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Affirmations and Assurance

Primary Charter School (hereinafter “[PCS]) shall:

- **Be nonsectarian in its programs, admission policies, employment practices, and all other operations. EC 47605(d)(1)**
- **Not charge tuition. EC 47605(d)(1)**
- **Not discriminate against any pupil on the basis of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code. EC 47605(d)(1)**
- **Admit all pupils who wish to attend the school. EC 47605(d)(2)(A)**
- **Determine attendance by a public random drawing, if the number of pupils who wish to attend the charter school exceeds the school’s capacity. Preference shall be extended to pupils who currently attend the charter school and pupils who reside in the District. EC 47605(d)(2)(B)**
- **If a pupil is expelled or leaves the charter school without graduating or completing the school year for any reason, the charter school shall notify the superintendent of the school district of the pupil’s last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card, and health information. EC 47605(d)(3)**
- **Meet all statewide standards and conduct the pupil assessments required pursuant to Educ. Code sections 60605 and 60851 and any other statewide standards authorized in statute or pupil assessments applicable to pupils in non-charter public schools. EC 47605(c)(1)**

Consult, on a regular basis, with the charter school’s parents, legal guardians, and teachers regarding the school’s educational programs. EC 47605(c)(2)

Primary Charter School Authorized Lead
Petitioner

By: _____

Virginia Stewart

Name: _____

Date: _____

Track Record of Success

Primary Charter School (PCS) opened in 2004 with 60 students in Kindergarten, first and second grade and now boasts an enrollment of 363 students in Transitional Kindergarten through fourth grade. A waiting list of 541 exists and is updated annually. The current site is an exceptional for the primary program since large classrooms support the phase structure used by PCS. The charter recognized there was a need for a Transitional Kindergarten with no additional room at the Clover Site. The Transitional Kindergarten is located at 238 West Grantline Road, Tracy California. This program will be located with the Tracy Learning Center PreK program. The location is being leased for a period of three years.

PCS has enjoyed steady increases in student achievement in its current charter term as demonstrated by its Academic Performance Index (API) and exceeds the performance of other Tracy Area public schools.

YEAR	2009	2010	2011	2012	2013
API Score	911	895	930	931	929

2013 API Subgroups

Group	Number of students	Significant population	2013 Growth	2012 Base	Growth Target	2012-13 Growth	Target Met
School Wide	208		929	931	A	-2	YES
African American	22	NO	850	877			
American Indian	0	NO	NA	NA			
Asian	30	NO	988	986			
Filipino	5	NO					
Hispanic	70	YES	892	884	A	8	YES
Pacific Islander	1	NO	NA	NA			
White	65	YES	962	954	A	8	YES

Two Races	15	NO	915	927			
Socio/Economic Disadvantaged	25	NO	885				
English Learners	34	NO	914	873		44	
Students with Disabilities	16	NO	838	793			
Foster Youth	2	NO					

PCS has demonstrated a consistent increase in scores over the last five years when state tests were reported despite an increase in enrollment and diversity. PCS has met growth targets for all subgroups which, per Education Code § 47607(a)(3), is the most important factor for determining whether to grant a charter renewal. PCS has successfully added certificated teachers for physical education, art and music and has maintained a 1:17 ratio within the confines of the general budget. Parents regularly volunteer in the classrooms and support school wide events. On surveys, parents indicate a high level of satisfaction with the school.

Elements 1 and 2: Educational Program of Primary Charter School and Student Measurable Outcomes.

Governing Law: “a description of the educational program of the school designed, among other things, to identify those to whom the school is attempting to educate, what it means to be an ‘educated person’ in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling pupils to become self motivated, competent, and life long learners.” Education Code Section 47605(b)(5)(A) (i).

Governing Law: “a description for the charter school of annual goals for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school, and specific annual actions to achieve to those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals.” Education Code Section 47605 (b)(5)(A)(ii).

Governing Law: “ The measurable pupil outcomes identified for use by the charter school pupil outcomes’ for purposes of this part, means the extent to which all pupils of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school’s educational program. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both school wide and for all groups of pupils served by the charter school, as that term is defined in subparagraph (B) of paragraph (3) of subdivision (a) of Section 47607. The pupil outcomes shall align with the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served or the nature of the program operated by the charter school.” Education Code Section 47605 (b)(5)(B).

1. Mission

Primary Charter School is a small elementary school that focuses on building strong fundamental skills for all students in the areas of reading, writing, and mathematics in a school and classroom environment that fosters social-emotional growth.

2. The Vision

When students leave Primary Charter School, they demonstrate an enthusiastic love of learning and know how to be both independent and collaborative learners.

3. Educational Philosophy

Primary Charter School provides a rigorous innovative approach to learning

fundamental skills. Teachers are guided by core principles that reflect the state frameworks and common core standards. They use instructional strategies that are based on research related to multiage, differentiated and small group instruction as well as project based learning and performance related tasks demonstrating mastery of Common Core Standards. The students demonstrate a consistent readiness for learning and are taught at the appropriate level of intervention. This makes it possible for all students to be challenged. Parents are involved in the school as volunteers, and support at home as students become masterful in the foundational skills needed to be successful in middle and high school. The school wide outcomes help students and staff focus on acquiring skills and understanding in the importance of collaboration, communication, and citizenship as they prepare to interact in the real world around them.

Primary Charter School embraces several educational concepts when designing programs and instructional strategies to meet the needs of the students. Jerome Bruner, Toward a Theory of Instruction, is the basis for justifying grouping students for instruction, particularly in the area of mathematics and language arts. His philosophy states that all students can learn if instruction is at the appropriate level of instruction. For this reason students are assessed at the beginning of each year to ensure that their instructional program is appropriate for their needs. It is not unusual for students to change groups over the five years they are at PCS. It is exciting to learn that a student once below grade level is now at a grade level instructional group. When students are taught at the appropriate level, learning increases.

Instructional practices are based on the work done by Doug Lemov in Teach Like a Champion. Staff utilizes the practices listed in the book to foster student involvement in the interaction of learning in the classroom and to ensure checking for understanding throughout interactive lessons.

The notion of working towards higher levels of thinking and application in each of the content areas is addressed utilizing the work done by Mike Schmoker as explained in his book, Focus. Teachers utilize a variety of assessment tools and design curriculum based on the work of Janet Kierstead who pioneered the idea of project based curriculum which begins with the end in mind and develops benchmarks towards the final product and thinking required for understanding the course concepts. Textbooks are not used at Primary Charter School, rather teachers design curriculum and the materials needed to deliver the curriculum using a variety of instructional avenues including the Internet, published materials, videos, and teacher made materials.

David Pratt, PhD, in his paper, *The Merits of the Multiage Classroom*, notes “that strict age segregation is essentially a phenomenon of the last century. Research studies

show no consistent benefits to age segregation. “ Studies indicate a affective and social advantage from multiage grouping. His paper concludes that multiage or multigrade classrooms are socially and psychologically health classroom environments.

Primary Charter School recognizes the need for formal assessment other than state testing. All teachers who teach the same curriculum across phases administer the same unit and final tests. Comparisons are made among teachers and data is collected regarding student outcomes on the tests. All assessment is based on state standards and the emerging Common Core Standards. Teachers use assessment to review their own success helping students learn. Analysis helps teachers know what students continue to need to learn or have reinforced. Additions or revisions for the curriculum are based on these analyses.

Teachers in the Transitional Kindergarten program will continue the philosophy of Primary by differentiating instruction to meet the needs of a diverse group of young five year olds. Each student is interviewed and assessed to better prepare for the level of instruction needed prior to entering the program. Some students will be instructed at a pre-K level while others may be more advanced and require instruction at a first grade level.

4. Program Design

Primary Charter School (PCS) provides a six -year program through four organizational classroom models: Transitional Kindergarten (PreInitial phase) consisting of 33 students who were too young for Kindergarten but ready for school. There are three teachers and one learning guide working with these students for a 1 to 11 ratio. Initial Phase (kindergarten), consisting of 66 students in a classroom with four teachers and two instructional aides. . Phase One (grades 1 and 2), consists of three rooms of 44 students each. There are three teachers in each room creating a ratio of 1 to 13 students. Phase Two (grades 3 and 4), consists of 44 students in three classrooms with three teachers Within each of these classroom structures, small group instruction is the norm, and provides the foundation for meeting individual differences among learners and promoting success for all students. Students are able to excel or have an opportunity for remediation as needed.

Transitional Kindergarten and Kindergarten are not part of the multiage structure since students are just beginning and come from a wide range of experiences that makes them multi-experienced. Therefore the Initial phase programs prepare students for the multiage program to follow.

Because of the multiage approach, the instructional program is structured to contain a two year curriculum cycle in each phase that supports student school wide goals for skill development in the areas of effective citizenship, college ,and career awareness and the confidence to develop and achieve goals. These school wide outcomes (SWOs) are

posted in all rooms. Teachers use them to develop lesson plans and projects and incorporate them into all instruction to create relevance. Over the four years, students are able to show significant improvement in each area of the SWOs.

- Productive Workers
- Proud Individuals
- Positive Cooperators
- Polite Citizens

The culture of PCS is both collaborative and competitive, and at all times focuses on personal and academic growth. Through distinctive grade level groupings, smaller communities of students and staff are able to develop unique identities within the scope of the school wide vision and mission. Celebrations are frequent, honoring both academic achievements and personal accomplishments.

Student behavior is guided to be positive, focused, and interactive in each classroom setting. At the beginning of each school year, returning students in Phase One and Two help the teachers reinforce classroom behaviors and expectations by modeling for the younger students in initial phase. Each classroom reinforces positive behavior by using the SWO charts where students earn stickers as they demonstrate the four character traits. As a result of this flexible structure in which students can understand and meet expectations, they gain self confidence and self esteem.

PCS has developed a curriculum that is aligned with the Common Core State Standards (CCSS) and the California State Curriculum Frameworks. Instructional materials and methods are developed using a variety of sources and include blended learning to maximize resources. Teachers develop weekly lesson plans and ensure appropriate pacing of their lessons.

PCS is a strong advocate for the education of the whole child. Students develop their creative expression through daily art and music electives, and develop physical skills as well as skills in cooperation and teamwork through daily physical education. They participate in a variety of community outreach opportunities.

Parents are integral to learning and PCS uses a variety of methods to create high levels of parent involvement including a school website with class specific pages containing newsletters, calendars, and relevant class information. Once a week, parents are electronically sent the “Charter Chatter”, which is a weekly update of school events. PCS also conducts Back to School Night, Evening of Excellence, and Parent/Teacher/Student report conferences. Parents are encouraged to join the parent advisory group, English Learner Advisory Committee, and safety committee. The model for parent involvement will be mirrored in our Transitional Kindergarten as well.

5. Who Will Primary Charter School Serve

Advertisements were placed in the charter newsletter and in the local newspaper to recruit students for the Transitional Kindergarten program. Once there are 33 students enrolled, students will be placed on a waiting list.

Primary Charter School (PCS) meets the needs of the Tracy community by recruiting students from throughout the Tracy area, and providing a sound education program to a diverse population of students that is reflective of the Tracy community and who have a wide range of abilities. The majority of students currently enrolled at PCS reside in the Tracy Unified School District (TUSD) High School boundaries. This includes students who are in the Elementary Districts of Jefferson and Banta. The current kindergarten enrollment consists of 88% from TUSD schools, .03% from other Tracy schools, and .08% from outside the Tracy area. Most students who enroll at the Tracy Learning Center intend to remain for a K-12 educational experience. The first K-12 students will graduate from Millennium High School in 2016.



6. What It Means to be an Educated Child in the 21st Century

The instructional strategies designed to meet student needs are built upon the following significant characteristics of learning for the 21st century:

Not confined to a single place: Learning is not confined to the classroom. It occurs wherever students and staff are and it occurs throughout the day of our students. PCS acknowledges that learning does not only occur in school, and we welcome students

sharing experiences and learning which has occurred outside. PCS provides a variety of opportunities for students to use technology both in the classroom and at home. Students are taught to use technology wisely and as a key tool for understanding the world in which they live.

Not confined to a time: PCS and the Tracy Learning Center far exceed the traditional academic year by providing classroom-based instruction for 205 days and extended school hours.

Not confined to a single person: Multiage classrooms consisting of 66 students and four adults provides multiple opportunities for learning from several different experiences, strengths and personalities.

Not confined to a single style: Instruction is differentiated to meet the needs of diverse learners within learning group settings.

Not confined to paper based information: Traditional textbook instruction is no longer the primary source of materials for learning. Students and staff utilize current technological resources for teaching and learning.

Not confined to memorization: In alignment with CCSS and the state frameworks, PCS emphasizes the ability to access and use knowledge to solve problems and apply information in new and different ways.

Communication skills: Emphasis is placed on speaking and listening, which are necessary to be effective members of society. Within the classroom, students give oral presentations, and are expected to be participants in a variety of settings.

Reading and writing skills: There is a difference between traditional reading and writing versus reading from multiple sources on the internet, and processing information for others to read. Blending the California State Frameworks and CCSS, PCS recognizes that students need to read about careers and college readiness as early as Phase One. Students learn the importance of literacy related to career areas. Student writing reflects personal thought as well as a blend of information gained from research and other non-fiction text.

Problem solving and critical thinking: Students need to know how to access information and apply it to life situations using a variety of problem solving processes in all subjects. Students become masterful in using a variety of strategies to complete assigned tasks. They are able to work independently or in a collaborative group to solve complex problems related to several curriculum areas.

Information literacy: Students learn how to find information from a variety of resources and use it appropriately. After locating information, students are able to discern the value of the information they have located and what the information actually says so they can learn from it and describe it in their own summaries. Information literacy requires a broad range of exposure to many different sources regarding career avenues and interests.

Technology as a tool: PCS classrooms house a variety of technological tools. Students learn to use technology as a daily part of the school day. They learn to perceive that technology is a source of information and expression of what is learned. The staff utilize software to differentiate instruction for students and as a way to practice newly acquired skills. With the implementation of CCSS, students learn to use technology as the medium and demonstrate mastery of skills using a variety of technology tools.

Personal skills: PCS students learn necessary essential skills for personal expression and social interaction.

7. How Learning Best Occurs

PCS applies the best of research proven strategies to provide a rich and rigorous academic program that gives all students the opportunity to be successful. PCS believes that learning best occurs:

in a collaborative environment. Research has shown that school success is dependent upon collaboration and goals (Schmoker, 2011). Collaboration among teachers, between students and teachers, between parents and teachers, and administration and community, is necessary for a successful school. At every level from Transitional Kindergarten to Phase Two teams of teachers are assigned to work collaboratively within a single classroom to provide small and whole group instruction that best meets the needs of the students and builds on individual teachers' strengths.

when instruction is at the appropriate level of student intervention. (Bruner, 1980) PCS is prepared to instruct students based on prior learning and instructional needs which may not be at grade level. Students progress based on their instructional level rather than a grade level plan. For some students, this means progressing on a course of study above grade level while others work at or below grade level in the same classroom. Teachers understand the necessity for differentiated instruction using a small group instructional approach for language arts and mathematics.

in a climate where there are measurable goals. CCSS and California state

frameworks are used to develop lessons with daily learning targets using a backward planning model. (Moss and Brookhart, 2012). Once unit and lesson plans are developed, staff communicates to students the desired outcomes and uses a variety of assessment tools to determine mastery. Thus, every student is taught using standards-aligned instructional objectives.

in a climate of accountability. “What gets measured gets done.” (Schmoker, 2011) The PCS data analysis coordinator presents all data to the staff for reflection and feedback. Data is used as the basis for goals for improvement. Test data is also available to parents, students and other stakeholders.

with highly specialized teachers and staff. Staff, in the words of Mike Schmoker, (2011) rely on leaders to provide simplicity, clarity and priority so they can become masterful teachers who remain focused on the emphasis of authentic literacy and critical thinking in the presentation of all subject areas. PCS provides a broad spectrum of opportunities for curriculum development, instructional strategy workshops, and peer observations and feedback. Lead teachers at each level provide specific guidance and feedback to promote the most effective team.

with safeguards and support for students when needed. PCS recognizes the need for a personal and caring approach for students who are not doing as well as expected. Using a model of small group instruction, English language learners and students with special needs are monitored for progress and appropriate intervention is systematized using the school adopted Student Study Team model.

in a program that incorporates technology. Technological innovations enhance communication and hence relationships within the academic environment and provide students with the knowledge and skills. Each classroom is equipped with approximately ten computers, including desk tops, laptops, and pads. Students use them to access applications for writing and developing presentations, and to conduct research. Student use of technology is monitored by staff and websites are screened by the Director of Technology. All students in grades one to four have contracts for technology use signed by both their parents and themselves.

