and Intervention

The YES CHARTER ACADEMY curriculum offers multiple supports for English Language Learner students. English Language Learners benefit from the use of SDAIE instructional methods and second language instruction. YES CHARTER ACADEMY makes provisions within classrooms to bring all English Language Learners up to the level necessary for their sustained achievement. CLAD credentialed teachers supports our ELL Program.

There is a diversity of materials and concrete lessons to provide many opportunities for support strategies and leveled materials. YES CHARTER ACADEMY honors individual learning needs and creates an environment of acceptance of diverse learners. YES CHARTER ACADEMY teachers encourage peer tutoring and cooperative learning, which are recommended strategies for ELL students.

If the ELPAC scores are 4 or 5, the child is mainstreamed into classes at YES CHARTER ACADEMY with a language mentor available to him/her. If the ELPAC score is lower than 4, a student is placed into an English immersion program and, depending on age, a bi-literacy program in order to gain fluency in L1 while learning L2 simultaneously. Both ELD and SDAIE options for learning are considered for these students.

YES CHARTER ACADEMY's low student-teacher ratio allows for more focused instruction for EL students and for more opportunities for intensive interventions where appropriate, including increased opportunities for varied types of grouping.

Monitoring and Evaluation of Program Effectiveness

The evaluation for the program effectiveness for ELLs in the Charter School includes:

- Adhere to Charter School-adopted academic benchmarks by language proficiency level and years in program to determine adequate yearly progress.
- Monitoring of teacher qualifications and the use of appropriate instructional strategies based on program design.
- Monitoring of student identification and placement.
- Monitoring of parental program choice options.
- Monitoring of availability of adequate resources.



5. Plan for Special Needs Students

a) Overview

The Charter School complies with all applicable state and federal laws in serving students with disabilities, including, but not limited to, Section 504 of the Rehabilitation Act (Section 504), the Americans with Disabilities Act (ADA) and the Individuals with Disabilities in Education Improvement Act (IDEIA).

The Charter School complies with all state and federal laws related to the provision of special education instruction and related services and all SELPA policies and procedures; and utilizes appropriate SELPA forms.

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

b) Services for Students under the IDEIA

YES CHARTER ACADEMY has a relationship with Yuba County Office of Education (YCOE) in regards to Special Education as described below.

i. Special Education

Definition

1. The Charter School is categorized as a public school within the YCOE in conformity with Education Code section 47641, subdivision (b) for purposes of Special Education, and is treated as any other public school in YCOE with respect to the provision of Special Education services, including the allocation of duties between on-site staff and resources and YCOE staff and resources, as set forth in this Agreement.
2. It is understood that all children have access to the Charter School and no student is denied admission due to a disability.

Compliance

1. The Charter School complies with all applicable federal, state and local laws.



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2. The Charter School obtains from the Yuba County SELPA the Policies, Procedures and Forms regarding Special Education. At least annually, and as further required by YCOE, the Charter School reviews pertinent information with pertinent Charter School staff at a staff meeting. The YCOE may request additional information and review staff meetings as it deems necessary. The Charter School collaborates with YCOE and SELPA representatives as needed and may request their attendance at the staff meeting. YCOE representatives may attend the information review staff meeting even if the Charter School does not request YCOE attendance. The Charter School, however, is solely responsible for the preparation of materials and for conducting the information review meeting.
3. The Charter School complies with Yuba County SELPA Policies, Procedures and other requirements including correct documentation on all IEP forms and adherence to procedures for submission of CASEMIS data.
4. The Charter School utilizes Yuba County SELPA Forms.
5. The Charter School obtains from the YCOE, the YCOE Superintendent Policies and Administrative Regulations relating to Special Education. At least annually, and as further required by YCOE, the Charter School is responsible for reviewing pertinent information with pertinent Charter School staff at a staff meeting. The Charter School collaborates with YCOE representatives as needed and may request their attendance at the staff meeting. YCOE representatives may attend the information review staff meeting even if the Charter School does not request YCOE attendance. The Charter School, however, is solely responsible for the preparation of materials and for conducting the information review meeting.
6. The Charter School adheres to all YCOE Superintendent Policies and Administrative Regulations relating to Special Education.
7. The Charter School provides the YCOE Assistant Superintendent of Special Education copies of sign-in sheets from staff meetings where Yuba County SELPA and Superintendent Policies, Administrative Regulations and forms are reviewed.

Student Study Team Process

The Charter School implements a Student Study Team Process (SST), a regular education function, to monitor and guide referrals for Special Education services. The Charter School agrees that the SST and any interventions prior to referrals for Special Education services are the sole responsibility of the Charter School. A copy of all referrals are forwarded to YCOE within a reasonable time. The Charter School maintains ongoing consultation with YCOE's representative regarding referrals, placements, and potential eligibility for special education services.

Assessments



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YES Charter Academy Staff determine what assessments, if any, are appropriate and develop a proposed assessment plan within the applicable timelines for any assessment of referred students, annual or triennial assessments. YES conducts such assessments in accordance with applicable procedures and protocols and within the applicable timelines.

Responsibility for Special Education Services

1. The Charter School assumes responsibility for selecting and hiring its own Special Education teachers and paraprofessionals, and assumes all costs related to the hiring, supervision and employment of Special Education teachers and paraprofessionals. The YCOE agrees to provide support and resources to staff related to best practices and classroom strategies.
2. The Charter School assumes responsibility for hiring and/or contracting appropriate Special Education support staff and assumes all costs related to those positions. The YCOE assists with determination of support staff needs and contractor options.
3. Special Education teachers and paraprofessionals hired by the Charter School is treated as employees of the Charter School, not the YCOE.

Related Services

The Charter School arranges to provide designated related services based on identified student needs in accordance with students' IEPs. The Charter School may arrange contracts for services including contracts with YCOE staff if available.

These services include:

1. Speech and language services for students with qualifying IEPs.
2. Occupational Therapy services for students with qualifying IEPs.
3. Special education assessments, including psycho-educational completed by a school psychologist, academic, speech and language, and occupational therapy, for students referred through appropriate procedures.
4. Adaptive Physical Education services.
5. Transportation - The Charter School is responsible for any and all transportation costs associated with students enrolled in Special Education services at the Charter School. The Charter School pays for such costs directly.

Exceptional Cost Services

1. Any Special Education services provided by the YCOE to the Charter School in addition to the basic services described above are considered Exceptional Cost Services. The Charter



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School incurs any of the costs associated with the Exceptional Cost Services. For students with a low incidence disability, materials and equipment may be requested through the SELPA low incidence process.

2. Exceptional Cost Services include, by way of illustration and not limitation, the following:
 - Services listed in Education Code section 56363;
 - Placement in service specific classes, i.e., moderate-severe SDC, counseling enriched special day classes(CEC) as well as non-public school (NPS) and residential placements;
 - Special Circumstance paraprofessionals;
 - Behavior Specialists;
 - Vision Specialist services;
 - Orientation and Mobility training;
 - Services for the Deaf/Hard of Hearing;
 - Low Incidence or specialized equipment purchases; and
 - Assistive Technology Assessment/evaluation.
3. Prior to providing Exceptional Cost Services, the YCOE and the Charter School collaborates to determine specific student service needs.
 - Exceptional Cost Services to be provided and the additional costs incurred by providing those services are the responsibility of the Charter School.

Identification and Referral

1. The Charter School has the responsibility to work cooperatively with the YCOE in following procedures to identify and refer students who have, or may have, exceptional needs that qualify them to receive Special Education services in accordance with YCOE and SELPA policy.
2. The Charter School is solely responsible for obtaining the cumulative files, prior and/or current IEPs and other Special Education information on any student enrolling in their program.
3. The Charter School includes a notice at the beginning of each school year and at the semester in a publication to parents of the Charter School students notifying them of the YCOE's responsibility to search and serve students who need or are believed to need special education services. A Charter School representative is named, including contact information, and is the contact person for parents of charter school students inquiring about special education evaluation, eligibility, and/or services. Each semester, the Charter School notifies YCOE's representative of all regular education students that either required interventions beyond the Charter School's regular programming or were placed on modified curriculum at the Charter School.



