

SARC 2016-17

SCHOOL ACCOUNTABILITY REPORT CARD

PUBLISHED DURING 2017-18



Camarillo Academy of Progressive Education

Address: 777 Aileen St. Camarillo, CA 93010-2959

Principal: Doreen Learned and Maryellen Lang

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Web Site: www.camarillocharter.org

CDS Code: 56725460115105

Oxnard Union High

Superintendent: Penelope DeLeon

Phone: (805) 385-2500

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Web Site: www.ouhsd.k12.ca.us



I DATA AND ACCESS

By February 1 of each year, every school in California is required by state law to publish a School Accountability Report Card (SARC). The SARC contains information about the condition and performance of each California public school. Under the Local Control Funding Formula (LCFF) all local educational agencies (LEAs) are required to prepare a Local Control and Accountability Plan (LCAP), which describes how they intend to meet annual school-specific goals for all pupils, with specific activities to address state and local priorities. Additionally, data reported in an LCAP is to be consistent with data reported in the SARC.

- For more information about SARC requirements, see the California Department of Education (CDE) SARC Web page at <http://www.cde.ca.gov/ta/ac/sa/>.
- For more information about the LCFF or LCAP, see the CDE LCFF Web page at <http://www.cde.ca.gov/fg/aa/lc/>.
- For additional information about the school, parents/guardians and community members should contact the school principal or the district office.

DataQuest

DataQuest is an online data tool located on the CDE DataQuest Web page at <http://dq.cde.ca.gov/dataquest/> that contains additional information about this school and comparisons of the school to the district and the county. Specifically, DataQuest is a dynamic system that provides reports for accountability (e.g., test data, enrollment, high school graduates, dropouts, course enrollments, staffing, and data regarding English learners).

Internet Access

Internet access is available at public libraries and other locations that are publicly accessible (e.g., the California State Library). Access to the Internet at libraries and public locations is generally provided on a first-come, first-served basis. Other use restrictions may include the hours of operation, the length of time that a workstation may be used (depending on availability), the types of software programs available on a workstation, and the ability to print documents.

II ABOUT THIS SCHOOL

District Contact Information Most Recent Year

District Name: Oxnard Union High
 Phone Number: (805) 385-2500
 Superintendent: Penelope DeLeon
 E-mail Address: penelope.deleon@ouhsd.k12.ca.us
 Web Site: www.ouhsd.k12.ca.us

School Contact Information Most Recent Year

School Name: Camarillo Academy of Progressive Education
 Street: 777 Aileen St.
 City, State, Zip: Camarillo, CA 93010-2959
 Phone Number: (805) 384-1415
 Principal: Doreen Learned and Maryellen Lang
 E-mail Address: doreen.learned@cape.k12.ca.us or maryellen.lang@ca
 Web Site: www.camarillocharter.org
 County-District-School (CDS) Code: 56725460115105

School Description and Mission Statement (School Year 2017-18)

The Camarillo Academy of Progressive Education (CAPE) is a K-12 charter school that expands upon the “Open School” philosophy that thrived in Camarillo for over 30 years, first at Bedford Open School and then at Los Senderos Open School. During the 2017-2018 school year CAPE expanded to include an online high school available to students in grades 9-12. The program is done virtual through Pearson's Connexus Online Learning.

Focusing on the California Common Core Standards, this progressive education operates on the premise that children learn best when:

- 1) They believe in themselves and their abilities
- 2) They are interested in learning
- 3) They have opportunities to participate in the decision-making process
- 4) They are empowered to pursue an assignment to its completion

CAPE opened its doors in September 2007 after the Oxnard Union High School District (OUHSD) Board of Trustees voted unanimously in June 2007 to approve CAPE's charter application. The Academy serves approximately 580 students for the 2017-18 school year. Currently, CAPE leases facilities from the Pleasant Valley School District (PVSD), which is the elementary district of residence of most of the school's students.

CAPE serves a region in Ventura County known as the Oxnard Plain, which is one of the world's most important agricultural centers, with distinctions as one of the nation's leading producers of strawberries and lima beans. The area is home to nearly 300,000 residents, two U.S. Navy bases, the Port of Hueneme (which is the busiest commercial port between Los Angeles and San Francisco) and California State University at Channel Islands. CAPE serves a diverse community: agricultural and industrial, rural and suburban.

The CAPE Philosophy is based upon a set of beliefs about children and how they learn. Children have a natural curiosity, a desire to please, and are motivated to learn. Further, these assets may be capitalized upon by careful planning to make education both interesting and successful. Thus, CAPE produces students with a life-long interest in learning, with solid experience in self-direction and goal selection, and with the confidence to succeed. The students learn the value of community membership and are equipped with the requisite skills: intellectual, physical, social, and emotional.

CAPE's School Wide Learning Outcomes

- Every student will achieve academic success.
- Every student will be a conscientious and effective communicator.
- Every student will positively contribute to CAPE and beyond!

THE CAPE SUPER 7

We take pride in everything we do: our work, our appearance, our school, and our community.

We are honest, kind and find ways to resolve problems peacefully.

We think before we act and speak.

We come to school on time, prepared, and ready to participate in our learning with a positive attitude.

We try our hardest and never give up.

We believe in and support each other.

We respect the rights, property, opinions and diversity within our CAPE community.

Major Achievements – Most Recent Year

In the eleven years since the Charter School's inception, Camarillo Academy of Progressive Education has evolved, expanded and celebrated great achievements. CAPE supports a comprehensive instructional plan by providing safe nurturing and intellectually engaging surroundings, where students are inspired to intrinsically value learning as they achieve social and academic success. Among the numerous successes experienced are the following achievements that have contributed to the growth and development of CAPE between 2007-2018.

2013 WASC Accreditation

2016 California Golden Ribbon School

2017 California Honor Roll School

2017 California Honor Roll Charter School

2017 California Honor Roll School with Specialization in STEM

2012 California Distinguished School Award

California Business for Education Excellence Honor Roll

Named one of the Top Ten Charter Schools of California (2013 Study by USC)

98% of staff has been retained over the past 5 years

Participation in Camarillo Academic Olympics

Super Quiz Team placed 1st in citywide competition multiple years

Annual participation in Ventura County Spelling Bee

Robotics Team actively involved in First Lego League ("FLL") and all local competitions

Big and Little Buddy Program

Beginning and Advanced Band Program

4th Grade mandatory Build-a-Band program

Guitar

Strings

Spanish

Development of Musical Theater

CAPE Cares Service Projects

High School (grades 9-12) expansion implemented in fall of 2017

Artist and Composer of the Month

Junior Optimist Club

CAPE Leadership Team

Partnership with Oxnard Union High School District to provide high school readiness for our 8th graders

After school athletics program (flag football, volleyball, basketball, soccer)

Student teacher placement site for CSUCI and Cal Lutheran University

Annual Participation in the Ventura County Geo Bee

Annual Participation of 8th graders in the Ventura County Geo Bowl

Annual Participation in the 3rd grade PVEF Speech Tournament

These achievements supplement the progress made, which have been successful in providing a rigorous, project-based educational program for all students. CAPE strives to provide an education that encourages students to become positive, responsible, contributing citizens who value themselves and others in their choices as they strive to become life-long learners.

Focus for Improvement – Most Recent Year

Please see the school's yearly LCAP which is available on the school's website www.camarillocharter.org for the specific action plan for improvement.

Homework – Most Recent Year

Homework has an important place in the educational program at CAPE Charter School. Teachers carefully consider the child's needs when planning homework to make home assignments an integral part of your child's educational experience.

Homework that is meaningful in content will be assigned on a regular basis, Monday through Thursday in grades K-5 (special circumstances may warrant homework to be completed over the weekend.), and Monday through Friday for grades 6-8.

The frequency and length of homework assignments will be established by grade level teachers. Parents will be informed of the classroom homework policy in writing at Back-to-School night.