8. How Primary Charter School Achieves Academic Success

A. Acquiring and maintaining an excellent staff PCS identifies its staffing needs by March of each year. Through effective advertising for highly qualified teachers, and its highly positive reputation in the local and broader education community, PCS is able to develop an excellent pool of candidates from which current teachers and administrative staff interview and make hiring recommendations. Final hiring decisions are made by

the Primary Director and the Executive Director. PCS has a high percentage of teacher retention. Over 80% of the current staff has been employed since the previous renewal. All new teachers work in a collaborative team that guides and supports the critical first year of teaching, ensuring that the isolation often experienced by new teachers assigned as the sole teacher to a classroom. Student performance is one measure of teacher effectiveness. In addition, other factors are considered such as ability to work in a collaborative team, adherence to the adopted curriculum and the relationship of the teacher to the students. School Director, the Executive Director, and experienced teachers observe and give feedback to the staff members regarding their effectiveness with instruction.

B. Homework PCS understands that homework at the primary level has the most impact when parents work together with their student to master the concepts and develop independent study habits. Assignments due at the end of the week support busy family schedules, and PCS supports parents involvement in student work through its excellent communication system, which includes weekly calendars, and work folders as well as classroom website and classroom newsletters. Parents are given suggestions for how to foster learning at home in the earlier grades rather than specific homework to be completed.

C. Evaluation Students are evaluated based on their instructional level for mathematics and language arts. Embedded in the curriculum are weekly assessments. These assessments help determine the pacing and the need for reinforcement for individual students and groups. Technology based assessment is used to determine students mastery of reading comprehension and mathematical concepts. Teachers are aware of the need to review all assessment tools to plan appropriate pacing of the curriculum assigned to that group.

Parent/teacher report conferences are usually very positive and reinforcing while still being realistic since they are based on data provided through curriculum based assessment. Parents understand the level of work being evaluated because the instructional level of the group is identified (below grade level, at grade level, or above grade level state standards). Standardized testing keep staff aware of individual student's mastery of grade level standards and anchors curriculum made tests to the state expectations.

D. Student Involvement PCS instills the concept and value that every student has a meaningful contribution to make to his/her learning community and classroom. Multiage grouping gives older students many opportunities for modeling and supporting younger students. Students interaction is a major part of the school day, and all students are expected to participate in teacher led and peer group discussions. Students are also

involved in school leadership activities and daily unity. Daily unity, a school wide assembly, is conducted each morning prior to classroom instruction to celebrate student successes or special days and to focus the students on SWOs and other aspects of learning. The students engage in a daily chant that energizes them to participate in a full day of learning. The Transitional Kindergarten program will conduct classroom unity each morning to prepare to the transition to the Primary site.

E. Parent Involvement PCS parents have multiple opportunities to become involved not only in their own student's success but in the success of the school. To maximize parent involvement, PCS implements a variety of access points for parents. Teachers maintain a website where parents can access information about their child's classroom. A weekly Tracy Learning Center newsletter (Charter Chatter) is sent electronically to parents, updating them on important information about PCS. Weekly folders serve as the mainstay of communication between parents about PCS. The English Language Advisory Committee (ELAC) support English Learners and their parents. Parents from Transitional Kindergarten through twelfth grade are included in the ELAC meetings. PCS relies on its parents for fundraising and for monitoring and addressing safety.

F. Attendance The PCS school year (Transitional Kindergarten through grade four) consists of 205 school days, providing an additional 25 days to the traditional school year. The PCS school day begins at 8:13 and ends at 3:30 for all students. The average PCS daily attendance rate in the current charter term is 96.9%, demonstrating a high level of pupil engagement.

G. Student Recognition The school understands the importance of honoring students who achieve success in a variety of ways. Some of the ways students are recognized include:

State Test Score certificates with a gift certificate attached were given to the students who achieved a perfect score on any state test. With the onset of Smarter Balance tests, this award will need to take a new approach. All students participate in a celebration when the school API goal of 900 is met or exceeded. As new testing begins using CCSS, PCS will adjust these benchmarks.

SWO Awards are given to students who demonstrate consistent understanding and application of each SWO area.

Evening of Excellence is an annual showcase of student work in which students invite their parents to celebrate and enjoy the evidence of a successful year in school.

Great Green Behavior is recognized each trimester for students who have had positive

behavior inside and outside the classroom. At the end of the year, special recognition is given to those who had a positive “green” year (as amazing as this seems, the majority of PCS students get this award). In a multiage setting, the older students serve as a great model for those entering the phase and provide concrete examples of success in the area of classroom and outside behavior.

Golden Shoe Awards are given weekly to classrooms who demonstrate excellent participation and focus each week in physical education.

Birthdays or Special Days are identified during morning unity.

Student of the Month Awards are given during morning unity each month to students who have exhibited exemplary behavior and work. This award is based on adherence to the four SWOs throughout the entire month.

H. Behavior is an important ingredient to student and school success. Expected positive behaviors are listed in each classroom and encouraged and reinforced by all teachers. It is PCS policy to focus on positive reinforcement as opposed to focusing on negative behavior. When students are experiencing difficulty interacting positively, teachers work with parents to develop effective intervention plans. When indicated, a student study team (SST) is created to develop a plan to help the students overcome problematic behavior.

I. Intervention for students is a key factor in supporting students having difficulty being successful. Small group instruction at the appropriate level of instruction prevents need for intervention. When more is needed, a study club is available after school for students in grades 1 to 4 four days a week, and parent/student homework is customized to meet students at their current level of understanding and skill.

J. Advancement PCS students who are performing above grade level access curriculum that deepens their understanding of subject area concepts and where indicated are given advanced grade level work.

9. Instructional Programs

The instructional program at PCS has been designed to effectively teach a rigorous academic program that prepares students for middle school. Through a comprehensive curriculum and differentiated instructional strategies, kindergarten through fourth grade goals are aligned to the CCSS, California state frameworks, school wide outcomes, and the PCS mission. Included in the appendix is a trimester curriculum map for each phase. These will be revised due to a change in phase grade levels and need for

update to better comply with common core emphasis. Instructional strategies include small group instruction, technology assisted blended instruction, direct instruction for large and small groups and interactive lecture approaches.

Language Arts includes: vocabulary, grammar, mechanics of writing, reading, rhetorical writing and literature. Students read fiction and nonfiction as early as first grade. Transitional Kindergarten and Kindergarten students learn alphabet recognition and start formal reading instruction. Reading is connected to writing and discussions for a holistic approach. PCS recognizes the importance of a solid foundational set of skills for success in reading and writing.

Social Science begins in Transitional Kindergarten Phase with a study of community and our place in it. Phase One focuses on community helpers. Phase Two addresses both third and fourth grade CCSS and California state frameworks.

Physical Education instruction is provided to all students for a half hour each day. Skills and sportsmanship are a part of the curriculum.

Science includes content as well as experimentation and hands-on learning. All grades include a blend of physical, earth, and life science. The younger the grade level, the more hands on and discovery and observation is used.

Mathematics students work to solve problems, learn concepts and skills to successfully master grade level CCSS and California state frameworks. Areas include: number sense, algebra and functions, measurement and geometry, statistics and data analysis as well as probability.

Visual and Performing Arts is a part of the school day for all phases. Students in grades K to 4 participate in art or music activities each day under the supervision and instruction of certificated teachers. Transitional Kindergarten incorporates physical activities as part of the daily routine.

School Wide Outcomes are emphasized at each level and are embedded in the work students do in all curriculum areas.

All curriculum reflects the California Implementation Plan for CCSS and the California state frameworks.

10. Curriculum and Materials

Curriculum

The curriculum of PCS is consistent with the CCSS and the California state frameworks. Moreover, PCS provides students with access to a broad course of study.

Understanding students' area of strength and the development of the total child are emphasized at PCS, in recognition that learning is not confined to a single person at a single time from a single source. Therefore, PCS does not use textbooks as the primary

source of educational materials for instruction. Instead, teachers utilize multiple resources, included, but not limited to, the Internet, software applications, manipulative materials, books, videos, student presentations, speakers, field trips, and nonfiction articles from print sources. Resources chosen reflect the standards set by the State of California frameworks, and reflect the Common Core Standards as they are released. The following is a brief summary of the general curriculum studied.

Language Arts

In each grade, the English language arts curriculum has a specific purpose, but all grades utilize reading, writing, grammar, and vocabulary as means of developing students understanding of the English language, both in its technical aspects as well as in its creative aspects.

Pre Initial Phase,(Transitional Kindergarten) begins the formal education for those starting at this phase. Students are pre-assessed at an enrollment interview and begin their formal public education at the appropriate level of language readiness. Students who are advanced will begin with Kindergarten curriculum.

Initial Phase is the beginning phase of formal education. Students are assessed to determine the appropriate level of instruction. For instructional purposes, students are grouped according to academic learning need. Those beginning to learn about print are introduced to the alphabet and letter sounds. This evolves into early reading and comprehension which leads to the start of simple writing. Those who already know letters and sounds begin to start formal reading using sight words and blending of sounds. They continue to read a variety of sources and books, and instruction not only focuses on decoding but comprehension as well. In addition, students continue to learn more advanced sight words and teachers begin spelling, punctuation, and grammar instruction which are all parts of the formal writing development process. Students who begin the Initial Phase already reading well, continue to learn using an advanced first grade curriculum.

Phase One and Phase Two build on the previous phases allowing students to continue their instruction at their identified readiness levels. Those who are just emerging as readers begin with the grade level curriculum for first grade and continue for the next two years in developing skills in reading, comprehension, mechanics, and writing. This instructional approach supports students to reach grade level by the time they enter Phase Two. Those who have been in middle instructional groups in Initial Phase will progress with grade level standard instruction for two years master grade level standards by the completion of this Phase. Advanced students can work above grade level by the time they enter Phase Two. Phase Two continues a sequential

development of skills using appropriate materials for the performance level of the group.

Mathematics

PCS uses the same progressive approach to instruction as it does for English language arts. Students' progress according to instructional need rather than grade level standards. The curriculum is developed for grades Transitional Kindergarten through 6 and is used in the different phases as needed. Mathematics curriculum involves focusing on the use of math in daily lives, concepts, basic skills, and problem solving strategies. Mathematics instruction provides students with skill-building practice based on CCSS and California state frameworks. These standards accelerate math expectations for all students creating challenging opportunities to master problems, puzzles, and brainteasers that strengthen mathematical thinking. Multiple problem solving methods are taught throughout step by step examples that help students transfer the method to other similar problems.

Science All students in each phase are taught the same science concepts and experience the same hands-on opportunities as other students in the phase. Science is not taught in small groups except at Transitional and Kindergarten levels. Each phase utilizes the curriculum outlined in the California state frameworks and next generation science.

Social Studies All students in each phase are taught the same social studies concepts and experience the same group projects and field trips as other students in that phase. Social studies curriculum follows the California state frameworks and CCSS.

Visual and Performing Arts provide an opportunity for all students to express creative ideas in art, music, or dance. Grades K through 4 receive instruction from credentialed music and art teachers provide instruction to all students to help them build skills and concepts while enjoying art projects and songs in daily classes. Music, physical activity, dance, and art are incorporated into the Transitional Kindergarten day,

Physical Education Teachers provide a comprehensive and researched based physical education program that addresses areas of skills for the young child and the importance of exercise and proper nutrition.

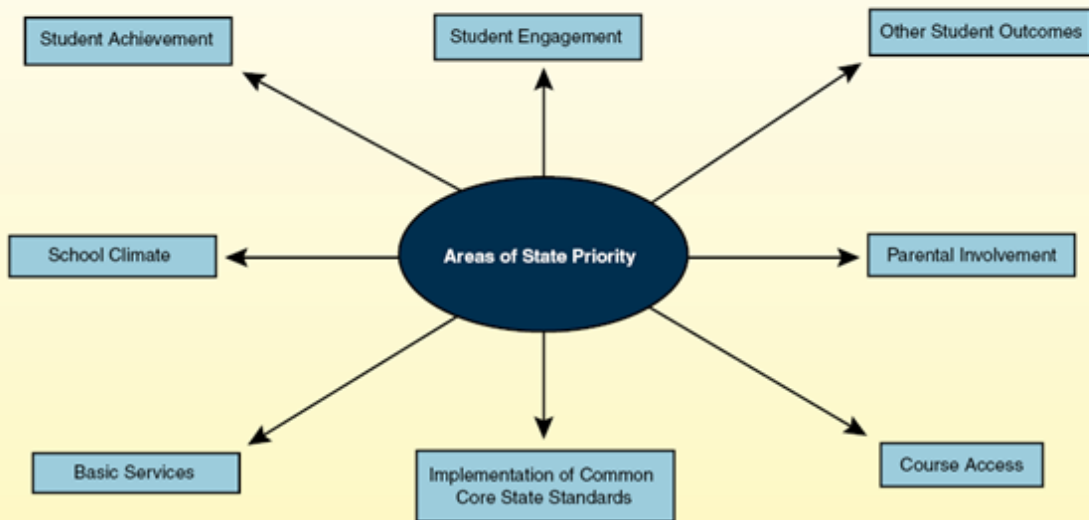
PCS utilizes curricular materials for the core content areas that have been selected based on an analysis of their alignment with all the adopted standards, and the PCS instructional philosophy of an academically rigorous curriculum. Guidelines for the use of these materials are housed in a PCS teacher library which is accessible to all

teachers.

11. State Priorities

Figure 7

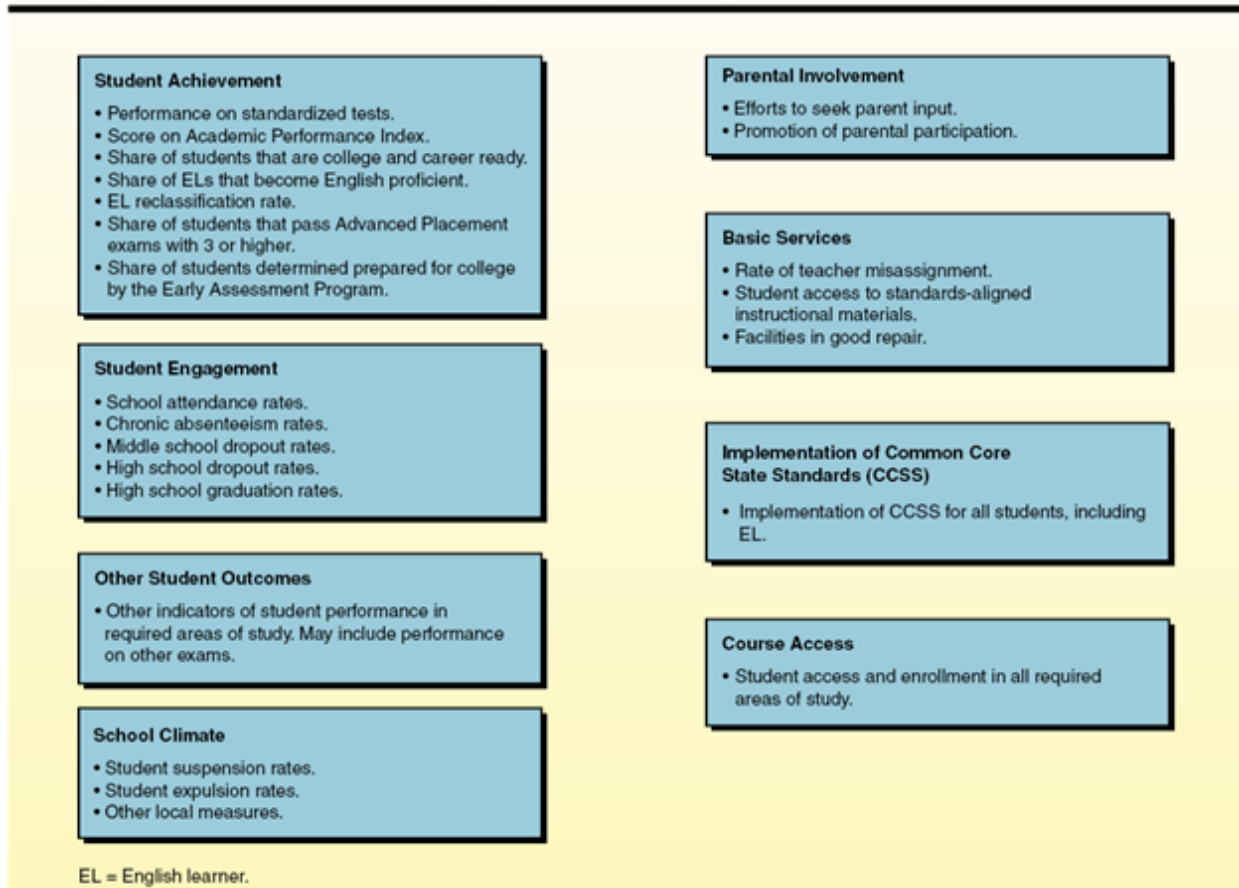
Eight Areas of State Priority Must Be Addressed in LCAPs



LCAP = Local Control and Accountability Plan.