IEP Meetings

1. The Charter School arranges necessary IEP meetings in accordance with YCOE and SELPA Policies and Administrative Regulations and applicable law. The Charter School is responsible for having a designated Charter School administrator, Special Education teacher, and Charter School general education teacher(s) who are knowledgeable about the student's regular education program at the Charter School in attendance at all IEP meetings.
2. The Charter School is responsible for providing all IEPs to the YCOE in a timely manner for the purpose of pupil count tracking through CASEMIS. The YCOE agrees to provide CASEMIS support to the Charter School. The Charter School staff participate in training for completion of IEPs electronically (SELPA Manager/SEIS).

IEP Team

1. The Charter School establishes an IEP team. Team membership is in compliance with any applicable federal, state and local law and includes the designated representative of the Charter School (or designee) and the designated representative of the YCOE as needed.
2. Decisions regarding eligibility, goals/objectives, program, placement, and exit from Special Education is the decision of the IEP team.
3. Special Education services and placements are provided to all eligible Charter School students in accordance with Policies, Administrative Regulations and requirements of YCOE, Yuba County SELPA, and state and federal law.
4. The Charter School ensures each student's IEP is made available to, understood and fully implemented by staff who work with the student, including, where applicable, all accommodations, modifications, supports for instruction, goals and objectives, data collection and progress reporting.

Restrictions on Designation of Disability

The Charter School acknowledges that under the IDEIA, a child is not determined to be a child with a disability eligible for Special Education if the determinant factor for such determination is:

1. Lack of appropriate instruction in reading, including in the essential components of reading instruction as referenced in the IDEIA;
2. Lack of instruction in math; or
3. Limited English proficiency. (20 U.S.C., § 1414, subd.(b)(5)(A-C).)

Students with Current IEP



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1. For students who enroll in the Charter School with a current IEP, the Charter School completes an interim placement form and conducts a follow-up IEP meeting in accordance with applicable law.
2. The Charter School requests YCOE review of new students with IEPs prior to their enrollment in the Charter School.

Complaints

1. The Charter School addresses, investigates, and responds to informal complaints in a timely manner.
2. Upon receipt of a Uniform Complaint, the Charter School consults with the YCOE in order to address/respond to/investigate all complaints received under the Uniform Complaint Procedure involving Special Education.

Due Process Hearings

1. In consultation, the YCOE in conjunction with the Charter School, may initiate a due process hearing on behalf of a student enrolled in the Charter School as the YCOE determines is legally necessary to meet responsibilities under state and federal law.
2. The YCOE assists the Charter School to prepare, file and prosecute the case.
3. In the event that the YCOE determines that legal counsel representation is needed, the YCOE and Charter School is jointly represented by the YCOE's legal counsel. Costs of legal representation are borne by YES.
4. The Charter School cooperates in the pursuit or defense of due process hearings as needed.

Actions Filed Against the Charter School and/or YCOE

1. The YCOE and Charter School work together to prepare and defend any case filed against the Charter School and/or YCOE regarding Special Education eligibility, placement or services provided to a student by the Charter School.
2. In the event that the YCOE determines that representation from legal counsel is needed, the YCOE and Charter School are jointly represented by the YCOE's legal counsel unless there is a conflict of interest. Costs of legal representation are borne by YES.
3. Charter School staff and administrators cooperate in the defense as needed.
4. YCOE may direct Charter School to take any and all corrective action it believes is reasonably necessary for compliance with state and federal special education laws. If Charter School



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does not comply with YCOE's directive, the Charter School holds harmless, defends, and indemnifies YCOE against any and all actions, claims, complaints, charges, demands, suits, compliance complaints, and due process filings of any and all kind whatsoever that arises out of the failure to comply with YCOE's directive. It is specifically understood and agreed that such indemnification, defense, and duty to hold harmless includes the Charter School responsibility to reimburse YCOE for any and all costs arising out of or related to such action, claim, complaint, charge, demand, suit, compliance complaint or due process filing including but not limited to attorney fees, YCOE staff time, investigation costs, mediation, settlement, expert witness fees, or assessments.

SELPA

1. The YCOE Assistant Superintendent or designee represents the Charter School at all Yuba County SELPA meetings.
2. Reports to the Charter School regarding Yuba County SELPA decisions, policies and other relevant information is communicated to the Charter School by the YCOE.
3. To the extent that the YCOE and/or Yuba County SELPA provide training opportunities and/or information regarding Special Education to site staff, such opportunities/information are made available to Charter School staff.
4. To the extent that YCOE site staff has the opportunity to participate in committee meetings of the Yuba County SELPA as representatives of their school, such opportunities are made available to Charter School staff.

Special Education Apportionment Directly to the Charter School

1. The parties agree that, pursuant to the division of responsibilities set forth in their agreement, the Charter School has elected the status of any other public school in the county for the purposes of Special Education services and funding and has the responsibility of arranging services.
2. All funds apportioned to the Charter School through Yuba County SELPA are passed through directly to the Charter School according to the SELPA Allocation Plan for the purpose of supporting Special Education costs.
3. The Charter School provides the YCOE with ten percent (10%) of the Special Education apportionment for support and services outlined in their Agreement.
4. The Charter School recognizes the SELPA Special Education allocation does not cover all Special Education expenses and agrees to cover the excess costs through general education



allocations. These costs include but are not limited to direct Charter School costs as well as possible excess costs to YCOE if direct services are provided.

Correspondence Regarding Special Education

Within 24 hours of the time any correspondence related in any way to Special Education service issues or parental concerns is sent or received by the Charter School, the Charter School provides the YCOE Assistant Superintendent of Special Education copies of such correspondence.

Special Education Services Based on IEP

Special Education services are offered at the Charter School or elsewhere in the YCOE or Yuba County SELPA based upon each student's IEP.

Training

The Charter School administrative staff attends appropriate administrative trainings and appropriate Charter School staff attends YCOE Special Education training sessions.

Section 504 of the Rehabilitation Act of 1973

1. The Charter School is solely responsible for its compliance with Section 504 of the Rehabilitation Act of 1973(Section 504). The Charter School recognizes its sole legal responsibility to ensure that no qualified person with a disability is, on the basis of the disability, excluded from participation, denied the benefits of, or otherwise subjected to, discrimination under any program of the Charter School. Any student who has an objectively identified disability which substantially limits a major life activity such as learning is eligible for accommodation by the Charter School.
2. The Charter School adopts a Section 504 policy, procedure and forms.
3. Once each year, the Charter School designates a Charter School employee responsible for Section 504 compliance and notifies the YCOE Assistant Superintendent of Special Education in writing of the responsible individual.

P. Section 504 / Americans With Disabilities Act

YES CHARTER ACADEMY recognizes its legal responsibility to ensure no qualified person with a disability is, on the basis of disability, excluded from participation, denied the benefits of, or otherwise subjected to discrimination under any program of YES CHARTER ACADEMY. Any student who has an objectively identified disability, which substantially limits a major life activity such as learning, is eligible for accommodation by YES CHARTER ACADEMY.



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A 504 team is assembled by the YES CHARTER ACADEMY Principal/Superintendent or designee and includes qualified persons knowledgeable about the student, the meaning of the evaluation data, placement options and the legal requirements for least restrictive environment. The 504 team reviews the student's existing records, including academic, social and behavioral records and is responsible for making a determination as to whether an evaluation for 504 services is appropriate. If the student has already been evaluated under the IDEA, those evaluations may be used to help determine eligibility under Section 504. The student evaluation is carried out by the 504 team who evaluates the nature of the student's disability and the impact upon the student's education. This evaluation includes consideration of any behaviors that interfere with regular participation in the educational program and/or activities. The 504 team considers the following information in its evaluation:

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

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

If the student is found by the 504 team to have a disability under Section 504, the 504 team is responsible for determining what, if any, accommodations are needed to ensure the student receives a *free and appropriate public education* (FAPE). In developing the 504 Plan, the 504 team considers all relevant information available during the evaluation of the student, drawing upon a variety of sources, including, but not limited to, assessments conducted by the YES CHARTER ACADEMY staff. The parent or guardian is invited to participate in 504 team meetings where program modifications for the student are determined and given an opportunity to examine in advance all relevant records.

The 504 Plan describes the Section 504 disability and any program modification necessary. In considering the 504 Plan, a student with a disability requiring program modification is placed in the regular program of YES CHARTER ACADEMY along with those students who are not disabled to the extent appropriate to the individual needs of the student with a disability.