School Schedule – Most Recent Year

2017-2018 Bell Schedule

Bell Schedule for Grades 1-8

8:00 AM Front Gate Opens (there is no supervision of students before this bell rings)
8:05 AM 1st Bell for Middle School *all 6-8 grade students to their seats
8:10 AM 1st Bell (students go to classrooms)
8:10 AM Middle School Tardy Bell - Classes Begin
8:15 AM Tardy Bell (students must be in their seats)
9:50 AM 10:10 AM 1st grade and 2nd grade AM recess
10:25 AM 10:45 AM 3rd grade, 4th grade and 5th grade AM recess
11:01 AM 11:41 AM 6th grade, 7th grade and 8th grade lunch
11:45 AM 12:25 PM Full Day K, 1st and 2nd grade lunch
12:30 PM 1:10 PM 3rd grade, 4th grade and 5th grade lunch
1:15 PM 1:30 PM 1st grade and 2nd grade PM recess
2:30 Dismissal

Bell Schedule for All Day Kindergarten

8:00 AM Front Gate Opens (there is no supervision of students before this bell rings) Students go directly to the classroom
8:15 AM Tardy Bell (students must be in their seats)
10:00 AM 10:20 AM AM recess
11:45 AM 12:25 PM Lunch
2:00 Dismissal

Bell Schedule for AM Kindergarten

8:00 AM Front Gate Opens (there is no supervision of students before this bell rings) Students go directly to the classroom
8:15 AM Tardy Bell (students must be in their seats)
9:50 AM 10:10 AM AM recess
11:35 Dismissal

Bell Schedule for PM Kindergarten

11:05 AM Front Gate Opens (there is no supervision of students before this bell rings) Students go directly to the classroom
11:10 AM Tardy Bell (students must be in their seats)
12:45 PM 1:05 PM PM recess
2:30 PM Dismissal

Student Enrollment by Grade Level (School Year 2016-17)

Student Enrollment by Student Group (School Year 2016-17)

Grade Level	Number of Students
Transitional Kindergarten	0
Kindergarten	60
Grade 1	60
Grade 2	60
Grade 3	66
Grade 4	66
Grade 5	66
Grade 6	66
Grade 7	66
Grade 8	66
Grade 9	1
Grade 10	1
Grade 11	2
Grade 12	0
Total Enrollment	580

Student Group	Percent of Total Enrollment
Black or African American	0.7%
American Indian or Alaska Native	0.2%
Asian	8.3%
Filipino	2.8%
Hispanic or Latino	18.5%
Native Hawaiian/Pacific Islander	0.2%
White	60.6%
Two or More Races	8.8%
Socioeconomically Disadvantaged	8.8%
English Learners	1.2%
Students with Disabilities	9.8%
Foster Youth	0%

A. CONDITIONS OF LEARNING

STATE PRIORITY: BASIC

The SARC provides the following information relevant to the State priority: Basic (Priority 1):

- Degree to which teachers are appropriately assigned and fully credentialed in the subject area and for the pupils they are teaching;
- Pupils have access to standards-aligned instructional materials; and
- School facilities are maintained in good repair.

Teacher Credentials

Teachers	School 2015-16	School 2016-17	School 2017-18	District 2017-18
With Full Credential	22	22	23	
Without Full Credential	0	0	0	
Teaching Outside Subject Area of Competence (with full credential)	0	0	0	

Teacher Misassignments and Vacant Teacher Positions

Indicator	2015-16	2016-17	2017-18
Misassignments of Teachers of English Learners	0	0	0
Total Teacher Misassignments*	0	0	0
Vacant Teacher Positions	0	0	0

NOTE: "Misassignments" refers to the number of positions filled by teachers who lack legal authorization to teach that grade level, subject area, student group, etc.

* Total Teacher Misassignments includes the number of Misassignments of Teachers of English Learners.

Leadership – Most Recent Year

CAPE is governed by a corporate board of directors in accordance with its adopted corporate bylaws, which shall be consistent with the terms of this charter.

CAPE's current board has five members, which consist of two parents, two teachers and one community member.

Election of Community Representatives and Parents

Community members and parent representatives will be elected by a simple majority vote of all parents and guardians of the current students at CAPE. The community members and parent members of the board cannot be an employee of CAPE or a direct relative of an employee of CAPE (including: spouse, parent, child, grandparent, sibling, aunt, uncle, cousin, niece, nephew). CAPE shall seek community members with expertise in areas critical to the school's success, including, but not limited to, education, school finance, fundraising, facilities, government, business and legal issues.

Election of Teachers

Salaried teachers will be elected to the board by a simple majority vote by all full- and part-time employees of CAPE. No teacher serving as a director or serving as a bargaining unit representative, if applicable, can be elected to the board.

Terms and Elections

Board members shall serve terms of two years each. No board member may serve more than three consecutive terms. After serving three consecutive terms, an individual must take one year off before running for election again.

Board elections will be held in November.

Board members' terms will be staggered as set by board resolution to ensure continuity.

Board's Duties

The board of directors of CAPE will meet regularly, at least once a month, and in accordance with the Brown Act. The board of directors is fully responsible for the operations and fiscal affairs of CAPE including, but not limited to, the following:

- hiring, supervising, evaluating, disciplining and dismissing the directors of CAPE;
- approving all contractual agreements;
- approving and monitoring the implementation of general policies of CAPE, including effective human resource policies for career growth and compensation of staff;
- approving and monitoring CAPE's annual budget and budget revisions;
- acting as a fiscal agent, including the receipt of funds for the operation of CAPE in accordance with charter school laws and the receipt of grants and donations consistent with the mission of CAPE;

contracting with an external independent auditor to produce an annual financial audit according to generally accepted accounting practices;

establishing operational committees as needed;

regularly measuring progress of both the students' and the staff's performance;

involving parents and the community in school related programs.;

executing all applicable responsibilities provided for in the California Corporations Code;

conducting strategic planning;

approving the school calendar and the schedule of board meetings;

reviewing requests for out-of-state and overnight field trips;

participating in dispute resolution procedures and complaint procedures when necessary;

approving charter amendments as necessary and submitting material revisions as necessary for the district's consideration;

approving the annual fiscal audit and performance report; and

appointing an administrative panel or acting as a hearing body and taking action on recommended student expulsions.

The board may initiate and carry out any program and activity or may otherwise act in any manner as long as it is not in conflict with, inconsistent with, or preempted by any law, and it is not in conflict with the purposes for which the school is established.

CAPE has adopted a Conflicts Code that complies with the Political Reform Act, Corporations Code Conflicts of Interest rules, and any conflicts of interest regulations specific to charter schools.

The board may execute any powers delegated to it by law and shall discharge any duty imposed upon it by law and may delegate to an employee of CAPE any of those duties with the exception of budget approvals and revisions, approvals of the fiscal and performance audits, and the adoption of board policies. The board, however, retains ultimate responsibility for the performance of those powers or duties so delegated. Such delegation will:

be in writing; specify the entity designated; describe in specific terms the authority of the board of directors being delegated, any conditions on the delegated authority or its exercise, and the beginning and ending dates of the delegation; and require an affirmative vote of a majority of board members. Newly appointed CAPE's board of directors will attend an in-service for the purposes of training individual board members on their responsibilities, with topics to include at a minimum conflicts of interest, and the Brown Act.

The Director(s). Currently Maryellen Lang is the Director of Education and Doreen Learned is the Director of Operations.

The director(s) will be the leader(s) of CAPE. The director(s) will ensure that the curriculum is implemented in order to maximize students' learning. The director(s) must report directly to CAPE's board of directors, and is(are) responsible for the orderly operation of CAPE and the supervision of all employees of the school.

The director(s) is(are) assigned to perform assigned tasks directed from CAPE's board of directors and is(are) required to undertake some or all of the tasks detailed below. These tasks may include, but are not limited to, the following:

ensuring CAPE enacts its mission;

supervising and evaluating teachers and staff;

communicating with and reporting to CAPE's board of directors;

overseeing CAPE's finances to ensure financial stability;

participating in and developing professional development workshops, as needed;

serving on, or appointing designees to serve on, any committees of CAPE;

interviewing potential classified and certificated applicants

hiring, promotion, discipline and/or dismissal of employees;

ensuring compliance with all applicable state and federal laws and helping to secure local grants;

communicating with parents, recruiting new families and students, and assuring families of academic growth;

taking responsible steps to secure full and regular attendance of the students in accordance with policies established by the board of directors;

completing and submitting required documents as requested or required by the charter and/or CAPE's board of directors and/or the district;

identifying the staffing needs of the school and offering staff development, as needed;

maintaining up-to-date financial records;

ensuring that appropriate evaluation techniques are used for both students and staff;

establishing and maintaining a system to handle organizational tasks, such as students' records, teachers' records, teachers' credentialing information, contemporaneous attendance logs, purchasing records, budgets and timetables;

hiring qualified substitute teachers, as needed;
 ensuring the security of the school building;
 promoting and publishing CAPE’s mission and philosophy in the community, promoting positive public relations and interacting effectively with news media;
 encouraging and supporting teachers in their on-going professional development;
 attending the district’s administrative meetings, as requested by the district, and stay in direct contact with the district regarding changes, progress, etc.;
 attending meetings with the district’s chief financial officer on fiscal oversight issues at least once monthly or as otherwise agreed upon with the district;
 providing all necessary financial reports, as required for proper average daily attendance reporting;
 developing CAPE’s annual performance report and School Accountability Report Card;
 presenting a fiscal audit to CAPE’s board of directors and, after review by the board, presenting the audit to the district’s board of education and the county superintendent of schools, the state controller and the California Department of Education, in accordance with legal timelines;
 managing student discipline and, as necessary, participate in the suspension and expulsion process; and
 Participating in special education meetings, as necessary.
 The above duties, with the exception of personnel matters, may be delegated or contracted as approved by the board of directors to a business administrator of CAPE, another employee, or to an appropriate third-party provider.