Figure 8

Required Data for Each of Eight State Priority Areas



PCS will adopt a Local Control and Accountability Plan (LCAP) on an annual basis to update specific goals that have been established in our charter and initial LCAP. The LCAP will describe how PCS will meet annual goals for all pupils, with specific activities to address the applicable State priorities. In accordance with the regulations and template for the LCAP from the State Board of Education (SBE), PCS will consult with teachers, our director for Primary,, administrators, other school personnel, parents, and pupils in developing the annual update. The LCAP will be updated annually per the statute. The annual update will not be considered a material revision to this charter. The annual revision of the LCAP will be provided to the District each June and posted on the PCS website.

PCS goals, measurable outcomes and the means to measure achievement of those outcomes for the state priorities are identified in the chart below. Those that reflect student outcomes are identified in **bold** lettering in the second column.

State Priority - eight areas and required data	Annual school wide and subgroup goals and measures	Actions to achieve goals	Methods to measure progress
<p>1. The degree to which teachers are appropriately assigned and fully credentialed and every pupil has sufficient access to standards-aligned instructional materials and school facilities are maintained in good repair.</p>	<ul style="list-style-type: none"> • Teachers are hired as needed using credential criteria for core subject areas and are appropriately assigned. • Students are given free access to all learning materials • Working collaboratively with the district the facility is maintained and in good repair. 	<ul style="list-style-type: none"> • Teacher credentials are reviewed by the Human Resource Director to ensure appropriate assignments. • Students have access to all language arts novels used in the classroom and access to the classroom technology as well as other materials used for instructional groups. • The Director of Facilities keeps all facilities maintained and operating well. The district is notified if structural problems arise. 	<ul style="list-style-type: none"> • Review all credentials before making any changes in assignments for staff. • Review classrooms to ensure there are sufficient materials and technology. • The Director of Facilities maintains a log of requested maintenance repairs and date request was fulfilled.
<p>2. Implementation of Common Core State Standards, including how EL students will be enabled to gain academic content knowledge and English Language proficiency.</p>	<ul style="list-style-type: none"> • 100% of students school wide and each subgroup will participate in Common Core instruction an the state frameworks 	<ul style="list-style-type: none"> • PCS will provide ongoing professional development to all teachers on an yearly basis in implementing ELD standards and Common Core state 	<ul style="list-style-type: none"> • Classroom observation and feedback will be used to measure transition to Common Core focus in instruction. • Implementation of Smarter

	<p>and SBAC assessments for grades 3 and 4 in English and Mathematics beginning in 2014-15</p>	<p>standards.</p> <ul style="list-style-type: none"> • The staff member responsible for assessments will become proficient in understanding the process for assessing students and will train the staff. • Students identified as EL or RFEP will be given support in the classroom by the teacher with the use of language support instruction and small group differentiated instruction. Progress is monitored throughout the year and confirmed with CELDT yearly testing. 	<p>Balance testing with feedback as to problems or obstacles to students success or implementation</p> <ul style="list-style-type: none"> • Review of data regarding EL students to ensure progress and acquisition of English.
<p>3. Parental involvement, including efforts to seek parent input for making decisions for schools, and how the school will promote parent participation</p>	<ul style="list-style-type: none"> • An annual parent survey will be administered to ensure parent satisfaction and solicit feedback for improvement. • Parents will be informed about programs and opportunities for 	<ul style="list-style-type: none"> • The survey will be sent out in March and responses will be collated and summarized for parents in April. • Areas noted for improvement will be identified and staff will create goals to match. 	<ul style="list-style-type: none"> • Review survey results and formulate a plan for action. • Review newsletters and websites to ensure regular updates and information.

	<p>their involvement including students with special needs.</p>	<ul style="list-style-type: none"> • Parents will be informed of programs and volunteer opportunities through the classroom newsletters and the Tracy Learning Center electronic weekly newsletter. • Websites for the Tracy Learning Center and PCS will be updated and maintained regularly. 	
<p>4. Pupil achievement as measured by:</p> <p>a. State wide assessment</p> <p>b. academic performance index (API)</p> <p>c. percentage of EL students who make progress toward English language proficiency as measured by the CELDT</p> <p>d. EL reclassification rate</p>	<ul style="list-style-type: none"> • All subgroups will meet their targets for growth. • The API will continue to reflect a rank of 9 or higher. • 100% of EL students will annually increase proficiency on CELDT skill areas. • Annual reclassification rate will match or exceed TUSD and California rate. 	<ul style="list-style-type: none"> • Implement curriculum and instructional strategies that are aligned with California Frameworks and CCSS. • Review state testing results and identify areas of relative weakness for improvement • Review testing data to ensure that all students are making progress as measured on the CELDT tests. Provide 	<ul style="list-style-type: none"> • Review curriculum and observe instructional strategies to ascertain how well they are aligned to the frameworks and CCSS. Provide feedback and support as needed. • Identify areas of relative weakness and revise curriculum to reflect any deficiencies in the curriculum emphasis.

		data for each teacher of EL students in their classrooms.	<ul style="list-style-type: none"> Review data and compare with the district and state and make revisions for support as needed.
<p>5. Pupil Engagement, as measured by:</p> <p>a. school attendance rates</p> <p>b. chronic absenteeism rates</p>	<ul style="list-style-type: none"> Annual average attendance rate schoolwide and for all subgroups will be 95% or higher Chronic absenteeism will be less than 3% of students enrolled 	<ul style="list-style-type: none"> Track monthly student attendance rate Call parents of students not in attendance daily before the end of the first period. 	<ul style="list-style-type: none"> Compare disaggregated actual attendance to 95% target Compare disaggregated records of students with chronic absenteeism to determine reduction.
<p>6. School Climate, as measured by:</p> <p>a. pupil suspension rates</p> <p>b. pupil expulsion rates</p> <p>c. other local measures, including surveys of pupils, parents, and teachers on the sense of safety and school connectedness</p>	<ul style="list-style-type: none"> Suspensions will be less than 3% Zero expulsions at PCS unless mandated by law. 90% of students, teachers, and parents will have a school satisfaction rate including school safety and school climate 	<ul style="list-style-type: none"> Promote positive students behavior to mitigate discipline problems before they occur through student recognition: consistent classroom behavior, expectations school wide; actively engaged students in effective teaching and learning. Develop plans to improve student behavior that could result in 	<ul style="list-style-type: none"> Track, compare and report on student data on suspensions. Compare annual satisfaction surveys to determine if targets are met.

		<p>suspension by using a formal SST approach.</p> <ul style="list-style-type: none"> • Engage parents, students, and staff in maintaining campus safety. • Conduct annual parent, staff, and student satisfaction surveys. 	
<p>7. The extent to which pupils have access to, and are enrolled in, a broad course of study, including programs and services developed and provided to unduplicated students (classified asEL, FRPM-eligible , or foster youth; EC 42238.02) and students with exceptional needs. “Broad course of study” includes the following, as applicable: grades 1 through 6: English, mathematics, social sciences, science, visual and performing arts, health, physical education, and other as prescribed by the governing board. (EC 51210)</p>	<ul style="list-style-type: none"> • 100% of all students school wide and all subgroups will be informed of their progress each trimester. • 100% of all students have access to all curriculum offered at PCS 	<ul style="list-style-type: none"> • Inform parents and students schoolwide and each subgroup each trimester of the status of students and their progression towards mastery of grade level standards. • The master schedule for PCS will include access to all curriculum areas for all students at all phases. 	<ul style="list-style-type: none"> • Review randomly selected student trimester reports to ensure status and progress towards grade level standards is clearly stated. • Analyze master schedules to confirm that all classrooms and students have access to all curriculum areas especially PE, art and music.

<p>8. Pupil outcomes, if available, in the subject areas described above in # 7, as applicable.</p>	<ul style="list-style-type: none"> ● Students schoolwide and for all subgroups demonstrating advanced/proficient performance will increase 10% ● 50% of those identified as EL in Initial Phase will be reclassified as RFEP when exiting PCS 	<ul style="list-style-type: none"> ● Establish clear expectations for proficient student work through consistent rubrics for standards based grading ● Allow reassignment of instructional groups when students demonstrate sufficient growth in the instructional level assigned. ● Support language learners through content specific vocabulary development using a variety of SADIE strategies 	<ul style="list-style-type: none"> ● Track, compare, report data to determine growth ● Monitor mastery in each instructional group and reassign students as needed ● Review CELDT scores annually to ensure progress and to evaluate target success
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12. Operations and Instructional Minutes

PCS has developed a master plan at the request of the Tracy Unified District Charter School Committee, to plan for improved safety and modernization including possible matching grant funding. PCS will not expand enrollment at the Clover Site. The state mandate for a Transitional Kindergarten program created a need for an offsite classroom. The Transitional Kindergarten will be limited to 33 students each year. This will allow for the lottery to continue for Kindergarten since Kindergarten is double the size.

Future Enrollment

<p>Year Transitional Kindergarten</p>	<p>2014-15</p>	<p>2015-16</p> <p>33</p>	<p>2016-17</p> <p>33</p>	<p>2017-18</p> <p>33</p>	<p>2018-19</p> <p>33</p>
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Initial Phase	66	66	66	66	66
Phase One	132	132	132	132	132
Phase Two	132	132	132	132	132
Total	330	363	363	363	363

The instructional calendar is 205 days per year with a daily bell schedule from 8:13 a.m. to 3:30 p.m. The additional 25 days gives all students the same opportunity as those who would have attended a five week summer school program in the past. The Transitional Kindergarten program will operate 180 days with an option for a Summer extension. The extended days and hours are an essential reason for continued student growth eliminating the need for intensive review when students return to school after a long summer break. The amount of instructional minutes may vary according to the California Department of Education’s (CDE) requirements for charter schools.

In California, there are both required and recommended actions regarding courses of study and the instructional time needed to deliver them to secondary students. In the absence of either the *Education Code* or a recommendation from the *State Board of Education* and the *California Department of Education*, external recommendations from national subject area associations are given as guidelines. PCS may utilize the CDE and National Subject Area Associations’ recommendations for courses of study and instructional time. The law does not require a specific number of minutes of English Language Development for English Learners (EL) in charter schools. PCS has the discretion to determine the amount of time appropriate for students at different English language proficiency levels. EL instruction is embedded throughout the instructional program.

PCS students have an extended school day and year which exceeds the minimum state requirements. The table below compares the amount of annual minutes with the State minimum (Education Code § 46201).

Number of Instructional Minutes

Grade Level	State Minimum Number of Instructional Minutes	# of Additional Instructional Minutes	PCS Instructional Minutes
Transitional Kindergarten	36,000	45,385	81,385

Kindergarten	36,000	45,385	81,385
1-3	50,400	30,985	81,385
4	54,000	27,385	81,385

PCS provides “beginning-to-end” instruction and increased daily instructional minutes to provide amplified time for learning in the core curriculum, while maintaining the integrity of our non-core programs such as Physical Education, music and art. The increased instructional minutes especially for Kindergarten and Transitional Kindergarten gives PCS students a remarkable advantage over students in traditional schools. PCS realizes more time alone is not the solution, however if used effectively it allows for more time for a rigorous and sequential year and a half program per phase.

13. Addressing the Needs of All Students

Primary Charter School strongly believes that when both teachers and parents collaborate on addressing unique student needs and barriers preventing academic success, students *will* succeed. Teachers meet regularly to compare their student data, discuss student performance and concerns, and share instructional strategies, interventions, and enrichment. Teaming in the classrooms allows for a shared point of view and helps teachers notice things one teacher alone in a classroom may not notice,

PCS is designed to serve all students, including those who would be at risk of achieving below basic proficiency on state exams. PCS conducts an informal interview with all students prior to entering Transitional Kindergarten and Kindergarten after they have been selected in the lottery. This informal interview helps staff to identify early needs and instructional start levels. During this interview, staff helps parents complete the Home Language survey. This identifies students who are English Language Learners.

Students At-Risk of Low Achievement

PCS is proactive in addressing early needs.

- Students entering Transitional Kindergarten or Initial Phase with no previous formal schooling are noted so that staff understands why the student may be unable to identify letters or sounds and alerts the staff that this may not be a learning disability but a lack of exposure. Staff assesses to be certain progress is made with letter recognition and sound when instructed.
- Transitional Kindergarten or Initial phase teachers spend significant time helping

students learn the routines and expectations of the classroom and helps students who are having difficulty conforming to these expectations by developing behavioral plans that reinforce positive behavior.

- At the end of Transitional Kindergarten or Initial phase, staff evaluates students to be certain that all students have made progress since entering school. Progress, rather than grade level, is important to help staff understand that the students are progressing at a reasonable rate.

Intervention

The intervention plan for students not meeting behavioral or academic standards at PCS is multifaceted. All students are given the opportunity to work at the appropriate level of instruction to maximize learning. Small group instruction allows for a more personal approach to learning and helps maintain focus for young children. Early conferences with parents help identify ways that parents can support their child at home.

Student Success Team

If a student is experiencing difficulty academically, the classroom teacher uses immediate intervention strategies. When further measures are required, the teacher or parent can request an SST meeting. The team may include the parents, the classroom teachers, the student, the Student Support Coordinator. The team identifies the student's strengths and weaknesses, and develops a success plan, based on resources the student identifies as useful. The plan includes a series of follow-up meetings usually two weeks apart. If this process fails to produce results and all of the plan has been followed, a reference is made to the resource teacher for further evaluation.

The form on the next page is used to identify goals and resources that will help improve the individual student success rate. These forms are kept on file with semi-monthly updates. Many times, progress is noticeable and the success rate has been good using this structured approach. Sometimes, the resource teacher is asked to observe and give suggestions to the classroom teachers for ways to help the student learn.

If a student is identified for evaluation after this process has been exhausted, and is found to need special education services, PCS will follow established procedures for referral and development of an individual education plan including goals and accommodations.



