



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

*"YES to Excellence in Education"*

**CHARTER PETITION  
Element 1**

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



## **I. Element 1 -- Educational Program**

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### **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**

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YES CHARTER ACADEMY will educate 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, will be emphasized.

### **B. Whom YES Charter Academy Seeks To Educate**

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YES CHARTER ACADEMY is a California public charter school serving grades K-8<sup>1</sup> in northern Yuba County. As such, it will offer an open enrollment policy. YES CHARTER ACADEMY intends to achieve a student population generally reflective of the Yuba County Office of Education. The setting for our school is Oregon House, California, which is a low-income area and has student population of 100 students. However, YES CHARTER ACADEMY will be 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.

The Council of Directors and parent and community members who have contributed to this charter renewal have worked together to create an educational plan that is supported by a

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<sup>1</sup> If the Charter School receives apportionment for transitional kindergarten, it will offer transitional kindergarten, the first year of a two-year kindergarten program that uses a modified kindergarten curriculum that is age and developmentally appropriate.



widespread community base of potential families. They understand the specific interests and educational needs of this community and have contributed towards the development of this charter with the hope and desire to create a meaningful educational opportunity for the children of this area.

### 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 should have the capacity to learn and adapt:

- Use the intellect to its fullest.
- Become an empathetic, collaborative member of a community
- Research relevant information and find the answers
- Solve a wide variety of puzzles and problems
- Clearly express their findings and points of view
- Practice humility, tolerance and self-criticism
- Be able to nurture and empower the people around them
- View him/herself as a global citizen who is empowered, and responsible, for making positive changes in the world and within the immediate environment.
- Appreciate and protect the right of others to do likewise
- Develop personal habits leading to a healthy lifestyle which includes balancing leisure, work, family, and community.

A student educated at YES CHARTER ACADEMY will be 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 will be an interdisciplinary K-8 publicly 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 are using state-adopted textbooks as well as standards based curriculum created collaboratively with educators on and off campus in all grades to assist in achieving high API scores. The Charter School will provide a site-based matriculation environment whose teachers, programs, resources, and support will enable students to become educated to high-quality Common Core State Standards academic standards. It will further help 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 will provide 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 will include 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 will be evaluated. Standards for content, for performance, and for evaluation will be 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 will become tomorrow's contributing, caring citizens who create a better society for us all. YES CHARTER ACADEMY students will come to appreciate one very special place: the natural landscape of their youth. YES CHARTER ACADEMY will place a high value on healthy living, community participation, environmental enhancement, and respect for diversity. It will emphasize 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 will experience firsthand the ecology of the rural land that surrounds their school and community. They will 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, will be the legacy of YES CHARTER ACADEMY. Students and teachers will be learning outside each day, immersed in the natural world. Their learning about nature and culture will come through rich, first-hand contact with the world around them. Their explorations will be 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 will learn about the life cycles of animals and plants, as well as the interdependence of life, through our use of plants and animals for food, and through their observations, projects, and real work on the farm, woodlands, and landscapes that surround the Academy. YES CHARTER ACADEMY students will have the time and opportunity to learn through their senses, experiences, and discoveries, sparked by curiosity and a sense of wonder. They will experience the joy and excitement that comes when hard work leads to understanding and competence. We will 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 will be examined regularly, at least three times per year, by various constituents of the learning community — including teachers, administrators, and students. Scrutiny in accomplishing the aims and goals of the state curriculum will be sought and discussed by the faculty and study teams. The study teams will 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 will be 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 with small classes.

#### 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. Environmental protection and enhancement through project-based learning and teaching

YES CHARTER ACADEMY will strive to serve as the anchor of a Yuba Foothills Community Conservation Learning Center that includes a conservation resource library, educational workshops, and conferences. Teachers, administrators, other staff members, and parents model lifelong learning and environmental stewardship through consistent practices and behavior both in and out of the classroom. Parents, community members, and other individuals share in the learning experience through family education nights, scheduled presenters and field trips, and service learning projects. Hands-on learning helps students build meaning from their experiences, prior knowledge, and observations. It also confronts them with new situations that require them to reconstruct their knowledge.

#### 7. Character development woven into the fabric of learning

YES CHARTER ACADEMY will intentionally incorporate character development into its daily curriculum and activities. Teachers, administrators, students, and families will 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.

#### 8. Accountability and responsibility

We will 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 will collaborate to promote a sense of collective purpose. Teachers will 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.



## 9. Parents

Parents will 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.

## 10. Commitment to lifelong learning and high achievement

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

## 11. Contribution to public education

To reciprocate the opportunity it will be granted as a charter school, YES CHARTER ACADEMY will seek ways to offer its integrated environmental curriculum to other schools. We will document the effective and innovative aspects of our programs and teaching methods, offer professional development programs to other educators, and partner with other schools in the exciting enterprise of learning.