Quality, Currency, Availability of Textbooks and Instructional Materials (School Year 2017-18)

This section describes whether the textbooks and instructional materials used at the school are from the most recent adoption; whether there are sufficient textbooks and instruction materials for each student; and information about the school's use of any supplemental curriculum or non-adopted textbooks or instructional materials.

Month and year in which data were collected: January 2017

Subject	Textbooks and instructional materials/year of adoption	From most recent adoption?	% Students lacking own assigned copy
Reading/Language Arts	Nat Geo/Readers/Collections	Yes	0%
Mathematics	Everyday Math/Big Ideas Math	Yes	0%
Science	Delta Foss Science/HOLT	Yes	0%
History-Social Science	Scott Foresman/ McDougal Littell	Yes	0%
Foreign Language	Middle School Spanish	Yes	0%
Health	N/A	N/A	0%
Visual and Performing Arts	N/A	N/A	0%
Science Laboratory Equipment (grades 9-12)	N/A	N/A	0%

GATE – Most Recent Year

Plans For Students Who Are Academically Low Or High Achieving

Students who high-achieving have unique needs that must be addressed by any successful program. CAPE will identify these students based on assessment data, teacher observations or recommendations, parent observations or recommendations, CST results and other observable academic factors. CAPE does not test for "GATE" or participate in a separate or pull out "GATE" program.

The curriculum and instructional programs outlined below are designed to address the needs of academically high-achieving students:

Depth and Complexity – Through depth and complexity, the higher achieving student is able to work at a higher cognitive level, synthesizing information in the manner described in Bloom’s Taxonomy. Due to the individualized nature of instruction, the higher achieving students have at their disposal the materials and information necessary to create work products at their level without being held back by the achievement levels of classmates.

Project-based Learning – High-achieving students perform at their level in addressing the same assignments as the other students. A high-achieving student works on the same project as his or her classmates but conducts the project at his or her level of performance.

Storyline– The teacher begins by discovering what the higher achieving student already knows or has experienced. The hands-on experience for this pupil takes this background and builds around it, allowing the high-achieving student to continue developing and learning at a higher level, unlimited by the constraints of the skill levels of fellow students. The teacher’s role is as facilitator, leaving the problem solving to be done by students. The high achiever is free to take the next step and apply his or her knowledge to real world situations.

An example was in a second-grade “community garden” storyline. A high achieving student with exceptional math skills volunteered to do the budget. He built on his knowledge and experience to create pie graphs, charts and scenarios; he was able to go beyond what the other pupils were doing, yet interact with this group in a positive fashion to move the project along.

Independent Contracts – Contracts between the higher achieving student and his or her teacher allow the child to complete extra projects, reports and study independently outside the classroom.

Special Education – Most Recent Year

CAPE shall comply with all applicable state and federal laws in serving students with disabilities, including, but not limited to, section 504 of the Rehabilitation Act (Section 504), the Americans with Disabilities Act (ADA) and the Individuals with Disabilities in Education Act (IDEA).

CAPE shall be categorized as a “public school” within the district in conformity with section 47641(b) of the California Education Code. CAPE shall comply with a memorandum of understanding (MOU) between the district and CAPE related to the delineation of duties between the district and CAPE.

CAPE shall comply with all state and federal laws related to the provision of special education instruction and related services and all Special Education Local Plan Area (SELPA) policies and procedures, and shall utilize appropriate SELPA forms.

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

Section 504 of the Rehabilitation Act

CAPE 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 school. Any student who has an objectively identified disability that substantially limits a major life activity, including, but not limited to, learning, is eligible for accommodation by the school.

For each student who is identified as possibly having a disability, a Student Study Team (SST) will be assembled by the director(s) and shall include the parent/guardian, the student (as appropriate) and other qualified persons who are

knowledgeable about the student, the meaning of the evaluation data, placement options and accommodations. The SST 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 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 SST who will evaluate the nature of the student's disability and the impact upon the student's education. This evaluation will include consideration of any behaviors that interfere with regular participation in the educational program and/or activities. The SST may also consider the following information in its evaluation:

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

If during the evaluation, the SST 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 SST.

If the student is found by the SST to have a disability under Section 504, the SST 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 a 504 Plan for the student, the SST 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 plan shall describe the disability and any program accommodations, modifications or services that may be necessary.

All SST participants in a particular SST, including parents, guardians, teachers and any other participants in the student's education, including substitutes and tutors, must have a copy of the 504 Plan for that child. The director(s) will ensure that teachers include 504 Plans with lesson plans for short-term substitutes and that he or she will review the 504 Plans with long-term substitutes. A copy of each 504 Plan shall be maintained in the respective student's file. Each student's 504 Plan will be reviewed at least once per year to determine its appropriateness, needed modifications, and continued eligibility.

Services for Students under the Individuals with Disabilities in Education Improvement Act

CAPE intends to provide special education instruction and related services in accordance with the IDEIA, the California Education Code, and applicable policies and practices of SELPA. CAPE shall remain, by default, a public school of the district for purposes of special education pursuant to section 47641(b) of the California Education Code. However, CAPE reserves the right to make written verifiable assurances that it shall become an independent local educational agency and join a SELPA pursuant to section 47641(b) of the California Education Code, either on its own or with a group of other charter schools that are local educational agencies as a consortium.

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

As long as CAPE functions as a public school of the district solely for purposes of providing special education and related services under the IDEA pursuant to section 47641(b) of the California Education Code, CAPE will anticipate that a MOU will be developed between the district and CAPE that spells out in detail the responsibilities for the provision of special education services and the manner in which special education funding will flow to the students of CAPE. CAPE envisions an ideal

relationship for special education to follow the language and intent of section 47646 of the California Education Code and 20 USC 1413 of the IDEA as follows:

The district retains the special education funds for the students of CAPE;
The district provides services to the students of CAPE in the same manner as other students of the district; and
CAPE pays the district a pro-rata share of the overall district encroachment for special education.

English Learners – Most Recent Year

Plan For English Learners

Overview

CAPE is committed to closing the achievement gap between English learners (EL) and English-speaking students. In order to do so, CAPE plans to use several techniques, including intensifying for EL students the strategies used for the entire class. CAPE will provide after school intervention groups and pull out opportunities with a reading support specialist. CAPE will use extended activities during the day to give EL students additional opportunities to speak, read and write in English. When possible, CAPE will involve the parents in the process by making them stakeholders. If a child is eligible, we will apply for and use migrant education resources.

CAPE shall meet all applicable legal requirements for EL students as they pertain to annual notification of parents, student identification, student placement, program options, English-language and core content instruction, teacher qualifications and training, re-classification of students to fluent-English-proficient status, the monitoring and evaluation of program effectiveness and standardized testing requirements. CAPE will implement policies to ensure the proper placement and evaluation of EL students and proper communication regarding the rights of EL students and their parents.

Home Language Survey

CAPE will administer the home language survey upon a student's initial enrollment, which is included on the enrollment forms.

California English Language Development Test

Students who indicate that their home language is not English will be given the California English Language Development Test (CELDT) within thirty days of initial enrollment and at least annually thereafter between July 1 and October 31 until re-designated as fluent-English-proficient.

CAPE will notify all parents of its responsibility to administer the CELDT and will give the results of each student's CELDT to his or her parents/guardians within thirty days of receiving results from the publisher. The CELDT shall be used to fulfill the requirements under the No Child Left Behind (NCLB) Act for annual testing in English proficiency.

Reclassification Procedures

In determining whether to classify a pupil as proficient in English, reclassification procedures utilize multiple criteria that include, but are not limited to, all of the following:

- 1) assessment of language proficiency using an objective assessment instrument including, but not limited to, the CELDT
- 2) participation of the pupil's classroom teachers and any other certificated staff with direct responsibility for teaching or placement decisions of the pupil in evaluating the pupil's mastery of the curriculum;
- 3) opinion and consultation not of the language reclassification and placement process and opportunity to participate and encourage in the reclassification procedure
- 4) comparison of the pupil's performance in basic skills against an empirically established range of performance basic skills based upon the performance of English proficient pupils of the same age that demonstrate to others that the pupil is sufficiently proficient in English to participate effectively in a curriculum designed for pupils of the same age whose native language is English

5) test to measure progress regarding comprehension, fluency, vocabulary, pronunciation, and grammar.