Student Improvement (Life Preserver)

Name: _____

Grade: _____

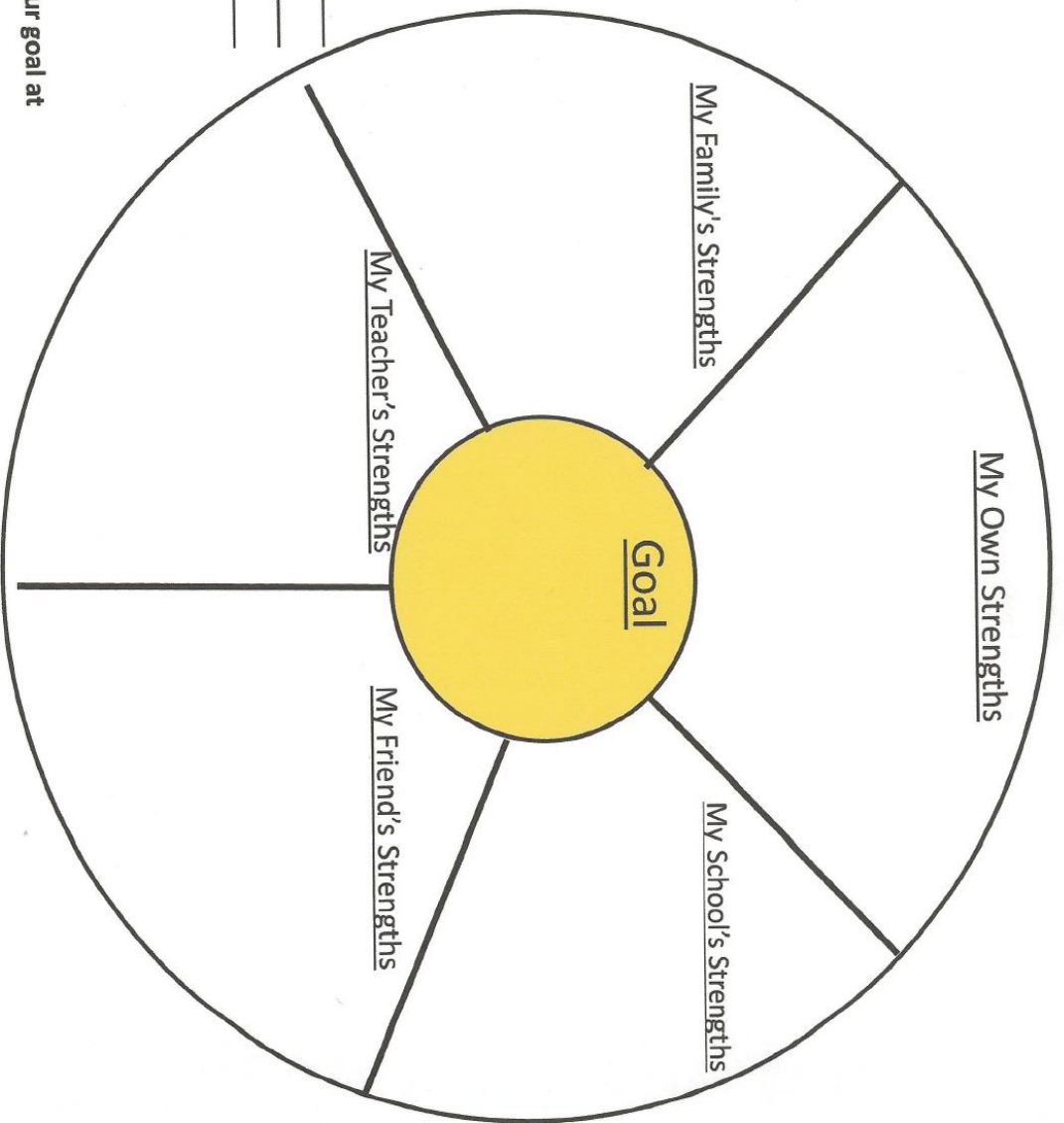
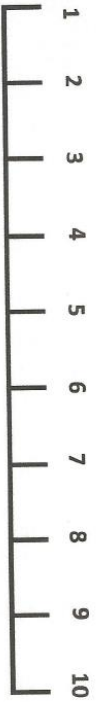
DATE: _____

Attendees: _____

To Get to a: _____ I need to:

- 1)
- 2)
- 3)

Where are you in relation to your goal at this moment?



Facilitator: _____

Follow-up Date: _____

Time: _____

English Learners (EL)

PCS has identified 10% of its population as EL. English Learners (EL) are the fastest-growing student population within the U.S. Approximately 4.7 million, or 10 percent, of the nation's students in grades K-12 were classified as ELs in 2007-08 (U.S. Department of Education). This is an increase of approximately 80 percent since the late 1990s, while the size of the total student population remained unchanged (Batalova et al., 2006). Although southwestern states have the highest proportions of ELs, more than half of all states reported EL proportions of at least 5 percent of their K-12 enrollment (U.S. Department of Education). The fastest growth has taken place in parts of the country that have had relatively less prior experience serving ELs in the education system.

PCS has identified a designated full time EL coordinator serving all three charter schools ensures that students are tested, reclassified if necessary, and monitor intervention support given to these students within the regular classroom structure. These interventions are reviewed annually. Students not making progress are reviewed annually to devise a specific learning plan to meet academic deficits of unsuccessful students. Classroom teachers are CLAD certified and use SDAIE strategies for ELD standards not only with EL students but all students since these strategies have proven to be highly effective. Teacher made materials reflect additional support for English learners when needed. Small group instruction for language development greatly enhances teacher support for students.

Identification of ELs

PCS follows all applicable laws in serving its EL students, including full-inclusion in the classroom, and, as needed, small group instruction and/or individual instructional accommodations in the classroom.

PCS administers the Home Language Survey upon a student's enrollment. All students who indicate that their home language is one other than English, are administered the California English Language Development Test (CELDT) within 30 days of enrollment, unless they have previously taken the CELDT. Those identified as EL will take the CELDT annually thereafter until reclassified as Fluent English Proficient (R-FEP). Students reclassified as R-FEP are monitored for 2 years.

PCS notifies all parents of EL students prior to CELDT administration. Parents will receive CELDT results within 30 days of PCS receiving results from the publisher. The

CELDT is used to determine qualification to reclassify an EL student as Fluent English Proficient (R-FEP) and to fulfill the requirements under the “No Child Left Behind” Act (NCLB) for annual English proficiency testing. The Tracy Learning Center (TLC) sends a staff member to state-sponsored or regional CELDT trainings, and in turn, the staff member trains other staff to administer the CELDT to students.

Meeting content standards for every student, including English Learners (EL), is the goal for all teachers at Primary Charter regardless of subject matter. The highly interactive classroom setting for PCS greatly enhances student assimilation of English. The purpose is to ensure English Learners develop proficiency in reading, listening, speaking and writing. In order for this to be achieved; teachers create emotionally safe learning environments where all students feel secure to take risks, and are involved as active class participants. Although the same rigid curriculum is used for all students, teachers strive to make subject matter comprehensible and meaningful for these students by embedding new terms in familiar contexts. Teachers use a variety of SDAIE strategies in order to meet the needs of EL population students. Each content area and course works with students to develop specific vocabulary and understanding for significant concepts taught. These include scaffolding activities as well as clarifying the meaning of words and phrases in context. Therefore, by implementing these specific instructional practices, PCS, ensures that all EL students will demonstrate proficiency in all subject matter.

Exiting the ELD Program

According to the California Education Code § 313[d], the process for determining when a student should exit the ELD Program is as follows:

- CELDT results: Early Advanced or Advanced (with no sub-skills scoring less than Intermediate in reading, writing, language, and speaking);
- Comparison of performance in basic skills on annual statewide assessments with scores of Proficient or Advanced in English-Language Arts and Math; this testing data will be modified according to new core standards testing criteria.
- Writing rubric, which will serve as an additional multiple measure. Grade-level writing samples must score a 3 or better on a 4 point-maximum rubric scale.

Prior to students exiting the ELD program, the EL Coordinator and site administration will obtain parent approval. If the student is receiving Special Education services, an IEP team meeting is held and an addendum is submitted to reflect that the student being reclassified is based upon a learning disability rather than a language barrier.

EL Initial FEP and Annual R-FEP rates

School Year	# Tested	Initial FEP	Annuals R-FEP
2010-11	24	1	3
2011-12	32	3	7
2012-13	40	6	12

14. Plan for Servicing Students with Disabilities

Overview

Technical amendments will be provided by the district for this section. None were provided.

PCS shall comply with all applicable state and federal laws in serving students with disabilities. PCS is categorized as a public school of the Chartering Agency in accordance with Education Code Section 47641(b). A change in LEA status or SELPA membership will require a material change in the charter.

PCS shall comply with all applicable requirements of the Individuals with Disabilities Act, 20 U.S.C. 1400 et Seq. (IDEA), and Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794 (sec. 504), and all SELPA policies and procedures, and shall utilize appropriate SELPA forms.

Section 504 of the Rehabilitation Act

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

PCS 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 including, but not limited to learning, is eligible for accommodation by PCS.

A 504 team will be assembled by the Executive Director and led by the MHS counselor may include the parent/guardian, the student (where appropriate), and other qualified

persons knowledgeable about the students, the meaning of the evaluation data, placement options, and accommodations. The 504 team will review the student's existing records, including academic, social, and behavioral records, and is responsible for making a determination as to whether an evaluation for 504 services is appropriate. If the student has already been evaluated under the IDEA but found ineligible for special education instruction or related services under the IDEA, those evaluations may be used to help determine eligibility under Section 504. The student evaluation shall be carried out by the 504 team, which will evaluate the nature of the student's disability and the impact upon the student's education. This evaluation will include consideration of any behaviors that interfere with regular participation in the educational program and/or activities. The 504 team may also consider the following information in its evaluation.

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

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

If the student is found by the 504 team to have a disability under Section 504, the 504 team shall be responsible for determining what, if any, accommodations or services are needed to ensure that the student receives a free and appropriate public education. In developing the 504 plan, the 504 team shall consider all relevant information utilized during the evaluation of the student, drawing upon a variety of sources, including, but not limited to, assessments conducted by the School's professional staff.

The 504 Plan shall describe the Section 504 disability and any program accommodations, modifications, or services that may be necessary.

All 504 team participants, parents, guardians, teachers, and any other participants in the

student's education, including substitutes and tutors, may have a copy of each student's 504 Plan. The site administrator will ensure that teachers include 504 Plans with lesson plans for short-term substitutes and that he/she review the 504 Plan with a long-term substitute. A copy of the 504 Plan shall be maintained in the student's file. Each student's 504 Plan will be reviewed at least once per year to determine the appropriateness of the plan, needed modifications to the plan, and continued eligibility.

Services for Students under the "IDEA"

PCS operates as a public school of the Chartering Agency, solely for purposes of providing special education and related services under the IDEA pursuant to Education Code Section 47641(b), in accordance with Education Code Section 47646 and 20 U.S.C. 1413, PCS seeks services from the Chartering Agency for special education students enrolled in the Charter School in the same manner as is provided to students in other district schools. The Chartering Agency will provide special education services for students enrolled in PCS to the extent required by law. An annual meeting between PCS and the Chartering Agency to review special education policies, procedures, protocols, and forms of the Chartering Agency and the SELPA and Chartering Agency protocol, will ensure that PCS and the Chartering Agency have an ongoing mutual understanding.

PCS acknowledges the importance of cooperating with the Chartering Agency so that the Chartering Agency can provide special education services to PCS students.

Staffing

Although the Chartering Agency will hold ultimate responsibility for providing Special Education services, PCS is committed to ensuring all IEPs are properly implemented and all students requiring services are adequately served. All special education services at PCS will be delivered by individuals or agencies qualified to provide special education services as required by California's Education Code and the IDEA. PCS operates as a public school of the Chartering Agency, solely for purposes of providing special education and related services under the IDEA pursuant to Education Code Section 47641(b), PCS staff shall participate in all mandatory Chartering Agency in-service training relating to special education. PCS operates as a school of the Chartering Agency for special education purposes, the Chartering Agency agrees to allow PCS staff access to all Special Education related professional development opportunities that are available to other employees of the Chartering Agency.

The Chartering Agency shall be responsible for the hiring, training, and employment of itinerant staff necessary to provide special education services to Charter School

students, including, without limitation, speech therapists, occupational therapists, behavioral therapists, and psychologists.

Identification and Referral

PCS operates as a public school of the Chartering Agency solely for purposes of providing special education and related services under the IDEA pursuant to Education Code Section 47641(b), PCS shall have the responsibility to identify, refer, and work cooperatively in locating PCS students who have or may have exceptional needs that qualify them to receive special education services, which will occur through the SST process. Generally, referral for special education evaluation only happens after reasonable classroom interventions have been tried for a period of time without success and when it has been determined that the cause of the problem(s) cannot be resolved without special education services. Possible exceptions to this protocol would be seriously disabled students for whom the SST process would delay obviously needed special education services. The Chartering Agency shall provide PCS with any assistance that it generally provides other schools of the District in the identification and referral processes. Parent notification and request for special education testing and evaluation will trigger legal timelines, and PCS will follow all legal and Chartering Agency mandates for a timely response.

The Chartering Agency will ensure that PCS is provided with notification and relevant files of all students who have an existing IEP and who are transferring to PCS from a Chartering Agency school.

Assessments

The term “assessments” shall have the same meaning as the term “evaluation” in the IDEA, as provided in Section 1414, Title 20 of the United States Code. PCS operates as a public school of the Chartering Agency, solely for purposes of providing special education and related services under the IDEA pursuant to Education Code Section 47641(b), the Chartering Agency will determine what assessments, if any, are necessary and arrange for such assessments for referred or eligible students in accordance with the Chartering Agency’s general practice and procedure and applicable law. PCS will be responsible for gathering all pertinent information and sharing such information with the Chartering Agency and/or SELPA (where applicable according to SELPA policies). Information gathered will be used as tools to determine the student’s disability, eligibility for services, and determining the nature and extent of required services. PCS shall work in collaboration with the Chartering Agency to obtain parent/guardian consent to assess PCS students. PCS operates as a school of the Chartering Agency for special education purposes, PCS shall not conduct special

education assessments unless directed by the Chartering Agency.

IEP Meetings

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

IEP Development

PCS operates as a school of the Chartering Agency for special education purposes, PCS understands that the decisions regarding eligibility, goals/objectives, program, services, placement, and exit from special education shall be the decision of the IEP team, pursuant to the Chartering Agency's IEP process. Programs, services, and placements shall be provided to all eligible PCS students in accordance with the policies, procedures, and requirements of the Chartering Agency and of the SELPA and State and Federal law.

IEP Implementation

PCS operates as a school of the Chartering Agency for special education purposes, a copy of the IEP will be given to the parent in accordance with state laws and Chartering Agency or SELPA policies. Upon the parent or guardian's written consent, the IEP will be implemented by the Chartering Agency. PCS shall assist the Chartering Agency in implementing IEPs, pursuant to Chartering Agency and SELPA policies in the same manner as any other school of the Chartering Agency. The Chartering Agency and PCS will need to be jointly involved in all aspects of the special education program, with the Chartering Agency holding ultimate authority over implementation and supervision of services. As part of this responsibility, PCS shall provide the Chartering Agency and the parents with timely reports on the student's progress as provided in the student's

IEP, and at least as frequently as progress reports are provided for PCS's non-special education students, whichever is more.

Interim and Initial Placements of New Charter School Students

PCS operates as a school of the Chartering Agency for special education purposes, the Chartering Agency and PCS shall conduct an IEP meeting within thirty days for students who enroll in the Charter School from another school district outside of the SELPA with a current IEP. Prior to such meeting and pending agreement on a new IEP, the Chartering Agency and PCS shall implement the existing IEP at PCS, to the extent practicable or as otherwise agreed between the Chartering Agency and parent/guardian.

Non-Public Placements/Non-Public Agencies

PCS operates as a school of the Chartering Agency for special education purposes, the Chartering Agency shall be solely responsible for selecting, contracting with, and overseeing all non-public schools and non-public agencies used to serve special education students and PCS shall not hire, request services from, or pay any non-public school or agency to provide education or services to special education students without the prior written approval of the Chartering Agency unless otherwise agreed to in the MOU. PCS operates as a school of the Chartering Agency for special education services, PCS shall immediately notify the Chartering Agency of all parental requests for services from non-public schools or agencies, unilateral placements, and/or requests for reimbursement.

Non-discrimination

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

Parent/Guardian Concerns and Complaints

PCS operates as a school of the Chartering Agency for special education purposes, PCS shall work collaboratively with the Chartering Agency to respond to parental concerns or complaints related to special education services. PCS shall immediately notify the Chartering Agency of any concerns raised by parents. In addition, PCS and the Chartering Agency shall immediately bring to the other's attention any concern or complaint by a parent/guardian that is in writing and/or which involves a potential

violation of state or federal law.

The Chartering Agency's designated representative, in consultation with PCS's designated representative, shall investigate as necessary, respond to, and address the parent/guardian concern or complaint. PCS and the Chartering Agency shall timely notify the other of any meetings scheduled with parents/guardians or their representatives to address the parent/guardian concerns or complaints so that a representative of each entity may attend. The Chartering Agency, as the LEA, shall be ultimately responsible for determining how to respond to parent concerns or complaints.

PCS and the Chartering Agency shall cooperate in responding to any complaint to or investigation by the California Department of Education, the United States Department of Education, or any other agency, and shall provide timely notice to the other upon receipt of such a complaint or request for investigation.

Due Process Hearings

PCS operates as a school of the Chartering Agency for special education purposes, the Chartering Agency may initiate a due process hearing or request for mediation with respect to a student enrolled in PCS if the Chartering Agency determines such action is legally necessary or advisable. PCS agrees to cooperate fully with the Chartering Agency in such a proceeding. In the event that the parents/guardians file for a due process hearing, or request mediation, the Chartering Agency and PCS shall work together to defend the case. In the event that the Chartering Agency determines that legal representation is needed, PCS agrees that it shall be jointly represented by legal counsel of the Chartering Agency's choosing.

PCS operates as a school of the Chartering Agency for special education purposes, PCS understands that the Chartering Agency shall have sole discretion to settle any matter in mediation or due process. The Chartering Agency shall also have sole discretion to file an appeal from a due process hearing or take other legal action involving any PCS student necessary to protect its rights.

SELPA Representation

PCS operates as a school of the Chartering Agency for special education purposes, PCS understands that the Chartering Agency shall represent PCS at all SELPA meetings and report to PCS SELPA activities in the same manner as is reported to all schools of the Chartering Agency.