## F. Curriculum and Instructional Design

See Appendices 1a and 1b 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. To instill these values and meet these goals, YES CHARTER ACADEMY will keep class sizes small; keep YES CHARTER ACADEMY as a small campus; provide high levels of experience-based learning; use the community and outdoor environment for learning space; and promote group learning as well as individual achievement. Core academic subjects will be taught through highly integrated thematic units, and will include practical experience and visual or performing arts components. Units will be oriented to seasonal and other cyclical topics, and will include in every topic opportunities for group and individual work and the pursuit of individual questions.

Students will examine the ecology and history of the land and people of the area, will learn about animals and plants through personal observation and experience, and will use the community's resources as a living laboratory. The YES CHARTER ACADEMY gardens and nature





mini-reserves will foster extensive field experiences even for the youngest children. The Las Plumas National Forest, as well as area public institutions and civic organizations, will provide additional settings for exploration.

### G. The Environmental Focus: "Earth Literacy"

The YES CHARTER ACADEMY will engage environmental science as its unifying theme. Lessons will be based upon accepted scientific principles and the Yuba Environmental Science Charter Academy's educational practices of project- based learning. The YES CHARTER ACADEMY year will be divided into thematic or topic units in which the entire YES CHARTER ACADEMY will participate. The units will be planned in detail by the teaching staff. Throughout these units, elements of all core content areas will be taught. Each unit will include internal assessments to measure student learning, including tests, student presentations or performances, and students' self-assessments.

In creating and implementing its environmental sciences focus, YES CHARTER ACADEMY educators will be guided by California's Environmental Principals and Concepts from the education and the environment initiative supported by assembly bills 1548 and 1721 (see Appendix 1c), to ensure that instruction is credible, reliable, objective, and factually based. Focal areas of study will include conservation, plant and animal life and stewardship and civic responsibility, interdependence and natural balance, pollution, and health and fitness. YES CHARTER ACADEMY will strive to produce students and families who are earth-literate. Teachers will 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 will participate in YES CHARTER ACADEMY-wide celebrations of the seasons, study changes in climate and weather, work in the community gardens, and take trips to observe other environmental and cultural resources. Their celebrations, trips, and projects will embody ample writing and reading, as well as computational and creative arts activities.

Older students will conduct an ongoing environmental inventory and/or geologic survey of the immediate region surrounding YES CHARTER ACADEMY, including soil, rock, and geologic features, animal homes and other animal evidence, plants, the built environment, utilities, historic artifacts and markers, safety hazards, and more. Students will learn the history of the local community and Maidu Native Peoples through research including interviewing (oral histories) and videography, where appropriate.

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

### H. Instructional Design





YES CHARTER ACADEMY will be organized as a series of multi-aged classrooms. A single teacher, at times assisted by parent volunteer, 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 over arching examples:

- Online Assessment Reporting System (OARS) is used to create standards based assessments that reflect growth of students as cohorts and individuals. Correlated to the California State Standards, OARS also contains CST Blueprints for grades 2-8, to be used at key intervals in the first and second trimesters. Teacher created tests are also available on OARS 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.
- Pre- and Post-tests included in the Seeds of Science, Roots of Reading curriculum and Open Court Curriculum including writing samples, use of higher level thinking skills, and links between science, social studies, math, and English Language Arts.
- Rubrics measuring a student's interest and aptitude to complete specific projects related to cross-curricular thematic projects.

Functionally, class sizes in grades K-3 will be maintained near the goal of not more than 20-25 per class. For example, a grade 1 or 2 classroom will have a target count of 20 total students per class. YES CHARTER ACADEMY would accommodate multi-age classes. Alternatively, like-aged groupings are also an option for the administration (20 children in each grade 1 and grade 2). Proceeding in this manner provides choice within the charter itself, just as the YES CHARTER ACADEMY provides choice within the local districts.

## I. Instructional Methods

The school will utilize research-based methods of instruction as further described below this list. (see Appendix 1d)

### 1. Cooperative learning

Research has found that cooperative learning is effective at all grade levels, but this approach is particularly appropriate to the developmental needs of middle school students. Young adolescents are strongly interested in competition, in taking responsibility, and in one another. Cooperative learning builds on these attributes, allowing students to be noisy, active,



and social in pursuit of academic excellence. Students will be allowed and encouraged to work cooperatively as appropriate on projects.

## 2. Differentiating instructional methods

In a differentiated classroom the teacher creates multiple paths of learning, so that students of different abilities, interest or learning needs experience equally appropriate ways to absorb, use, develop, and present concepts as a part of the daily learning process. It allows students to take greater responsibility and ownership for their own learning, and provides opportunities for peer teaching and cooperative learning (see above). Instruction may be differentiated in content/input, process/sense-making, or product/output according to the students' readiness, interest, or learning style. Content can be described as the knowledge, skills, and attitudes we want children to learn. Differentiating content requires that students are pre-tested so the teacher can identify the students who do not require direct instruction (see below). Students demonstrating understanding of the concept can skip the instruction step and proceed to apply the concepts to the task of solving a problem. This strategy is often referred to as 'compacting the curriculum'. Another way to differentiate content is simply to permit the apt students to accelerate their rate of progress. They can work ahead independently on some projects; i.e., they cover the content faster than their peers.