Strategies for Instruction and Intervention for English Learners

All CAPE teachers are trained to use Specially Designed Academic Instruction in English (SDAIE) techniques to meet the needs of English-language learners. SDAIE is a set of strategies that is used to make content instruction in English more comprehensible to English learners.

By using instructional strategies that provide multiple accesses to the core curriculum, SDAIE is a highly interactive and engaging teaching program that aligns itself to the academic needs of English learners. SDAIE strategies include, but are not limited to, the following:

Emphasis on the Academic Language – Emphasis on the academic language is the key instructional component in SDAIE. The goal is not to develop general English language skills, but to develop the use of, and proficiency in, the academic language of the content areas. This key component of SDAIE is the same for all students—English-only speakers and English learners. Teachers ensure that the academic language is mastered, thereby obtaining evidence of learning. To facilitate mastery, teachers implement two essential "best instructional practices"—posting the academic language and using the academic language. In posting, words are organized by categories of meaning, such as putting together the words “clean, tidy, neat, spotless, immaculate, impeccable, scrubbed, disinfected, sterilized, and pristine.” The teacher reinforces this by consciously and constantly using the academic language, and requiring that all students express themselves using the academic language, too.

Active Learning – Students constantly give the teachers evidence of learning by completing observable actions and behaviors that the teacher requests. Throughout the lesson, the teachers plan educational activities that give students opportunities to: observe, recognize, locate, identify, classify, practice, collect, distinguish, categorize, repeat, match, show, select, construct, assemble, arrange, put things in order, name, recall, give examples, draw, organize, decide, describe, tell, imagine, restate, create, appraise, dramatize, contrast, compare, question, map, discriminate, list, underline, review, interpret, compose, dictate, point out, record, report, predict, express, plan, evaluate, relate, generalize, demonstrate, outline, summarize, suppose, estimate, judge, explain, debate, illustrate, infer, revise, rewrite, assess, interpret, justify and critique. The process of requesting these types of observable actions and behaviors are similar to the methods used by CAPE’s faculty in implementing Everyday Mathematics as well.

Assessing/Tapping Prior Knowledge – Teachers become familiar with the background knowledge that students bring to the learning situation so they can emphasize what students already know, have experienced and are familiar with, and can build on that prior knowledge, experience and familiarity. Visuals, realia, posted academic language from previous lessons, various connections to prior knowledge, experience and familiarity are essential components of all lessons, and the bases of project-based learning, the storyline method and CAPE’s commitment to depth and complexity.

Collaborative Problem-Solving and Cooperative and Other Groupings – Teachers plan instruction through educational activities that provide for flexible groupings of students to meet specific purposes, such as: pre-production, early-production, speech emergence, intermediate fluency, and fluent English speakers. Teachers implement varied instructional activities where heterogeneous students can work productively.

Cultural Affirmation and Multicultural Perspectives – English learners and English-only students all bring to each and every lesson their prior knowledge, their own experiences and their cultural backgrounds. Teachers acknowledge and affirm the value of each student to the cooperative effort of the lesson by acknowledging the individual contributions of each student. Teachers expand the limited experiences and knowledge of each student to include the contributions of many individuals from many backgrounds to the advancement of knowledge.

Demonstration and Modeling – The key role of the teacher is to demonstrate and model all the behaviors to be learned in the lesson, especially the verbal behaviors expected to be mastered by the students, which is the language of the content areas. Often the teachers are the only role models that students will ever come in contact with for the language of the content areas.

Graphic Organizers Prior to Reading – Prior to reading a passage or selection, the teacher facilitates the understanding of: the language of the content areas; the language of new reading selections the students are about to read; and all words students do not know that are used in what students are about to listen to or read. The teacher helps students acquire,

practice, develop, learn, and master 95- to 100 percent of the new vocabulary prior to listening to or reading particular passages. The teachers utilizes instructional activities that, through visuals, manipulatives, realia, dramatization, or other means, help students master the new academic vocabulary before the beginning of each lesson. Graphic organizers can be used to help students become aware of what they know and the new words they are about to learn. For younger English learners and for all young learners, graphic organizers can be used with pictures instead of printed words. Students are then ready to read the selected passage, and they will do so with 100 percent understanding the first time around.

Integrating Listening, Speaking, Reading and Writing Across the Curriculum – Listening, speaking, reading and writing are implemented through all instructional strategies described above, creating effective practices within SDAIE for all students, both English-only and English-language learners. The teachers also utilize program-specific storylines and project-based learning to supplement these SDAIE methods that allow students to:

listen to the new academic language of the lesson as the teacher uses visuals, manipulatives, realia, and other means to physically convey the meaning of the academic language;

speak the new academic language through active instructional activities;

see—in posted graphic organizers or categories—the new academic language; and

write about what they have learned through expressive writing and answer textbook questions in their own words.

Higher Order Thinking Skills – CAPE's teachers look for evidence of these skills through observing active learning and through the use of depth and complexity.

Questioning techniques – The teachers promote all of the SDAIE strategies through questions and the students' active responses thus creating an active learning environment. Through their questions, the teachers monitor the students' use of the language of content areas. Questions are used to assess prior knowledge and allow teachers to provide new information to students while demonstrating and modeling the use of the academic language. Questions can be tailored to all levels of thinking skills and can give students the opportunity to listen and to speak. By choosing the right question appropriate for each student's ability and rewording when necessary, teachers can promote learning while at the same time allow students to experience success. For example, the same question can be asked in four different ways for different cognitive levels:

Who was the 22nd President of the United States?

Who was the 22nd President: Nixon, Cleveland, John Quincy Adams or Zachary Taylor?

Who was the 22nd President: Abraham Lincoln, Reagan, John Adams or Cleveland?

Cleveland was the 22nd President of the United States, right?

The Teacher is a Facilitator of Learning – Teachers are constantly interacting with students in their primary role of facilitators. Using visual aids and manipulatives, and verbal and non-verbal cues, teachers guide students into practicing the academic language as they acquire the concepts represented by the words.

School Facility Conditions and Planned Improvements

CAPE provides a safe, clean environment for students, staff, faculty and volunteers. Classrooms, bathrooms, and general areas are in good repair and receive basic cleaning on a daily basis. Deep cleaning is done at least three times per year.

Safety concerns are addressed immediately and a top priority at CAPE. Our maintenance staff is very proactive and conducts inspections on a continual basis. Emergency repairs are given the highest priority. CAPE works with Pleasant Valley School District, the district who owns the property CAPE leases, for deferred maintenance issues. Deferred maintenance typically includes roofing, plumbing, heating, air conditioning, electrical systems, interior or exterior painting and floor systems. Pleasant Valley's completed deferred maintenance plan is available at their district office.

School Facility Good Repair Status

Using the most recent FIT data (or equivalent), provide the following:

- Determination of repair status for systems listed
- Description of any needed maintenance to ensure good repair
- The year and month in which the data were collected
- The Overall Rating

Month and year in which data were collected: January 2017

System Inspected	Repair Needed and Action Taken or Planned		
	Good	Fair	Poor
Systems: Gas Leaks, Mechanical/HVAC, Sewer	✓	-	-
Interior: Interior Surfaces	✓	-	-
Cleanliness: Overall Cleanliness, Pest/ Vermin Infestation	✓	-	-
Electrical: Electrical	✓	-	-
Restrooms/Fountains: Restrooms, Sinks/ Fountains	✓	-	-
Safety: Fire Safety, Hazardous Materials	✓	-	-
Structural: Structural Damage, Roofs	✓	-	-
External: Playground/School Grounds, Windows/ Doors/Gates/Fences	✓	-	-

Overall Facility Rate

Month and year in which data were collected: January 2017

	Exemplary	Good	Fair	Poor
Overall Rating	✓	-	-	-

Library – Most Recent Year

CAPE does not have a school-wide library. Each classroom is outfitted with their own classroom library and lending system. CAPE has the Accelerated Reader (AR) program for students in grades K-8. Each teacher is given a budget of \$300 per school year to purchase new books for their classroom libraries.

Computers – Most Recent Year

CAPE has 1:1 IPADS for students in grades K-8. The middle school has a mobile computer netbook lab with 33 netbooks. Every classroom has a teacher computer, a teacher laptop, a teacher IPAD, 1 IPAD for each student, a projector, a Hoovercam (document camera) and a SMART board.