PCS shall participate in state and federal funding for special education in the same

manner as any other public school of the Chartering Agency. The Chartering Agency shall ensure that PCS receives an equitable share of special education funding and services, including administrative and support services, as described in Education Code section 47646. These mutual obligations may be further described in a separate agreement between the parties.

Element 3: Method by Which Student Outcomes are Measured

“The method by which pupil progress in meeting those pupil outcomes is to be measured...” Education Code § 47605 (b)(5)(C)

1. Assessment Philosophy

The goal of PCS is for all students to successfully complete early educational goals in order to succeed in middle school which at the Tracy Learning Center consists of grade 5 through 8. In order to measure student progress each year, PCS uses an array of assessment tools.

These included but are not limited to:

- curriculum embedded assessments which include unit testing, quizzes, and exit tickets within the units
- writing prompts particularly used in language classes and on unit tests
- IEP goals which are reviewed annually and adjusted as needed
- rubrics are used to measure success with projects and tasks assigned within a class including SWOs
- Accelerated Reading and Mathematics assessments
- teacher observation and annotation
- beginning of the year instructional grouping placement tests

All diagnostic assessments are analyzed for results as a whole and within different subgroups to ensure that all groups are being successful. A testing and data coordinator analyzes grades and tests given to review with staff in order to set goals for improvement. The testing coordinator guides staff in the administration of any state designed assessments.

Staff will analyze all local final testing results to learn which subgroups are performing below, advanced or proficient. These will be correlated with final grades to ensure that grades are reflective of student’s actual achievement levels.

PCS’s assessment methods are based on the belief that assessments should be:

1. **Authentic:** PCS uses the backwards design planning model to ensure assessments measure the actual learning that has taken place in the classroom. Within this model, learning outcomes are established and assessments are designed before any learning activities are introduced. Teachers need to specifically know what skills and information they want their students to attain before they can design the learning steps necessary for students achievement.

Because of this, there are less “textbook-developed” tests and more teacher-created and project-based assessments.

2. **Multiple Measures:** Just as students have multiple intelligences, they also respond differently to different forms of assessments. PCS ensures a variety of assessments (i.e. content-specific tests, observations, projects, classroom discussions, etc.) are used to determine student achievement. This multiple measures approach improves the reliability of assessment data.
3. **On-going:** Students need on-going assessments in order to ascertain whether skills and knowledge have been truly internalized. Teachers use formative (specific skills) and summative (overall concepts) assessments as evidence of student achievement. This compilation of student data is used to drive instruction, confer with parents, and set learning goals within and across grade levels.
4. **Informative:** Assessments must promote and support reflection and self-evaluation on the part of students, staff, and parents.

2. Assessment Design

The student performance and assessment tools take into account a variety of methods that directly correspond to specific achievement targets. These have been communicated to students as part of the instructional program. Teachers are trained to identify the exact achievement target that is required for each area of study for each instructional level. Those tools and resources allow them to determine the most appropriate type of assessment to measure student mastery of a given concept. This method includes measures such as assessments as selected response, essays, performances, and products.

3. Mandated Assessments

As is required by law, students also participate in annual state wide assessment and all other mandated accountability programs (CELDT etc.). The staff firmly believes that the PCS academic program fully prepares students for success in these state wide assessment programs. The additional support structures at PCS help students to surpass the performance of their peers in comparable settings.

Assessment	When Administered	Purpose
academic performance index (API)	Spring *	measure overall program for students in grades 3 and 4
annual yearly progress AYP	Spring*	measure overall program and sub groups
California statewide annual assessments	on-going	test students' knowledge of common core standards in grades 3-4
CELDT	Fall (annual) and within 30 days of initial enrollment	English proficiency in reading, writing, listening, and speaking.

* dates and testing results will change beginning spring 2014 (field testing year)

4. Data Management and Analysis

PCS is a data driven school. There is a teacher assigned to coordinate testing and analysis of testing data. The coordinator disaggregates data at the state, local, and classroom level. The results of all testing is analyzed and reported to full staff for reflection and the development of goals for improvement.

At the beginning of the year and as an on-going process of staff development, annual statewide assessment data is used when implementing the school plan to meet targeted goals. PCS tracks and analyze the percentage of proficient scores of each represented subgroup to ensure growth targets are met each year and that the gap between the highest and lowest performing subgroups is decreasing.

Recognizing that the state is undergoing a major change in assessment and accountability, PCS will comply with all new regulations and expectations regarding the Local Control Accountability Plan (LCAP). To the best of our knowledge, based on State guidelines issued at the time of this petition, the following required components will be included and are, in substance, already addressed by PCS in this petition and in its day to day operations:

The plan will include a description of how the school will achieve all of the following:

- Implement, for all pupils, the content standards adopted by the State Board.

- Increase the Academic Performance Index for the school and for each numerically significant pupil subgroup and reduce gaps in the Academic Performance Index and other measures of pupil achievement between numerically significant pupil subgroups.
- Improve pupil achievement of the content standards adopted by the state board as evidenced by the results of statewide assessments
- Identify and address the needs of pupils who have been classified as an English Learner, who qualify for the free and reduced-price meal program, and who are in foster care.
- Remedy deficiencies and improve conditions in the school and ensure access for each pupil to sufficient instructional materials; safe clean and adequate school facilities; and qualified teachers.
- Provide meaningful opportunities for parent involvement, including, at a minimum, supporting effective school advisory committee which will make a report to the TLC Board of Directors.

The Plan will also include:

- An analysis of pupil achievement and of progress made in implementing the goals identified in the prior plan.
- Projections of the costs of implementing its specific actions and strategies.

Process Requirements:

- The State Board of Education (SBE) adopted a template January 2014 to allow the school districts to complete a single LCAP and Federal Title I requirements and to minimize local duplication of effort to the greatest extent possible.
- By July 1, 2015, a plan consistent with this template as applicable to charter schools will be developed in consultation with teachers, administrators, other school personnel, parents, and pupils.
- It is currently anticipated that the plan and its annual updates will not require a material amendment to the charter as the required state priorities applicable to PCS are integral parts of this petition. It is anticipated that the plan will provide budget information describing expenditures implementing specific actions.
- The LCAP plan will be developed and reviewed annually. It will be provided to the district in June. The LCAP will be posted on the website. Teachers and parents are included in the revision each year.

General Provisions:

- The TLC Board of Directors will not approve a budget before it adopts an LCAP or approves an annual update to an existing plan, and will not adopt a budget that does not align with the LCAP.
- The school plans to spend supplemental and concentration grant monies at the school site in proportion to the enrollment of English learners, low income students, and foster students at the site. Upon full implementation of the LCFF, funding to address the needs of English learners, low income pupils, and foster youth students “shall not be less than the supplemental grants and concentration grants the...school...projects receiving” pursuant to the LCFF formula.

5. Use of Data to Inform Instruction

PCS staff uses the school wide data at a micro level to learn how well students are performing in each curriculum area’s sub groups. Each designated curriculum team develops a plan to improve student performance as indicated by the results of the assessment data. In this way, staff is continuously challenged to rethink current pedagogical practices to meet the changing needs of new and existing student populations and emerging Common Core Standards.

Teachers are able to revise curriculum as needed since curriculum is not dependent on an adopted textbook and can more easily be revised. Methods for teaching can be enhanced based on concepts students do not seem to understand. Staff can help students improve by providing more teacher made questions that closely relate the new testing style used in future state testing.

Previously, the school sent home comparison scores for each student from the current year to the previous year commenting on growth or lack of improvement with suggestions for parents and students. When new state testing is available, PCS desires to continue this practice.

In accordance with Education Code section 49073.9, the school will provide a notice to parents in the event it collects data about students using social media.

6. Annual Performance/School Accountability Report Card and the LCAP

Student assessments are designed to align to the mission, exit outcomes, and the curriculum described in the charter. PCS collects annual data from the assessments listed in section three and utilizes the data to identify areas of needed improvements in the educational program. The Executive Director or designee provides this information to the Board of Directors each year as an annual performance audit of the program. Information from this audit is included in the School Accountability Report Card (SARC) that is made available on the website to all stakeholders.

PCS and the chartering agency will jointly develop an annual site visitation process and protocol to enable the chartering agency to gather information needed to confirm the school's performance and compliance with the terms of its charter. This has been outlined in a Memorandum of Understanding.

7. Benchmarks to be Met

The achievement of PCS is measured in both growth and absolute measures and is compared to the achievement of selected local schools that have similar demographic characteristics. In gauging the success of PCS, we compare the academic achievement of PCS students to the academic achievement of two sets of comparison local schools:

- The residence schools PCS students would have otherwise attended (“Resident Schools”); and
- Local schools of similar demographic characteristics (“Demographically Similar Schools”)

The “Resident Schools” are selected by using PCS students’ home addresses to identify the local schools they otherwise would have attended. The local schools most represented at PCS are chosen as comparison resident schools.

“Demographically Similar Schools” are selected by using a modified version of the formula utilized by the state for creating its similar schools list. PCS may work in collaboration with the chartering agency to identify the comparison schools.

Growth in student achievement at PCS is measured annually against the growth of the comparison resident and demographically schools.

Element 4: Governance

“The governance structure of the school, including, but not limited to, the process to be followed by the school to ensure parental involvement...” Education Code § 47605 (b)(5)(D)

1. Description of Organization

Primary Charter School is a direct-funded independent charter school operated by the Tracy Learning Center, a California Nonprofit Public Benefit Corporation pursuant to California Law. PCS operates autonomously from the Chartering Agency.

Meetings of the Tracy Learning Center Board of Directors (Board of Directors) comply with the Ralph M. Brown Act and members of the Board of Directors comply with the applicable ethics and conflict of interest standards set forth in the California Corporations Code for nonprofits, as well as the Political Reform Act. The Tracy Learning Center is solely responsible for the debts and obligations of Primary Charter School.

Responding to Inquiries

PCS promptly responds to all reasonable inquiries from the Chartering Agency, including, but not limited to, questions regarding financial records from the Chartering Agency.

2. Governance Structure

TLC is a nonprofit public benefit corporation governed in accordance with applicable California Corporation Code sections and its adopted bylaws, which are consistent with the terms of this charter. TLC maintains Articles of Incorporation with the California Secretary of State and has tax exempt status from both California and the IRS.

Primary Charter School acknowledges and agrees that all persons are entitled to equal employment opportunity. Primary Charter School shall not discriminate against applicants or employees on the basis of race, color, religion, sex, gender identity, sexual orientation, pregnancy, national origin, ancestry, citizenship, age, marital status, physical disability, mental disability, medical condition, or any other characteristic protected by California or federal law. Equal employment opportunity shall be extended to all aspects of the employer-employee relationship, including recruitment, selection, hiring, upgrading, training, promotion, transfer, discipline, layoff, recall, and dismissal from employment.

TLC is non-sectarian in its programs, admission policies, employment practices, and all other operations.

Education Code Section 47604 (c) provides that "an authority that grants a charter to a charter school to be operated by, or as, a nonprofit 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." PCS shall work diligently to assist the District in meeting any and all oversight obligations under the law to ensure the District shall not be liable for the operation of the charter school including the off-site Transitional Kindergarten class.

3. Board of Directors

The governing body for PCS is the Tracy Learning Center Board of Directors. There are nine voting members of the Board of Directors. The Board of Directors meetings are held at the TLC charter school campus location. The Board consists of members with diverse areas of expertise and involvement as parents. In addition to the nine board members, the chartering agency may appoint a liaison to the Board to foster greater communication between the Chartering Agency and the Tracy Learning Center.

The following current members of TLC's Board of Directors:

Patty Warwick

Current Position: Web Design Project Manager, Usman Group

Education: B.S. in Education, Eastern IL University

Mike Souza

Current Position: CFO, Souza Reality & Development

Education: B.S. in Economics, Santa Clara University

Kim Kerr

Current Position: Safeway, Category Manager

Education: Moorpark College

Linda Wilcox

Current Position: Broker/Owner RE/MAX Diamond Real Estate and Wilcox Design Group

Education: AA in Architecture/Interior Design Delta College, additional studies Woodbury University

Amy Fallavena

Current Position: Owner, Fallavena Fitness LLC

Education: B.S. in Human Development, University of California, Davis

Tracy Williams

Current Position: Employee Relations Officer, California Department of Corrections and Rehabilitation at Deuel Vocational Institution

Education: B.S. in Criminal Justice Administration and Minor in Social Work, San Diego State University

CP Riddle

Current Position: Retired US Army

Education: B.S. in Liberal Arts (Emphasis in Business Management), University, State of New York

Board members may serve unlimited terms. Further guidelines for terms for Board members are found in TLC's bylaws, which were reviewed and updated in 2014.. Currently there are two openings on the board.

4. Process for Selecting Board of Directors and Creating Policy

In the event of a vacancy due to a Board member resignation, in which time an ad hoc committee of current board members is appointed and asks for candidates by advertising in the TLC newsletter. Once candidates' applications are accepted, the committee interviews them and nominates and recommends a candidate for Board approval.

Officers are a President and Vice-President with the other seven members. A staff member serves as the secretary. A Tracy Unified School Board Member may be appointed by the District board to serve as a liaison to the TLC board to enhance communication. The Board votes for officers at the first meeting of each school year.

5. Meetings

The TLC Board generally meets once a month on the second Monday with the exception of holidays, in accordance with a regular scheduled meeting adopted on an annual (or more frequent) basis. These meetings of the Board of Directors comply with the Ralph M. Brown Act. Board committees may meet in between Board meetings and may make recommendations to the Board of Directors.

6. The Decision Making Process

The TLC decision-making process in which all school stakeholders are represented is designed to:

- ensure that all decisions regarding policy and practices made at PCS are focused to achieve the educational student outcomes outlined in the charter renewal petition;
- involve all staff members in educational program development;
- include parents, community members, and all school personnel as active partners; and
- guarantee that all stakeholders model a collaborative, consensus-building school culture.

The model of decision-making is democratic in nature. The Board of Directors reviews PCS's academic program and provides support in achieving short-term and long-term goals set by the school and Executive Director.

PCS operates efficiently as a nonprofit entity. Currently, PCS provides in house or procures its own administrative (or "back office") services including, but not limited to: meal preparation and delivery, security, credential and criminal background review of personnel, human resources, janitorial service, and fiscal and attendance accounting services either through its own staff or through an appropriately qualified third-party contractor. For the Transitional Kindergarten class, administrative services will be provided in the same manner.

7. Duties of Office for Board of Directors

The duties of the Board of Directors include, but are not limited to:

- promote, guard, and guide the mission of the school;
- hire and evaluate the Executive Director;
- receive reports directly from the Executive Director concerning the total operation of the school, including but not limited to, budget, curriculum, activities, student achievement data, and approve new positions;
- approve all general policies;
- approve and monitor the annual budget;
- contract with an expert external auditor to produce an annual financial audit;
- review the school master calendar, and schedule of Board meetings;
- develop Board of Directors policies and procedures;
- participate in the dispute resolution and complaint procedures, when necessary;

- approve annual fiscal audit and Chartering Agency's performance reports; and
- participate in expulsion hearing when necessary

To ensure the school's on-going success, the Board of Directors provide accountability, oversight, and leadership.

8. Parent Involvement

The following committees provide parents of PCS enormous opportunities for input on school-wide operations and school involvement activities:

English Language Advisory Committee (ELAC)

Parents are solicited by way of the school website and newsletter. All parents who wish to be a part of the committee are included. These parents meet with a designated staff member on a quarterly basis. The committee has the responsibility to:

- advise the staff on programs and services for English Language Learners;
- assisting in the development of the school's alternative communications;
- ensure regular school attendance;
- participate in the school's needs assessment;
- solicit and encourage community participation; and
- provide input on the most effective ways to support full participation of English Language Learners in all school activities.

Parent Advisory Committee

Parents are invited each month to attend a meeting held by the Executive Director and a designated staff member to better inform parents of plans and updates of the school. Parents are encouraged to ask questions, seek further clarification, or define ways they can help support the plans. The parents support school wide fundraising activities by participating or co-leading events.

Safety Committee

This committee meets quarterly to review school safety issues and has developed a plan for emergency communication and parent routines. The safety committee is comprised of a group of concerned parents. Parents may attend all meetings which are advertised in the newsletter.

9. Grievance Procedure for Parents and Students

Internal disputes at PCS, including those among students, staff, parents, and Board Members are resolved pursuant to the policy developed by the Board and published in

the school handbook. The Chartering Agency shall not intervene in any such internal disputes and shall refer any complaints or reports regarding such disputes to the TLC Board of Directors or Executive Director.

