

*Charter for the Establishment of the*  
***Westlake Charter School:***  
***A California Public Charter School***

*Submitted to*  
***Natomas Unified School District***

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***Charter for the Establishment of the Westlake Charter School:  
A California Public Charter School***

*Whereas the Natomas Unified School District received a valid charter petition on \_\_\_\_\_, duly signed by parents and submitted pursuant to Education Code Section 47605, and*

*Whereas the Natomas Unified School District, after holding a public hearing on [date] and considering the level of parent and staff support, has determined that the applicants have assembled and presented a valid and meritorious charter petition;*

*Resolved that the Natomas Unified School District hereby approves and grants this charter petition for a term of 5 years by a vote of \_\_\_ to \_\_\_ on [date].*

*Be it further resolved that this charter constitutes a binding contract upon the Natomas Unified School District Board of Education and the Westlake Charter School.*

***Witnessed:***

\_\_\_\_\_ (name)  
*Natomas Unified School District Board of Education*

***School Location***

This charter authorizes the operation of the Westlake Charter School, a charter, which shall operate at one site within the geographic boundaries of Natomas Unified School District, as authorized pursuant to Education Code Section 47605.

## AFFIRMATIONS/ASSURANCES

As the authorized representatives of the applicant, we, Robynne Rose and Lisa Corr, hereby certify that the information submitted in this application for a charter for the Westlake Charter School to be located within the boundaries of the Natomas Unified School District is true to the best of my knowledge and belief; I also certify that this application does not constitute the conversion of a private school to the status of a public charter school; and further, I understand that if awarded a charter, the School:

- Will meet all statewide standards and conduct the student assessments required, pursuant to Education Code Section 60605, and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools. [Ref. Education Code Section 47605.6(d)(1)]
- Will be deemed the exclusive public school employer of the employees of the Charter School for purposes of the Educational Employment Relations Act. [Ref. Education Code Section 47605.6(b)(5)(M)]
- Will be non-sectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. Education Code Section 47605.6(e)(1)]
- Will not charge tuition. [Ref. Education Code Section 47605.6(e)(1)]
- Will admit all students who wish to attend the School, and who submit a timely application, unless the School receives a greater number of applications than there are spaces for students, in which case each application will be given equal chance of admission through a random lottery process. [Ref. Education Code Section 47605.6(e)(2)(B)]
- Will not discriminate on the basis of race, ethnicity, national origin, religion, gender, sexual orientation, perceived sexual orientation, home language, or disability. [Ref. Education Code Section 47605.6(e)(1)]
- Will adhere to all provisions of federal law related to students with disabilities including, but not limited to, Section 504 of the Rehabilitation Act of 1974, Title II of the Americans with Disabilities Act of 1990 and the Individuals with Disabilities in Education Act.
- Will meet all requirements for employment set forth in applicable provisions of law, including, but not limited to credentials, as necessary. [Ref. Title 5 California Code of Regulations Section 11967.5.1(f)(5)]
- Will ensure that teachers in the School hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools are required to hold. As allowed by statute, flexibility will be given to non-core, non-college preparatory teachers. [Ref. California Education Code Section 47605.6(l)]

- Will at all times maintain all necessary and appropriate insurance coverage.
- Will follow any and all other federal, state, and local laws and regulations that apply to the Charter School including but not limited to:
  - The Westlake Charter School shall maintain accurate and current written records that document all pupil attendance and make these records available for audit and inspection.
  - The Westlake Charter School shall on a regular basis consult with its parents and teachers regarding the Charter School's education programs.
  - The Westlake Charter School shall comply with any jurisdictional limitations to locations of its facilities.
  - The Westlake Charter School shall comply with all laws establishing the minimum and maximum age for public school enrollment.
  - The Westlake Charter School shall comply with all applicable portions of the No Child Left Behind Act.
  - The Westlake Charter School shall comply with the Public Records Act.
  - The Westlake Charter School shall comply with the Family Educational Rights and Privacy Act.

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Robynne Rose

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Date

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Lisa Corr

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Date

## **I. INTRODUCTION/FOUNDING GROUP**

### **INTRODUCTION**

The Westlake Charter School (the “School”) will educate students from Sacramento County in grades Kindergarten through Fifth Grade. The School will be committed to academic excellence; to the arts and technology; to the greater community; and to the development of each student’s physical well-being and full human potential. The School will emphasize high expectations for academic achievement where students will be immersed in a rigorous interdisciplinary liberal arts education program.

The School anticipates beginning its operation in the 05-06 school year serving grades K-2 growing at least by one grade per year. Anticipated initial grade offerings will be grades K-5. The Charter School anticipates initially being on a single-track school calendar of at least 175 days for students.

### **FOUNDING GROUP**

The founders of the Westlake Charter School are a well-rounded group of educators and parents interested in providing students with an excellent elementary school foundation. The founders bring together the combined experience of school, legal, business and non-profit administrators, and community advocates. The common denominator, however, is their belief that all children deserve the opportunity to excel academically. Attached, as Exhibit A is a listing of the main founders and a brief listing of their expertise and current and future involvement in the School.

## **II. EDUCATIONAL PHILOSOPHY AND PROGRAM**

*Governing Law: 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 21<sup>st</sup> 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. --California Education Code Section 47605(b)(5)(A)*

### **OVERVIEW OF THE EDUCATIONAL PROGRAM**

Westlake Charter School will provide students and parents with expanded choices in educational opportunities for students within and outside of the Natomas Unified School District (NUSD) by creating an innovative, thematically-based elementary educational program focused on the following goals:

- To prepare children with the subject knowledge, skills and understandings they need to become aware of the world around them.
- To develop the personal skills children need to take an active part in the world throughout their lives.
- To help children develop an international mindset alongside their awareness of their own nationality and culture.
- To prepare students to become life-long learners.

To achieve these goals, Westlake Charter School will implement recommendations outlined in *Elementary Makes the Grade!* (California Department of Education, 2001) which describes a standards-based education system that includes adherence to the school learning environment, assessment and accountability, curriculum and instruction to meet the needs of the “whole-child,” and professional development and whole school leadership and support.

The Westlake Charter School curriculum will be thematically-based and aligned with the California State Content Standards. In addition to the core curriculum, students at Westlake will learn a language other than English and have an understanding and appreciation of the four areas of the arts: dance, drama, music and the visual arts.

Westlake Elementary Charter School will begin implementation in May 2005 and anticipates beginning recruitment and enrollment in the spring and summer of 2005. Actual student attendance will begin in September 2005.

School operators may also expand to secondary programs in the future depending on need, demand, request by parents, students, district, etc. Approval by the Westlake Charter School Governing Board would be required before a new program is implemented.

## MISSION

The mission of Westlake Charter School is to prepare elementary students with the skills necessary for life-long learning by providing a physically and emotionally safe learning environment that supports academic risk-taking, invites student participation, and structures cooperative learning experiences.

Upon leaving the school at the end of the 5<sup>th</sup> grade, students will be equipped with:

- The subject knowledge, skills and understandings they need to become aware of the world around them.
- The personal skills they need to take an active part in the world throughout their lives.
- An international mindset alongside their awareness of their own nationality and culture.

## VISION

While adherence to high academic standards is an important element of the Westlake Charter School curriculum, we believe standards, by themselves, will not produce results. A learning environment that actively engages students in a challenging program that leads to academic success is crucial (*Elementary Makes the Grade!* California Department of Education, 2001).

Students at Westlake Charter School will be immersed in a physically and emotionally safe learning environment that supports academic risk-taking, invites student participation, and structures cooperative learning experiences. To achieve its mission of preparing students with the skills necessary for life-long learning, the school's curriculum will be thematically-based and aligned with the California State Content Standards. To enhance their learning experience, the students at the School will learn a language other than English and have an understanding and appreciation of the four areas of the arts: dance, drama, music and the visual arts.

We believe that students from an early age must have the understanding and personal skills necessary take part in the world around them. Our students will respect the views, values and traditions of other individuals and cultures, seeking and considering a range of points of view. This includes the development of an international mindset and as well as an awareness of their own nationality and culture. To that end, the Westlake Charter School will develop and adopt curriculum exploring themes which have global relevance and importance.

## GOALS

- Students will acquire the academic skills necessary for success in middle and high school.
- Students will become self-motivated, competent, lifelong learners.

- Students will acquire the subject knowledge, skills and understandings they need to become aware of the world around them.
- Students will acquire the personal skills they need to take an active part in the world throughout their lives.
- Students will develop an international mindset alongside their awareness of their own nationality and culture.
- Students will have an understanding and appreciation of the four areas of the arts: dance, drama, music and the visual arts.
- Students will communicate proficiently in a language other than English.
- Students will utilize technology as a tool for gathering and synthesizing information.

### **EDUCATIONAL PHILOSOPHY**

#### **Whom the School is attempting to educate.**

The School is targeting students residing in the Natomas area of Sacramento County who have an interest in attending a small liberal arts, thematically based elementary school with a commitment to academic excellence.

Westlake Charter School believes that all students can achieve high standards even though they may enter the school with different strengths, weaknesses, and life experiences and that opportunities should be given to all students to engage in a rigorous curriculum.

Therefore, the School is especially targeting those families who are eligible for the federal free and reduced lunch program and in which neither parent/guardian graduated from a four-year college or university.