Differentiating the processes means varying learning activities or strategies to provide appropriate methods for students to explore the concepts. It is important to give students alternative paths to manipulate the ideas embedded within the concept. Teachers use a range of specific strategies to differentiate the processes such as big question teaching, learning agendas, flexible grouping, curriculum overlapping, and project-based instruction.

Differentiating product means varying the complexity of the product that students create to demonstrate mastery of the concepts. Students working below a grade level may have reduced performance expectations, while students working above grade level will be asked to produce work that requires more complex or more advanced thinking.

## 3. Direct instruction

There are five key phases in direct instruction. These include: orientation, presentation, highly structured practice, guided (semi-independent) practice, and independent practice. In "orientation," the teacher clarifies objectives and procedures for the new learning task, activates prior knowledge, and/or 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 "highly structured practice," the teacher leads students through the practice, step by step, using an overhead transparency or chart of the practice examples as well as the visual presentation. In "guided (semi-independent) practice," the students practice on their own, but with the teacher



present to monitor and give corrective feedback (Well & Calhoun, 2003). In “independent practice,” students practice entirely on their own. After reaching 85-90% accuracy with guided practice, delayed feedback is provided.

#### 4. Individualized Learning Plans

Individualized learning plans (“ILP”) enable students to focus on individual areas needed for them to learn most effectively and meet California standards. Students and teachers refine the ILPs each semester to better meet student needs.

YES CHARTER ACADEMY will identify the particular needs of each student in content areas to determine gaps in the individual student’s knowledge and skill base. Individual learning strategies will be developed by taking into consideration the individual social and emotional factors that may impede upon each student’s ability to learn. Regular evaluations of the strategies being used shall be conducted by the Supervising Teacher and the student to determine if the strategies chosen are enabling the desired outcomes to be achieved. Once a student’s strategies have been discussed and developed with the student, the Supervising Teacher will also discuss and create a collaboratively designed, state standards-aligned Individual Learning Plan.

The Supervising Teacher will make certain that each individual learning plan contains learning goals which align to state benchmarks and standards for the age/grade of each student among the content areas of math, reading, language arts, social studies, and science.

#### 5. Enrichment/Elective Period

Teachers each choose an area of excellence and personal passion for teaching and present thematically linked units for students to elect to participate in as an enrichment course. Occasionally guest teachers may also be utilized to present specific skilled elective units such as archery, woodworking, machinery, etc. These enrichment courses are taught weekly and the subject will change as the school wide theme changes. Generally an enrichment unit will run approximately 4 weeks and conclude with a school wide presentation of learning in which all classes will present to the school and community what they have studied, as it related to the school wide theme. Some examples of enrichment courses include but are not limited to: Shakespeare, poetry in nature, scientific illustration, journaling and observational writing, recycling crafts, crochet, knit, and other handiwork, woodworking, garden experiments, watercolor, outdoor restoration, service learning projects.

#### 6. Field trips

The outdoor classroom and the direct experience of nature and other venues appropriate to the study of the curriculum will be accomplished by field trips and out-of-doors activities. Each experience of this type will have behavioral and cognitive objectives defined and supported for



the lesson and trip, to be assessed via multiple and various methods as appropriate to the nature of the trip.

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

SDAIE classes are those classes containing English Learner (“EL”) students, taught by teachers using special techniques and strategies designed to assist EL 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. The YES CHARTER ACADEMY curriculum is designed to promote individual initiative, critical thinking, self-reliance, intra- and interpersonal awareness, and community involvement. Specific methods for encouraging self- motivated learning include:

- Multi-age, skill/readiness-based class groupings
- Interdisciplinary, project-based learning
- Individualized lessons and learning in small group settings
- Use of a prepared environment and hands-on materials which are progressive in complexity and often self-correcting (in younger grades)
- A flexible time-line which allows introduction of new material when it is meaningful to the individual
- Individual Learning Plans
- Low student-teacher ratios



## **K. When Learning Occurs**

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- Students are healthy, safe, and in close and enduring relationships with family, caregivers, and teachers
- Students are actively engaged in meaningful tasks
- A connection is made between what students learn and the real world in which they live
- Individual plans and support are an intrinsic part of the educational program
- 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
- Coaches, mentors, family, and advocates support the learners
- Students are encouraged to help others learn and to learn from others

## **L. Academic Habits**

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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**

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- 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, set-backs, or other barriers to reaching goals

## N. Skill Conferred

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

### 1. Primary Academic Skills

#### a) English and Language Arts

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

#### b) Mathematics

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

#### c) Science

Students will 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 will 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 will learn to balance and manage work, leisure, family, and community.