New Board policies adopted in January did address fees and uniform complaint. TLC designates at least one employee to coordinate its efforts to comply with and carry out its responsibilities under *Title IX of the Education Amendments of 1972* (Title IX) and *Section 504 of the Rehabilitation Act of 1973* (Section 504). This includes any investigation of any complaint filed with TLC alleging its noncompliance with these laws or alleging any actions which would be prohibited by these laws.

Primary Charter School has the primary responsibility to insure compliance with applicable state and federal laws and regulations and has established procedures to address allegations of unlawful discrimination, harassment, intimidation, and bullying, and complaints alleging violation of state or federal laws governing educational programs and the charging of unlawful pupil fees.

Primary Charter School shall investigate and seek to resolve complaints using policies and procedures known as the Uniform Complaint Procedures (UCP) adopted by our school board. Unlawful discrimination, harassment, intimidation, or bullying complaints may be based on actual or perceived age, **race, color, religion, sex, gender identity, sexual orientation, pregnancy, national origin, ancestry, citizenship, age, marital status, physical disability, mental disability, medical condition** or on a person's association with a person or group with one or more of these actual or perceived characteristics, in any program or activity that receives or benefits from state financial assistance or any other characteristic that is contained in the definition of hate crimes.

The UCP shall also be used when addressing complaints alleging failure to comply with state and/or federal laws in

Special Education Programs
Safety Planning Requirements

A complaint of noncompliance with laws relating to pupil fees may be filed pursuant to the local UCP. A pupil enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity.

A pupil fee includes, but is not limited to, all of the following:

1. A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory, or is for credit.
2. A security deposit, or other payment, that a pupil is required to make to obtain a lock,

- locker, book, class apparatus, musical instrument, clothes, or other materials or equipment.
3. A purchase that a pupil is required to make to obtain materials, supplies, equipment, or clothes associated with an educational activity.

Element 5: Employee Qualifications

“The qualifications to be met by individuals to be employed by the school.” Education Code § 47605 (b)(5)(E)

1. Code of Professionalism

PCS staff members are a dedicated group of professionals who believe that education is a “vocation” and “not a job”. They are bound by a common philosophy and belief that all students are gifted and can learn. Staff members at PCS are actively committed to working together and ensuring that the mission and vision are upheld. The staff is proactive in the planning, implementation, and evaluation, of the instructional program and school operation. They are accountable for students’ academic and social growth and will fulfill all required duties and responsibilities.

2. Recruiting Highly Qualified Teachers

PCS teachers meet requirements as outlined in the new state priority on teacher credentialing which mentions that “teachers must be appropriately assigned and fully credentialed in the subject areas, and, for the pupils they are teaching.” Federal law according to No Child Left Behind (NCLB) contains highly qualified teachers that require a teacher to possess a credential in the subject being taught or meet certain educational requirements prior to being deemed highly qualified to teach a course. PCS teachers of core academic subjects have a Bachelor’s degree and a California Teaching Credential. Charter schools are not required to have teachers teach in the areas for which they are credentialed. PCS maintains current copies of all teacher credentials in the TLC Human Resource office, which are made readily available for inspection.

All full time staff are eligible for all health benefits provided by TLC. TLC’s employee policies and procedures are codified in an Employee Handbook.

Primary Charter School acknowledges and agrees that all persons are entitled to equal employment opportunity. PCS shall not discriminate against applicants or employees on the basis of race, color, religion, sex, gender identity, sexual

orientation, pregnancy, national origin, ancestry, citizenship, age, marital status, physical disability, mental disability, medical condition, or any other characteristic protected by California or federal law. Equal employment opportunity shall be extended to all aspects of the employer-employee relationship, including recruitment, selection, hiring, upgrading, training, promotion, transfer, discipline, layoff, recall, and dismissal from employment.

3. Employee Qualifications

To be employed by TLC the following conditions must be met:

- Fingerprints will be obtained from each new employee in order to obtain a criminal record summary prior to commencing employment through LiveScan, administered by the Department of Justice. The employee is responsible for paying the fingerprint cost.
- All employees who are child-care custodians, medical practitioners or non-medical practitioners, as defined by Penal Code, are to report known or suspected instances of child abuse. Prior to employment these employees are required to sign a statement, on a form provided by him/her by TLC's Human Resource Director, to the effect that he/she has knowledge of the provisions of Section 11166 and will comply with those provisions.
- All employees must complete the I-9 form to verify that they have the legal right to work in the United States.
- All employees must provide the results of Tuberculosis (TB) test as required by current state and local law and renew their TB verification as required by law.
- All employees must receive training that instructs school personnel in the detection of child abuse and neglect and the proper action that the school personnel should take in suspected cases of child abuse and neglect. This training will be provided by online training modules provided by the State Department of Social Services. Certificates of completion will be on file for each employee.

4. Job Descriptions

To view various PCS job descriptions, please see Appendices **where specific qualifications for each title is identified**. Classified and other personnel are hired by TLC and are assigned duties for PCS as well as other parts of the organization.

5. Process for Staff Recruitment and Selection

The Human Resources Director under the supervision of the Executive Director with the support of identified staff organizes all selection and employment procedures, which may include, but are not limited to, the following:

- assure equal opportunities and open process;
- announce openings (use of EDJOIN, local paper and website postings);
- recruit applicants through various means;
- request resumes, copies of credentials, and letters of reference;
- verify previous employment and references;
- form a pool of potential candidates;
- review candidates files and portfolios;
- select interview questions and panel;
- interview candidates;
- recommend top candidates to the Executive Director; and
- Executive Director approves the top candidate.
- Prior to the first day of work for any potential employee, TLC performs all required background checks according to existing California State law (verify teaching credential, employment documents, medical clearance (TB), fingerprinting and criminal record clearance, legal status, certification of adherence to mandated reporting (child abuse) requirement, and drug-free environment requirement).

6. Staff Evaluation

Teaching Staff

The evaluation of the teaching staff at PCS is rooted in ensuring student learning and achievement. The structure of the PCS teacher evaluation model is based on a collaborative effort using the California Standards for the Teaching Profession:

- Standard One: Engaging & Supporting All Students in Learning
- Standard Two: Creating & Maintaining Effective Environments for Student Learning
- Standard Three: Understanding & Organizing Subject Matter for Student Learning
- Standard Four: Planning Instruction & Designing Learning Experiences for All Students
- Standard Five: Assessing Student Learning
- Standard Six: Developing as a Professional Educator

At the end of each year, staff sets school and personal goals for improvement and

meets with the Executive Director to discuss the goals as well as strengths and areas for improvement. The Executive Director and peers as School Directors conduct informal observations throughout the school year. Feedback is given to staff.

Assistance and intervention for teachers include:

- suggestions offered by administrator or curriculum leaders
- peer visitation
- consultation with peers, coaches or others
- substitute release days for planning or visiting other classes
- workshop or webinar attendance

Classified Staff

TLC Directors responsible for classified staff give regular feedback and supervision. The Executive Director relies on information from the direct supervisor of such areas as food services, maintenance, coaches, and office staff. Assistance and intervention for classified staff includes:

- workshops and training
- mentoring and conferencing as needed
- conflict resolution

All TLC employees, classified or certificated are employed with using an at-will contract. Currently, no one is given tenure. All staff understands contracts are based on the charter's ability to recruit and maintain students.

Element 6: Health and Safety

“The procedures that the school will follow to ensure the health and safety of pupils and staff...” Education Code § 47605 (b)(5)(F)

PCS is committed to providing a safe and healthy environment in which every member of the school community learns and thrives. PCS continues to ensure the safety of all students and staff by complying with state and federal laws. PCS has a comprehensive plan of health, safety, and risk management policies. This plan is kept on file and is updated annually. The Disaster Preparedness Plan utilizes F.E.M.A. guidelines in its planning and preparation. All staff receives training in emergency response, including appropriate “first responder” training or its equivalent.

1. Emergency Preparedness

PCS has developed policies and procedures for response to natural disasters and emergencies, including fires and earthquakes (see Appendices). All instructional and administrative staff is trained in basic first aid.

2. Fire Drills

The administrator or designee shall cause the fire alarm signal to be sounded at least once every month.

- The administrator shall notify staff as to the schedule for fire drills.
- Whenever a fire drill is held, all students, teachers, and other employees shall be directed to leave the building.
- Teachers shall ascertain that no student remains in the building.

- Teachers shall be prepared to select alternate exits and shall direct their classes to these exits whenever the designated escape route is blocked.
- The administrator or designee shall keep a record of each fire drill conducted and file a copy of this record in the office.

When a fire is discovered in any part of the school or the off site TK classroom , the following actions shall be taken:

- The administrator or designee shall sound fire signals, unless the school and/or building are equipped with an automatic fire detection and alarm system.
- The administrator or designee shall call 911. Both sites are equipped with an automatic system.
- All persons shall be directed to leave the building and shall proceed outside to designated assembly areas.
- Staff shall give students clear direction and supervision and help maintain a calm demeanor.
- Teachers shall hold up red/green card based on results of attendance
Green = all students present and accounted for
Red = student(s) missing
- Staff shall monitor and assist in the supervision of surrounding students.
- Staff and students wait for the “All Clear” announcement before returning to class.

During lunch time, all students will follow the instructions of the nearest adult and proceed to the designated assembly area. Staff will join the students and follow the steps listed above.

3. Earthquake Drills

Regular emergency evacuation drills are conducted in accordance with the regulations of state and federal guidelines. Students will be taught the “Duck and Cover” routine. A disaster drill commencing with the “Duck and Cover” routine will be initiated by an announcement over the intercom or other signal. During the “Duck and Cover” routine in the classroom, teachers will have students get under a desk, or table, or against the wall away from the windows. Students must remain quiet and orderly so they will be able to hear additional instructions when given. All drills will be concluded with an “All Clear” announcement on the intercom, or a visible signal from the administrative staff.

The following are the procedures for an earthquake drill:

- Teachers give “DROP” command at first indication of quake or ground movement

or the sounding of the alarm indicating an earthquake drill.

- Students and teachers seek protective cover under or near desks, tables, or chairs in the kneeling position with hands around their heads no matter where they are on campus.
- Students remain in “DROP” position until ground movement ends or instructed by the teacher to get up.
- At the completion of ground movement, teacher must ascertain possible injury and determine the ability of class to evacuate.
- The teacher then gives the command to evacuate the classroom and building, using established route (students outside of classrooms meet at the designated assembly area).
- Teachers remove necessary supplies upon evacuation and leave doors unlocked.
- Injured students, who cannot walk or be carried, should be left behind to be taken care of by the Search and Rescue teams.
- Upon reaching the designated assembly area, each teacher takes attendance and reports with red/green cards.

During lunch time or between classes, at the first indication of ground movement or alarm, teachers will instruct students to take a drop position under lunch tables, or clear of buildings, trees, and power lines, and cover their heads with their hands. They remain in that position until given additional instructions to evacuate the area and proceed to the designated assembly area, and report to their assigned classroom teacher.

In the case of disasters other than earthquakes, the administrative staff will contact each room, counsel staff of potential dangers, and give further directions or orders. Teachers and students will remain in their classrooms until instructions are received for an “All Clear” or an evacuation. For safety purposes, no one will leave the rooms. If there has been a chemical spill, the teacher must make sure that all doors, windows, and vents remain closed. The school site maintenance staff will turn off the gas. All unassigned staff will report to the office for assignments such as searching offices, bathrooms, and all other common areas, including outdoor facilities.

A disaster of a significant nature may require the evacuation of PCS. Immediately upon notification by outside authorities that PCS must be evacuated, the administrative staff will verify the name and position of the person placing the alert. Once the source is confirmed, the administrative staff will give the evacuation code word over the intercom. Teachers will proceed with their students to the nearest school exit indicated on the evacuation map posted for this purpose. Before leaving the room, teachers will make sure they have their rosters with them. Students who are not in a classroom at the time

the intercom signal is given will attach themselves to the nearest teacher exiting the building for purposes of getting to the designated evacuation site. Prior to evacuation, offices, bathrooms, and all other common areas and outdoor facilities will be searched by staff members designated by the administration.

Once at the designated assembly area, teachers and other staff will ensure that all students find their respective teachers. Teachers will then take attendance to ensure that all students are present. The names of any missing students will be given to the office personnel and an individual will be assigned the task of finding any missing students. Teachers will work together to take care of students with injuries, respiratory problems, or other medical conditions. Teachers will stay with their classes for the duration of the emergency. In the event of an evacuation, all school employees are immediately designated "Civil Defense Workers" and are not allowed to leave school until they are given official clearance to do so by the administration. Students will remain with their teachers at the designated assembly area until the administrative staff gives the "All Clear" signal. In the event students cannot return to the school site, the administrative staff will notify parents and/or the media as to where the students can be picked up. The office personnel will sign out students as they are being picked up by a parent or other adult listed on the emergency information form. Parents will be asked to remain in a designated area, and students will be escorted to the designated area for release.

4. Intruder/Hostage

Identification badges are issued to all visitors as a means to ensure proper authorization to be on the school campus. The first person to recognize someone as a threat must report the threat to the office or administration immediately. The following are the procedures for an intruder/hostage situation:

- If an intruder comes on campus, an announcement will be made over the intercom system stating "Code Eagle". This signals the need for a LOCKDOWN drill.
- Teachers will immediately lock classroom doors and any other doors leading directly to the classroom (do not let ANYONE in/out once the door is locked), close blinds, and turn off lights. All doors are to remain locked until the "All Clear" code or until law enforcement or school administration gain access to classrooms using a master key.
- Students are to seek protective cover under or near desks, or tables in a kneeling position with hands on top of their heads.
- If students are outside of the classroom on campus, they should drop and cover in a similar position, keeping close to the ground, or move to an area of safety, if

in danger.

- Teachers will take attendance and remain silent in their classroom.
- Teachers will await further directions via intercom, telephone, or e-mail.
- Administration and/or those first made aware of the threat notifies the local Police Department by calling 911 and providing school site name and location, suspect description and location on campus or direction of travel, and if a weapon was seen, explain type, if possible, and whether or not any shots have been fired.
- All PCS personnel will follow the direction of law enforcement, as everyone may be treated as a suspect.
- Custodial and/or office personnel will lock gates and all exterior doors to the campus if safe to do so.
- The office staff will lock all doors to the Administrative Offices.
- Site representative debriefs with law enforcement as necessary and remains available for further communication.
- The Administrative Team will be responsible for campus supervision.
- All restroom trips will be monitored by administration, not classroom teachers.
- Teachers will wait for the “All Clear” signal before releasing students from the “Duck and Cover” position.

5. Bomb Threats

The person receiving the call or letter will note the time of day, wording of the message, background noises, and quality of the voice to try to determine if it is a child or an adult. This person will delay the caller as long as possible, while they alert another adult to the crisis. That adult will immediately notify the telephone company to trace the call and immediately thereafter, notify the police using 911.

Based on the information at hand, the administrative staff will make a decision whether an immediate evacuation is warranted. Evacuation sites have been identified for PCS and the off-site campus. If so, the fire alarm is used to alert staff to evacuate students. The office personnel will coordinate information requests to and/or from law enforcement, the telephone company, and parents.

If an immediate evacuation is not warranted, the administrative staff will notify teachers to inspect their room for any suspicious materials or unknown packages, without alarming students. All unassigned staff will report to the office for assignments such as searching offices, bathrooms, and all other common areas, including outdoor facilities.

6. Facilities

Title 5 CCR Section 11969.9(c)(1)(E) requires the Charter School to provide information

regarding the District school site and/or general geographic area in which the Charter School is located. Based upon the past Memorandum of Understanding (MOU), the relationship of Tracy Learning Center and Tracy Unified School District, the needs of the Charter School and the expectations of the families and students, the Charter School desires to maintain its exclusive location at the existing public school site, 51 East Beverly Place in Tracy for grades K-8 and MHS.

7. Staff Responsibilities

All employees are responsible for their own safety, as well as that of others in the workplace. PCS relies upon its employees to ensure that work areas are kept safe and free of hazardous conditions. If an employee suspects a danger is present on school premises, or in a product, facility, piece of equipment, process, or business practice for which PCS is responsible, the employee will bring it to the attention of the administration immediately.

The Facilities Director, under the direction of the Executive Director, will arrange for the correction of any unsafe condition(s) or concealed danger immediately and will contact staff of the problem. Employees are encouraged to report any workplace injury/accident to the administration as soon as possible, regardless of the severity of the injury or accident. If medical attention is required immediately, the administration or assigned staff assists employees in obtaining medical care, after which the details of the injury or accident must be reported.