#### **What does it mean to be an educated person in the 21<sup>st</sup> Century?**

The School believes that an educated person in the 21<sup>st</sup> Century is an internationally-minded, life-long learner. As the world becomes more global, as the single career gives way to a lifelong portfolio of different occupations, an educated person in the 21<sup>st</sup> Century has an understanding of different cultures and societies, infuses languages, music, and the arts into learning, and is resilient, adaptable, thoughtful and respectful.

#### **How does learning best occur?**

Westlake Charter School believes in the following tenets are the basis of a strong educational program:

- What children learn should respect the past but should be of help to them in their future lives.
- Children's learning must respond to their current and future personal needs, their future career needs and the needs of the varied societies and cultural groups in which they are likely to play a part.
- Learning needs to be active, in the sense that children must engage with their own learning. For primary children, this means that learning which is relevant to the future must be placed in a context that is meaningful to their present lives.
- Children need to share responsibility for their learning with their teachers, parents and careers. The proportion of responsibility each bears will depend on the age and characteristics of the children. Nevertheless, learning must be constructed in such a way that, by the end of the primary years, children begin to see and experience the potential for taking responsibility for their own learning.
- Parents/Guardians must understand the mission of the school and the standards that their children are expected to achieve. They must actively assist their children in learning the standards and be engaged in the learning environment and activities of the school.

#### **IMPLEMENTATION OF EDUCATIONAL PROGRAM**

Westlake Charter School recognizes that a thematic-based approach to curriculum design will require careful attention in ensuring that all grade-level standards are met. Additionally, we understand our curricular program must be regularly evaluated for effectiveness.

In order to achieve school wide learning goals and integrate the additional components of the school's educational program (arts and foreign language), a research-based instructional design method will be employed by the school. The method, known as "Backward Design," is an instructional design method with a strong research base currently being employed in reform efforts across the nation. Originally published in "Understanding by Design," by Grant Wiggins and Jay McTighe, this process of instructional planning provides teachers with a method for aligning standards, assessment, and instruction.

This process is one in which teachers start with the desired results (goals or standards) – and then derive the curriculum from the evidence of learning (performances) called for by the standard and the teaching needed to equip students to perform.

Teachers will be provided training in this method prior to the opening of the school and will receive follow-up training throughout the first two years of the school's operations in order to build comprehensive theme-based curricula at each grade-level. Teachers will collaborate in grade-level teams to develop thematic units as well as inter-grade-level teams to ensure a schoolwide sequential curriculum.

## PLAN FOR ENGLISH LEARNERS

The Charter School will meet all applicable legal requirements for English Learners (“ELs”) relative to annual notification to parents, student identification, placement, program options, EL and core content instruction, teacher qualifications and training, reclassification to Fluent English Proficient (FEP) status, monitoring and evaluation of program effectiveness, and standardized testing requirement. The Charter School shall implement policies to effectuate proper placement, evaluation, and communication regarding ELs and the rights of parents and pupils.

### Home Language Survey

The Home Language Survey (“HLS”) shall be administered upon a student’s initial enrollment into a California public school. If Charter School is not a student’s first California public school, then Charter School will attempt to retrieve a copy of the student’s HLS from the prior school(s) of attendance. Nonetheless, all students will be asked of their primary language with the Charter School enrollment paperwork to ensure an HLS is completed.

### Annual Assessments

Charter School shall follow all CELDT testing timelines to ensure students receive proper instruction. Charter School shall comply with the applicable requirements of the No Child Left Behind Act with regards to EL pupils.

### English Learners and Core Instruction

ELs will have daily access to the core curriculum and will be taught through structured English Immersion with additional supports as necessary.

Instruction techniques, assessments, materials and approaches will be focused on communicative competence and academic achievement covering listening, speaking, reading, and writing skills (aligned with California EL and Content Standards) in all areas of the curriculum. EL students will receive EL and core content instruction appropriate for their English proficiency and grade levels.

In addition, the instructional program for the Charter School is designed to promote language acquisition and proficiency, oral language development, and enriched learning opportunities for all ELs

### Reclassification to FEP Status

The Charter School will develop criteria to determine fluent English proficiency (“FEP”) for ELs consistent with legal requirements regarding standardized testing and other required assessments. In addition, the Charter School will monitor to ensure on-going academic success for reclassified students for at least three years from their reclassification date. Reclassification procedures will utilize multiple criteria in determining whether to classify a pupil as proficient in English including, but not limited to, all of the following:

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

#### Monitoring and Evaluation of Program Effectiveness

The 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.

#### **PLAN FOR SPECIAL EDUCATION**

##### **Overview**

The School will adhere to all laws affecting individuals with exceptional needs, including all provisions of the Individuals with Disabilities in Education Act (“IDEA”), its amendments, Section 504 of the Rehabilitation Act and the Americans with Disabilities Act (“ADA”). All students will be given equal access to the school, regardless of disabilities, and the School will not discriminate against any student based on his or her disabilities. The School shall not require the modification of an IEP or 504 plan as a condition of acceptance at the Charter School.

The School recognizes the importance of providing education opportunities to all students regardless of physical challenges or special needs. To that end, the school pledges to work in cooperation with the District to ensure that the students enrolled in the School are served in accordance with applicable federal and state law.

### **IDEA**

The School shall be deemed to be a public school of the District for purposes of special education pursuant to Education Code Section 47641(b). A child with disabilities attending the charter school shall receive special education instruction and related services in accordance with the individualized educational program (“IEP”) in the same manner as a child with disabilities who attends another public school within the District.

The School would anticipate that a special education agreement would be developed between the District and the Charter School which spells out in detail the responsibilities for provision of special education services by the School and the manner in which special education funding will flow through the District to the students of the School. The petitioners believe that the following arrangement is ideal as relates to special education services and funding for charter school students:

- The District shall receive and retain all State and Federal special education funds due to the Charter School.
- The District shall provide special education instruction and related services to charter school students in the same manner as provided to other students of the District.
- The District shall provide funding to the Charter School for any special education instruction or related services provided by the Charter School in the same manner as is currently provided to other Schools of the District.
- The Charter School shall pay a pro-rata share of District-wide special education costs that are in excess of State and Federal special education funds.

This arrangement, or a reasonable alternative to this arrangement, will be discussed and codified in a memorandum of understanding between the District and the Charter School.

Nothing in this Section shall be deemed to prevent the Charter School from seeking LEA status pursuant to Education Code Section 47641(a) after two full years of operation under this charter.

### **Section 504/ADA**

The School shall be solely responsible for its compliance with Section 504 and the ADA. All facilities of the School shall be accessible for all students with disabilities in accordance with the ADA.

Further, the School shall adopt and implement a policy, which outlines the requirements for identifying and serving students with a 504 accommodation plan. The School recognizes its legal responsibility to ensure that no qualified person with a disability shall, on the basis of disability, be excluded from participation, be denied the benefits of, or otherwise be subjected to discrimination under any program of the Charter School. Any student, who has an objectively identified disability, which substantially limits a major life activity such as learning, is eligible for accommodation by the School and shall be accommodated.

### **Students Achieving Below Grade Level**

The School's goal is to promote success for all students. Westlake Charter School believes that all students can achieve high standards even though they may enter the school with different strengths, weaknesses, and life experiences and that opportunities should be given to all students to engage in a rigorous curriculum.

Students who are not obtaining desired achievement levels in their academic studies will be supported through an extended day curriculum. Students who are not meeting grade level will attend school for an additional 6 hours beyond the regular school day week. The extended day curriculum will focus on building basic reading, writing and math skills necessary for success in the regular classroom and provide additional opportunities to for students to review concepts taught during the day.

Students will not be excluded for academic underperformance. The School may adopt a retention policy to ensure opportunity for success for all students.

### **Students Achieving Above Grade Level**

Westlake Charter School's thematically-based curriculum will provide ample opportunities for students above grade-level to be challenged. Individual and group projects allow self-directed learners to explore areas in-depth by providing an inquiry framework based on three interrelated questions: *What do we want to learn? How best will we learn? How will we know what we have learned?* Using this framework, students will acquire and develop the skills necessary to conduct purposeful, constructive research that allows high-achieving students not only to develop critical and creative thinking skills, but also supports their natural curiosity and sustains their love of learning.

### **III. MEASURABLE STUDENT OUTCOMES AND OTHER USES OF DATA**

*Governing Law: The measurable pupil outcomes identified for use by the Charter School. "Pupil outcomes," for purpose 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. --California Education Code Section 47605(b)(5)(B)*

#### **SCHOOL WIDE MEASURABLE OUTCOMES**

Students of Westlake Charter School will possess knowledge of and demonstrate the following skills upon promotion to the 6<sup>th</sup> grade:

- Students will demonstrate grade-level skills in reading, writing, speaking, listening and presentation and the ability to understand and express ideas.
- Students will understand and apply social, historic and geographical knowledge in order to be aware of and take an active part in the world throughout their lives.
- Students will demonstrate abilities to reason logically and to understand and apply mathematical processes and concepts and apply the major strands of mathematical learning, including a problem solving approaches, basic computation skills and real life connections.
- Students will successfully utilize scientific research, including scientific methods of inquiry.
- Students will have an understanding and appreciation of the four areas of the arts: dance, drama, music and the visual arts.
- Students will demonstrate understanding of technology and its applications and use it as a tool for gathering and synthesizing information.
- Students will understand that a healthy lifestyle, physical fitness, and nutrition contribute to his/her well-being.
- Students will communicate proficiently in a language other than English.