All 504 team participants, parents and guardians, teachers and any other participants in the student's education, including substitutes and tutors, must have a copy of the 504 Plan for each student. The YES CHARTER ACADEMY Principal/Superintendent or their designee ensure teachers include 504 Plans with



lesson plans for short-term substitutes and the teacher reviews the 504 Plan with a long-term substitute. A copy of the 504 Plan is maintained in the student's file. Students' 504 Plans are reviewed at least once per year to determine the appropriateness of the Plan, continued eligibility, or readiness to discontinue the 504 Plan.

II. Element 2 -- Measurable Pupil Outcomes and Standards

"The measurable pupil outcomes identified for use by the charter school. "Pupil outcomes," for purposes of this part, means the extent to which all pupils of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school's educational program. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both schoolwide and for all groups of pupils served by the charter school, as that term is defined in subparagraph (B) of paragraph (3) of subdivision (a) of Section 47607."

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

All YES CHARTER ACADEMY students demonstrate academic mastery in all of the core academic areas. For non-special needs and non ELL students, mastery is defined as a score of standard nearly met or above on the CAASPP and grades of C or better on all yearend academic portfolios and exhibitions. Portfolios and exhibitions are assessed according to school-wide rubrics, with input from teachers across all content areas and outside community members. Mastery for special needs and EL students are defined appropriately according to their Individualized Education Plans and English proficiency levels.

- The number of YES students scoring standard not met and standard nearly met on the CAASPP decrease by 1% each year.
- The number of YES students scoring standard met or standard exceeded on the CAASPP increase by 1% each year.
- The number of YES students, including those in numerically significant pupil subgroups, who read at or above grade level at the end the year increase by 1% each year.
- YES CHARTER ACADEMY Students achieve at least 93% student attendance each year.
- YES CHARTER ACADEMY achieve 95% participation in state standardized testing

All students experience a common core of learning that fulfills YES CHARTER ACADEMY's mission. The measurable student outcomes are ways to accurately determine the extent to which all students of YES CHARTER ACADEMY demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in our educational program — a program that is aligned with the Common Core State Standards and the California Environmental Protection Agency's Education and the Environment Initiative curriculum and assessment frameworks.



After completion of the K-8 program, graduates of YES CHARTER ACADEMY demonstrate proficiency in the following areas:

A. Proficiency in English and Language Arts

Student reads with understanding and writes convincingly and effectively

- Student reads actively and derives meaning from written media.
- Student reads extensively both fiction and non-fiction for both enjoyment and research.
- Student writes using grammatically acceptable English.
- Student adjusts tone and style of writing for purpose and audience.
- Student supports statements using well-rounded facts, theory, and opinion.
- Student separates fact from opinion.
- Student logically reaches conclusions based on sufficient evidence.
- Student clearly and concisely states key points.
- Student demonstrates creativity through style, organization, and development of content.

B. Proficiency in Health and Family & Community Life Skills

Student sufficiently understands and functions in the world around him/her and realizes his/her own unique educational interests, talents, and abilities.

A graduate of YES CHARTER ACADEMY is comfortable and at ease when speaking before an audience and in a team, and is able to contribute his/her opinions and/or help facilitate the aim of the group. Our students are independent thinkers and responsible citizens.

- Student is able to appreciate and participate in the arts and music, choral and/or instrumental.
- Student is aware of the importance of life-long physical fitness and participates actively, with sportsmanship, in a variety of sports.
- Student has the self-discipline to set direction in his/her studies.
- Student has an ability to work collaboratively in effective teams.
- Student understands the role of the media in culture and is aware of media and societal influences.
- Student demonstrates involvement in his/her community.
- Student has knowledge of the reciprocal relationship between the individual and his/her environment.



- Student is able to use computer-based technologies as an effective tool to learn and to research in order to form an opinion.
- Student is aware of schedules and deadlines and appropriate tradeoffs in quality and time in project work.
- Student is physically fit and aware that a sedentary lifestyle is not healthful.

C. Proficiency in History, Social Sciences, and Geography

Student understands the scope of history and its relevance to contemporary issues.

Student shows his/her appreciation for history by identifying relationships between past and present events or situations involving:

- Cause and effect: people, events, or situations influencing an action or result.
- Comparison: similarities and differences.
- Classification: events and situations explained as political, economic, social, and/or intellectual.
- Anticipation of the future using evidence from the past and the present to draw conclusions about the future.
- Organization of historical events within a timeline.
- Application of physical geography and cultural awareness to his/her understanding of societies.
- Understanding the structures, operations, and relationships of the government in the United States.
- Showing facility with reading maps and charts that display numerical data as well as boundaries, roads, and demographics.

D. Proficiency in Mathematics

Student applies CCSS mathematical principles and operations to solve real-world logical problems.

Student demonstrates knowledge of basic skills and conceptual understanding in:

- Problem solving with numbers and operations
- Geometry and measurement
- Functions and algebra
- Quadratic equations



E. Proficiency in Science

Student applies Next Generation Science Standards (NGSS) scientific concepts and skills to explain the world and find solutions to its problems.

- Student solves problems that make significant demands in one or more of these aspects of the solution process: problem formulation, problem implementation, and problem conclusion.
- Student understands application of basic skills to everyday life and/or science problems.
- Student observes, compares, orders, and categorizes characteristics and behaviors of phenomenon, objects, and living things.
- Student communicates ideas verbally in a clear and concise manner using expository and science writing and reporting formats.
- Student relates factors of differing objects and events, and infers about unknown or unseen processes.
- Student applies knowledge and thought processes to explain his/her world and to extrapolate solutions.
- Student shows a perception of the interrelationships among scientific themes (energy, interactions, patterns, and change) and their application to the four spheres (lithosphere, hydrosphere, atmosphere, and ecosphere).
- Student recognizes the effects of science, technology, and societies on one another and on the environment.

III. Element 3 -- Methods to Assess Pupil Progress Towards Meeting Outcomes

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

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

A. Content-Specific Outcomes for Students

In general, YES CHARTER ACADEMY students are assessed using a variety of methods that include the following:



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- Use of the annual assessment results from the California Assessment of Student Performance and Progress (CAASPP)
- CAASPP is administered to all 5th and 8th grade students
- ELCAP is administered to English language learners
- Curriculum-based state-mandated tests and other standardized assessment tools
- Personal interactive journals
- Portfolios and handmade books
- Informal oral and teacher-made exams
- Demonstration of mastery using manipulative materials
- Demonstration of mastery by peer teaching and/or cross-age tutoring
- Formal presentation to the class of projects and reports
- Written evaluations by staff of pupil level regarding academic mastery and behavior (personal development)
- Self-assessments - Reflection on both long- and short-term planning for Individual Learning Plans
- Program (specific tracking of percentile changes in consecutive years)
- Use of Measures of Academic Progress (MAP) to monitor benchmark progress on state standards
- Rubrics developed by the school faculty and administration
- Trimester academic conferences

As we continue to define the process of evaluating student learning, these critical questions guide our work:

- How do we help students articulate their learning process?
- How do we help students evaluate their own learning?
- How do we measure student gains in learning, other than standardized testing?
- How does our work in electronic portfolios, paper portfolios, protocols, and student generated rubrics drive the curriculum and instruction for deeper learning for all students?
- How can working together in grade-level teams be enhanced in this process to calibrate assessment between and within grade levels?

Our charter school administers the mandated state assessments and also meets any required state or federal performance standards developed.

All students achieve the student standards by graduation, but not all students progress at the same rate. Credentialed teachers consider each student's individual abilities, interests, and talents while utilizing the measurements below. Assessment is used as an opportunity for further revision. Testing is viewed as another opportunity for self-discovery and success. Comfort with test taking is important to our students as they advance to high school and college, but are not used exclusively for grading or success



within our YES CHARTER ACADEMY school environment. High levels of accomplishment are expected, and deadlines are used to encourage timely conclusion of learning activities.

Student progress is tracked on progress reports comprising comprehensive checklists issued on a trimester basis (three times per year). YES Charter Academy intends to track student progress using state student ID (SSID) numbers in order to account for real student growth and learning over the course of time at YES CHARTER ACADEMY.

B. School-wide Student Outcomes

In addition to the above-mentioned content-specific outcomes for students (see Element 2) the following are school-wide YES CHARTER ACADEMY outcomes:

- YES CHARTER ACADEMY meets all required state and federal academic performance benchmarks as demonstrated on standardized tests and the state's academic performance index.
- Students achieve at least 93% student attendance each year.
- YES CHARTER ACADEMY meets the CAASPP growth target each year.
- YES CHARTER ACADEMY achieves 95% participation in state standardized testing.
- Students enrolled in the school at least three consecutive years annually demonstrate growth in scores from internal pre- to post-testing in each of reading, writing, and math.