On a periodic basis, PCS may issue rules and guidelines governing workplace safety and health. All employees will familiarize themselves with the rules and guidelines, as strict compliance will be expected. Failure to comply with rules and guidelines regarding health and safety or work performance is not permitted.

8. Role of Staff to Report Child Abuse

A policy for reporting child abuse, acts of violence, and other improprieties as mandated by federal, state, and local agencies will be strictly followed. PCS adheres to the requirements of *California Penal Code §11166* regarding child abuse reporting. PCS staff must report to the proper authorities if they suspect the following occurring to a student:

- sexual assault;
- neglect;
- willful cruelty or unjustifiable punishment;
- cruel or inhumane corporal punishment; and/or

- abuse in out-of-home care

The reporting person need only “reasonably suspect” that abuse or neglect has occurred. The reporting person does not have to prove abuse.

Administration works with all faculty and staff members to make sure all appropriate steps are taken if a child abuse situation occurs. All faculty and staff understand that it is their duty and responsibility to report any reasonable suspicions of child abuse. Staff understands that under California law, one who fails to report an incident of known or reasonably suspected child abuse or neglect is guilty of a misdemeanor, punishable by up to six (6) months confinement in a county jail or by a fine of one thousand dollars (\$1,000) or by both. Staff shall not investigate any suspected incident(s) of abuse; only report it to the proper authorities. A written report of the situation will be completed and the Child Protective Services will be immediately notified. If necessary, the local Police Department will be informed of the situation as well. The reporting person is responsible for providing all the necessary information and child abuse reports to the Child Protective Services and/or Police Department since he/she will be most knowledgeable of the situation.

Should it be necessary to remove the child from school, staff will obtain the contact information of the agent removing the child. This information will be placed in the student’s record and will be made available to the appropriate parent or guardian.

9. Student Health and Safety

PCS is committed to ensuring that students have a safe and healthy environment in which to learn. The following procedures have been implemented:

- Immunizations must be up-to-date with required boosters.
- Prior to admission, parents must present proof of immunization for polio, TDAP, measles, mumps, hepatitis, rubella, and any other immunizations required for enrollment in non-charter public schools.
- Records of student immunizations are maintained in the front office.
- A required emergency form for all students and staff will be completely filled out each year and updated throughout the year as necessary.
- PCS provides appropriate screening for students’ health equivalent to that provided by non-charter public schools per state mandates.
- A referral is made through the front office to agencies and/or local hospitals for chronic illness and treatment of communicable disease.
- Students will be released during the school day in the custody of an adult only if:
 1. The adult is/are the student’s custodial parent(s)/guardian(s).

2. The adult has been authorized on the student's emergency form as someone to whom the student may be released when the custodial parent/guardian cannot be reached, and the administration and/or designee verifies the adult's identity.
3. The adult is an authorized law enforcement officer acting in accordance with the law.
4. The adult is taking the student to emergency medical care, at the request of the administration and/or designee.
 - A policy that establishes the school functions as a drug, alcohol, and tobacco-free workplace.
 - Students are required to adhere to an established shoe code, which is clearly communicated through the PCS Student Handbook.
 - A discipline policy for all students is clearly outlined in the PCS Student Handbook.

10. Medication in School

Students requiring prescription medications and other medicines during school hours are accommodated. Processes outlining the administration of medication to students will be implemented according to all applicable state and local requirements.

11. Blood-Borne Pathogens

PCS meets state and federal standards for dealing with blood-borne pathogens and other potentially infectious materials in the workplace. A written infectious control plan is in place designed to protect employees and students from possible infection due to contact with blood-borne viruses, including human immunodeficiency virus (HIV) and hepatitis B virus (HBV). Whenever exposed to blood or other bodily fluids through injury or accident, staff and students will follow the latest protocol for disinfecting procedures.

12. Procedures for Background Checks

In accordance with California Education Code Section §44237, fingerprints are obtained on each new employee in order to obtain a criminal record summary from the Department of Justice. Employees will submit fingerprints to the Department of Justice via LiveScan processing. Employees will not start work until results are received from the Department of Justice and the employee is cleared to begin work. As noted above, other persons determined by PCS to have substantial contact with pupils, such as contractors and volunteers shall also be required to be screened by their employers or PCS, as appropriate.

13. Sexual Harassment Policies and Procedures

PCS is committed to providing a school that is free from sexual harassment, as well as any harassment based upon such factors as **race, color, religion, sex, gender identity, sexual orientation, pregnancy, national origin, ancestry, citizenship, age, marital status, physical disability, mental disability, medical condition, or any other characteristic protected by California or federal law**. PCS has a comprehensive policy to prevent and immediately remediate any concerns about sexual discrimination or harassment at PCS (including employee to employee, employee to student, and student to employee misconduct). Misconduct of this nature is very serious and is addressed in both our sexual misconduct policy and the Staff Handbook. School staff is trained on the harassment policy. PCS will immediately undertake a thorough and objective investigation of the harassment allegation(s).

14. Insurance Requirements

TLC has secured and maintains, as a minimum, insurance coverage with insurance companies rated A.M. Best A- or better or recognized joint powers insurance authorities which serve charter schools. The specific insurance information can be found in the Appendix.

Coverage and limits of insurance may be accomplished through individual primary policies or through a combination of primary and excess policies.

TLC shall furnish to the Chartering Agency upon request all new policies, renewals or changes, and copies of certificates of such insurance signed by authorized representatives of the insurance carrier.

TLC adheres to established claim reporting guidelines, especially as they relate to timelines and completeness of reporting, and providing assistance requested by the underwriting agency or its representatives in the investigation and defense of a claim. As stated herein, TLC maintains appropriate risk management practices including screening of employees, establishes codes of conduct for students, and disputes resolution.

Element 7: Racial and Ethnic Balance

“The means by which the school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted.” Education Code § 47605 (b)(5)(G)

PCS strives to have a broad representation of ethnic groups within our staff and student population. We have achieved a representative balance of the Tracy Community. Lottery selection will ensure fair and equitable selection of students in the event that more students apply than can be accommodated. **Despite the need for a lottery to determine enrollment, PCS has continued to reflect the district demographics as illustrated in the table below.**

2013-14 Enrollment by Sub Group	PCS	Tracy Unified School District
Hispanic	19%	47%
American Indian	4%	>1%
Asian	16%	10%
Pacific Islander	2%	1%
Filipino	4%	5%
African American	11%	7%
White	29%	25%
Two or More Races	15%	4%

1. Community Outreach Plan

Brochures and Mailings - Brochures and Application for Admission forms are available in English and Spanish. A Director of Admissions is available to meet with any interested parent or student throughout the year. This is sent during the month of Open Enrollment which is in February.

Media - Newspapers are notified of open enrollment. At times ads are taken out at the Tracy Mall and notices are given to Public Access TV (channel 26)

Electronic Media - The school website announces open enrollment and has a link to the application for students. The website is a great source of information about current school events, the school mission and vision, agendas and meetings, counseling information and other content that informs others about the school. The electronic sign outside the charter schools indicates open enrollment month.

Community Meetings - PCS conducts two public meetings to help inform interested parents about the Initial phase for Primary. The meeting also addresses the lottery and who has priority in that lottery. Additional recruitment for Latinos will take place at PCS and a bilingual staff or volunteer will be available at these meetings to encourage interest in PCS.

Wait List: all students on the wait list are contacted to be certain they wish to remain on the waiting list for another year. As openings occur, these students are notified.

Element 8: Admission Requirements

“Admission requirements, if applicable.” Education Code § 47605 (b)(5)(H)

1. Non-Discrimination Statutes

PCS attracts a diverse student population including low achieving and low income students from surrounding areas, and abides by all state and federal laws regarding admissions. Our recruitment efforts are an attempt to achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the district. **PCS shall not discriminate against applicants or employees on the basis of race, color, religion, sex, gender identity, sexual orientation, pregnancy, national origin, ancestry, citizenship, age, marital status, physical disability, mental disability, medical condition, or any other characteristic protected by California or federal law.** PCS abides by all applicable state and federal guidelines regarding admissions and enrollment procedures.

2. Open Enrollment Process/Admissions Requirements

PCS has established a period of open enrollment for the month of February each year. During the open enrollment period, students Application for Admission forms are accepted. **The form needed for application is available on line, in the school office,**

or may be completed over the phone. A copy of the one page application in both English and Spanish is included in the appendix. A public drawing/lottery is held in early March. PCS will notify the district of the date, time, and place of the random public lottery so that they may attend. The district will receive a copy of the wait list **by name and grade** established by the lottery after names are drawn. **This list will be sent to the district within one week of the lottery.** The process set forth below in Section 3 is followed.

Following the lottery, if necessary, students not able to attend PCS due to space limitations are placed on a waiting list which is a continuation of the lottery. After the lottery students are placed on the waiting list in the order in which the Application for Admissions is received. Each year, parents are notified in the spring to be certain they wish to remain on the waiting list.

The enrollment process is comprised of the following:

- completion of the Application for Admission

After students have been admitted they are required to:

- attend an initial interview with a designated teacher
- complete an emergency form
- provide a copy of their 504 or IEP if available

3. Random Public Drawings/Lottery

PCS has a hierarchy of preferences for enrollment. The following rules and procedures are communicated to all interested parties prior to holding the lottery.

Students automatically admitted, in order of hierarchy are:

1. children of TLC Board of Directors
2. children of staff
3. siblings of currently enrolled and newly admitted students in TLC

Preference in the lottery is given to:

1. students who reside in the Tracy Unified (K-12) School District boundaries

Lottery procedures will be as follows:

1. prior to the lottery taking place, all students in the preference categories as shown above shall be admitted to the school for the coming year in the order presented above
2. if a newly admitted student has siblings who have also applied, those siblings

shall be exempted from the lottery as well and placed on the list of siblings exempted from the lottery following those siblings already included.

3. if the total of all **preference** categories exceeds space available, the additional **preference** students shall be placed on a priority wait list in the order set forth above and shall not be included in the lottery.
4. students on the priority wait list shall be admitted as space becomes available and prior to any students from the regular wait list established during the lottery itself. **All students, once accepted, remain at the school as long as they wish. Preference category students cannot replace students already attending.**
5. the lottery will take place within fifteen (15) calendar days of the closing the open enrollment period as defined above.
6. the lottery will take place on the school's campus or in a facility large enough to allow all interested parties who wish to attend to do so.
7. all interested parties will know, prior to the holding of the lottery, how many openings are available in the school and in the different grades served by the school.
8. the lottery will take place on a given published date and place
9. PCS will comply with all applicable state and federal laws related to the oversight of charter schools.

Following the lottery, the admissions procedures listed below shall be applied for the coming school year:

1. as space become available, students shall be admitted first from the priority wait list for a given grade only once all priority wait list students have been enrolled shall students be enrolled from the wait list
2. siblings of any students admitted from either the priority or wait list shall at that point be exempted from the standard lottery process. When a student is admitted from the priority or wait list, any siblings of that student who are not yet enrolled shall be moved to the end of the priority wait list in order to ensure concurrent enrollment of siblings to the extent possible

Families promoted from the wait list shall be contacted when there is an opening. Contact will be made by personal phone call by the Director of Admissions. Parents have twenty four hours from the first notification to respond. Those families not responding within the twenty four hour period will forfeit their right to enroll all of their family students in the school. The next student on the waiting list shall be contacted for the open position. Parents who forfeit their right to accept enrollment when offered but are still interested in enrolling at PCS must reapply.

4. Re-enrollment

If a current student leaves PCS for another school and then wishes to return to PCS will be placed on the waiting list.

Element 9: Financial Audits

“The manner in which annual, independent, financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the chartering authority.” Education Code § 47605 (b)(5)(I)

1. Annual Independent Audit

Each year, the TLC Board of Directors will contract with independent auditors and oversee the preparation and completion of an annual audit of the school’s financial affairs. The Board of Directors shall be responsible for contracting with an auditor. The independent audit will be conducted by an accountant certified by the State of California with knowledge of school budget and accounting procedures. This audit will be conducted according to Generally Accepted Accounting Principles (GAAP) and the applicable provisions within the California Code of Regulations governing audits of charter schools, as published in the State Controller’s Guide.

2. Audit Exceptions and Deficiencies to be Resolved

The TLC Board of Directors will review any audit exceptions or deficiencies and determine how to resolve them. Audit exceptions and deficiencies shall be resolved in conference with the independent auditor to the satisfaction of the Chartering Agency.

PCS will provide the Chartering Agency with the final audit results by December 15th of each year for the prior fiscal year ending June 30th. The audit will also be submitted to the California Department of Education, the San Joaquin County Office of Education, and the State Controller’s Office by December 15th following each school year.

3. Financial Reports

PCS will submit the following reports to the Chartering Agency and the San Joaquin County Office of Education pursuant to *Education Code §47604.33*:

- Preliminary Budget - by July 1

- Interim Financial Report - by December 15, reflecting changes through October 31
- Second Interim Financial Report - by March 15, reflecting changes through January 31
- **LCAP for Primary Charter approved by the TLC Board by June**
- Unaudited Actuals - by August 15, reflecting entire fiscal year through June 30

4. Oversight

The Chartering Agency may charge an oversight fee not to exceed one percent (1%) of the general purpose and categorical block grant revenue received by PCS (or three percent (3%) in the case that the Chartering Agency provides substantially rent-free facilities for use by PCS) in accordance with *Education Code §47613*, to offset administrative costs required for comprehensive oversight. The oversight fee will be based on the general purpose entitlement and categorical block grant funding provided to PCS at the Second Principal Apportionment (P-2). The Chartering Agency, in the past, has charged 1% oversight and, under a facilities use agreement with PCS, and additional 2% for facility use. PCS requests a multi-year facilities use agreement for use of the current site. **(Removed or an additional site.....)PCS also requests approval to lease the classroom space at 238 West Grantline Road, Tracy California to house the Transitional Kindergarten class for as long as requested enrollment exists.**

Element 10: Student Suspensions and Expulsions

“The procedures by which pupils can be suspended or expelled...” Education Code § 47605 (b)(5)(J)

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 PCS. TLC is committed to annual review of policies and procedures surrounding suspensions and expulsions and, as necessary, this policy may be amended from time to time without the need to amend the charter so long as the amendments comport with legal requirements.

Suspensions and Expulsions

2012-13 school year	School	Tracy Unified School District
Enrollment	330	17,422
Students Suspended	12	2,721
Suspension Rate	0.04	14.6
Students Expelled	0	14
Expulsion Rate	0	.01
Students Truant	0	1,499
Truancy Rate	0	8.1

*The rate of suspensions and expulsions is calculated by dividing the total number of incidents by the total enrollment.

PCS staff shall enforce disciplinary rules and procedures fairly and consistently among all students. The Pupil Suspension and Expulsion Policy is summarized in the student handbook and clearly describes discipline expectations. 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 the 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.

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 PCS has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 (“IDEIA”) 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 general education students except when federal and state law mandates additional or different procedures. PCS will follow all applicable federal and

state laws including, but not limited to, the California Education Code when imposing any form of discipline on a student identified as an individual with disabilities or for whom PCS 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.

1. Grounds for Suspension and Expulsion of Students

PCS is exempt from Education Code requirements and procedures related to student suspension and expulsion. Therefore, references in this charter to the Education Code are used as a guideline. A student may be suspended or expelled for any of the acts enumerated in Education Code §48900 related to school activity or school attendance that occur at any time included, but not limited to: a) while on school grounds; b) while going to or coming from school; c) during the lunch period; or d) during, going to, or coming from, a school sponsored activity.

2. Enumerated Offenses

1. Discretionary Suspension Offenses. Students may be suspended or expelled for any of the following acts when it is determined the pupil:
 - a. caused, attempted to cause, or threatened to cause physical injury to another person
 - b. willfully used force of violence upon the person of another, except self-defense.
 - c. unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind.
 - d. unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage, or intoxicant.
 - e. committed or attempted to commit robbery or extortion.
 - f. caused or attempted to cause damage to school property or private property
 - g. stole or attempted to steal school property or private property.
 - h. possessed or used tobacco or products containing tobacco or nicotine products, including, but not limited to, cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
 - i. committed an obscene act or engaged in habitual profanity or vulgarity.
 - j. unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any

drug paraphernalia, as defined in Health and Safety Code Section 11014.5

k. disrupted school activities or otherwise willfully defied valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.

l. knowingly received stolen school or private property.