Westlake Charter School will continue to examine and refine its list of student outcomes over time to reflect the school's mission and any changes to state or local standards that support this mission.

#### **State Content Standards**

The Westlake Charter School academic curriculum shall consist of the basic concepts, content goals, and skills instruction reflected in the California State Content Standards in English/language arts, science, mathematics, and history/social science. Academic skills and

concepts proposed by the California State Frameworks will be linked directly and specifically to concepts and themes explored in the classroom. The School is dedicated to documenting student achievement of the state content standards each year through state-mandated assessments.

### **State Standardized Testing**

It is the goal of the petitioners to have their students show measurable growth each academic year, as evidenced by scores on the standardized testing scores.

### **Attendance**

It is the goal of the Charter School to strive, on average, to achieve at least 96% student attendance.

### **Academic Performance Index**

It is the goal of the School to meet its Academic Performance Index growth targets on an annual basis.

### **Adequate Yearly Progress**

It is the goal of the School to make adequate yearly progress (“AYP”) as defined by the No Child Left Behind Act (“NCLB”).

### **METHODS OF ASSESSMENT**

*Governing Law: The method by which pupil progress in meeting those pupil outcomes is measured. --California Education Code Section 47605(b) (5) (C)*

Student progress shall be measured through varied and diverse methods which include traditional forms such as grades, unit tests and standardized tests as well as through on-going “authentic assessment” methods such as demonstrations, performances, and exhibitions.

Students will have opportunities for self-assessment, such as using rubrics to assess and reflect upon their work. Students will also maintain portfolios of “work in progress” as well as polished work to track and demonstrate growth and progress along learning goals.

The California Standards Test (CST) and the nationally normed-referenced test (NRT), which are both a part of the STAR Testing, will also serve as a measurement of year-to-year pupil progress.

School-wide outcomes will be measured as follows:

<b><u>OUTCOME</u></b>	<b><u>METHOD(S) OF MEASUREMENT</u></b>
State Content Standards	CAT6, Internal and External Assessments, Teacher Records, Work Samples, Portfolios
Standardized Testing Growth	CAT6, CELDT
Attendance	Attendance records
Academic Performance Index ("API") Growth Target	API Score
Adequate Yearly Progress	As measured by state in accordance with NCLB.

**USE AND REPORTING OF DATA**

The School will compile and provide to the Natomas Unified School District Board of Education an annual performance report. This report will, at a minimum, include the following data:

- Summary data showing student progress toward the goals and outcomes listed above.
- An analysis of whether student performance is meeting the goals specified in above. This data will be displayed on both a Charter school-wide basis and disaggregated by major racial and ethnic categories to the extent feasible without compromising student confidentiality.
- A summary of major decisions and policies established by the Charter School Board during the year.
- Data on the level of parent involvement in the School's governance (and other aspects of the school, if applicable) and summary data from an annual parent and student satisfaction survey.
- Data regarding the number of staff working at the school and their qualifications.
- A copy of the school's health and safety policies and/or a summary of any major changes to those policies during the year.
- Information demonstrating whether the School implemented the means listed in the charter to strive to achieve a racially and ethnically balanced student population.
- An overview of the School's admissions practices during the year and data regarding the numbers of students enrolled, the number on waiting lists and the numbers of students expelled and/or suspended.
- Analyses of the effectiveness of the School's internal and external dispute mechanisms and data on the number and resolution of disputes and complaints.
- Other information regarding the educational program and the administrative, legal and governance operations of the School relative to compliance with the terms of the charter generally.

The School and District Board of Education will jointly develop the content, evaluation criteria, timelines and process for the annual performance report. The School will use the information compiled in the performance audit to evaluate and improve upon its educational programming as necessary.

The School and District Board of Education will also jointly develop a site visitation process and protocol to enable the District to gather information needed to confirm the school's performance and compliance with the terms of this charter. Pursuant to Education Code Section 47604.3 the Charter School shall promptly respond to all reasonable inquiries, including, but not limited to inquiries regarding its financial records from the District. The School shall automatically submit all financial reports required under Education Code Section 47604.33 and 47605(m).

#### **IV. GOVERNANCE STRUCTURE**

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

While the School intends to collaborate with the District, the School shall operate as a separate legal entity, independent of the District. The school will be operated as a duly constituted California nonprofit public benefit corporation, and will be governed in accordance with applicable California Corporations Code Sections and its adopted bylaws which shall be consistent with the terms of this charter. As provided for in the California Corporations Code, the school will be governed by its Board of Directors, whose members have a legal fiduciary responsibility for the well-being of the School.

Pursuant to Education Code Section 47604(c), the District in performing its oversight of the Charter School as required by Education Code Section 47604.32, shall not be liable for the debts and obligations of the School or for claims arising from the performance of acts, errors, or omissions by the charter school.

#### **NON-PROFIT BOARD OF DIRECTORS**

The School will be governed by a minimum of seven to a maximum of nine member Board of Directors consisting of 3 parents of current students of the School, 2 community members, and 2 staff members. The District Board of Education may also appoint two Board appointees to serve on the School's Board of Directors.

During the planning of the School, prior to operation, the founders of the School elected an initial five-member board (the "Founding Board") from parents and community members. Nominations were collected and a publicly advertised election was held, open to the public on March 7, 2005, to select the five members. The names of the Founding Board members are attached as Exhibit B.

The Founding Board shall transition to a "Permanent Board" by October 15, 2005. Permanent Board members shall be selected in accordance with the corporate bylaws. In brief, parent representatives, shall be nominated and elected amongst the parent body of the School; community representatives shall be appointed by the Founding Board and then replaced by the Board as needed, and the staff representatives shall be elected amongst the staff of the School.

In selecting community representatives, the Board shall look for expertise in school administration or operations, teaching, business, accounting, legal, political, nonprofit, and fundraising if available.

The Board will meet on a regular basis, not less than once per month to advise the School on the operations of the school, staff, teachers, and students. Similarly, it will advise on curriculum, instruction, fundraising, and governance, all with the purpose of increasing student academic achievement.

The Board of Directors has a responsibility to solicit input from, and opinions of, the parents of School students regarding issues of significance and to weigh the input and opinions carefully before taking action. The primary method for executing their responsibility is the adoption of policies that offer guidance and interpretation of the charter and procedures to assist the staff in facilitating the implementation of such policies.

The Directors will meet regularly and as needed and will be responsible for carrying out Board responsibilities including, but not limited to, the following:

- Hiring and evaluating the Executive Director/Principal of the School.
- Approving and monitoring the implementation of general policies of the School. These will include effective human resource policies for career growth and compensation of the staff.
- Developing and monitoring an operational business plan that focuses on student achievement and artistic development.
- Approving and monitoring the School's annual budget.
- Acting as fiscal agent. This includes the receipt of funds for the operation of the School in accordance with charter school laws and the receipt of grants and donations consistent with the mission of the School.
- Contracting an external auditor to produce an annual financial audit according to generally accepted accounting practices.
- The Board will establish operational steering committees of parents, educators, and art professionals.
- Regularly measuring progress of both student and staff performance.
- Involving parents and the community in the support of School programs.
- Executing all other responsibilities provided for in the California Corporations Code.
- Development, review, or revision of the School's accountability and mission.
- Development of the school calendar and schedule of Board meetings.
- Development of Board policies and procedures.
- Review of requests for out of state or overnight field trips.
- Participation in the dispute resolution procedure and complaint procedures when necessary.

- Approval of charter amendments.
- Approval of annual fiscal and performance audits.
- Approval of personnel discipline (suspensions or dismissals) as needed.
- Appoint an administrative panel to act as a hearing body and take action on recommended student expulsions.
- Hiring, supervision, evaluation and if necessary, termination of the School Officers and administration.
- Creation of external or sub-committees as needed, including but not limited to, compensation committee and an audit committee.

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

The School shall adopt governance policies, which are aligned with the principles of the Brown Act and the Political Reform Act.

A Board member shall not vote or participate in a discussion relating to a matter in which he/she has a direct personal financial interest. The Board shall adopt policies and procedures regarding self-dealing and conflicts of interest.

The Board may execute any powers delegated by law to it and shall discharge any duty imposed by law upon it and may delegate to an employee of the School any of those duties. The Board however, retains ultimate responsibility over the performance of those powers or duties so delegated. Such delegation will:

- Be in writing;
- Specify the entity designated;
- Describe in specific terms the authority of the Board being delegated, any conditions on the delegated authority or its exercise and the beginning and ending dates of the delegation; and
- Require an affirmative vote of a majority of Board members.