*e) History, Geography, and Social Studies*

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Students will 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**

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Appropriate age- or grade-level mastery of the following

*a) Artistic Expression*

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

*b) Conflict Resolution*

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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 will be 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**

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Students will develop skills that will 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*

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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*

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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*

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By surrounding the student with developmentally appropriate materials and activities, he/she becomes accustomed to engaging in activities on his/her own. Gradually, this results in a habit of initiative – an essential quality in leadership. "Ground rules" in the classroom call for





completing a task once begun. This "completion expectation" gradually results in a habit of persistence.

#### *d) Reflection and Evaluation*

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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*

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

#### *a) Citizenship*

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This community setting forms a sense of 'belonging.' From this belonging students can identify personal responsibility for the full functioning of the group. Monthly school-wide meetings will be held wherein each class group will share what they have learned and are currently occupied with.

#### *b) Collaboration*

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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 on a daily basis by means of team projects and class meetings.

The strong community member skills mastered in the classroom will be expanded into a sense of belonging within the YES CHARTER ACADEMY, as a whole, through inter-classroom collaborative projects. Other community outreach projects will teach awareness and understanding of the school's and student's place in the community. Applying this awareness and these skills will develop productive citizens of today's socially interactive world.

## *0. Special Student Populations*

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### *1. Plan for Academically Low-Achieving Students*

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If a student is academically low-achieving, the teacher will work with the student and their parents in analyzing their individual learning plan. All students will first be evaluated using in-class assessments from the teacher such as spelling tests, quick write assessments, math and reading placement tests, and the OARS benchmark assessments and CST mock blueprint assessments. These tests and assessments will 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 will 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 will design individual learning goals as part of the ILP with parent and student input. Parents will be given a list of strategies and activities to practice at home to support the student's learning and the teacher will 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 will indicate the success of these strategies and the strategies will be 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 will be utilized as a first step in identifying these students. YES CHARTER ACADEMY will identify students who are academically low- or high-achieving, or those students otherwise having behavior/social issues, and will utilize a Student Success Team process.

## 2. Student Success Team

A Student Success Team ("SST") includes the parent, when appropriate, the student, 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, parole 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 will first be evaluated using in-class assessments from the teacher such as spelling tests, quick write assessments, math and reading placement tests, and the OARS benchmark assessments and CST mock blueprint assessments. These tests and assessments will 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 will 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 will design individual learning goals to advance their academic progress as part of the ILP with parent and student input. Parents will be given a list of strategies and activities to practice at home to support the student's learning and the teacher will adjust 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 will indicate the success of these strategies and the strategies will be adjusted as needed to increase student performance.

Students who are academically high-achieving will be 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 will be 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 will also 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 will meet all applicable legal requirements for English Learners ("EL") as



it pertains to annual notification to parents, student identification, placement, program options, EL and core content instruction, teacher qualifications and training, re-classification to fluent English proficient status, monitoring and evaluating program effectiveness, and standardized testing requirement. The Charter School will implement policies to assure proper placement, evaluation, and communication regarding ELs and the rights of students and parents.

### **Home Language Survey**

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

### **CELDT Testing**

All students who indicate that their home language is other than English will be California English Language Development Test ("CELDT") tested within thirty days of initial enrollment<sup>2</sup> and at least annually thereafter between July 1 and October 31<sup>st</sup> until re-designated as fluent English proficient.

The Charter School will notify all parents of its responsibility for CELDT testing and of CELDT results within thirty days of receiving results from publisher. The CELDT shall be used to fulfill the requirements under the No Child Left Behind 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 CELDT.
- 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

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<sup>2</sup> The thirty-day requirement applies to students who are entering a California public school for the first time or for students who have not yet been CELDT tested. All other students who have indicated a home language other than English will continue with annual CELDT testing based upon the date last tested at the prior school of enrollment.



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.
- The Student Oral Language Observation Matrix will be used by teachers to measure progress regarding comprehension, fluency, vocabulary, pronunciation, and grammar usage.

### **Strategies for English Learner Instruction and Intervention**

The YES CHARTER ACADEMY curriculum offers multiple supports for English Learner students. All Core Teachers will meet as a team on a regular basis to discuss scaffolding options for our ELs. English Learners benefit from the use of SDAIE instructional methods and second language instruction. YES CHARTER ACADEMY will make provisions within classrooms to bring all English Learners up to the level necessary for their sustained achievement. CLAD teachers will support our EL 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 EL students.

If the CELDT scores are 4 or 5, the child will be mainstreamed into classes at YES CHARTER ACADEMY with a language mentor available to him/her. If the CELDT score is lower than 4, a student will be placed into a 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 will be 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 ELs in the Charter School will include:

- 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 shall comply 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").

By default, the Charter School shall be categorized as a public school of the Yuba County Office of Education in accordance with Education Code Section 47641(b).