Our charter school administers the mandated state assessments and also meets any required state or federal performance standards developed.

C. Use and Reporting of Data

The ongoing refinement of our curricula, which is based upon the CCSS and Content Standards and the California Environmental Protection Agency's Education and the Environment Initiative curriculum and assessment frameworks, utilizes the state- authorized testing program and score analysis to provide us with regular measures of achievement from our student body. We plan to disaggregate for individuals and groups with special needs by employing criterion-based assessments. Ongoing and year- end summative assessments are prepared and made available, via Parent Conferences and report cards.

A self-study of our performance is an ongoing practice of our administration and teaching faculty. Self-reflective practice is part of the school culture, and, to this end, YES CHARTER ACADEMY collects not only student scores, but also surveys for parent and community impressions of our student work, and then develops methods to evaluate and recommend ongoing areas for improvement. This meta practice approach to operations allows us to accomplish data collection intentionally throughout the year, and then make adjustments constantly during the course of a school year. We utilize the WACS Focus on



learning format for a self-study that evaluates demographic data, outcome data, process and perception data from a stakeholder's perspective, then develop a determination of critical needs from findings that leads to a school-wide action plan.

At YES CHARTER ACADEMY we have an open door policy for parents to visit classrooms. There are two formal parent and teacher conferences scheduled each academic year: the first prior to Thanksgiving and a Spring Conference in March. Multiple measures are provided at these conferences to assist the teacher and parent in determining the academic and social growth of that child.

Other information regarding the educational program and the administrative, legal, and governance operations of the YES CHARTER ACADEMY relative to compliance with the terms of the charter generally.

IV. Element 4 -- Governance Structure

"The governance structure of the school, including, but not limited to, the process to be followed by the school to ensure parental involvement."

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

A. Governance Structure of YES CHARTER ACADEMY

The organizational design of the governance structure of YES CHARTER ACADEMY reflects the vision of an educational community and the core values of strong parental involvement and participation. The governance structure includes administrative guidance from the sponsoring County Office of Education, governance by an elected Council of Directors, and participation by corresponding standing and special committees.

YES CHARTER ACADEMY is a non-sectarian in its programs, admission policies, employment practices, and all other operations. YES CHARTER ACADEMY does not charge tuition, and does not discriminate on the basis of race, ethnicity, gender, religion, sexual orientation, national origin, ability, or disability.

YES CHARTER ACADEMY is directly funded independent charter school and is operated as a California Nonprofit Public Benefit Corporation pursuant to California law. YES CHARTER ACADEMY is governed pursuant to the bylaws adopted by the incorporators, as subsequently amended pursuant to the amendment process specified in the bylaws. YES CHARTER ACADEMY maintains, in effect, general liability and Council of Directors errors and omissions insurance policies.

The Charter School operates autonomously from the County Office of Education, with the exception of the supervisory oversight as required by statute and other contracted services as negotiated between the County Office of Education and the Charter School. Pursuant to California Education Code Section



47604(c), the County Office of Education is not be liable for the debts and obligations of the Charter School, operated by a California non-profit benefit corporation, or for claims arising from the performance of acts, errors, or omissions by the Charter School as long as the County Office of Education has complied with all oversight responsibilities required by law.

(See Appendix 8, “Charter School Articles of Incorporation and Bylaws”)

B. County Office of Education Relationship

The County Office of Education provides legally mandated oversight for the charter, yet as an independent charter school, YES CHARTER ACADEMY is deemed to be an independent public school.

YES CHARTER ACADEMY pledges to furnish the YCOE board with copies of all policies and procedures developed with regard to any operational or educational program, upon adoption by the Council of Directors.

YES Charter Academy complies with a Memorandum of Understanding (MOU) with YCOE.

C. Bylaws

YES CHARTER ACADEMY is governed by adherence to its bylaws (Appendix 8, “Charter School Articles of Incorporation and Bylaws”). At a minimum, these bylaws contains the following:

- The means by which Council Members are to be nominated, selected, and removed from office
- The duration of each Council member’s term of office
- The method by which Council meetings are held
- The means by which parents, teachers, students, and other members of the community may communicate with the Council
- The procedure by which bylaws may be amended.

D. Council of Directors

Yuba Environmental Science Charter Academy is governed by the YES Charter Academy Council of Directors members. The council is composed of at least five (5) members, known as directors, who represent the parents, the community, and the interests of YCOE. In accordance with Education Code Section 47604(b), the County Office of Education may appoint a representative to sit on the Council of Directors. Vacancies on the permanent Council are appointed by the remaining council members by majority vote.



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The composition of the Council of Directors remains as follows:

- Two of the directors should be parents of children enrolled in YES CHARTER ACADEMY
- Three directors may be parents and/or community members
- One director a teacher representative. The teacher representative is authorized to vote in all normal business matters, with the exception of matters associated to teacher discipline, teacher compensation or any other matter the YES Council of Directors deem inappropriate due to a real or perceived conflict of interest. The teacher rep does not participate in closed session except as deemed appropriate and by invitation of the regular board members.
- One director is the Superintendent/Principal.
- At the discretion of the YCOE Board of Trustees, one representative may be appointed.

A quorum by the Council is a majority of members.

The Council of Directors meets approximately once a month to hear reports, to consider and adopt policies, to act on working group recommendations, and to consider requests and concerns. These meetings are advertised and conducted in compliance with the California Brown Act (Gov. Code Section 54950, *et seq.*).

The Council of Directors meetings are headed by a Board President, who is elected by the Board at the concluding meeting of the school year.

As long as a quorum exists as defined by the corporate bylaws, measures voted on by the Council of Directors may be passed with a simple majority of present members.

The Council of Directors participates regularly in training regarding board governance, Brown Act, and conflicts of interest rules.

The Council of Directors complies with the Political Reform Act (Gov. Code Section 87100) and any Charter specific conflicts of interest regulations as adopted by the State Board of Education.

The Council of Directors has authority to exercise the following duties and responsibilities:

- Determine and uphold YES CHARTER ACADEMY's mission and vision
- Select YES CHARTER ACADEMY's Superintendent / Principal
- Approve contracts of all staff (including teachers) and determine levels of compensation
- Ensure effective organizational planning
- Determine how the budget is spent
- Contract for goods and services, including insurance
- Develop school policies and procedures
- Accept or reject gifts, donations, and grants



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- Enhance the organization's goodwill and public image
- Monitor School's performance (educational, fiscal, legal, operational)
- Monitor its own performance (internal and external relations, adhering to legal duties, effective board practices, fiscal responsibilities, etc.)
- Clarify council's role vs. Principal's /staff's roles

The Council may execute any powers delegated by law to it and discharges any duty imposed by law upon it and may delegate to an employee of the Charter School any of those duties with the exception of budget approval or revision, approval of the fiscal audit and performance report, and the adoption of Council policies. The Council however, retains ultimate responsibility over the performance of those powers or duties so delegated. Such delegation:

- Is in writing;
- Specifies the entity designated;
- Describes in specific terms the authority of the Council of Directors being delegated, any conditions on the delegated authority or its exercise and the beginning and ending dates of the delegation; and
- Requires an affirmative vote of a majority of Board members.