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

n. committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code Section 243.4

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

p. unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.

q. engaged in, or attempted to engage in hazing. For the purposes of this subdivision, "hazing" means a method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, "hazing" does not include athletic events or school sanctioned events.

r. made terrorist threats against school officials and/or school property. For purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one-thousand dollars (\$1000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property, or the personal property of the person threatened or his or her immediate family.

s. committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be

sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.

t. caused, attempted to cause, threatened to cause, or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section shall apply to pupils in any of grades 4 to 12, inclusive.

u. intentionally harassed, threatened, or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading student rights by creating an intimidating or hostile educational environment. This section shall apply to pupils in any of grades 4 to 12, inclusive.

v. engaged in an act of bullying, including, but not limited to, bullying committed by **communications made in writing or by means of** an electronic act, as defined in subdivisions (f) and (g) of Section 32261, **Section 48900.2, 48900.3, or 48900.4** of the Education Code, directed specifically toward a pupil or a school personnel.

w. a pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1).

x. possessed, sold, or otherwise furnished any knife unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee's concurrence.

2. Non-Discretionary Suspension Offenses: Students must be suspended and recommended for expulsion for any of the following acts when it is determined the pupil possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Executive Director or designee's concurrence.

If it is determined that a student has brought a firearm or destructive device, as defined in Section 921 of Title XVIII of the United States Code, on to campus or to have possessed a firearm or dangerous device on campus the student shall be expelled for one year, pursuant to the Federal Gun Free Schools Act of 1994. The term "firearm" means (a) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an

expulsive; (b) the frame or receiver of any such weapon; (c) any firearm muffler or firearm silencer; or (d) any destructive device. Such term does not include an antique firearm. The term "destructive device" means (a) any explosive, incendiary, or poison gas, including but not limited to (i) bomb; (ii) grenade; (iii) rocket having a propellant charge of more than four ounces; (iv) missile having an explosive or incendiary charge of more than one-quarter ounce; (v) mine; or (iv) device similar to any of the devices described in the preceding clauses.

3. Suspension Procedure

Suspension shall be initiated according to the following procedures:

1. Conference

Suspension shall be preceded, if possible, by a conference conducted by the Executive Director or the Executive Director's designee with the student and his or her parent and, whenever practical the teacher, supervisor, or PCS employee who referred the student to the Executive Director.

The conference may be omitted if the Executive Director or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety, or health of students or PCS 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 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 PCS 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, an administrator or designee 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 and the date of return following suspension. This notice shall state the specific offense committed by the student. If PCS 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

Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive days per suspension. Upon a Recommendation for Expulsion by the Executive Director or the Executive Director's designee, the pupil and the pupil's guardian or representative will be invited to a conference to determine if the suspension for the pupil will be extended pending an expulsion hearing. This determination will be made by the Executive Director or designee upon either of the following: 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.

4. Authority to Expel

A student may be expelled by an administrative panel upon the recommendation for expulsion by the Executive Director. The administrative panel should consist of at least three members who are certificated and neither a teacher or family member of the pupil, a board member, or the Executive Director. The Executive Director may recommend expulsion of any student found to have committed an expellable offence.

5. 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 or designee determines that the pupil has committed an expellable offense. PCS will notify the District as well as the SELPA when it is considering discipline of a special education student.

6. 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 Executive Director to expel must be supported by substantial evidence at the hearing. While

hearsay evidence is admissible, no decision to expel shall be based solely on hearsay.

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 final decision shall be made within ten (10) school days following the conclusion of the hearing. If the administrative panel decides not to expel, the pupil shall immediately be returned to his/her educational program.

7. Written Notice to Expel

The Executive Director or designee following a decision of the administrative panel to expel shall send written notice of the decision to expel, including the panel's adopted findings of fact, to the student or parent/guardian. This notice shall also include the following: a) Notice of the specific offense committed by the student; and b) Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the Charter School.

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

8. Disciplinary Records

PCS shall maintain records of all student suspensions and expulsions at PCS. Such records shall be made available to the authorizer upon request.

9. Right to Appeal

PCS pupils may appeal the expulsion to the Tracy Learning Center Board of Directors.

10. Rehabilitation Plans

Students who are expelled from PCS may be given a rehabilitation plan upon expulsion as developed by the panel 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 PCS for readmission.

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

1. Notification of SELPA

PCS shall immediately notify the SELPA and coordinate the procedures in this policy with the SELPA of the discipline of any student with a disability or student who PCS or SELPA would be deemed to have knowledge that the student had a disability.

2. Services During Suspension

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

3. Procedural Safeguards/Manifestation Determination

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

- a. If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or
- b. If the conduct in question was the direct result of the local education agency's failure to implement the IEP/504 Plan. If PCS, the parent, and relevant members of the IEP/504 Team determine that either of the above is applicable for the child, the conduct shall be determined to be a manifestation of the child's disability. If PCS, the parent, and relevant members of the IEP/504 Team make the determination that the conduct was a manifestation of the child's disability, the IEP/504 Team shall:

- i. Conduct a functional behavioral assessment or a functional analysis assessment, and implement a behavioral intervention plan for such child, provided that PCS had not conducted such assessment prior to such determination before the behavior that resulted in a change in placement;
- ii. If a behavioral intervention plan has been developed, review the behavioral intervention plan if the child already has such a behavioral intervention plan, and modify it, as necessary, to address the behavior; and
- iii. Return the child to the placement from which the child was removed, unless the parent and PCS agree to a change of placement as part of the modification of the behavioral intervention plan. If PCS, the parent, and relevant members of the IEP/504 Team determine that the behavior was not a manifestation of the student's disability and that the conduct in question was not a result of the failure to relevant disciplinary procedures to students with disabilities in the same manner and for the same duration as the procedures would be applied to students without disabilities.

4. Due Process Appeals

The parent of the child with a disability who disagrees with any decision regarding placement, or the manifestation determination, or PCS believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, may request an expedited administrative hearing through the Special Education Unit of the Office of Administrative Hearings or by utilizing the dispute provisions of the 504 Policy and Procedures. When an appeal relating to the placement of the student or the manifestation determination has been requested by either the parent or PCS, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the forty-five (45) day time period provided for in an interim alternative educational setting, whichever occurs first, unless the parent and PCS agree otherwise.

5. Special Circumstances

PCS may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a child with a disability

who violates a code of student conduct.

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

- a. carries or possesses a weapon, as defined in 18 USC 930, to or at school, on school premises, or to or at a school function;
- b. knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function; or
- c. has inflicted serious bodily injury, as defined by 20 USC 14115(k)(7)(D), upon a person while at school, on school premises, or at a school function.

6. Interim Alternative Educational Setting

The student's interim alternative educational setting shall be determined by the student's IEP/504 team.

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

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

PCS shall be deemed to have knowledge that the student had a disability if one of the following conditions exists:

- a. The parent/guardian has expressed concern in writing, or orally if the parent/guardian does not know how to write or has a disability that prevents a written statement, to PCS supervisory or administrative personnel, or to one of the child's teachers, that the student is in need of special education or related services.
- b. The parent has requested an evaluation of the child.

c. The child's teacher, or other PCS personnel, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the director of special education or to other PCS supervisory personnel.

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

If PCS had no basis for knowledge of the student's disability, it shall proceed with the proposed discipline. PCS shall conduct an expedited evaluation if requested by the parents; however the student shall remain in the educational placement determined by PCS pending the results of the evaluation. PCS shall not be deemed to have knowledge of that the student had a disability if the parent has not allowed an evaluation, refused services, or if the student has been evaluated and determined not to be eligible.

Element 11: Retirement Programs

“The manner by which staff members of the charter school will be covered by the State Teachers’ Retirement System, the Public Employees’ Retirement System, or federal social security.” Education Code § 47605 (b)(5)(K)

TLC will participate in the State Teachers’ Retirement System (STRS) and the Public Employee Retirement System (PERS) program available to all eligible persons working at the school. **The Director of Human Resource in conjunction with ARI, our contracted business service, will be responsible for appropriate arrangements for retirement coverage have been made.** All withholding from employees and TLC will be reported and forwarded to the STRS fund as required, and TLC will continue to comply with all policies and procedures for payroll reporting. Employees will accumulate service credit years in the same manner as all other members of STRS and/or PERS, as applicable. The TLC Board of Directors also reserves the right to offer additional plans as it deems appropriate.

Every effort will be made for financial compensation for all employees of TLC at a salary level competitive to attract and retain *“highly qualified”* teachers and staff.

Element 12: Attendance Alternatives

“The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools.” Education Code § 47605 (b)(5)(L)

Pupils who choose not to attend PCS may choose to attend other public schools in their district of residence or pursue an intra/inter-district transfer in accordance with existing enrollment and transfer policies of the District.

Element 13: Employee Rights

“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 § 47605 (b)(5)(M)

Persons employed by TLC are not considered employees of the District for any purpose whatsoever. Employees of the Chartering Agency who resign from District employment to work at TLC and who later wish to return to the District shall be treated the same as any other former District employee seeking reemployment. No special provisions pertaining to leave and return rights for District union employees shall apply to PCS employees, but shall be handled by District in accordance with its then-current collective bargaining agreements. TLC shall not have any authority to confer any rights to return to district employees. Employment by PCS provides no rights of employment at any other entity, including, but not limited to, any rights in the case of closure of PCS.

Element 14: Dispute Resolution

“The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to provisions of the charter...” Education Code § 47605 (b)(5)(N)

PCS and the Chartering Agency agree to resolve all disputes regarding this charter pursuant to the terms of this section. All parties will refrain from public commentary regarding any disputes until the matter has progressed through the dispute resolution process.

Any controversy or claim arising out of or relating to the charter agreement, except any controversy or claim that is in any way related to revocation of this charter, will be handled first through an informal process in accordance with the following procedures. Revocation proceedings shall proceed in accordance with applicable laws and regulations.

1. Written Notification

A written notification, identifying the nature of the dispute and any supporting facts, must be submitted to the TLC Board of Directors. The written notification may be tendered by personal delivery, facsimile, or certified mail. The written notification will be deemed received if: (a) it is personally delivered by 4:00 p.m. or otherwise on the business day following personal delivery; (b) it is communicated through facsimile, upon electronic confirmation of receipt; or (c) it is delivered by mail, two (2) business days after deposit in the U.S. mail. All written notices shall be addressed as follows:

Primary Charter School
Virginia Stewart, Executive Director
51 E. Beverly Place
Tracy, CA 95376

2. Written Response

A written response shall be tendered to the Chartering Agency within twenty (20) business days from the date of receipt of the written notification. The parties agree to schedule a conference to discuss the claim or controversy (“Resolution Conference”). The Resolution Conference shall take place within fifteen (15) business days from the date the written response is received by the other party. The written response may be tendered by personal delivery, facsimile, or certified mail. The written response shall be deemed received if: (a) it is personally delivered upon date of delivery to the address of the person to receive such

notice by 4:00 p.m., or otherwise on the business day following personal delivery; (b) it is communicated by facsimile, upon electronic confirmation of receipt; or (c) it is delivered by mail, two (2) business days after deposit in the U.S. mail.

3. Mediation for Non-Agreement

If the controversy, claim, or dispute cannot be resolved by mutual agreement at the Resolution Conference, then either party may request that the matter be resolved by mediation. Each party shall bear its own costs and expenses associated with the mediation. Both the mediator and the administrative fees of the mediation shall be shared equally among the parties. Mediation proceedings shall commence within 120 days from the date of the Resolution Conference. The parties shall mutually agree upon the selection of a mediator to resolve the controversy, claim, or dispute. If the dispute remains unresolved after mediation, both PCS and the Chartering Agency shall be deemed to have exhausted their administrative remedies, thus allowing either party to pursue any further available legal remedy under the law. If the mediation is not successful, then the parties agree to settle the controversy, claim or dispute by binding arbitration conducted by a single arbitrator in accordance with the guidelines of the American Arbitration Association. The arbitrator must be an active member of the California State Bar or a retired judge of the state or federal judiciary of California. Each party shall bear its own costs and expenses associated with the arbitration. The arbitrator's fees and the administrative fees of the arbitration shall be shared equally among the parties. Each party shall bear their own costs and expenses. However, any party who fails or refuses to submit to arbitration shall bear all costs and expenses incurred by such other party in compelling arbitration of any controversy, claim, or dispute.

Both parties shall exchange information as necessary to avoid disputes and assist in curing disputes and shall use their best efforts to resolve disputes between them at the earliest possible time.

4. Refusal to Arbitration

Any party who fails or refuses to submit to arbitration shall bear all costs and expenses incurred by such other party in compelling arbitration of any controversy, claim, or dispute.

Internal Disputes

All internal disputes between parents, teachers, students, administrators, and Board of Directors members of TLC shall be resolved by the school according to the school's own internal policies. The Chartering Agency shall not be involved with internal disputes of the school unless the school requests the Chartering Agency's involvement.

Element 15: Employer Status

“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 (Chapter 10.7 (commencing with §3540) of division 4 of Title 1 of the Government Code).” Education Code § 47605 (b)(5)(O)

TLC will be the exclusive public employer of all employees of PCS for collective bargaining purposes. As such, the Tracy Learning Center will comply with all provisions of the *Educational Employment Relations Act* (“EERA”), and will act independently from the Chartering Agency for bargaining purposes. In accordance with the EERA, employees may join and be represented by an organization of their choice for collective bargaining purposes.

Element 16: School Closing Protocol

“A description of the procedures to be used, if the charter school closes, the procedures shall ensure a final audit of the school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records.” Education Code § 47605 (b)(5)(P)

The following are closing procedures that abide by *California Education Code §47605(b)(5)(P)*, should the school close for any reason. The decision to close the school, either by the TLC Board of Directors or by the Chartering Agency, will be documented in a Closure Action. The Closure Action will be deemed to have been automatically made when any of the following occur:

- The charter is revoked for a material breach of contract, and in accordance with the State regulations with regard to revocations, or not renewed by the Chartering Agency and PCS has exhausted its appeal rights;
- The TLC Board of Directors votes to close the school; or
- The charter lapses.

In the event of such a Closure Action, the following steps are to be implemented:

1. Written notification, to parents/guardians/caregivers of the enrolled students of PCS, will be issued by PCS promptly after the determination of a Closure Action. Written notification is also to be made to the Chartering Agency, SELPA, County Superintendent of Schools, the retirement systems, and the California Department of Education within the same time frame, with the date of closure, and the name and contact information for the person to whom reasonable inquiries may be made. The action will identify the reason for closure.

a. The written notification will also include information on assistance in transferring each student to another appropriate school, and a process for the transfer of all student records. All transfer of student records will be made in compliance with the *Family Educational Rights and Privacy Act (“FERPA”) 20 USC Section 1232g*. PCS will ask the pupils’ schools districts of residence to store original records of charter school students if the pupil’s parents do not request that records be transferred to another educational institution.

b. Parents will also be provided with student information that includes date of closure, grade reports, discipline records, immunization records, completed coursework, and credits that meet graduation requirements.

2. A financial closeout audit of the school will be paid for by PCS to determine the disposition of all assets and liabilities of PCS, including plans for disposing of any net assets.

3. The final independent audit shall be completed within six (6) months after the closure of the school and will be provided to the Chartering Agency promptly upon its completion. An independent auditor who is on the State's approval list of education auditors will employ generally accepted accounting principles to conduct this audit. Any liability or debt incurred by PCS will be the responsibility of PCS and not the Chartering Agency.

In accordance with state law, all unrestricted assets (acquired with public or private funds) including, but not limited to, all real estate properties, capital outlay and equipment, personal properties, intellectual properties, all ADA apportionments, and other revenues generated by students attending PCS, remain the sole property of the nonprofit public benefit corporation and, if the corporation dissolves, shall be distributed in accordance with the distribution plan adopted by the corporation. The distribution plan may include allocation to other charter schools, or other public or nonprofit entities, in accordance with state law.

4. For six (6) calendar months from the Closure Action, or until the budget allows, whichever comes first, sufficient staff as deemed appropriate by the TLC Board of Directors, will maintain employment to take care of all necessary tasks and procedures required for a smooth closing of the school and student transfers. All other staff employment will be terminated upon Closure Action.

5. The TLC Board of Directors shall adopt a plan for the closure of the school and, if it deems necessary, and in accordance with the requirements of the Corporations Code, the closure of the corporation. The non-profit corporation shall be responsible for all closure-related activities unless the TLC Board of Directors identifies another person to be responsible.

6. In addition to a final audit, PCS will also submit any required year-end financial reports to the California Department of Education and the Chartering Agency in the form and time frame required.

APPENDIX