**EXECUTIVE DIRECTOR/PRINCIPAL**

The responsibilities of the Executive Director/Principal may include, but are not limited to, the following:

- Attend District Administrative meetings as necessary and stay in direct contact with District regarding changes, progress, etc.
- Develop Board meeting agenda in conjunction with the Board secretary in compliance with the Brown act.
- Supervise, either directly or through subordinates, all employees of the school.
- Provide timely performance evaluations of all school employees at least annually.
- Propose policies for adoption by the Board.
- Provide comments and recommendations regarding policies presented by others to the board.
- Communicate with School legal counsel.
- Stay abreast of school laws and regulations.
- Approve all purchase orders, pay warrants, and requisitions and, upon approval, forward on for processing.
- Participate in the dispute resolution procedure and the complaint procedure when necessary.
- Grant writing.
- Establish and execute enrollment procedures.
- Attend meetings with the Chief Financial Officer of the District on fiscal oversight issues once monthly or as otherwise agreed upon.
- Provide all necessary financial reports as required for proper ADA reporting.
- Make budget line item revisions when necessary and report changes regularly to the Board.
- Develop and administer the budget in accordance with generally accepted accounting principles.
- Present a quarterly financial report to the Board.
- Provide assistance and coordination to the Faculty in the development of curriculum.

- Oversee parent/student/teacher relations.
- Attend IEP meetings when necessary.
- Supervise student disciplinary matters.
- Coordinate the administration of Standardized Testing.
- Plan and coordinate student orientation.
- Attend all Board meetings and attendance as necessary at District Board of Education meetings as the charter representative.
- Site safety.
- Foster an amicable relationship between the District and School and facilitate a sharing of resources between both entities.
- Establish a Communication Model to facilitate communication among all the groups within the School, between the School and the District, and between the School and the community at large.
- Establish procedures designed to carry out Board policies.
- Create and appoint committees to assist in the execution of certain planning and administrative functions (known as Officer appointed committees).
- Scheduling.
- Manage communications between the District Board and the Board of the Charter School.
- Develop the School annual performance audit.
- Present performance audit to the Board of the Charter School and after review by the School Board present audit to the District Board of Education and the County Superintendent of Schools, the State Controller and the California Department of Education.
- Facilitate open house events.

The above duties may be delegated or contracted as approved by the Board to a business administrator of the School or other employee, a parent volunteer (Only in accordance with student and teacher confidentiality rights.) or to a third party provider.

### **PARENT PARTICIPATION**

During operation, the School will encourage parents to develop a parent committee made up of parents and guardians of the students of our School, which will act in an advisory capacity to the Board of the Charter School. The Parent Committee will be governed by bylaws adopted by the parents involved in the parent committee.

The Charter School promotes a **parent participation** program. Parents are encouraged to express their concerns, to visit our school and meet with the staff. To this end, the Charter School shall annually distribute **Parent Surveys** to all parents requesting them to give their opinions on the progress of their child and encouraging them to express suggestions of how the school might improve its services. The responses shall be returned to the school and reviewed with faculty and administration in order to address any concerns.

Parents are asked to dedicate at least 30 hours per year of participation to benefit the School. To encourage additional parent involvement, the School shall at a minimum do the following:

- Develop an on going list of extensive participation opportunities for parents.
- Offer extra-curricular activities for both student and parent/family participation.

### **STAFF PARTICIPATION**

During operation, the School will encourage staff members to develop a committee made up of all staff of the School, which will act in an advisory capacity to the Board of the Charter School. This Staff Committee will be governed by bylaws adopted by the staff involved in the parent committee

## **V. HUMAN RESOURCES**

### **QUALIFICATIONS OF SCHOOL EMPLOYEES**

*Governing Law: The qualifications to be met by individuals to be employed by the School— California Education Code Section 47605(b)(5)(E)*

#### **Teachers**

The School will adhere to Education Code Section 47605(1), all California Commission on Teacher Credentialing requirements, and the applicable provisions of the No Child Left Behind Act in the hiring of all faculty for the Charter School.

Teachers for core classes must hold appropriate California teaching certificates, permits, or other documents equivalent to that which a teacher in other schools would be required to hold pursuant to Education Code Section 47605(1).

In accordance with Education Code Section 47605(1), the School may also employ 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 noncore, noncollege preparatory courses and activities. The School and the District shall agree in writing prior to operation as to an approved list of non-core, non-college preparatory courses.

#### **Non-Instruction**

All non-instructional staff such as the office manager, finance/human resource assistant, attendance clerk, clerical, custodian and lunch duty personnel must possess experience and expertise appropriate for their position.

#### **Executive Director / Principal**

This individual shall be responsible for implementing all the administrative and legal responsibilities of the school as well as serving as an instructional leader. This individual should be an exemplary communicator both in person and in written communications and possess the organizational and interpersonal skills necessary to run a K-5<sup>th</sup> grade school.

#### **Overall Qualifications of Staff**

Charter School staff shall be educators and individuals who seek to provide a quality education for a diverse population of students. They will share the desire to participate in a thematically based, internationally minded educational program.

The Charter School focuses on teacher leadership through professional development, team building, collaborative decision-making, and addressing the strengths of the school community

through multiple intelligences. Charter School staff members are committed to the collaborative building of a new school program, including setting tradition and defining benchmarks.

### **COMPENSATION AND BENEFITS**

*Governing Law: The manner by which staff members of the Charter Schools will be covered by the State Teachers' Retirement System, the Public Employee's Retirement System, or federal social security—California Education Code Section 47605(b)(5)(K)*

Employees at the School shall participate in STRS, PERS and the federal social security system as applicable to the position. The School shall inform all applicants for positions within the School of the retirement system options for employees of the School.

### **EMPLOYEE REPRESENTATION**

*Governing Law: 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 the Educational Employment Relations Act. —California Education Code Section 47605(b)(5)(O)*

The School shall be deemed the exclusive public school employer of the employees of the School for the purposes of the Educational Employment Relations Act.

### **RIGHTS OF SCHOOL DISTRICT EMPLOYEES**

*Governing Law: 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)*

Seniority, schedule increments, adjustments in salary, retirement credit and university credit earned will be accrued by any former District employee while employed by the Charter School as if they were still an employee of the District.

Adjustments in a previous District employee's salary will be allowed since conditions of employment at the Charter School are different from those stated in the Agreements between the NTA/CSEA and the District.

## **HEALTH AND SAFETY**

*Governing Law: 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 record summary as described in Section 44237—California Education Code Section 47605(b)(5)(F)*

### **Procedures For Background Checks**

The Charter School will comply with the provisions of Education Code Section 44237 and 45125.1 regarding the fingerprinting and background clearance of employees, contractors and volunteers prior to employment and/or any more than limited contact with pupils of the Charter School. The Executive Director/Principal of the School shall monitor compliance with this policy and report to the Board of Directors on a quarterly basis.

### **Role Of Staff As Mandated Child Abuse Reporters**

All classified and certificated staff will be mandated child abuse reporters and will follow all applicable reporting laws, the same policies and procedures used by the District.

### **TB Testing**

The Charter School will follow the requirement of Education Code Section 49406 in requiring tuberculosis testing of all employees prior to commencing employment.

### **Immunizations**

The Charter School will adhere to all law related to legally required immunizations for entering students pursuant to Health and Safety Code Section 120325-120375, and Title 17, California Code of Regulations Section 6000-6075.

### **Medication in School**

The Charter School will adhere to Education Code Section 49423 regarding administration of medication in school.

### **Vision/Hearing/Scoliosis**

The Charter School shall adhere to Education Code Section 49450, et seq., as applicable to the grade levels served by the School.

### **Emergency Preparedness**

The Charter School shall adhere to an Emergency Preparedness Handbook drafted specifically to the needs of the school site. This handbook shall include but not be limited to the following responses: fire, flood, earthquake, terrorist threats, and hostage situations.

### **Bloodborne Pathogens**

The Charter School shall meet state and federal standards for dealing with bloodborne pathogens and other potentially infectious materials in the workplace. The Board shall establish a written “Exposure Control Plan” designed to protect employees from possible infection due to contact with bloodborne viruses, including human immunodeficiency virus (HIV) and hepatitis B virus (HBV).

Whenever exposed to blood or other body fluids through injury or accident, students and staff should follow the latest medical protocol for disinfecting procedures.

### **Drug Free/Smoke Free Environment**

The School shall maintain a drug and alcohol and smoke free environment.

### **Procedures**

The Charter School shall adopt procedures to implement the policy statements listed above and submit at least 60 days prior to operation.

## **VI. DISPUTE RESOLUTION**

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

### **Disputes Between the District and the School**

The School and the District will always attempt to resolve any disputes between them amicably and reasonably without resorting to formal procedures. Both shall refrain from public commentary regarding any disputes until the matter has progressed through the dispute resolution process unless legally required to do otherwise.

In the event of a dispute between the School and the District, the staff and School Board/Board members of the Charter school and District agree to first frame the issue in written format and refer the issue to the Superintendent and Executive Director/Principal of the School. In the event that the District 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, this shall be specifically noted in the written dispute statement.

The Executive Director/Principal and Superintendent shall informally meet and confer in a timely fashion to attempt to resolve the dispute, not later than 5 business days from receipt of the statement. In the event that this informal meeting fails to resolve the dispute, both parties shall identify two governing board members from their respective boards who shall jointly meet with the Superintendent and Executive Director/ Principal of the Charter School and attempt to resolve the dispute within 15 business days from the dispute statement. If this joint meeting fails to resolve the dispute, the Superintendent and Executive Director/Principal shall meet to jointly identify a neutral third party mediator. The format of the mediation session shall be developed jointly by the Superintendent and Executive Director/ Principal. Mediation shall be held within thirty business days of receipt of the dispute statement. The costs of mediation shall be split between the District and the Charter School. All timelines in this section may be revised if mutually agreed upon by the District and the Charter School.