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

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

### b) Services for Students under the "IDEIA"

*The following description regarding how special education and related services will be provided and funded is being proposed by the Charter School for the sole purpose of providing a reasonably comprehensive description of the special education program in the Charter Petition, and is not binding on the Yuba County Office of Education. The specific manner in which special education and related services will be provided and funded shall be set forth in a Memorandum of Understanding ("MOU"), delineating the respective responsibilities of the Charter School and the Yuba County Office of Education. The following provisions are meant to summarize the Charter School's desire for the manner in which special education instruction and related*



*services shall be provided by the Charter School and the Yuba County Office of Education. **The language that follows is not meant to unilaterally bind the Yuba County Office of Education, or to preclude alternative arrangements between the Yuba County Office of Education and the Charter School as agreed upon in a MOU:***

The Charter School intends to provide special education instruction and related services in accordance with the IDEIA, Education Code requirements, and applicable policies and practices of the Special Education Local Plan Area ("SELPA"). The Charter School shall remain, by default, a public school of the Yuba County Office of Education for purposes of Special Education pursuant to Education Code Section 47641(b). However, the Charter School reserves the right to make written verifiable assurances that the Charter School shall become an independent LEA and join a SELPA pursuant to Education Code Section 47641(a) either on its own or with a grouping of charter school LEAs as a consortium.

As a public school of the Yuba County Office of Education, solely for purposes of providing special education and related services under the IDEIA pursuant to Education Code Section 47641(b), in accordance with Education Code Section 47646 and 20 U.S.C. 1413, the Charter School seeks services from the Yuba County Office of Education for special education students enrolled in the Charter School in the same manner as is provided to students in other Yuba County Office of Education schools. The Charter School will follow the Yuba County Office of Education and SELPA policies and procedures, and shall utilize SELPA forms in seeking out and identifying and serving students who may qualify for special education programs and services and for responding to record requests and parent complaints, and maintaining the confidentiality of pupil records. The Charter School will comply with Yuba County Office of Education protocol as to the delineation of duties between the Yuba County Office of Education central office and the local school site in providing special education instruction and related services to identified pupils. An annual meeting between the Charter School and the Yuba County Office of Education to review special education policies, procedures, protocols, and forms of the Yuba County Office of Education and the SELPA and Yuba County Office of Education protocol, will ensure that the Charter School and the Yuba County Office of Education have an ongoing mutual understanding of Yuba County Office of Education protocol and will facilitate ongoing compliance.

As long as the Charter School functions as a public school of the Yuba County Office of Education solely for purposes of providing special education and related services under the IDEIA pursuant to Education Code Section 47641(b), then we would anticipate that a Memorandum of Understanding ("MOU") would be developed between the Yuba County Office of Education and the Charter School which spells out in detail the responsibilities for provision of special education services and the manner in which special education funding will flow to the students of the Charter School.





The Yuba County Office of Education shall be designated the Local Educational Agency (“LEA”) serving Charter School students. Accordingly, the Charter School shall be deemed a public school of the Yuba County Office of Education pursuant to Education Code Section 47641(b) and 47646(a). The Charter School agrees to adhere to the requirements of the Local Plan for Special Education and to Yuba County Office of Education policies. As a public school of the Yuba County Office of Education, solely for purposes of providing special education and related services under the IDEIA pursuant to Education Code Section 47641(b), in accordance with Education Code Section 47646 and 20 U.S.C. 1413, the Charter School seeks services from the Yuba County Office of Education for special education students enrolled in the Charter School in the same manner as is provided to students in other Yuba County Office of Education schools.

The Charter School acknowledges the importance of cooperating with the Yuba County Office of Education so that the Yuba County Office of Education can provide special education services to Charter School students. The Charter School agrees to promptly respond to all Yuba County Office of Education inquiries, to comply with reasonable Yuba County Office of Education directives, and to allow the Yuba County Office of Education access to Charter School students, staff, facilities, equipment and records as required to fulfill all Yuba County Office of Education obligations under this Agreement or imposed by law. The Charter School believes that the allocation of responsibility for the provision of services (including but not limited to referral, identification, assessment, case management, Individualized Education Plan (“IEP”) development, modification and implementation) shall be divided in a manner consistent with their allocation between the Yuba County Office of Education and its school sites.

### Staffing

All special education services at the Charter School will be delivered by individuals or agencies qualified to provide special education services as required by California’s Education Code and the IDEIA. Charter School staff shall participate in all mandatory Yuba County Office of Education in-service training relating to special education.

It is the Charter School’s understanding that the Yuba County Office of Education will be responsible for the hiring, training, and employment of site staff necessary to provide special education services to its students, including, without limitation, special education teachers, paraprofessionals, and resource specialists unless the Yuba County Office of Education directs the Charter School that current Yuba County Office of Education practice is for the individual school sites to hire site special education staff or the Yuba County Office of Education and the Charter School agree that the Charter School must hire on-site special education staff. In that instance, the Charter School shall ensure that all special education staff hired by the Charter School is qualified pursuant to Yuba County Office of Education and SEPLA policies, as well as meet all legal requirements. The Yuba County Office of Education may review the qualifications



of all special education staff hired by the Charter School (with the agreement of the Yuba County Office of Education) and may require pre-approval by the Yuba County Office of Education of all hires to ensure consistency with Yuba County Office of Education and SELPA policies. The Yuba County Office of Education shall be responsible for the hiring, training, and employment of itinerant staff necessary to provide special education services to Charter School students, including, without limitation, speech therapists, occupational therapists, behavioral therapists, and psychologists.