E. Role of the Superintendent/Principal

The role of the Superintendent/Principal is to act as the liaison between the Council of Directors and the daily operations of the school. The Superintendent /Principal is an arm of the Council in community relations as well as an advisor to the Council. Duties include:

- Provide instructional leadership to the Charter School
- Attend County Office of Education Administrative meetings as requested by the County Office of Education and stay in direct contact with the County Office of Education to assist the County Office of Education in its oversight duties
- Develop Council of Directors' meeting agenda in compliance with the Brown Act; bring matters forward to the Board of Directors to agendaize
- Supervise all employees of the YES CHARTER ACADEMY
- Provide timely performance evaluations of all YES CHARTER ACADEMY employees at least once annually
- Propose policies for adoption by the Council
- Provide comments and recommendations regarding policies presented by others to the Council
- Communicate with YES CHARTER ACADEMY legal counsel
- Stay abreast of school laws and regulations
- Approve all purchase orders, pay warrants, and requisitions, and upon approval, forward on for processing



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- Participate in the dispute resolution procedure and the complaint procedure when necessary
- Oversee grant writing
- Attend meetings with the Chief Financial Officer of the County Office of Education on fiscal oversight issues as needed
- Provide all legally required financial reports to the County Office of Education
- Make budget line item revisions when necessary and report changes regularly to the Council
- Develop and administrate the budget in accordance with generally accepted accounting principles
- Present a quarterly financial report to the Charter School Council
- Provide assistance and coordination to the Faculty in the development of curriculum
- Oversee student/teacher relations
- Attend IEP meetings when necessary
- Oversee student disciplinary matters
- Coordinate the administration of Standardized Testing
- Attend all YES CHARTER ACADEMY meetings and attend as necessary County Office of Education Board meetings
- Foster an amicable relationship between County Office of Education and Charter School and facilitate a sharing of resources between both entities
- Propose procedures to YES CHARTER ACADEMY designed to carry out Council policies
- Oversee scheduling
- Oversee graduations
- Manage communications between County Office of Education and Council
- Develop a YES CHARTER ACADEMY annual performance audit
- Present a performance audit to the Council and upon review of YES CHARTER ACADEMY Council present audit to the County Office of Education Board of Trustees and the County Office of Education Superintendent

F. Parental Involvement

Parents of YES CHARTER ACADEMY students pledge a fixed number of hours per year to YES CHARTER ACADEMY activities (with accommodations made for low income or otherwise challenged families). In addition, frequent two-way communication between teachers, school administration, and home is a hallmark of YES CHARTER ACADEMY.

YES CHARTER ACADEMY encourages families to give of their time to promote the success of YES CHARTER ACADEMY and its programs. YES CHARTER ACADEMY works with parents to develop parent involvement policies and strategies. YES CHARTER ACADEMY communicates with parents through Parent Square, a communication system developed specifically for schools. Parents are able to choose how they prefer to receive messages. Choices include text message, email. In addition parents are able to log volunteer hours, access lunch balances, make payments, and communicate with teachers, office staff, and the principal.



V. Element 5 -- Staff Qualifications

"The qualifications to be met by individuals to be employed by the school."

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

A. Human Resources/Organization Structure

YES CHARTER ACADEMY retains or employs faculty who hold appropriate and current California teaching credentials, certificates, permits, or other documents equivalent to that which a teacher in other schools would be required to hold. (See Appendix 5, "YES Organization Chart")

YES CHARTER ACADEMY may also employ or retain non-certificated instructional staff in any case where a prospective staff member has an appropriate mix of subject matter expertise, professional experience, and the demonstrated capacity to work successfully in an instructional capacity in non-core, non-college preparatory courses and activities.

Qualifications for any full time, part time, or temporary employee is determined by YES CHARTER ACADEMY Council of Directors and approved by YES CHARTER ACADEMY's Principal/Superintendent. YES CHARTER ACADEMY is deemed the exclusive public school employer of the employees of the Charter for purposes of the Educational Employment Relations Act as described in Education Code Section 47605(b).

B. Qualifications of Charter Academy Employees

The Administrators of YES CHARTER ACADEMY possesses leadership and organizational abilities and a comprehensive educational vision that is consistent with YES CHARTER ACADEMY's commitment to the YES CHARTER ACADEMY educational philosophy.

Day-to-day administration of YES CHARTER ACADEMY is managed by the Principal/Superintendent, and to the extent practical, in collaboration with teams of students, parents, teachers and administrators. (See Appendix 2, "YES Charter Academy Staff Job Description")

VI. Element 6 -- Health and Safety

"The procedures that the school will follow to ensure the health and safety of pupils and staff. These procedures shall include the requirement that each employee of the school furnish the school with a criminal record summary as described in Section 44237."



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

A. Health and Safety Procedures

YES CHARTER ACADEMY has adopted and implemented a comprehensive set of health, safety, and risk management policies. These policies were developed in consultation with YES CHARTER ACADEMY's insurance carriers, and the County Office of Education, and at a minimum address the following (a full set of the health and safety policies and procedures are on file at the Charter School):

- Each employee of YES CHARTER ACADEMY submits to a criminal background check and furnish a criminal record summary as required by California Education Code Section 44237.
- YES CHARTER ACADEMY follows the requirement of Education Code Section 49406 in requiring tuberculosis testing of all employees working in direct contact with students.
- Students and staff provide documentation of required immunizations, and YES CHARTER ACADEMY maintains records. All rising 7th grade students must be immunized with a pertussis (whooping cough) vaccine booster.
- Policies and procedures for school-wide training in response to natural disaster and emergencies, including earthquake and fire, have been developed and are reviewed as necessary.
- Policies relating to preventing contact with blood-borne pathogens.
- Instructional and administrative staff receive first responder training or its emergency response equivalent, CPR, and first aid.
- Policies have been developed relating to the administration of prescription drugs and other medicines.
- YES CHARTER ACADEMY is housed in facilities that have received approval from the Fire Marshall.
- YES CHARTER ACADEMY is a drug-, alcohol-, and tobacco- free workplace.
- All staff are designated as mandated child abuse reporters and follows all applicable reporting laws.
- YES CHARTER ACADEMY adheres to Education Code Section 49450, et seq. as applicable regarding scoliosis, hearing, and vision checks to the grade levels served by the Charter School. The Charter School provides an information sheet regarding type 2 diabetes to



the parent or guardian of incoming 7th grade students, pursuant to Education Code Section 49452.7.

- YES CHARTER ACADEMY has developed an Emergency Preparedness Plan containing emergency procedures. This Plan includes, but is not limited to, the following responses: fire, earthquake, threats, and biological or chemical release, and school lock down. This Plan includes an evacuation plan, general school safety, injury and illness prevention.

VII. Element 7 -- Means to Achieve Racial and Ethnic Balance

"The means by which the school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted"

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

YES CHARTER ACADEMY does not charge tuition and does not discriminate on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code or association with an individual who has any of the aforementioned characteristics).

YES CHARTER ACADEMY attempts to recruit a diverse population for enrollment that reflects the general population residing within the County Office of Education. The recruitment strategy includes the following:

- An enrollment time line and process that allows a broad-based recruiting and application process.
- Distribution of promotional and informational materials to community groups and agencies that serve various racial, ethnic, and interest groups in the community.
- Submission of press releases to a variety of local media.
- YES CHARTER ACADEMY staff participate in various community events.

YES CHARTER ACADEMY maintains information concerning the ethnicity of all the school's students, and if the balance is not reflective of YCOE, a committee of YES CHARTER ACADEMY's parents, teachers, and a County Office of Education representative meets to discuss the imbalance and explore available legal options to remedy the situation

VIII. Element 8 – Student Admissions



Admission requirements

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

The Charter School is nonsectarian in its programs, admission policies, and all other operations, and does not charge tuition nor discriminate against any student based upon any of the characteristics listed in Education Code Section 220.

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

Public Random Drawing

Applications are accepted during a publicly advertised open application period each year for enrollment in the following school year. Following the open enrollment period each year, applications are counted to determine whether any grade level has received more applications than availability. In the event that this happens, the Charter School holds a public random drawing to determine admission for the impacted grade level, with the exception of existing students, who are guaranteed admission in the following school year. Admission preferences in the case of a public random drawing are given to the following students in the following order:

1. All students currently enrolled in the Charter School
2. Siblings of enrolled students
3. Children of the Council of Directors* and of employees of the Charter School (combined, no more than 10% of total enrollment)
4. Residents of the County Office of Education
5. All other applicants

** As defined per Charter School Council of Directors policy*

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

Public random drawing rules, deadlines, dates and times are communicated in the enrollment applications and on the Charter School's website. Public notice for the date and time of the public random drawing are posted once the application deadline has passed. The Charter School also informs parents of all applicants and all interested parties of the rules to be followed during the public random drawing process via mail or email at least two weeks prior to the lottery date.



The Charter School conducts the lottery in the spring for enrollment in fall of that year.

Enrollment Contract

All 7th & 8th grade students enrolling commit to a contract that includes demonstration of the following, as outlined in Element 1:

- The interest and motivation to be educated in the scientific method of inquiry, observation, deduction, and use of critical thinking strategies.
- The ability and capability to work independently and as a team.
- The propensity to be a self-impelled leader.