B. PUPIL OUTCOMES

STATE PRIORITY: PUPIL ACHIEVEMENT

The SARC provides the following information relevant to the State priority: Pupil Achievement (Priority 4):

- Statewide assessments (i.e., California Assessment of Student Performance and Progress [CAASPP] System, which includes the Smarter Balanced Summative Assessments for students in the general education population and the California Alternate Assessments [CAAs] for English language arts/literacy [ELA] and mathematics given in grades three through eight and grade eleven. Only eligible students may participate in the administration of the CAAs. CAAs items are aligned with alternate achievement standards, which are linked with the Common Core State Standards [CCSS] for students with the most significant cognitive disabilities); and
- The percentage of students who have successfully completed courses that satisfy the requirements for entrance to the University of California and the California State University, or career technical education sequences or programs of study.

CAASPP Test Results in ELA and Mathematics for All Students Grades Three through Eight and Grade Eleven

Subject	Percent of Students Meeting or Exceeding the State Standards					
	School		District		State	
	2015-16	2016-17	2015-16	2016-17	2015-16	2016-17
English Language Arts/ Literacy (grades 3-8 and 11)	78%	84%	54%	50%	48%	48%
Mathematics (grades 3-8 and 11)	76%	83%	28%	29%	36%	37%

NOTE: Scores are not shown when the number of students tested is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

CAASPP Test Results in ELA by Student Group Grades Three through Eight and Grade Eleven (School Year 2016–17)

Student Groups	Total Enrollment	Number Tested	Percent Tested	Percent Met or Exceeded
All Students	384	384	100.00%	84.38%
Male	192	192	100.00%	80.73%
Female	192	192	100.00%	88.02%
Black or African American	--	--	--	--
American Indian or Alaska Native	--	--	--	--
Asian	32	32	100.00%	87.50%
Filipino	11	11	100.00%	90.91%
Hispanic or Latino	67	67	100.00%	79.10%
Native Hawaiian or Pacific Islander				
White	241	241	100.00%	84.65%
Two or More Races	30	30	100.00%	86.67%
Socioeconomically Disadvantaged	34	34	100.00%	79.41%
English Learners	26	26	100.00%	76.92%
Students with Disabilities	44	44	100.00%	68.18%
Students Receiving Migrant Education Services				
Foster Youth				

NOTE: ELA test results include the Smarter Balanced Summative Assessment and the CAA. The “Percent Met or Exceeded” is calculated by taking the total number of students who met or exceeded the standard on the Smarter Balanced Summative Assessment plus the total number of students who met the standard (i.e., achieved Level 3–Alternate) on the CAAs divided by the total number of students who participated in both assessments.

NOTE: Double dashes (--) appear in the table when the number of students is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

NOTE: The number of students tested includes all students who participated in the test whether they received a score or not; however, the number of students tested is not the number that was used to calculate the achievement level percentages. The achievement level percentages are calculated using only students who received scores.

CAASPP Test Results in Mathematics by Student Group Grades Three through Eight and Grade Eleven (School Year 2016-17)

Student Groups	Total Enrollment	Number Tested	Percent Tested	Percent Met or Exceeded
All Students	384	384	100.00%	83.33%
Male	192	192	100.00%	82.29%
Female	192	192	100.00%	84.38%
Black or African American	--	--	--	--
American Indian or Alaska Native	--	--	--	--
Asian	32	32	100.00%	96.88%
Filipino	11	11	100.00%	72.73%
Hispanic or Latino	67	67	100.00%	70.15%
Native Hawaiian or Pacific Islander				
White	241	241	100.00%	84.23%
Two or More Races	30	30	100.00%	93.33%
Socioeconomically Disadvantaged	34	34	100.00%	64.71%
English Learners	26	26	100.00%	88.46%
Students with Disabilities	44	44	100.00%	70.45%
Students Receiving Migrant Education Services				
Foster Youth				

NOTE: Mathematics test results include the Smarter Balanced Summative Assessment and the CAA. The "Percent Met or Exceeded" is calculated by taking the total number of students who met or exceeded the standard on the Smarter Balanced Summative Assessment plus the total number of students who met the standard (i.e., achieved Level 3–Alternate) on the CAAs divided by the total number of students who participated in both assessments.

NOTE: Double dashes (--) appear in the table when the number of students is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

NOTE: The number of students tested includes all students who participated in the test whether they received a score or not; however, the number of students tested is not the number that was used to calculate the achievement level percentages. The achievement level percentages are calculated using only students who received scores.

CAASPP Test Results in Science for All Students Grades Five, Eight, and Ten

Subject	Percentage of Students Scoring at Proficient or Advanced					
	School		District		State	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Science (grades 5, 8, and 10)	89%	90%	47%	46%	56%	54%

Other Measures of Student Achievement – Most Recent Year

CAPE shall meet all statewide standards and conduct pupil assessments required pursuant to sections 60605 and 60851 of the California Education Code and any other statewide standards authorized in statute or pupil assessments applicable to pupils in non-chartered public schools.

In order to best serve our students and community, CAPE will continue to examine and refine its list of school wide outcomes. Over the past charter term, CAPE has achieved the following pupil outcomes: Please review Appendix K, N, O for outcomes achieved by CAPE.

CAPE will implement a cyclical feedback process to ensure that measurable outcomes of pupils are used to inform and guide instruction. Teachers will be trained to work with California's state standards and the chosen curricular program(s) to determine pupil outcomes and align assessments to those outcomes. The teachers and director(s) will also develop plans for each grade level that identify when each standard will be assessed during the course of the year.

The school will use Renaissance Learning Benchmark assessments (4 times per year) to compile and disaggregate assessment data by students' subgroups, and create a variety of instructive data reports. These reports will be used by teachers and other staff to collectively analyze student performance. CAPE will conduct a multi-year study of student performance by sub-groups and grade level. Each year of the study, the school's staff and its governing board will examine the findings and plan to make appropriate adjustments to ensure the success of all students in the school.

During teacher's collaborative meetings, teachers will use data from student conferences and other data analyses to identify students' academic strengths and weaknesses, and use that information to guide their instructional design. Teachers will be responsible for submitting the notes from these meetings to the director(s), who will use this process to constantly monitor the use of data to drive instruction. The data analysis process will also help the school staff to determine which students are in need of intervention or enrichment.

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

Students will also be measured in non-curricular areas, such as class attendance and discipline, to ensure that they are meeting their social responsibilities. CAPE believes that students develop important life skills when they are held accountable for both performance and conduct.

CAPE will centrally manage scores from assessments and other meaningful quantifiable data so that students' progress within particular subjects and across all subjects and areas of interest can be monitored.

CAPE will provide the students and teachers with this progress data so that the school staff, students and parents can track individual student performance throughout the student's career at CAPE. Teachers and students shall be able to critically analyze student data, identify strengths and opportunity areas, and define goals for the students. Goals will be jointly set by teachers and students, and student progress will be tracked and discussed with both students and parents on a regular basis. Parent participation will be essential in setting up individual educational contracts when needed and managing the students as they successfully progress through their goals and objectives. This information will be used to identify areas of improvement for students, teachers and programs within CAPE's progressive educational program.

Career Technical Education Programs (School Year 2016-17)

Mini Courses are provided as an opportunity for students in grades K-8 to experience different occupations or areas of interest. What are mini courses?

Mini-courses are elective-type classes where parent and community volunteers come to the campus once a week for four weeks twice a year and teach courses reflecting the volunteers' interests. Past courses have included dance, cooking, the culture of India, rocketry, quilting, Hawaiian culture, paper crafts, scrap booking, Computer coding, STEM and many others. These courses serve to widen children's awareness, introduce them to new experiences and help them gain confidence by learning new skills or developing areas of expertise.

Career Technical Education Participation (School Year 2016-17)

Measure	CTE Program Participation
Number of pupils participating in CTE	0
Percent of pupils completing a CTE program and earning a high school diploma	0%
Percent of CTE courses sequenced or articulated between the school and institutions of postsecondary education	0%

Courses for University of California (UC) and/or California State University (CSU) Admission

UC/CSU Course Measure	Percent
2016-17 Pupils Enrolled in Courses Required for UC/CSU Admission	.00%
2015-16 Graduates Who Completed All Courses Required for UC/CSU Admission	0%

STATE PRIORITY: OTHER PUPIL OUTCOMES

The SARC provides the following information relevant to the State priority: Other Pupil Outcomes (Priority 8):

- Pupil outcomes in the subject area of physical education.