### **Internal Disputes**

All disputes involving the School shall be resolved by the School according to the School's own internal policies. The District shall not be involved with internal disputes of the School unless the School requests District involvement, or unless the internal dispute relates to one of the reasons under Education Code Section 47607 for which a charter may be revoked.

## **VII. STUDENT ADMISSIONS, ATTENDANCE, AND SUSPENSION/EXPULSION POLICIES**

### **STUDENT ADMISSIONS POLICIES AND PROCEDURES**

*Governing Law: Admission Requirements, if applicable-Education Code Section 47605(b)(5)(H)*

The School shall admit all pupils who wish to attend the School up to capacity. No test or assessment shall be administered to students prior to acceptance and enrollment into the school.

Pupils will be considered for admissions without regard to race, ethnicity, national origin, gender, disability, fluency in English, or parent income/educational level.

The application process is comprised of the following:

- Parent attendance at a school orientation meeting
- Completion of a student enrollment form
- Parent signature of School Contract
- Proof of Immunization
- Home Language Survey
- Completion of Emergency Medical Information Form
- Proof of minimum age requirements, e.g. birth certificate

Applications will be accepted during a publicly advertised open enrollment period each Spring for enrollment in the following school year. Following the open enrollment period each year applications shall be counted to determine whether any grade level has received more applications than availability. In this event that this happens, the School will hold a public random drawing to determine enrollment for the impacted grade level, with the exception of existing students (2<sup>nd</sup> year forward) who are guaranteed enrollment in the following school year.

Enrollment preferences in the case of a public random drawing shall be allowed in accordance with School policy as attached in Exhibit C

At the conclusion of the public random drawing, all students who were not granted admission due to capacity shall be given the option to put their name on a wait list according to their draw in the lottery. This wait list will allow students the option of enrollment in the case of an opening during the school year.

In no circumstance will a wait list carry over to the following school year.

## **NON-DISCRIMINATION**

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

The School will consider pupils for admission without regard to ethnicity, race national origin, fluency in English, or parent income/educational level. The School will strive, through recruiting to achieve a racial and ethnic balance of students that reflects the general population of the District. The Charter School will rigorously recruit students in impacted areas and provide assistance to families in completing and returning registration applications.

The School's Outreach Plan shall include a marketing plan which details significant outreach activities in the Sacramento Bee, the Natomas Library, community club-houses and newsletters, local community groups, and local businesses. The marketing plan shall include the preparation and distribution of recruiting materials in English and other commonly spoken languages.

The Outreach Plan shall schedule dates, times, and locations of open houses, informational meetings, and other activities in a manner which insures, to the extent possible, that all interested students are able to attend.

The School, in its annual report, shall include student enrollment indicating the racial and ethnic mix of students and the percentage of students from the District and steps taken to ensure a racial and ethnic balance as described herein. The annual report shall disaggregate racial and ethnic class, free and reduced lunch participation percentage, English Learners, and shall include the percentage versus total of those who applied and those who were admitted.

## **PUPIL 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)*

Students who reside within the District who choose not to attend the charter school may attend school within their school of residence according to District policy or at another school district or school within the District through the District's intra and inter-district policies. Parents and guardians of each student enrolled in the charter school will be informed that the students have no right to admission in a particular school of any 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.

**SUSPENSION AND EXPULSION PROCEDURES**

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

The School shall provide due process to all students prior to acting to suspend or expel in accordance with an adopted Pupil Suspension and Expulsion Policy, which is attached as Exhibit **D**.

## **VIII. REPORTING AND ACCOUNTABILITY**

### **BUDGETS**

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

Attached, as Exhibit E, please find the following documents:

- A projected first year budget including startup costs
- Cash flow and financial projections for the first three years of operation.

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

### **FINANCIAL REPORTING**

The Charter School shall provide reports to the District as follows, and may provide additional fiscal reports as requested by the District:

1. By July 1, a preliminary budget for the current fiscal year. For a charter school in its first year of operation, financial statements submitted with the charter petition pursuant to Education Code 47605(g) will satisfy this requirement.
2. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. Additionally, on December 15, a copy of the Charter School's annual, independent financial audit report for the preceding fiscal year shall be delivered to the District, State Controller, State Department of Education and County Superintendent of Schools.
3. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31.
4. By September 15, a final unaudited report for the full prior year. The report submitted to the District shall include an annual statement of all the Charter School's receipts and expenditures for the preceding fiscal year.

### **INSURANCE**

The Charter School shall acquire and finance general liability, workers compensation, and other necessary insurance of the types and in the amounts required for an enterprise of similar purpose and circumstance. The District Board of Education shall be named as an additional insured on all policies of the Charter School.

Prior to opening, the Charter School shall provide evidence of the above insurance coverage to the District.

### **ADMINISTRATIVE SERVICES**

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

A school site Executive Director/Principal will assume the lead responsibility for administering the School under the policies adopted by the School's Board of Directors. The petitioners anticipate that the Charter School will provide or procure most of its own administrative services, including but not limited to financial management, personnel, and instructional program development. The petitioners are interested in discussing the possibility of purchasing some of these or other services from the District. The specific terms and cost for these services will be the subject of an annual memorandum of understanding ("MOU") between the Charter School and the District and subject to District availability.

### ***Timeline***

Upon approval of the charter, if not completed during the charter approval process, the Charter School shall begin MOU negotiations with the District over contracted services. Should services be unavailable, or by August 1, 2005, if no MOU has been executed between the Parties, the Charter School shall obtain its own administrative services either in house or through a third party contractor.

### **FACILITIES**

*Governing Law: The facilities to be utilized by the school. The description of facilities to be used by the charter school shall specify where the school intends to locate. (Education Code Section 47605.6(b)(5)(D))*

The Charter School has begun discussions with the authorizing District for use of a small portion of the Natomas Middle School. The current middle school principal is looking upon this concept favorably. Enrollment projections, provided by the school district, confirm that there is room for additional students on the campus. There are also existing classrooms on the middle school campus that are currently available and not being used. It so happens that they are conveniently located on the West end of the campus – adjacent to the proposed interim site for the Charter School.

This area, on the west end of the campus, will be separated by a partition (fence) in order to have clear delineation between the Charter School and the existing middle school. With the addition of three to five portables, this site can be utilized comfortably for at least two to three years. Because this location is directly across from the Westlake community, the location is ideal for having students walk to school. Discussions regarding the addition of a crosswalk across Del Paso Rd are also under way.

Community members are engaged in ongoing communication with landowners and the district staff in order to locate and secure a permanent K – 5 facility. Already, a level of commitment by some major landowners and developers, to participate with the assistance of start up funding and future facilities development, has been evident.

### **AUDITS**

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

The School will facilitate an annual independent audit of the school's financial affairs. The Board will select and oversee an auditor with education audit experience.

The audit will verify the accuracy of the School's financial statements, attendance and enrollment accounting practices and review the school's internal controls. The audit will be conducted in accordance with generally accepted accounting principles applicable to the School. It is anticipated that the annual audit will be completed four months after the close of the fiscal year and that a copy of the auditor's findings will be forwarded to the District, the County Superintendent of Schools, the State Controller and to the CDE by December 15th each year. The School's Executive Director/Principal along with an audit committee will review any audit exceptions or deficiencies and report to the School Board with recommendations on how to resolve them. The School Board will submit a report to the District describing how the exceptions and deficiencies have been or will be resolved to the satisfaction of the District. Any disputes regarding the resolution of audit exceptions and deficiencies will be referred to the dispute resolution process contained in this Charter.

### **CLOSURE PROTOCOL**

*Governing Law: A description of the procedures to be used if the charter school closes- Education Code Section 47605(b)(5)(p)*

The following procedures shall apply in the event the School closes. The following procedures apply regardless of the reason for closure.

Closure of the School will be documented by official action of the Board. The action will identify the reason for closure.

The Board will promptly notify the District of the closure and of the effective date of the closure.

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

As applicable, the School will provide parents, students and the District with copies of all appropriate student records and will otherwise assist students in transferring to their next school. All transfers of student records will be made in compliance with the Family Educational Rights and Privacy Act ("FERPA") 20 U.S.C. § 1232g. The School will ask the District to store original records of Charter School students.

As soon as reasonably practical, the School will prepare final financial records. The School will also have an independent audit completed as soon as reasonably practical, which period is generally no more than six months after closure. The School will pay for the final audit. The audit will be prepared by a qualified Certified Public Accountant selected by the School and will be provided to the District promptly upon its completion.

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

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

## **IX. IMPACT ON THE DISTRICT**

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

### **POTENTIAL CIVIL LIABILITY EFFECTS**

#### ***Intent***

This statement is intended to fulfill the terms of Education Code Section 47605(g) and provides information regarding the proposed operation and potential effects of the Charter School on the District.

#### ***Civil Liability***

The Charter School shall be operated as a California non-profit public benefit corporation. This corporation is organized and operated exclusively for charitable purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code and California Revenue and Taxation Code Section 23701d. One of the objectives of the corporation is to provide public education for residents of the State of California, in accordance with the Charter Schools Act, California Education Code Section 47600, et seq.

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

Further, the Charter School and the District shall enter into a memorandum of understanding ("MOU"), which shall provide for indemnification of the District.