IX. Element 9 -- Financial Audit

"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(b)(5)(I)

An annual independent financial audit of the books and records of the Charter School is conducted as required by Education Code Sections 47605(b)(5)(I) and 47605(m). The books and records of the Charter School are kept in accordance with generally accepted accounting principles, and as required by applicable law, the audit employs generally accepted accounting procedures. The audit is 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 Council of Directors selects an independent auditor through a request for proposal format. The auditor has, at a minimum, a CPA and educational institution audit experience and is approved by the State Controller on its published list as an educational audit provider. To the extent required under applicable federal law, the audit scope is expanded to include items and processes specified in applicable Office of Management and Budget Circulars.

The annual audit is completed and forwarded to the County Office of Education, the County Superintendent of Schools, the State Controller, and to the CDE by the 15th of December of each year. The Principal/Superintendent, along with an audit committee, review any audit exceptions or deficiencies and report to the Charter School Council of Directors with recommendations on how to resolve them. The Council submits a report to the County Office of Education describing how the exceptions and deficiencies have been or are resolved to the satisfaction of the County Office of Education



along with an anticipated timeline for the same. Audit appeals or requests for summary review are submitted to the Education Audit Appeals Panel (EAAP) in accordance with applicable law.

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

X. Element 10 -- Student Discipline

"The procedures by which pupils can be suspended or expelled."

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

YES CHARTER ACADEMY has developed and maintains a comprehensive set of student discipline policies. These policies are printed and distributed as part of YES CHARTER ACADEMY's Parent/Student handbook and clearly describe YES CHARTER ACADEMY's expectations regarding attendance, mutual respect, substance abuse, violence, safety, and work habits. The policies are developed to conform to applicable federal law regarding students with exceptional needs.

The YES CHARTER ACADEMY Principal/Superintendent may, pursuant to YES CHARTER ACADEMY-adopted policies, suspend students who fail to comply with these policies at any time. Students who habitually fail to comply with these policies and/or who present an immediate threat to health and/or safety may be suspended and later expelled by the Council of Directors upon the recommendation of the Principal/Superintendent.

A. Methods of Discipline

Discipline includes, but is not limited to, advising and counseling students, conferring with parents/guardians, detention during and after school hours, the use of alternative educational environments, suspension, and expulsion. At YES CHARTER ACADEMY corporal punishment is not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of or willfully causing the infliction of physical pain on a student. For purposes of the Policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff, or other persons, or to prevent damage to school property.

B. Expulsion Decision

Prior to expulsion, students are accorded due process unless the student's conduct presents an immediate threat to the health or safety of others. YES CHARTER ACADEMY notify notifies the County Office of Education of any expulsions and includes suspensions and expulsions data in its annual performance report.



C. County Office of Education Notification

Pursuant to Education Code 47605(d)(3), if a pupil is expelled or leaves the charter school without graduating or completing the school year for any reason, YES CHARTER ACADEMY notifies the Superintendent of the County Office of Education of the pupil's last known address within thirty (30) days, upon request, provides the County Office of Education with a copy of the cumulative record of the pupil, including a transcript of grades or report card, and health information. This paragraph applies only to pupils subject to compulsory full-time education pursuant to Education Code Section 48200.

D. Pupil Suspension and Expulsion Policy

1. Definitions (as used in this policy)

- Council of Directors means governing body of YES CHARTER ACADEMY.
- Expulsion means disenrollment from YES CHARTER ACADEMY.
- School day means a day upon which YES CHARTER ACADEMY is in session or weekdays during the summer recess.
- Suspension means removal of a pupil from ongoing instruction for adjustment purposes. However, suspension does not mean the following:
 - Reassignment to another education program or class at the charter school where the pupil receives continuing instruction for the length of day prescribed by the Council of Directors for pupils of the same grade level
 - Referral to a certificated employee designated by the Principal/Superintendent to advise pupils.
 - Removal from the class but without reassignment to another class for the remainder of the class period without sending the pupil to the Principal/Superintendent or designee.
- Pupil also includes a pupil's parent or guardian or legal counsel or other representative.
- School means the Yuba Environmental Science Charter Academy.

2. Policy

This Pupil Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and well-being of all students at YES CHARTER ACADEMY. In creating this policy, the Charter School has reviewed Education Code Section 48900 *et seq.* which describes the non-



charter schools' list of offenses and procedures to establish its list of offenses and procedures for suspensions and expulsions. The language that follows closely mirrors the language of Education Code Section 48900 *et seq.* The Charter School is committed to annual review of policies and procedures surrounding suspensions and expulsions and, as necessary, modification of the lists of offenses for which students are subject to suspension or expulsion.

When the Policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction. This policy serves as the Charter School's policy and procedures for student suspension and expulsion and it may be amended from time to time without the need to amend the charter so long as the amendments comport with legal requirements. Charter School staff enforce disciplinary rules and procedures fairly and consistently among all students. This Policy and its Procedures are printed and distributed as part of the Student Handbook and clearly describes discipline expectations. Corporal punishment is not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of or willfully causing the infliction of physical pain on a student. For purposes of the Policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to school property.

The Principal/Superintendent ensures that students and their parents/guardians are notified in writing upon enrollment of all discipline policies and procedures. The notice states that this Policy and Administrative Procedures are available on request at the Principal/Superintendent's office.

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

A student identified as an individual with disabilities or for whom YES CHARTER ACADEMY has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities in Education Act (IDEA), or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 (Section 504), is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to regular education students except when federal and state law mandates additional or different procedures. YES CHARTER ACADEMY follows Section 504 of the Rehabilitation Act, Individuals with Disabilities in Education Act (IDEA), the Americans with Disabilities Act (ADA) of 1990, and all federal and state laws when imposing any form of discipline on a student identified as an individual with disabilities, or for whom YES CHARTER ACADEMY 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.

3. Grounds for Suspension and Expulsion of Students

A student may be suspended or expelled for prohibited misconduct if the act is related to school activity or school attendance occurring at YES CHARTER ACADEMY or at any other school or a School sponsored event at any time, including but not limited to



- While on school grounds
- While going to or coming from school
- During the lunch period, whether on or off YES CHARTER ACADEMY campus
- During, going to, or coming from a school-sponsored activity
- Online or by electronic means relating to school, school staff, and/or fellow students

4. Enumerated Offenses

1. Discretionary Suspension Offenses. Students may be suspended for any of the following acts when it is determined the pupil:
 - a) Caused, attempted to cause, or threatened to cause physical injury to another person.
 - b) Willfully used force or violence upon the person of another, except self-defense.
 - c) Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind.
 - d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 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.
 - g) Stole or attempted to steal school property or private property.
 - 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 his or her own prescription products by a pupil.
 - i) Committed an obscene act or engaged in habitual profanity or vulgarity.
 - j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.



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- 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.
- l) Knowingly received stolen school property or private property.
- 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) Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.
- o) 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.
- p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- q) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, hazing means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, hazing does not include athletic events or school-sanctioned events.
- r) Made terrorist threats against school officials and/or school property. For purposes of this section, terroristic threat include any statement, whether written or oral, by a person who willfully threatens to commit a crime which results in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property, or the personal property of the person threatened or his or her immediate family.
- s) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to



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create an intimidating, hostile, or offensive educational environment. This section applies to pupils in any of grades 4 to 12, inclusive.

- t) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section applies to pupils in any of grades 4 to 12, inclusive.
- u) Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading student rights by creating an intimidating or hostile educational environment. This section applies to pupils in any of grades 4 to 12, inclusive.
- v) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act (defined as the transmission of a communication, including, but not limited to, a message, text, sound, or image, or a post on a social network Internet Web site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer, or pager) directed specifically toward a pupil or school personnel. Bullying means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including acts one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
 - 1. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
 - 2. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
 - 3. Causing a reasonable student to experience substantial interference with his or her academic performance.
 - 4. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
- w) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury are subject to discipline pursuant to subdivision (1).



- x) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Principal/Superintendent or designee's concurrence.
2. Non-Discretionary Suspension Offenses: Students must be suspended and recommended for expulsion for any of the following acts when it is determined the pupil:
- a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Principal/Superintendent or designee's concurrence.
3. Discretionary Expellable Offenses: Students may be expelled for any of the following acts when it is determined the pupil:
- a) Caused, attempted to cause, or threatened to cause physical injury to another person.
 - b) Willfully used force of violence upon the person of another, except self-defense.
 - c) Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
 - 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.
 - g) Stole or attempted to steal school property or private property.
 - 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 his or her own prescription products by a pupil.
 - i) Committed an obscene act or engaged in habitual profanity or vulgarity.