California Physical Fitness Test Results (School Year 2016-17)

Grade Level	Percentage of Students Meeting Four of Six Fitness Standards	Percentage of Students Meeting Five of Six Fitness Standards	Percentage of Students Meeting Six of Six Fitness Standards
5	27.30%	37.90%	18.20%
7	13.30%	15.00%	58.30%
9			

NOTE: Percentages are not calculated when the number of students tested is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

C. ENGAGEMENT

STATE PRIORITY: PARENTAL INVOLVEMENT

The SARC provides the following information relevant to the State priority: Parental Involvement (Priority 3):

- Efforts the school district makes to seek parent input in making decisions for the school district and each school site.

Opportunities for Parental Involvement - (School Year 2017-18)

CAPE charter school was founded by a committed group of parents, administration and teachers. Parents play a vital role at CAPE. All parents are voting members of the CAPE PTSO (parent, teacher, and student organization) and are encouraged to attend monthly meetings. PTSO is responsible for parent involvement in school activities, fundraising and advising CAPE on all matters related to the strengthening of the school community.

Parent/Guardian Involvement

CAPE asserts that parents/guardians play a vital role in their children's education and need to be partners in the process. Parents and other concerned family members shall have frequent opportunities to interact with CAPE's directors through monthly "chatter time" meetings and shall also be strongly encouraged to attend, and speak at, board of directors' meetings. CAPE's directors and board members will welcome ideas from parents/guardians and view families as team members in carrying out the mission and philosophy of the school.

Each family will be encouraged to contribute a minimum of 40 hours of volunteer work per academic year to CAPE. The director(s) shall maintain a comprehensive list of volunteer opportunities, including, but not limited to, the following: volunteering in the classroom/school; completing activities that can be done at home; tutoring; attending parent-teacher conferences; attending CAPE's board meetings; participating in planning, or attending, fundraising and/or academic/arts events; and participating in other activities. No child will be excluded from CAPE or from school activities due to the failure of his or her parent or legal guardian to fulfill the encouraged 40 hours of participation.

STATE PRIORITY: PUPIL ENGAGEMENT

The SARC provides the following information relevant to the State priority: Pupil Engagement (Priority 5):

- High school dropout rates; and
- High school graduation rates.

Dropout Rate and Graduation Rate (Four-Year Cohort Rate)

Indicator	School			District			State		
	2013-14	2014-15	2015-16	2013-14	2014-15	2015-16	2013-14	2014-15	2015-16
Dropout Rate	0%	0%	0%				11.50%	10.70%	9.70%
Graduation Rate							80.95%	82.27%	83.77%

Completion of High School Graduation Requirements – Graduating Class of 2016 (One-Year Rate)

Student Group	School	District	State
All Students			
Black or African American			
American Indian or Alaska Native			
Asian			
Filipino			
Hispanic or Latino			
Native Hawaiian/Pacific Islander			
White			
Two or More Races			
Socioeconomically Disadvantaged			
English Learners			
Students with Disabilities			
Foster Youth			

STATE PRIORITY: SCHOOL CLIMATE

The SARC provides the following information relevant to the State priority: School Climate (Priority 6):

- Pupil suspension rates;
- Pupil expulsion rates; and
- Other local measures on the sense of safety.

Suspensions and Expulsions

Rate*	School			District			State		
	2014-15	2015-16	2016-17	2014-15	2015-16	2016-17	2014-15	2015-16	2016-17
Suspensions			0.52	5.19	5.85	6.30	3.79	3.65	3.65
Expulsions			0.00	0.41	0.49	0.22	0.09	0.09	0.09

Discipline – Most Recent Year

Suspension and Expulsion Procedures

Governing Law: The procedures by which pupils can be suspended or expelled from the charter school for disciplinary reasons or otherwise involuntarily removed from the charter school for any reason. These procedures, at a minimum, shall include an explanation of how the charter school will comply with federal and state constitutional procedural and substantive due process requirements that is consistent with all of the following:

(i) For suspensions of fewer than 10 days, provide oral or written notice of the charges against the pupil and, if the pupil denies the charges, an explanation of the evidence that supports the charges and an opportunity for the pupil to present his or her side of the story.

(ii) For suspensions of 10 days or more and all other expulsions for disciplinary reasons, both of the following:

(I) Provide timely, written notice of the charges against the pupil and an explanation of the pupil's basic rights.

(II) Provide a hearing adjudicated by a neutral officer within a reasonable number of days at which the pupil has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the pupil has the right to bring legal counsel or an advocate.

(iii) Contain a clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five school days before the effective date of the action. The written notice shall be in the native language of the pupil or the pupil's parent or guardian or, if the pupil is a foster child or youth or a homeless child or youth, the pupil's educational rights holder, and shall inform him or her of the right to initiate the procedures specified in clause (ii) before the effective date of the action. If the pupil's parent, guardian, or educational rights holder initiates the procedures specified in clause (ii), the pupil shall remain enrolled and shall not be removed until the charter school issues a final decision. For purposes of this clause, "involuntarily removed" includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions specified in clauses (i) and (ii). Education Code Section 47605(b)(5)(J).

This Pupil Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and wellbeing of all students at the Charter School. In creating this policy, the Charter School has reviewed Education Code Section 48900 et seq. which describes the non-charter schools' list of offenses and procedures to establish its list of offenses and procedures for suspensions and expulsions. The language that follows closely mirrors the language of Education Code Section 48900 et seq. The Charter School is committed to annual review of policies and procedures surrounding suspensions and expulsions and, as necessary, modification of the lists of offenses for which students are subject to suspension or expulsion.

When the Policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction. This policy shall serve as the Charter School's policy and procedures for student suspension and expulsion and it may be amended from time to time without the need to amend the charter so long as the amendments comport with legal requirements. Charter School staff shall enforce disciplinary rules and procedures fairly and consistently among all students. This Policy and its Procedures will be printed and distributed as part of the Student Handbook and will clearly describe 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 a student. For purposes of the Policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to school property.

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

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

A student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Act of 2004 ("IDEA") or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 ("Section 504") is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to general education students except when federal and state law mandates additional or different procedures. The Charter School 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 the Charter School has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students.

A. Grounds for Suspension and Expulsion of Students

A student may be suspended or expelled for prohibited misconduct if the act is related to school activity or school attendance occurring at any time including but not limited to: a) while on school grounds; b) while going to or coming from school; c) during the lunch period, whether on or off the school campus; d) during, going to, or coming from a school-sponsored activity.

B. Enumerated Offenses

Discretionary Suspension Offenses. Students may be suspended for any of the following acts when it is determined the pupil:

- a) Caused, attempted to cause, or threatened to cause physical injury to another person.
- b) Willfully used force of violence upon the person of another, except self-defense.
- c) Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.
- d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
- e) Committed or attempted to commit robbery or extortion.
- f) Caused or attempted to cause damage to school property or private property.
- g) Stole or attempted to steal school property or private property.
- h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.
- i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code Section 11014.5.
- k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties. This section shall apply to pupils in any of grades 4 to 12, inclusive.
- l) Knowingly received stolen school property or private property.
- m) Possessed an imitation firearm, i.e.: a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- n) Committed or attempted to commit a sexual assault as defined in Penal Code Sections 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code Section 243.4.
- o) Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
- p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- q) Engaged in, or attempted to engage in hazing. For the purposes of this subdivision, "hazing" means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this section, "hazing" does not include athletic events or school-sanctioned events.

r) Made terroristic 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 (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person

threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school property, or the personal property of the person threatened or his or her immediate family.

s)Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this section, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to 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, threaten to cause or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code. This section 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 means of an electronic act.

1)"Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including acts one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:

- i.Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student's or those students' person or property.
- ii.Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
- iii.Causing a reasonable student to experience substantial interference with his or her academic performance.
- iv.Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.

"Electronic Act" means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:i.A message, text, sound, video, or image.

ii.A post on a social network Internet Web site including, but not limited to:

- (a)Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
- (b)Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
- (c)Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
- iii.An act of cyber sexual bullying.
 - (a)For purposes of this clause, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
 - (b)For purposes of this clause, "cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

w)A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile

court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (1)(a)-(b).

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 Director(s) or designee's concurrence.

Non-Discretionary Suspension Offenses: Students must be suspended and recommended for expulsion for any of the following acts when it is determined the pupil:

a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Director(s) or designee's concurrence.

Discretionary Expellable Offenses: Students may be recommended for expulsion for any of the following acts when it is determined the pupil:

a) Caused, attempted to cause, or threatened to cause physical injury to another person.

b) Willfully used force of violence upon the person of another, except self-defense.

c) Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of any controlled substance, as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage, or intoxicant of any kind.

d) Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code Sections 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.

e) Committed or attempted to commit robbery or extortion.

f) Caused or attempted to cause damage to school property or private property.

g) Stole or attempted to steal school property or private property.

h) Possessed or used tobacco or products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. This section does not prohibit the use of his or her own prescription products by a pupil.

i) Committed an obscene act or engaged in habitual profanity or vulgarity.