#### Notification and Coordination

The Charter School shall follow Yuba County Office of Education policies as they apply to all Yuba County Office of Education schools for responding to implementation of special education services. The Charter School will adopt and implement Yuba County Office of Education policies relating to notification of the Yuba County Office of Education for all special education issues and referrals.

The Charter School shall follow Yuba County Office of Education policies as they apply to all Yuba County Office of Education schools for notifying Yuba County Office of Education personnel regarding the discipline of special education students to ensure Yuba County Office of Education pre-approval prior to imposing a suspension or expulsion. The Charter School shall assist in the coordination of any communications and immediately act according to Yuba County Office of Education administrative policies relating to disciplining special education students.

#### Identification and Referral

The Charter School shall have the responsibility to identify, refer, and work cooperatively in locating Charter School students who have or may have exceptional needs that qualify them to receive special education services. The Charter School will implement Yuba County Office of Education and SELPA policies and procedures to ensure timely identification and referral of students who have, or may have, such exceptional needs. A pupil shall be referred for special education only after the resources of the regular education program have been considered, and where appropriate, utilized.

It is the Charter School's understanding that the Yuba County Office of Education shall provide the Charter School with any assistance that it generally provides its schools in the identification and referral processes, and will ensure that the Charter School is provided with notification and relevant files of all students who have an existing IEP and who are transferring to the Charter School from a Yuba County Office of Education school. The Yuba County Office of Education shall have unfettered access to all Charter School student records and information in order to serve all of Charter School's students' special needs.



In the event that the Charter School receives a parent written request for assessment, it will work collaboratively with the Yuba County Office of Education and the parent to address the request. Unless otherwise appropriate pursuant to applicable State and Federal law, the Charter School and the Yuba County Office of Education will provide the parent with a written assessment plan within fifteen days of receipt of the written request and shall hold an IEP within sixty days of parent's consent to the assessment plan to consider the results of any assessment.

The Charter School will follow Yuba County Office of Education child-find procedures to identify all students who may require assessment to consider special education eligibility and special education and related services in the case that general education interventions do not provide a free appropriate public education to the student in question.

### Assessments

The term "assessments" shall have the same meaning as the term "evaluation" in the IDEIA, as provided in Section 1414, Title 20 of the United States Code. The Yuba County Office of Education will determine what assessments, if any, are necessary and arrange for such assessments for referred or eligible students in accordance with the Yuba County Office of Education's general practice and procedure and applicable law. The Charter School shall work in collaboration with the Yuba County Office of Education to obtain parent/guardian consent to assess Charter School students. The Charter School shall not conduct special education assessments unless directed by the Yuba County Office of Education.

### IEP Meetings

It is the Charter School's understanding that the Yuba County Office of Education shall arrange and notice the necessary IEP meetings. IEP team membership shall be in compliance with state and federal law. The Charter School shall be responsible for having the following individuals in attendance at the IEP meetings or as otherwise agreed upon by the Yuba County Office of Education and Charter School: the Principal and/or the Charter School designated representative with appropriate administrative authority as required by the IDEIA; the student's special education teacher; the student's general education teacher if the student is or may be in a regular education classroom; the student, if appropriate; and other Charter School representatives who are knowledgeable about the regular education program at the Charter School and/or about the student. It is the Charter School's understanding that the Yuba County Office of Education shall arrange for the attendance or participation of all other necessary staff that may include, but are not limited to, an appropriate administrator to comply with the requirements of the IDEIA, a speech therapist, psychologist, resource specialist, and behavior specialist; and shall document the IEP meeting and provide of notice of parental rights.



### IEP Development

The Charter School understands that the decisions regarding eligibility, goals/objectives, program, services, placement, and exit from special education shall be the decision of the IEP team, pursuant to the Yuba County Office of Education's IEP process. Programs, services and placements shall be provided to all eligible Charter School students in accordance with the policies, procedures and requirements of the Yuba County Office of Education and of the SELPA and State and Federal law.

The Charter School shall promptly notify the Yuba County Office of Education of all requests it receives for assessment, services, IEP meetings, reimbursement, compensatory education, mediation, and/or due process whether these requests are verbal or in writing.