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- 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.
- l) Knowingly received stolen school property or private property.
- 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) Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.
- o) 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.
- p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- q) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, hazing means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, hazing does not include athletic events or school-sanctioned events.
- r) Made terrorist threats against school officials and/or school property. For purposes of this section, terroristic threats include any statement, whether written or oral, by a person who willfully threatens to commit a crime which results in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property, or the personal property of the person threatened or his or her immediate family.
- s) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable



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- person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section applies to pupils in any of grades 4 to 12, inclusive.
- t) Caused, attempted to cause, threaten to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section applies to pupils in any of grades 4 to 12, inclusive.
 - u) Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder and invading student rights by creating an intimidating or hostile educational environment. This section applies to pupils in any of grades 4 to 12, inclusive.
 - v) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act (defined as the transmission of a communication, including, but not limited to, a message, text, sound, or image, or a post on a social network Internet Web site, by means of an electronic device, include, but not limited to, a telephone, wireless telephone or other wireless communication device, computer, or pager) directed specifically toward a pupil or school personnel. Bullying means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including acts one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:
 - 1. Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
 - 2. Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
 - 3. Causing a reasonable student to experience substantial interference with his or her academic performance.
 - 4. Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
 - w) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim



suffered great bodily injury or serious bodily injury are subject to discipline pursuant to subdivision (1).

- x) Possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director Principal/Superintendent or designee's concurrence.
4. Non-Discretionary Expellable Offenses: Students must be expelled for any of the following acts when it is determined pursuant to the procedures below that the pupil:
- a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Principal/Superintendent or designee's concurrence.

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

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

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

5. Suspension Procedure

Suspensions initiated according to the following procedures:

1. Conference

Suspension are preceded, if possible, by a conference conducted by the Principal/Superintendent or the Principal/Superintendent designee with the student and his or her parent and, whenever practical, the teacher, supervisor or Charter School employee who referred the student to the Principal/Superintendent I or designee.



The conference may be omitted if the Principal/Superintendent 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 student are notified of the student's right to return to school for the purpose of a conference.

At the conference, the pupil is informed of the reason for the disciplinary action and the evidence against him or her and is given the opportunity to present his or her version and evidence in his or her defense. This conference is held within two school days, unless the pupil waives this right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization. No penalties may be imposed on a pupil for failure of the pupil's parent or guardian to attend a conference with Charter School officials. Reinstatement of the suspended pupil is not be contingent upon attendance by the pupil's parent or guardian at the conference.

2. Notice to Parents/Guardians

At the time of the suspension, an administrator or designee makes a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian is notified in writing of the suspension and the date of return following suspension. This notice states the specific offense committed by the student. In addition, the notice may also state the date and time when the student may return to school. If 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, does not exceed five (5) consecutive school days per suspension. Upon a recommendation of Expulsion by the Principal/Superintendent or Principal/Superintendent designee, the pupil and the pupil's guardian or representative are invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. This determination is made by the Principal/Superintendent or designee upon either of the following: 1) the pupil's presence is disruptive to the education process; or 2) the pupil poses a threat or danger to others. Upon either determination, the pupil's suspension is extended pending the results of an expulsion hearing.

6. Authority to Expel

A student may be expelled either by the Charter School Council of Directors following a hearing before it or by the Charter School Council of Directors upon the recommendation of an Administrative Panel to be assigned by the Council as needed. The Administrative Panel should consist of at least three members who are certificated and neither a teacher of the pupil nor a member of the Charter



School's governing Council. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense.

7. 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 is held within thirty (30) school days after the Principal/Superintendent or designee determines that the Pupil has committed an expellable offense.

In the event an Administrative Panel hears the case, it makes a recommendation to the Council of Directors for a final decision whether to expel. The hearing is held in closed session (complying with all pupil confidentiality rules under FERPA) unless the Pupil makes a written request for a public hearing three (3) days prior to the hearing.

Written notice of the hearing is 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 is deemed served upon the pupil. The notice includes:

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 County Office of Education or school to which the student seeks enrollment;
5. The opportunity for the student or the student's parent/guardian to appear in person or to employ and be represented by counsel or a non-attorney advisor;
6. The right to inspect and obtain copies of all documents to be used at the hearing;
7. The opportunity to confront and question all witnesses who testify at the hearing;
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf including witnesses.

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

The Charter School may, upon a finding of good cause, determine that the disclosure of either the identity of the witness or the testimony of that witness at the hearing, or both, would subject the witness to an unreasonable risk of psychological or physical harm. Upon this determination, the testimony of the witness may be presented at the hearing in the form of sworn declarations



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that is 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, is made available to the pupil.

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary rules and advised of his/her right to (a) receive five days' notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.
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 person or panel conducting the expulsion hearing, the complaining witness is allowed periods of relief from examination and cross examination during which he or she may leave the hearing room.
4. The person or panel conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.
5. The person or panel conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.
6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the person presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The person or panel conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.
7. If one or both of the support persons is also a witness, the Charter School must present evidence that the witness' presence is both desired by the witness and is helpful to the Charter School. The person presiding over the hearing permits 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 admonishes the support person or persons not to prompt, sway, or influence the witness in any way. Nothing precludes the presiding officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.
8. The testimony of the support person is presented before the testimony of the complaining witness and the complaining witness is 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 pupil being expelled, the complaining witness has the right to have his/her testimony heard in a closed session when testifying at a public meeting would



threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed circuit television.

10. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and is not be heard absent a determination by the person conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstance can be made, the witness is 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 is 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.

9. Record of Hearing

A record of the hearing is 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.

10. Presentation of Evidence

While technical rules of evidence do not apply to expulsion hearings, evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. A recommendation by the Administrative Panel to expel must be supported by substantial evidence that the student committed an expellable offense. Findings of fact are based solely on the evidence at the hearing. While hearsay evidence is admissible, no decision to expel is based solely on hearsay. Sworn declarations may be admitted as testimony from witnesses of whom the Board, Panel or designee determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

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

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



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

11. Written Notice to Expel

The Principal/Superintendent or designee, following a decision of the Council to expel, send written notice of the decision to expel, including the Council's adopted findings of fact, to the student or parent/guardian. This notice also include the following: (a) Notice of the specific offense committed by the student; and (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.

The Principal/Superintendent or designee sends a copy of the written notice of the decision to expel to the authorizer. This notice includes the following: (a) The student's name; and (b) The specific expellable offense committed by the student.

12. Disciplinary Records

The Charter School maintains records of all student suspensions and expulsions at the Charter School. Such records are made available to the authorizer upon request.

13. No Right to Appeal

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

14. Expelled Pupils/Alternative Education

Pupils who are expelled are responsible for seeking alternative education programs including, but not limited to, programs within the County or their school County Office of Education of residence. The Charter School works cooperatively with parents/guardians as requested by parents/guardians or by the school County Office of Education of residence to assist with locating alternative placements during expulsion.

15. Rehabilitation Plans

Students who are expelled from the Charter School is given a rehabilitation plan upon expulsion as developed by the Council at the time of the expulsion order, which may include, but is not limited to, periodic review as well as assessment at the time of review for readmission. The rehabilitation



plan should include a date not later than one year from the date of expulsion when the pupil may reapply to the Charter School for readmission.

16. Readmission

The decision to readmit a pupil or to admit a previously expelled pupil from another school County Office of Education or charter school is in the sole discretion of the Council following a meeting with the Principal/Superintendent or designee and the pupil and guardian or representative to determine whether the pupil has successfully completed the rehabilitation plan and to determine whether the pupil poses a threat to others or is disruptive to the school environment. The r Principal/Superintendent or designee makes a recommendation to the Council following the meeting regarding his or her determination. The pupil's readmission is also contingent upon the Charter School's capacity at the time the student seeks readmission.

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

1. Notification of County Office of Education

The Charter School immediately notifies the County Office of Education and coordinates the procedures in this policy with the County Office of Education of the discipline of any student with a disability or student who the Charter School or County Office of Education is deemed to have knowledge that the student had a disability.

2. Services During Suspension

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

3. Procedural Safeguards/Manifestation Determination

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



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

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

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

- a. Conducts a functional behavioral assessment or a functional analysis assessment, and implements a behavioral intervention plan for such child, provided that the Charter School had not conducted such assessment prior to such determination before the behavior that resulted in a change in placement;
- b. If a behavioral intervention plan has been developed, reviews the behavioral intervention plan if the child already has such a behavioral intervention plan, and modifies it, as necessary, to address the behavior; and
- c. Returns the child to the placement from which the child was removed, unless the parent and the Charter School agree to a change of placement as part of the modification of the behavioral intervention plan.