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) Knowingly received stolen school property or private property.

l) 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.

m) 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.

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

o) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.

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

school-sanctioned events.

q)Made terroristic 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 (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family’s safety, or for the protection of school property, or the personal property of the person threatened or his or her immediate family.

r)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.

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

t)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.

u)Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act.

“Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including acts one or more acts committed by a student or group of students which would be deemed hate violence or harassment, threats, or intimidation, which are directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:

- i.Placing a reasonable student (defined as a student, including, but is not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with exceptional needs) or students in fear of harm to that student’s or those students’ person or property.
- ii.Causing a reasonable student to experience a substantially detrimental effect on his or her physical or mental health.
- iii.Causing a reasonable student to experience substantial interference with his or her academic performance.
- iv.Causing a reasonable student to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.

“Electronic Act” means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

- ii.A post on a social network Internet Web site including, but not limited to:
 - (a)Posting to or creating a burn page. A “burn page” means an Internet Web site created for the purpose of having one or more of the effects as listed in subparagraph (1) above.
 - (b)Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in subparagraph (1) above. “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
 - (c)Creating a false profile for the purpose of having one or more of the effects listed in subparagraph (1) above. “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
 - iii.An act of cyber sexual bullying.
 - (a)For purposes of this clause, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (i) to (iv), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
 - (b)For purposes of this clause, “cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious

literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

Notwithstanding subparagraphs (1) and (2) above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

v) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (3)(a)-(b).

w) 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 Director(s) or designee's concurrence.

Non-Discretionary Expellable Offenses: Students must be recommended for expulsion for any of the following acts when it is determined pursuant to the procedures below that the pupil:

a) Possessed, sold, or otherwise furnished any firearm, explosive, or other dangerous object unless, in the case of possession of any object of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Director(s) or designee's concurrence.

If it is determined by the Administrative Panel and/or Board of Directors that a student has brought a fire arm or destructive device, as defined in Section 921 of Title 18 of the United States Code, on to campus or to have possessed a firearm or dangerous device on campus, the student shall be expelled for one year, pursuant to the Federal Gun Free Schools Act of 1994. In such instances, the pupil shall be provided due process rights of notice and a hearing as required in this policy.

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

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

C. Suspension Procedure

Suspensions shall be initiated according to the following procedures:

1. Conference

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

The conference may be omitted if the Director(s) or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or Charter School personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference.

At the conference, the pupil shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given the opportunity to present his or her version and evidence in his or her defense. This conference shall be held within two (2) school days, unless the pupil waives this right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization. No penalties may be imposed on a pupil for failure of the pupil's parent or guardian to attend a conference with Charter School officials. Reinstatement of the suspended pupil 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. In addition, the notice may also state the date and time when the student may return to school. If Charter School officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may request that the parent/guardian respond to such requests without delay.

3. Suspension Time Limits/Recommendation for Expulsion

Suspensions, when not including a recommendation for expulsion, shall not exceed five (5) consecutive school days per suspension. Upon a recommendation of expulsion by the Director(s) or designee, the pupil and the pupil's guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. In such instances when the Charter School has determined a suspension period shall be extended, such extension shall be made only after a conference is held with the pupil or the pupil's parents, unless the pupil and the pupil's parents fail to attend the conference.

This determination will be made by the Director(s) 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.

D. Authority to Expel

A student may be expelled either by the Charter School Board following a hearing before it or by the Charter School Board upon the recommendation of an Administrative Panel, to be assigned by the Board as needed. The Administrative Panel should consist of at least three members who are certificated and neither a teacher of the pupil or a member of the Charter School Board. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense.

E. 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 Director(s) or designee determines that the Pupil has committed an expellable offense.

In the event an Administrative Panel hears the case, it will make a recommendation to the Board for a final decision whether to expel. The hearing shall be held in closed session (complying with all pupil confidentiality rules under FERPA) unless the pupil makes a written request for a public hearing in open session three (3) days prior to the date of the scheduled hearing.

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

The date and place of the expulsion hearing;

A statement of the specific facts, charges and offenses upon which the proposed expulsion is based;

A copy of the Charter School's disciplinary rules which relate to the alleged violation;

Notification of the student's or parent/guardian's obligation to provide information about the student's status at the Charter School to any other school district or school to which the student seeks enrollment;

The opportunity for the student and/or the student's parent/guardian to appear in person or to employ and be represented by counsel or a non-attorney advisor;

The right to inspect and obtain copies of all documents to be used at the hearing;

The opportunity to confront and question all witnesses who testify at the hearing;

The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf including witnesses.

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

The Charter School may, upon a finding of good cause, determine that the disclosure of either the identity of the witness or the testimony of that witness at the hearing, or both, would subject the witness to an unreasonable risk of psychological or physical harm. Upon this determination, the testimony of the witness may be presented at the hearing in the form of sworn declarations that shall be examined only by the Charter School or the hearing officer. Copies of these sworn declarations, edited to delete the name and identity of the witness, shall be made available to the pupil.

1. The complaining witness in any sexual assault or battery case must be provided with a copy of the applicable disciplinary

rules and advised of his/her right to (a) receive five (5) days notice of his/her scheduled testimony, (b) have up to two (2) adult support persons of his/her choosing present in the hearing at the time he/she testifies, which may include a parent, guardian, or legal counsel, and (c) elect to have the hearing closed while testifying.

2. The Charter School must also provide the victim a room separate from the hearing room for the complaining witness' use prior to and during breaks in testimony.

3. At the discretion of the entity conducting the expulsion hearing, the complaining witness shall be allowed periods of relief from examination and cross-examination during which he or she may leave the hearing room.

4. The entity conducting the expulsion hearing may also arrange the seating within the hearing room to facilitate a less intimidating environment for the complaining witness.

5. The entity conducting the expulsion hearing may also limit time for taking the testimony of the complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours.

6. Prior to a complaining witness testifying, the support persons must be admonished that the hearing is confidential. Nothing in the law precludes the entity presiding over the hearing from removing a support person whom the presiding person finds is disrupting the hearing. The entity conducting the hearing may permit any one of the support persons for the complaining witness to accompany him or her to the witness stand.

7. If one or both of the support persons is also a witness, the Charter School must present evidence that the witness' presence is both desired by the witness and will be helpful to the Charter School. The entity presiding over the hearing shall permit the witness to stay unless it is established that there is a substantial risk that the testimony of the complaining witness would be influenced by the support person, in which case the presiding official shall admonish the support person or persons not to prompt, sway, or influence the witness in any way. Nothing shall preclude the presiding officer from exercising his or her discretion to remove a person from the hearing whom he or she believes is prompting, swaying, or influencing the witness.

8. The testimony of the support person shall be presented before the testimony of the complaining witness and the complaining witness shall be excluded from the courtroom during that testimony.

9. Especially for charges involving sexual assault or battery, if the hearing is to be conducted in public at the request of the pupil being expelled, the complaining witness shall have the right to have his/her testimony heard in a closed session when testifying at a public meeting would threaten serious psychological harm to the complaining witness and there are no alternative procedures to avoid the threatened harm. The alternative procedures may include videotaped depositions or contemporaneous examination in another place communicated to the hearing room by means of closed-circuit television.

10. Evidence of specific instances of a complaining witness' prior sexual conduct is presumed inadmissible and shall not be heard absent a determination by the person conducting the hearing that extraordinary circumstances exist requiring the evidence be heard. Before such a determination regarding extraordinary circumstance can be made, the witness shall be provided notice and an opportunity to present opposition to the introduction of the evidence. In the hearing on the admissibility of the evidence, the complaining witness shall be entitled to be represented by a parent, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of the complaining witness is not admissible for any purpose.

G. Record of Hearing

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

H. Presentation of Evidence

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

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

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

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

I. Written Notice to Expel

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

J. Disciplinary Records

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

K. No Right to Appeal

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

L. Expelled Pupils/Alternative Education

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

M. Rehabilitation Plans

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

N. Readmission

The decision to readmit a pupil or to admit a previously expelled pupil from another school district or charter school shall be in the sole discretion of the Board following a meeting with the Director(s) or designee and the pupil and parent/guardian or representative to determine whether the pupil has successfully completed the rehabilitation plan and to determine whether the pupil poses a threat to others or will be disruptive to the school environment. The Director(s) or designee shall make a recommendation to the Board following the meeting regarding his or her determination. The Board shall then make a final decision regarding readmission during the closed session of a public meeting, reporting out any action taken during closed session consistent with the requirements of the Brown Act. The pupil's readmission is also contingent upon the Charter School's capacity at the time the student seeks readmission.