The corporate bylaws of the Charter School shall provide for indemnification of the school's Board of Directors, officers, agents, and employees, and the School will purchase general liability insurance, Directors and Officers insurance, and fidelity bonding to secure against financial risks. Insurance amounts will be determined by recommendation of the insurance company for schools of similar size, location, and type of program. The District shall be named an additional insured on the general liability insurance of the Charter School.

The Board of Directors of the School will institute appropriate risk management practices, including screening of employees, establishing codes of conduct for students, staff, and participating families, and procedures governing financial transactions and dispute resolution.

## **X. CONCLUSION**

By approving this charter, the Natomas Unified School District will be fulfilling the intent of the Charter Schools Act to increase learning opportunities for all pupils; create new professional opportunities for teachers; and provide parents and pupils with expanded choices in education and following the directive of law to encourage the creation of Charter Schools. The Petitioners are eager to work together with the District to set the highest standard for what an elementary school should and can be. To this end, the Petitioners pledge to work cooperatively with the District to answer any concerns over this document and to present the District with the strongest possible proposal for approval of a five-year charter to begin operation in August 2005. Renewal of the charter shall be governed by the standards and criteria in Education Code Section 47605 and/or applicable law.

## EXHIBIT A

### FOUNDING GROUP

#### Westlake Charter School Founding Board

##### **Robynne Rose, President**

Robynne has been a teacher for over 13 years and has taught in the Natomas Unified School District (NUSD) for the past eight years. She has a long history of involvement the district at a leadership level, including serving as the president of the Natomas Teachers Association from 2000- 2002 and as a founding member of the Natomas Public Schools Foundation. She also served as a mentor teacher, negotiated for the teachers association, participated on the NUSD Strategic Plan Committee and served on the Diversity Committee. Currently, Robynne is a Collaborating Teacher with the Education Department at Sacramento State University.

In 2003, Robynne was honored as Natomas' Teacher of the Year. She teaches English and Yoga at Discovery High School, and prior to that, she taught English and Yearbook at Natomas High School for four years. Robynne has a two year-old son and is dedicated to making sure that he has a well-rounded education. As the president of the founding board she is excited to work with the amazing parents who have already stepped forward and is dedicated to creating a school environment that allows each child to learn to the best of his or her ability.

##### **Lisa Corr, Esquire, Vice President**

Lisa is currently a partner at the Law Offices of Spector Middleton, Young, & Minney. She has been an attorney for the past eight years and has worked almost exclusively in education law representing charter schools for the past seven years. Her firm represents more than 300 charter schools, approximately ½ of the charter schools in the state, and her current practice is focused on the development and operation of charter schools, starting from the basics of drafting a charter through the creation of board policies to special education, student discipline, personnel, and the defense of charter schools in the case of revocation or audit findings. Additionally, Lisa has also worked as in-house counsel for the San Diego Unified School District.

Lisa has a five year-old daughter, Jessica, and a two year-old son, Ryan. She wants, for the first time, to allow her professional expertise to benefit her own children by ensuring that Westlake Charter School is prepared for a successful opening. Her vision is to create a school where children will be eager to go each day, where they are safe, and where parents support the role of the teacher as a professional to meet the needs of all students in the classroom every day. She is hopeful that Westlake Charter School will create innovative approaches to educating students and supporting teachers as valued professionals.

##### **Lisa Menzmer, Secretary**

Lisa holds a Masters in Special Education and has been an employee of the Elk Grove Unified School District for the past 13 years, and serving in a number of different roles, including: resource specialist, special day class teacher, chair of the special education department in two different schools, and coordinator and vocational specialist for the WorkAbility & Transition

Partnership Program. Her extensive background in Special Education has provided her in-depth working knowledge of the education system and how to create curriculum access for all students. Her strength is in “thinking outside the box” in providing the right modifications/accommodations so that all students can succeed.

In addition to her professional career, Lisa is an active wish team coordinator with the Make-A-Wish Foundation, a volunteer at Camp Ronald McDonald for Good Times (a camp for children with cancer and their families), and a meal volunteer with the feed the homeless ministry. She has two daughters, a 4 ½ year-old and a two year-old, who motivate her to be a part of the decision making team responsible for creating a student-driven, multi-modality-taught, globally-focused environment for them to call "school."

### **Bruce Jones Treasurer**

Bruce is a former educator of computer science and engineering. He is currently employed as Director of Program Growth and Development for a non-profit educational initiative that has a strong emphasis on using technology to help students to learn. Bruce’s job takes him to schools throughout the country where he consults with administrators and teachers in finding alternative learning strategies for students using advanced technologies. These schools include K-12 in private, public, and charter school environments.

Bruce currently resides in Natomas Crossing with a son in a middle school and a son in elementary school (where he serves on the school site council) in the Natomas Unified School District. He also has a three year-old daughter. His educational background as a teacher and his current career in the non-profit educational sector gives him the experience to provide the leadership, support, and direction necessary to develop the Westlake Charter School.

### **Ting Sun, Ph.D., Member**

Ting has spent most of her professional career working in and with educational programs in a variety of diverse environments - including teaching at the middle school level, the start-up and implementation of Natomas Charter School; research on educational reform at the university level; policy development and grant program management at the California Department of Education; and leadership development and program quality reviews in her current position as Vice President of Leadership and Quality in the California Charter Schools Association. Ting sits on the state Public Schools Accountability Act (PSAA) Advisory Commission and is on the Alternative Schools Accountability Model (ASAM) sub-committee.

Ting has vested interest in the Natomas community, not only as an educator in the Natomas Unified School District for 18 years, but more recently as a resident and parent of a six year-old son. She thrives on the challenge of developing and implementing initiatives that serve students and support their academic and social success. She wants to lend her knowledge of charter schools and her practical, hands-on experience in teaching and curriculum development, working with students with diverse backgrounds and managing educational programs to Westlake Charter School during this very critical stage of charter development and approval.

### Westlake Charter Committee Chairs

#### **Vanessa Arnaud, Ph.D., Co-Chair, Curriculum**

Vanessa has been involved in education and teaching for the past 11 years. While a graduate student of French at the University of California, Los Angeles, she received two distinguished teaching awards, published articles in academic journals, trained new instructors in methods of second language acquisition, and played an active role in the Graduate Students Association. After completing her doctorate, Vanessa taught at a private high school in San Francisco.

Vanessa and her husband, Alfred Arnaud, moved to the Westlake community in 2002. They have two children, Alfred (2 ½ years old) and Sarah (one month). Vanessa currently works at California State University, Sacramento where she teaches a wide range of topics including French composition, Business French, and Freshman Seminar. She is also involved with developing new curriculum for the University's General Education program. She hopes to use her experience to help create an innovative, inspiring, and sound curriculum for Westlake Charter School.

#### **Lisa Corr, Co-Chair, Governance/Legal**

(see above)

#### **Jennifer Duggan, Esquire, Co-Chair, Governance/Legal**

Jennifer is a partner at law firm of Porter Scott Weiberg and Delehant where her focus is in the area of civil litigation in both state and federal courts, particularly in the area of employment discrimination and harassment based on race, gender, age and disability, wrongful termination, civil rights and governmental tort liability. Jennifer's litigation practice also encompasses general negligence/personal injury work, including auto liability, personal injury, wrongful death, insurance and construction accidents.

Jennifer and her husband are residents of the Westlake community and have two children, McKenna (2½ years) and Tanner (two months). As a founding member of the Natomas Public Schools Foundation, she is excited about the curriculum proposed by Westlake Elementary Charter School and the unique opportunity to create a charter school with such a large group of dedicated parents all interested in the same goal of offering a unique form of public education to all students. She especially supports the student enrollment preference for students who come from homes where neither parent has a college degree. Neither one of Jennifer's own parents had college degrees and through their encouragement and support, she graduated from U.C. Davis with a B.A. and the University of Oregon with a law degree. She is committed to making this school a success.

#### **Michelle Ellis, Co-Chair, Curriculum**

Michelle is an experienced teacher with a California teaching credential in Art. She has over nine years of experience in the classroom, teaching 1st -8th grade students in a diversity of socioeconomic settings from San Francisco to Sacramento. For a portion of her seven-year tenure in the San Juan Unified School District (SJUSD), Michelle served as the middle school lead art teacher and the department chair for electives, which involved meeting facilitation, development of the SJUSD Art Standards and eighth grade pilot exam, organizing art shows, and

planning annual budgets for the electives department. She currently works for California State University, Sacramento as a supervisor to student teachers working toward their credential to teach art.

Michelle is the mother of a two year-old girl and a four year-old boy. She is interested in pursuing additional opportunities for K-5 schools and looks forward to working with the Westlake founding parents to develop a successful charter school. Her dream is to send her children to an innovative charter school, which approaches learning in a manner that includes core subjects and a wide range of enrichment opportunities that would help all children enjoy learning and look forward to going to school each day.

### **Cheryl Fallstead, Chair, Fiscal/Finance**

Cheryl is currently principal of Dos Rios Elementary School in Sacramento. She has taught in the North Sacramento School District for eight years and has been a principal in the district for four years. Her current responsibilities include developing a site budget based on both state and federal categorical funds as well as grants such as the Nell Soto Grant and the Reading First Grant. She also works with local businesses and organizations to bring in additional financial and material support to the school. Cheryl's work with the community has resulted in a strong lunch buddy mentor program, with an average of 70 mentors each year working with her students.