### IEP Implementation

Pursuant to Yuba County Office of Education policy and how the Yuba County Office of Education operates special education at all other public schools in the Yuba County Office of Education; the Yuba County Office of Education shall be responsible for all school site implementation of the IEP. The Charter School shall assist the Yuba County Office of Education in implementing IEPs, pursuant to Yuba County Office of Education and SELPA policies in the same manner as any other school of the Yuba County Office of Education. The Yuba County Office of Education and Charter School will need to be jointly involved in all aspects of the special education program, with the Yuba County Office of Education holding ultimate authority over implementation and supervision of services. As part of this responsibility, the Charter School shall provide the Yuba County Office of Education and the parents with timely reports on the student's progress as provided in the student's IEP, and at least quarterly or as frequently as progress reports are provided for the Charter School's non-special education students, whichever is more. The Charter School shall also provide all home-school coordination and information exchange unless directed otherwise by the Yuba County Office of Education. The Charter School shall also be responsible for providing all curriculum, classroom materials, classroom modifications, and assistive technology unless directed otherwise by the Yuba County Office of Education. The Charter School shall comply with any directive of the Yuba County Office of Education as relates to the coordination of the Charter School and Yuba County Office of Education for IEP implementation including but not limited to adequate notification of student progress and immediate notification of any considered discipline of special education students in such matters, the petitioners would notify the Yuba County Office of Education of relevant circumstances and communications immediately and act according to Yuba County Office of Education administrative authority.

### Interim and Initial Placements of New Charter School Students



The Charter School shall comply with Education Code Section 56325 with regard to students transferring into the Charter School within the academic school year. In accordance with Education Code Section 56325(a)(1), for students who enroll in the Charter School from another school Yuba County Office of Education within the State, but outside of the SELPA with a current IEP within the same academic year, the Yuba County Office of Education and the Charter School shall provide the pupil with a free appropriate public education, including services comparable to those described in the previously approved IEP, in consultation with the parent, for a period not to exceed thirty (30) days, by which time the Yuba County Office of Education and Charter School shall adopt the previously approved IEP or shall develop, adopt, and implement a new IEP that is consistent with federal and state law. In accordance with Education Code Section 56325(a)(2), in the case of an individual with exceptional needs who has an IEP and transfers into the Charter School from a Yuba County Office of Education operating programs under the same special education local plan area of the Yuba County Office of Education within the same academic year, the Yuba County Office of Education and the Charter School shall continue, without delay, to provide services comparable to those described in the existing approved IEP, unless the parent and the Yuba County Office of Education agree to develop, adopt, and implement a new IEP that is consistent with federal and state law. For students transferring to the Charter School with an IEP from outside of California during the same academic year, the Yuba County Office of Education and the Charter School shall provide the pupil with a free appropriate public education, including services comparable to those described in the previously approved IEP in consultation with the parents, until the Yuba County Office of Education conducts and assessment pursuant to paragraph (1) of subsection (a) of Section 1414 of Title 20 of the United States Code, if determined to be necessary by the Yuba County Office of Education, and develops a new IEP, if appropriate that is consistent with federal and state law.

#### Non-Public Placements/Non-Public Agencies

The Yuba County Office of Education shall be solely responsible for selecting, contracting with, and overseeing all non-public schools and non-public agencies used to serve special education students. The Charter School shall not hire, request services from, or pay any non-public school or agency to provide education or services to special education students without the prior written approval of the Yuba County Office of Education. The Charter School shall immediately notify the Yuba County Office of Education of all parental requests for services from non-public schools or agencies, unilateral placements, and/or requests for reimbursement.

#### Non-discrimination



It is understood and agreed that all children will have access to the Charter School and no student shall be denied admission nor counseled out of the Charter School due to the nature, extent, or severity of his/her disability or due to the student's request for, or actual need for, special education services.

#### Parent/Guardian Concerns and Complaints

The Charter School shall follow Yuba County Office of Education policies as they apply to all Yuba County Office of Education schools for responding to parental concerns or complaints related to special education services. The Charter School shall instruct parents/guardians to raise concerns regarding special education services, related services and rights to the Yuba County Office of Education unless otherwise directed by the Yuba County Office of Education. The Charter School shall immediately notify the Yuba County Office of Education of any concerns raised by parents. In addition, the Charter School and the Yuba County Office of Education shall immediately bring to the other's attention any concern or complaint by a parent/guardian that is in writing and/or which involves a potential violation of state or federal law.

The Yuba County Office of Education's designated representative, in consultation with the Charter School's designated representative, shall investigate as necessary, respond to, and address the parent/guardian concern or complaint. The Charter School shall allow the Yuba County Office of Education access to all facilities, equipment, students, personnel, and records to conduct such an investigation.

The Charter School and the Yuba County Office of Education shall timely notify the other of any meetings scheduled with parents/guardians or their representatives to address the parent/guardian concerns or complaints so that a representative of each entity may attend. The Yuba County Office of Education, as the LEA, shall be ultimately responsible for determining how to respond to parent concerns or complaints, and the Charter School shall comply with the Yuba County Office of Education's decision.

The Charter School and the Yuba County Office of Education shall cooperate in responding to any complaint to or investigation by the California Department of Education, the United States Department of Education, or any other agency, and shall provide timely notice to the other upon receipt of such a complaint or request for investigation.