If the Charter School, the parent, and relevant members of the IEP/504 Team determine that the behavior was not a manifestation of the student's disability and that the conduct in question was not a result of the failure to implement the IEP/504 Plan, then the Charter School may apply the relevant disciplinary procedures to children with disabilities in the same manner and for the same duration as the procedures would be applied to students without disabilities.

4. Due Process Appeals

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

When an appeal relating to the placement of the student or the manifestation determination has been requested by either the parent or the Charter School, the student remains in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the forty-five (45) day time period provided



for in an interim alternative educational setting, whichever occurs first, unless the parent and the Charter School agree otherwise.

5. Special Circumstances

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

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

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

6. Interim Alternative Educational Setting

The student's interim alternative educational setting is determined by the student's IEP/504 Team.

7. Procedures for Students Not Yet Eligible for Special Education Services

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

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

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



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

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

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

XI. Element 11 -- Retirement Systems

"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(b)(5)(K)

Non-certificated employees at YES CHARTER ACADEMY participate in the federal social security system. Certificated employees participate in the State Teachers' Retirement System (STRS). YES CHARTER ACADEMY may opt to offer an appropriate retirement plan (such as a 401(k) or 403(b)) to employees in the future. The County Office of Education (per Education Code) cooperates as necessary to forward any required payroll deductions and related data for STRS. The Principal/Superintendent is responsible for ensuring that appropriate arrangements for coverage are made.

XII. Element 12 -- Public School Attendance Alternatives

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

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

No student may be required to attend the Charter School. Students who reside within the County Office of Education who choose not to attend YES CHARTER ACADEMY may attend school within their



school of residence according to County Office of Education policy or at another school district or school within the County Office of Education through the County Office of Education's intra and inter-County Office of Education policies. Parents and guardians of each student enrolled in the Charter School are informed on admissions forms that the students have no right to admission in a particular school of a local education agency as a consequence of enrollment in the Charter School, except to the extent that such a right is extended by the local education agency.

XIII. Element 13 -- Rights of School County Office of Education Employees

"A description of the rights of any employee of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school."

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

No public school County Office of Education employee is required to work at the Charter School. Employees of the County Office of Education who choose to leave the employment of the County Office of Education to work at YES CHARTER ACADEMY have no automatic rights of return to the County Office of Education after employment at YES CHARTER ACADEMY unless specifically granted by the County Office of Education through a leave of absence or other agreement or policy of the County Office of Education as aligned with the collective bargaining agreements of the County Office of Education. The County Office of Education does not have the right to place teachers at the

YES CHARTER ACADEMY Charter School employees have any right upon leaving the County Office of Education to work in the Charter School that the County Office of Education may specify, any rights of return to employment in a school County Office of Education after employment in the Charter School that the County Office of Education may specify, and any other rights upon leaving employment to work in the Charter School that the County Office of Education determines to be reasonable and not in conflict with any law.

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

XIV. Element 14 -- Dispute Resolution Process



"The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter."

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

A. Intent

The intent of this dispute resolution process is to 1) resolve disputes within the school pursuant to the school's policies, 2) minimize the oversight burden on the County Office of Education, 3) ensure a fair and timely resolution to disputes, and 4) frame a charter oversight and renewal process and timeline so as to avoid disputes regarding oversight and renewal matters.

B. Internal Disputes

The Council of Directors adopts an internal dispute resolution procedure that is binding on students, parents, volunteers, YES CHARTER ACADEMY personnel, and Council of Directors members. Parents, students, board members, volunteers, and staff at YES CHARTER ACADEMY are provided with a copy of YES CHARTER ACADEMY's policies and dispute resolution process and agree to work within it. The County Office of Education and Council of Directors agree to refer all complaints regarding YES CHARTER ACADEMY's operations, policies and procedures to YES CHARTER ACADEMY's Principal for resolution in accord with YES CHARTER ACADEMY's adopted policies. In the event that YES CHARTER ACADEMY's Principal fails to resolve the dispute, it may be referred to YES CHARTER ACADEMY's Council of Directors. The Board of Yuba County Office of Education agrees not to intervene in the dispute without the consent of the Council of Directors unless the matter directly relates to one of the reasons specified in law for which a charter may be revoked.

The Council of Directors has authority to make final determinations regarding all internal disputes. The Yuba County Office of Education has no authority or involvement in YES CHARTER ACADEMY internal disputes.

C. Disputes Between YES CHARTER ACADEMY and the County Office of Education

The staff and Council of Directors of YES CHARTER ACADEMY and YCOE agree to attempt to resolve all disputes regarding this charter pursuant to the terms of this section. Both refrain from public commentary regarding any disputes until the matter has progressed through the dispute resolution process.

YES CHARTER ACADEMY works with the County Office of Education in good faith to informally resolve any disputes that may arise between them. Should informal resolution of such disputes fail, the following Dispute Resolution Process prevails.



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In the event of a dispute between the Charter School and the County Office of Education, Charter School staff, employees and Council members of the Charter School and the County Office of Education agree to first frame the issue in written format (dispute statement) and to refer the issue to the County Office of Education Superintendent and Principal of the Charter School. In the event that the County Office of Education Board of Trustees believes that the dispute relates to an issue that could lead to revocation of the charter in accordance with Education Code Section 47607, the Charter School requests that this is noted in the written dispute statement, although it recognizes it cannot legally bind the County Office of Education to do so. However, participation in the dispute resolution procedures outlined in this section is not to be interpreted to impede or act as a pre-requisite to the County Office of Education's ability to proceed with revocation in accordance with Education Code Section 47607.

The Principal and Superintendent informally meet and confer in a timely fashion to attempt to resolve the dispute, not later than five business days from receipt of the dispute statement. In the event that this informal meeting fails to resolve the dispute, both parties identify two Board/Council members from their respective boards who jointly meet with the Superintendent and the Principal of the Charter School and attempt to resolve the dispute within 15 business days from receipt of the dispute statement.

If this joint meeting fails to resolve the dispute, the Superintendent and the Principal meet to jointly identify a neutral third party mediator to engage the Parties in a mediation session designed to facilitate resolution of the dispute. The format of the mediation session is developed jointly by the Superintendent and the Principal. Mediation is held within sixty business days of receipt of the dispute statement. The costs of the mediator are split equally between the County Office of Education and the Charter School. If mediation does not resolve the dispute either party may pursue any other remedy available under the law. All timelines and procedures in this section may be revised upon mutual written agreement of the County Office of Education and the Charter School.

XV. Element 15 -- Collective Bargaining

"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)

YES CHARTER ACADEMY is deemed the exclusive public school employer of the employees of the YES CHARTER ACADEMY for the purposes of the Educational Employment Relations Act (EERA). The Charter School complies with the EERA.



XVI. Element 16 -- School Closure Protocol

“A description of the procedures to be used if the charter school closes. The procedures shall ensure a final audit of the school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records.”

Education Code Section 47604(b)(5)(P)

A. Closure Protocol

The following procedures apply in the event YES CHARTER ACADEMY closes. The following procedures apply regardless of the reason for closure. Closure of YES CHARTER ACADEMY is documented by official action of the Council of Directors. The action identifies the reason for closure. The Council of Directors promptly notifies YCOE of the closure and of the effective date of the closure. The Council of Directors ensures notification to the parents and students of YES CHARTER ACADEMY of the closure and provides information to assist parents and students in locating suitable alternative programs. This notice is provided promptly following YES CHARTER ACADEMY’s Council of Directors decision to close YES CHARTER ACADEMY.

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

- The school principal and Council chairperson are designated as the responsible parties to conduct closure-related activities
- The school principal and Council chairperson ensures 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 Council 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 Council ensures 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 is provided promptly following the Council's decision to close the Charter School.



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The Council also develops 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 provide to the entity responsible for closure-related activities.

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

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

Additionally:

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



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- 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 ensure that the annual reports required pursuant to Education Code Section 47604.33 are completed and filed.
- The school sets 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 are distributed in accordance with the Articles of Incorporation upon the dissolution of the nonprofit public benefit corporation. On closure, YES CHARTER ACADEMY remains 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 follows the procedures set forth in the California Corporations Code for the dissolution of a nonprofit public benefit corporation and files all necessary filings with the appropriate state and federal agencies.

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