Cheryl has been a Natomas resident for almost three years and a Sacramento resident for 24 years. Her investment in the community has included involvement in scouting, the Red Cross, and the Leukemia Society. She holds a Masters degree in Educational Administration, an Administrative Credential and a Bachelors degree in Journalism. Cheryl has a 25 year-old son who graduated with an International Baccalaureate (IB) certificate from Mira Loma and with a B.A. in Film Production from New York University. She is excited about working to create a new educational opportunity for the children of Natomas, one that will allow students to stretch their boundaries and interest in the world.

### **Peggy McAllister, Communications Coordinator**

Peggy's professional background includes two years living in Japan, teaching English to Japanese high school and junior college girls. With this thrilling experience, she became a "world citizen" and has continued to find ways to teach or otherwise invest in people within her community. Peggy also taught adult ESL classes for five years in the Sacramento and San Juan Unified School Districts and for a local non-profit. Previously she served as Director of Community Services at a large church, initiating programs for people in the community such as after-school programs, adult workshops, and a food and clothing center. Peggy personally trained 100+ volunteers to service these programs. She has also initiated community events and networks within her current neighborhood.

Peggy has a five year-old son and a three year-old daughter. As a parent, she is ecstatic to participate in the planning of a creative school which will emphasize academics, all four venues of the arts and a foreign language - all in the context of a global perspective. She is proud to be a part of the amazing number of eager, competent and high-quality parents who are longing for an academically strenuous and innovative school for their children in their neighborhood.

### **Robynne Rose, Chair, Community Relations**

(see above)

### **Stephanie Thompson, Esquire, Chair, Facilities**

Stephanie currently teaches at McGeorge School of Law and has since 2003. Prior to teaching law, Stephanie worked as an attorney in Los Angeles for five years specializing in the area of employment law. Her background experiences, however, extend beyond law. During law school, Stephanie taught at Wilson High School, an inner-city high school in Washington, D.C. She has also been closely involved with her family's development business, which has provided her a working knowledge of land use planning and development issues. Since becoming a resident of Natomas, she has worked hard to become familiar and involved with the community and is dedicated to making the vision of the North Natomas Community Plan a reality.

Stephanie has a 2½ year-old daughter and is expecting her second child in mid-April. She is inspired by the charter school and the innovative opportunities the Westlake Charter School will offer to her children. She is excited to be a part of the development of a school that combines the love of learning with a balanced societal and international point of view.

### **Advisor**

#### **Charlie Leo**

Charlie Leo is the executive director of Natomas Charter School (NCS), a school he co-founded in 1993 with another teacher in the district. Over the past 12 years, NCS has expanded from 80 eighth-grade students to over 1100 students spanning grades K-12. Charlie is a veteran educator of over 19 years with experience in teaching secondary math and science in private and public schools.

Charlie embodies the phrase “edupreneur,” an innovative educator who sees new opportunities and creative solutions. In his role as an administrator at NCS, Charlie developed a solid base of community support for the charter school and for the district; and he facilitated the design and construction of the NCS campus. He is happy to provide advice and lend his experience to the Westlake Charter founding parents.

## **Exhibit B**

### **Founding Board**

The Founding Board was elected at a publicly advertised, publicly held election on March 7, 2005. The following individuals will serve as the Founding Board until a transition is made in the first two months of operation of the School to a permanent Board of Directors in accordance with the charter.

- 1) Robynne Rose, President
- 2) Lisa Corr, Vice-President
- 3) Lisa Menzmer, Secretary
- 4) Bruce Jones, Treasurer
- 5) Ting Sun

Biographies of the Founding Board members can be found in Exhibit A, attached to the charter.

## EXHIBIT C

### ENROLLMENT PREFERENCES

1. Children of Founders<sup>1</sup>
2. Children in a family, who meet the federal school guidelines for economic support known as "Title One" or "Free or Reduced Lunch" subsidy **AND** the parents or chief guardians are not graduates of a four-year college or university (this preference shall apply to a maximum of 20% of total grade-level enrollment);
3. Siblings of currently enrolled students
4. Children of School employees
5. District residents
6. Students from prior year wait list

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<sup>1</sup> For purposes of this Section, "Founders" is defined as any family who donated at least 50 hours of volunteer time to the creation of the charter prior to June 15, 2005.

## **EXHIBIT D**

### **SUSPENSION AND EXPULSION PROCEDURES**

This Pupil Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and well being of all students at the School. When the Policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction

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

Discipline includes but is not limited to advising and counseling students, conferring with parents/guardians, detention during and after school hours, the use of alternative educational environments, suspension and expulsion.

Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of or willfully causing the infliction of physical pain on a student. For purposes of the Policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to school property.

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

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

A student identified as an individual with disabilities or for whom, the School has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities in Education Act ("IDEA") or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 (Section 504) is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to regular education students except when federal and state law mandates additional or different procedures. The School will follow 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 the School has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students.

A. Definitions (as used in this policy):

1. "Board" means governing body of the Charter School
2. "Expulsion" means dis-enrollment from the Charter School

3. "School day" means a day upon which the Charter School is in session or weekdays during the summer recess.
4. "Suspension" means removal of a pupil from ongoing instruction for adjustment purposes. However, "suspension" does not mean the following:
  - a. Reassignment to another education program or class at the charter school where the pupil will receive continuing instruction for the length of day prescribed by the Charter School Board for pupils of the same grade level
  - b. Referral to a certificated employee designated by the Executive Director/Principal to advise pupils.
  - c. Removal from the class but without reassignment to another class for the remainder of the class period without sending the pupil to the Executive Director/Principal or designee.
5. "Pupil" includes a pupil's parent or guardian or legal counsel or other representative.
6. "School" means the Charter School.

**B. 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 the School or at any other school or a School sponsored event at anytime including but not limited to: a) while on school grounds; b) while going to or coming from school; c) during the lunch period, whether on or off the school campus; d) during, going to, or coming from a school-sponsored activity.

**C. Enumerated Offenses**

Students may be suspended or expelled for any of the following acts when it is determined the pupil:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force of violence upon the person of another, except self-defense.
2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Executive Director/Principal/Administrator of designee's concurrence.

3. 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.
4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
5. Committed or attempted to commit robbery or extortion.
6. Caused or attempted to cause damage to school property or private property.
7. Stole or attempted to steal school property or private property.
8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel.
9. Committed an obscene act or engaged in habitual profanity or vulgarity.
10. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5.
11. 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.
12. Knowingly received stolen school property or private property.
13. 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.
14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code 243.4.
15. 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.
16. Made terrorist threats against school officials and/or school property.
17. Committed sexual harassment.

18. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence.
19. 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.

The above list is not exhaustive and depending upon the offense a pupil may be suspended or expelled for misconduct not specified above.

Alternatives to suspension or expulsion will first be attempted with students who are truant, tardy, or otherwise absent from assigned school activities.

#### D. Suspension Procedure

Suspensions shall be initiated according to the following procedures:

##### 1. Informal Conference

Suspension shall be preceded, if possible, by an informal conference conducted by the Executive Director/Principal or the Executive Director/Principal's designee with the student and his or her parent and, whenever practicable, the teacher, supervisor or school employee who referred the student to the Executive Director/Principal. The conference may be omitted if the Executive Director/Principal or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or school personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference.

At the conference, the pupil shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given the opportunity to present his or her version and evidence in his or her defense.

This conference shall be held within two school days, unless the pupil waives this right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization.

No penalties may be imposed on a pupil for failure of the pupil's parent or guardian to attend a conference with school officials. Reinstatement of the suspended pupil shall not be contingent upon attendance by the pupil's parent or guardian at the conference.

##### 2. Notice to Parents/Guardians

At the time of the suspension, a School employee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is

suspended, the parent/guardian shall be notified in writing of the suspension. This notice shall state the specific offense committed by the student. In addition, the notice may also state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may request that the parent/guardian respond to such requests without delay.

3. Suspension Time Limits/Recommendation for Expulsion

Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension.

Upon a recommendation of expulsion by the Executive Director/Principal, the pupil and the pupil's guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. This determination will be made by the Executive Director/Principal upon either of the following determinations: 1) the pupil's presence will be disruptive to the education process; or 2) the pupil poses a threat or danger to others. Upon either determination, the pupil's suspension will be extended pending the results of an expulsion hearing.

E. Authority to Expel

A student may be expelled either by the School Board following a hearing before it or by the School Board upon the recommendation of an Administrative Panel to be assigned by the School Board as needed. The Panel should consist of at least three members. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense.

F. Expulsion Procedures

Students recommended for expulsion are entitled to a hearing to determine whether the student should be expelled. Unless postponed for good cause, the hearing shall be held within thirty (30) school days after the Executive Director/Principal or designee determines that the Pupil has committed an expellable offense.

The expulsion hearing will be presided over by the School Board President or the chair of the Administrative Panel. In the event an administrative panel hears the case, it will make a recommendation to the School Board for a final decision whether to expel. The hearing shall be held in closed session unless the pupil makes a written request for a public hearing three (3) days prior to the hearing.

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

1. The date and place of the expulsion hearing;

2. A statement of the specific facts, charges and offenses upon which the proposed is based;
3. A copy of the 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 school to any other school district 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 an advocate;
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.