#### Due Process Hearings

The Yuba County Office of Education may initiate a due process hearing or request for mediation with respect to a student enrolled in Charter School if the Yuba County Office of Education determines such action is legally necessary or advisable. The Charter School agrees



to cooperate fully with the Yuba County Office of Education in such a proceeding. In the event that the parents/guardians file for a due process hearing, or request mediation, the Yuba County Office of Education and the Charter School shall work together to defend the case. In the event that the Yuba County Office of Education determines that legal representation is needed, the Charter School agrees that it shall be jointly represented by legal counsel of the Yuba County Office of Education's choosing. The Charter School reserves the right to secure independent legal counsel, at its own expense.

The Charter School understands that the Yuba County Office of Education shall have sole discretion to settle any matter in mediation or due process. The Yuba County Office of Education shall also have sole discretion to file an appeal from a due process hearing or take other legal action involving any Charter School student necessary to protect its rights.

#### SELPA Representation

It is the Charter School's understanding that the Yuba County Office of Education shall represent the Charter School at all SELPA meetings and report to the Charter School of SELPA activities in the same manner as is reported to all schools within the Yuba County Office of Education.

#### Funding

The Charter School understands that it will enter into a MOU with the Yuba County Office of Education regarding Special Education funding, and cannot at this time unilaterally dictate the funding relationship between the Yuba County Office of Education and the Charter School. The Charter School anticipates, based upon State and Federal law that the fiscal relationship could be summarized as follows

#### *Retention of Special Education Funds by the Yuba County Office of Education*

The Yuba County Office of Education shall retain all state and federal special education funding allocated for Charter School students though the SELPA Annual Budget Plan, and shall be entitled to count Charter School students as its own for all such purposes.

#### *Retention of ADA Funds by the Yuba County Office of Education for Non-Public Placements*

The Parties acknowledge that the Yuba County Office of Education may be required to pay for or provide Charter School students with placements at locations other than at the Charter School's school site in order to provide them with a free appropriate public education. Such placements could include, without limitation, programs or services in other Yuba County Office





of Education schools, in other public school Yuba County Office of Educations within the SELPA, in a County Office of Education program, in a non-public school, at home, at a hospital, or in a residential program. When such programs or services are provided at Yuba County Office of Education expense, the Yuba County Office of Education shall be entitled to receive from the Charter School the pro rata share of all funding received for such student, including, without limitation, all ADA funds, based on the number of instructional days or minutes per day that the student is not at the Charter School site.

#### *Contribution to Encroachment*

The Charter School shall contribute its fair share to offset special education's encroachment upon the Yuba County Office of Education's general fund. Accordingly, the Charter School shall pay to the Yuba County Office of Education a pro-rata share of the Yuba County Office of Education's unfunded special education costs ("Encroachment"). At the end of each fiscal year, the Yuba County Office of Education shall invoice the Charter School for the Charter School's pro-rata share of the Yuba County Office of Education-wide Encroachment for that year as calculated by the total unfunded special education costs of the Yuba County Office of Education (including those costs attributable to Charter School) divided by the total number of Yuba County Office of Education ADA (including Charter School students), and multiplied by the total number of Charter School ADA. The Charter School ADA shall include all Charter School students, regardless of home Yuba County Office of Education.

#### P. Section 504 / Americans With Disabilities Act

YES CHARTER ACADEMY recognizes its legal responsibility to ensure no qualified person with a disability shall, on the basis of disability, be excluded from participation, be denied the benefits of, or otherwise be subjected to discrimination under any program of 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.

A 504 team will be assembled by the YES CHARTER ACADEMY Director or designee and shall include 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 will review the student's existing records, including academic, social and behavioral records and is responsible for making a determination as to whether an evaluation for 504 services is appropriate. If the student has already been evaluated under the IDEA, those evaluations may be used to help determine eligibility under Section 504. The student evaluation shall be carried out by the 504 team who will evaluate the nature of the student's disability and the impact upon the student's education. This evaluation will include consideration of any behaviors that interfere with regular participation in the educational program and/or activities. The 504 team will consider 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 will or will not be 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 will make a referral for special education assessment.

If the student is found by the 504 team to have a disability under Section 504, the 504 team shall be responsible for determining what, if any, accommodations are needed to ensure the student receives a *free and appropriate public education* (FAPE). In developing the 504 Plan, the 504 team shall consider 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 will be invited to participate in 504 team meetings where program modifications for the student will be determined and will be given an opportunity to examine in advance all relevant records.

The 504 Plan shall describe the Section 504 disability and any program modification necessary. In considering the 504 Plan, a student with a disability requiring program modification shall be 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 Director or their designee will ensure teachers include 504 Plans with lesson plans for short-term substitutes and the teacher will review the 504 Plan with a long-term substitute. A copy of the 504 Plan shall be maintained in the student's file. Students' 504 Plans will be reviewed at least once per year to determine the appropriateness of the Plan, continued eligibility, or readiness to discontinue the 504 Plan.