G. Record of Hearing

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

H. 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 shall be based solely on the evidence at the hearing. While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay and sworn declarations may be admitted as testimony from witnesses of whom the School Board, Panel or designee determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

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

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

I. Written Notice to Expel

The Executive Director/Principal or designee following a decision of the School Board to expel shall send written notice of the decision to expel, including the Board's findings of fact, to the student or parent/guardian. This notice shall include the following:

1. Notice of the specific offense committed by the student
2. 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 School.

The Executive Director/Principal or designee shall send written notice of the decision to expel to the Student's District of residence, and the Natomas School District.

This notice shall include the following:

- a) The student's name
- b) The specific expellable offense committed by the student

J. Disciplinary Records

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

K. Expelled Pupils/Alternative Education

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

L. Rehabilitation Plans

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

M. Readmission

The decision to readmit a pupil or to admit a previously expelled pupil from another school district or charter school shall be in the sole discretion of the Board following a meeting with the Executive Director/Principal 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 will be disruptive to the school environment. The Executive Director/Principal shall make a

recommendation to the Board following the meeting regarding his or her determination. The pupil's readmission is also contingent upon the School's capacity at the time the student seeks readmission.

**Westlake Charter School  
Multi-Year Budget**

	2004-05	2005-06	2006-07	2007-08
Revenue & Resources				
Projected Enrollment K-3 *		120	160	160
Projected Enrollment 4-6 *				40
Projected Enrollment 7-8 *				
Projected Enrollment 9-12 *				
<b>Total Projected Enrollment</b>	<b>0</b>	<b>120</b>	<b>160</b>	<b>200</b>
Sub-total Apportionment & Cat Block Grant Revenue	\$ -	\$ 589,380	\$ 785,840	\$ 985,260
Sub-total All Other State & Categorical Revenue	\$ -	\$ 123,544	\$ 134,128	\$ 141,253
Federal Revenue				
Local Revenue		\$ 100,000	\$ 50,000	\$ 50,000
Other Revenue				
Total all other Public revenue	\$ 250,000	\$ 812,924	\$ 969,968	\$ 1,176,513
<b>Total Revenue &amp; Resources</b>	<b>\$ 250,000</b>	<b>\$ 1,012,924</b>	<b>\$ 1,069,968</b>	<b>\$ 1,176,513</b>
Total Certificated Salaries		\$ 325,880	\$ 427,596	\$ 493,551
Total Classified Salaries		\$ 42,230	\$ 48,250	\$ 62,788
Total Employee Benefits		\$ 121,705	\$ 154,131	\$ 185,220
Total Books and Supplies		\$ 213,000	\$ 90,000	\$ 90,000
Total Services and Other Operating Expenditures		\$ 159,500	\$ 165,875	\$ 173,066
Total Capital Outlay		\$ 101,000	\$ 20,000	\$ 20,000
Total Other Outgo		\$ 3,706	\$ 4,024	\$ 4,238
<b>Total Budgeted Expenditures</b>	<b>\$ 167,130</b>	<b>\$ 967,022</b>	<b>\$ 909,876</b>	<b>\$ 1,028,862</b>
<b>Summary of Budget</b>				
<b>Total Revenue &amp; Resources</b>	<b>\$ 250,000</b>	<b>\$ 1,012,924</b>	<b>\$ 1,069,968</b>	<b>\$ 1,176,513</b>
<b>Total Budgeted Expenditures</b>	<b>\$ 167,130</b>	<b>\$ 967,022</b>	<b>\$ 909,876</b>	<b>\$ 1,028,862</b>
<b>Annual Operating Surplus (Deficit)</b>	<b>82,870.00</b>	<b>45,902.19</b>	<b>160,091.96</b>	<b>147,650.40</b>
<b>Percent of Expenses</b>	<b>49.58%</b>	<b>4.75%</b>	<b>17.59%</b>	<b>14.35%</b>
<b>Cumulative Operating Surplus (Deficit)</b>	<b>82,870.00</b>	<b>128,772.19</b>	<b>288,864.14</b>	<b>436,514.54</b>
<b>Percent of Expenses</b>	<b>49.58%</b>	<b>13.32%</b>	<b>31.75%</b>	<b>42.43%</b>

Westlake Charter School

Cash Flow Year 1 of Operations:

2005-06

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
<b>BEGINNING CASH</b>	\$ 82,870	\$ 29,517	\$ 294	\$ 59,409	\$ 643	\$ 135,950	\$ 181,330	\$ 221,316	\$ 224,396	\$ 201,792	\$ 169,467	\$ 147,241	\$ 82,870
<b>RECEIPTS</b>													
Federal Revenue		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Local Revenue	\$ 5,000	\$ 5,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 23,784	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 5,000	\$ 118,784
Other Revenue	\$ -	\$ -	\$ -	\$ -	\$ 200,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 200,000
<u>State Aide and Categorical Block Grant</u>			\$ 137,721			\$ 97,215		\$ 67,773	\$ 33,886	\$ 33,886	\$ 33,886		\$ 404,366
<u>K-3 Class Size Reduction Full Day/Half Day</u>			\$ -				\$ 104,678					\$ -	\$ 104,678
<u>California Lottery (quarterly)</u>													\$ -
Charter School In Lieu Property Taxes	\$ -	\$ 9,130	\$ 18,261	\$ 12,174	\$ 12,173	\$ 12,173	\$ 12,174	\$ 12,173	\$ 21,302	\$ 10,654	\$ 10,654	\$ 10,654	\$ 141,522
Subtotal State Funding	\$ -	\$ 9,130	\$ 155,982	\$ 12,174	\$ 12,173	\$ 109,388	\$ 116,852	\$ 79,946	\$ 55,188	\$ 44,540	\$ 44,540	\$ 10,654	\$ 650,566
<b>TOTAL RECEIPTS</b>	\$ 5,000	\$ 14,130	\$ 165,982	\$ 22,174	\$ 222,173	\$ 133,172	\$ 126,852	\$ 89,946	\$ 65,188	\$ 54,540	\$ 54,540	\$ 15,654	\$ 969,350
<b>DISBURSEMENTS</b>													
1000 Certificated Salaries		\$ -	\$ 32,588	\$ 32,588	\$ 32,588	\$ 32,588	\$ 32,588	\$ 32,588	\$ 32,588	\$ 32,588	\$ 32,588	\$ 32,588	\$ 325,880
2000 Classified Salaries	\$ 3,519	\$ 3,519	\$ 3,519	\$ 3,519	\$ 3,519	\$ 3,519	\$ 3,519	\$ 3,519	\$ 3,519	\$ 3,519	\$ 3,519	\$ 3,519	\$ 42,228
3000 Employee Benefits	\$ 10,142	\$ 10,142	\$ 10,142	\$ 10,142	\$ 10,142	\$ 10,142	\$ 10,142	\$ 10,142	\$ 10,142	\$ 10,142	\$ 10,142	\$ 10,142	\$ 121,705
4000 Books and Supplies	\$ 21,300	\$ 11,300	\$ 31,300	\$ 11,300	\$ 17,225	\$ 17,225	\$ 17,225	\$ 17,225	\$ 17,225	\$ 17,225	\$ 17,225	\$ 17,225	\$ 213,000
5000 Services and Other Operating Expenditures	\$ 13,292	\$ 13,292	\$ 13,292	\$ 13,292	\$ 13,292	\$ 13,292	\$ 13,292	\$ 13,292	\$ 13,292	\$ 13,292	\$ 13,292	\$ 13,292	\$ 159,500
6000 Capital Outlay	\$ 10,100	\$ 5,100	\$ 15,100	\$ 10,100	\$ 10,100	\$ 10,100	\$ 10,100	\$ 10,100	\$ 10,100	\$ 10,100	\$ -	\$ -	\$ 101,000
7000 Other Outgo	\$ -	\$ -	\$ 926		\$ -	\$ 926			\$ 926	\$ -	\$ -	\$ 926	\$ 3,704
<b>TOTAL DISBURSEMENTS</b>	\$ 58,353	\$ 43,353	\$ 106,867	\$ 80,941	\$ 86,866	\$ 87,792	\$ 86,866	\$ 86,866	\$ 87,792	\$ 86,866	\$ 76,766	\$ 77,692	\$ 967,017
<b>ACCRUAL TRANSACTIONS</b>													
Accounts Receivable	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Accounts Payable	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>TOTAL Accrual Transactions</b>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>NET INCREASE/DECREASE</b>	\$ (53,353)	\$ (29,223)	\$ 59,115	\$ (58,767)	\$ 135,307	\$ 45,380	\$ 39,986	\$ 3,080	\$ (22,604)	\$ (32,326)	\$ (22,226)	\$ (62,038)	\$ 2,333
<b>ENDING CASH</b>	\$ 29,517	\$ 294	\$ 59,409	\$ 643	\$ 135,950	\$ 181,330	\$ 221,316	\$ 224,396	\$ 201,792	\$ 169,467	\$ 147,241	\$ 85,203	\$ 85,203
<b>ENDING CASH, PLUS ACCRUALS</b>	\$ 29,517	\$ 294	\$ 59,409	\$ 643	\$ 135,950	\$ 181,330	\$ 221,316	\$ 224,396	\$ 201,792	\$ 169,467	\$ 147,241	\$ 85,203	\$ 85,203