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

1. Notification of the District

The Charter School shall immediately notify the District and coordinate the procedures in this policy with the District of the discipline of any student with a disability or student who the Charter School or District 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 (which could constitute a change of placement and the student's IEP would reflect this change), and to progress toward meeting the goals set out in the child's IEP/504 Plan; and receive, as appropriate, a functional behavioral assessment 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, the Charter School, 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 educational agency's failure to implement the IEP/504 Plan.

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

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

- a) Conduct a functional behavioral assessment and implement a behavioral intervention plan for such child, provided that the Charter School had not conducted such assessment prior to such determination before the behavior that resulted in a change in placement;
- b) If a behavioral intervention plan has been developed, 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
- c) Return the child to the placement from which the child was removed, unless the parent and the Charter School agree to a change of placement as part of the modification of the behavioral intervention plan.

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

4. Due Process Appeals

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

When an appeal relating to the placement of the student or the manifestation determination has been requested by either the parent or the Charter School, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer in accordance with state and federal law, including 20 U.S.C. Section 1415(k), until the expiration of the forty-five

(45) day time period provided for in an interim alternative educational setting, unless the parent and the Charter School agree otherwise.

5. Special Circumstances

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

The Director(s) or designee may remove a student to an interim alternative educational setting for not more than forty-five (45) school 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 U.S.C. Section 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 U.S.C. Section 1415(k)(7)(D), upon a person while at school, on school premises, or at a school function.

6. Interim Alternative Educational Setting

The student's interim alternative educational setting 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 IDEA and who has violated the Charter School's disciplinary procedures may assert the procedural safeguards granted under this administrative regulation only if the Charter School had knowledge that the student was disabled before the behavior occurred.

The Charter School 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 Charter School supervisory or administrative personnel, or to one of the child's teachers, that the student is in need of special education or related services.
- b) The parent has requested an evaluation of the child.
- c) The child's teacher, or other Charter School personnel, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the director of special education or to other Charter School supervisory personnel.

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

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

The Charter School 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 to not be eligible.

School Safety Plan – Most Recent Year

CAPE takes the safety of students and staff very seriously. CAPE's disaster preparedness plan includes steps for insuring student and staff safety during a disaster. Fire drills, earthquake drills, and lock down drills are conducted on a regular basis throughout the school year. Storage bins on campus contain food, water, medical and other supplies for use during a disaster.

CAPE is a closed campus. During school hours, parents, visitors and students must enter and exit through the office. All visitors are required to sign-in at the office using our Keep-n-Track computer system. Visitors must wear identification, given to them by the office staff, while on campus. Parents who volunteer on a regular basis are issued a picture ID to be worn while on campus. The school is also wired with silent alarms throughout the campus that are directly linked to the Camarillo police station.

A Comprehensive School Safety Plan was developed by the school staff to provide students and staff a means to insure a safe and orderly learning environment. Components of the Comprehensive School Safety Plan include: mandatory child abuse reporting procedures, teacher notification of dangerous pupil procedures, disaster response procedures, procedures for safe arrival and departures from school, sexual harassment policy, suspension and expulsion policies, dress code, and discipline policies. The school administration team, teachers and staff evaluate the plan annually and update the plan as needed.

D. OTHER SARC INFORMATION

The information in this section is required to be in the SARC but is not included in the state priorities for LCFF.

Federal Intervention Program (School Year 2017-18)

Indicator	School	District
Program Improvement Status	NA	In PI
First Year of Program Improvement	NA	2008-2009
Year in Program Improvement*	NA	Year 3
Number of Schools Currently in Program Improvement	N/A	7
Percent of Schools Currently in Program Improvement	N/A	87.5%

NOTE: Cells with NA values do not require data.

Average Class Size and Class Size Distribution (Elementary)

Grade Level	Avg. Class Size	2014-15 Number of Classes*			Avg. Class Size	2015-16 Number of Classes*			Avg. Class Size	2016-17 Number of Classes*		
		1-20	21-32	33+		1-20	21-32	33+		1-20	21-32	33+
K	20	3			20	3			20	3		
1	20	3			20	3			20	3		
2	20	3			20	3			20	3		
3	22		3		22		3		22		3	
4	33			2	33			2	33			2
5	33			2	33			2	33			2
6	36			11	36			12	36			10
Other												

* Number of classes indicates how many classes fall into each size category (a range of total students per class).

Average Class Size and Class Size Distribution (Secondary)

Subject	Avg. Class Size	2014-15 Number of Classes*			Avg. Class Size	2015-16 Number of Classes*			Avg. Class Size	2016-17 Number of Classes*		
		1-22	23-32	33+		1-22	23-32	33+		1-22	23-32	33+
English	42		2	1	42		2	1	31		4	
Mathematics	32		3	1	31		3	1	31		4	
Science	32		3	1	31		3	1	31		4	
Social Science	32		3	1	31		3	1	31		4	

* Number of classes indicates how many classrooms fall into each size category (a range of total students per classroom). At the secondary school level, this information is reported by subject area rather than grade level.

Academic Counselors and Other Support Staff (School Year 2016-17)

Title	Number of FTE* Assigned to School	Average Number of Students per Academic Counselor
Academic Counselor	.5	10
Counselor (Social/Behavioral or Career Development)	.25	N/A
Library Media Teacher (Librarian)	0	N/A
Library Media Services Staff (Paraprofessional)	0	N/A
Psychologist	.25	N/A
Social Worker	0	N/A
Nurse	.1	N/A
Speech/Language/Hearing Specialist	.75	N/A
Resource Specialist (non - teaching)	.75	N/A
Other	1	N/A

NOTE: Cells with N/A values do not require data.

* One Full Time Equivalent (FTE) equals one staff member working full time; one FTE could also represent two staff members who each work 50 percent of full time.

Specialized Program/Staff – Most Recent Year

CAPE contracts our Special Education program with a company S.E.A.T.S.

Special Education Assistance and Technical Support, Inc. (SEATS), a state-certified nonpublic agency, was founded in 2003 by Jill and Michael Brogan. Jill and Michael have considerable experience in special education throughout the state; each has accumulated over thirty five years of public school experience, most of that spent serving students with special needs. Most recently, Michael served as South San Diego County SELPA Director for 12 years. Jill has been a special education teacher, site administrator and special education administrator for charter school programs. They have surrounded themselves with seasoned special education staff and administrators to facilitate the special education programs for many charter schools within California, ensuring quality special education support to children with specialized needs.cal, nursing and imaging facilities.

Our company was started by our founders Michael and Jill Brogan, with a very small investment and few people. Our rapid growth and success is due to our sincere commitment, dedication, hard work that ensures that we fully satisfy our Charter school clients with our high quality individualized services. We have a qualified team to coordinate and support each Charter school's individualized needs. What makes us different is our organizational commitment is to maintain a "hands on" approach with open communication and on-going partnership with our Charter schools. As an organization we strive to maintain our quality of service and grow to meet the needs of California's charter schools.

Our administrators have extensive experience in the area of Special Education, and have participated in the following administrative assignments:

- San Diego County Office of Education SELPA Director
- Director of Student Services
- Director of Special Education
- School Principal
- Coordinator of Student services
- Program Specialist Special Education
- Educational Specialist
- California Department of Education Compliance Consultant

Expenditures Per Pupil and School Site Teacher Salaries (Fiscal Year 2015-16)

Level	Total Expenditures Per Pupil	Expenditures Per Pupil (Restricted)	Expenditures Per Pupil (UnRestricted)	Average Teacher Salary
School Site				
District	N/A	N/A		\$84220
Percent Difference – School Site and District	N/A	N/A		
State	N/A	N/A	\$6574	\$82770
Percent Difference – School Site and State	N/A	N/A		

NOTE: Cells with N/A values do not require data.

Types of Services Funded (Fiscal Year 2016-17)

Updated Technology: Apple TVs, IPADS (1:1 ratio), Projectors, Document Cameras, netbooks, teacher laptops, classroom desktop computers, IPAD keyboards

Web based intervention programs: Zingy Science, Accelerated Readers, IXL mathematics and language arts, Civic Mirror, Rand McNally Maps, Active Classroom, Strata Logica

Staff Development: technology, student intervention, common core and other academic areas.

Support Staff: part time counselor, coaches for sports teams, musical theater director, musical tech director, music teacher, band teacher, student support provider (EL and ELA tutor), campus supervisors

Emotional Support: Second Step Community Building Program and Morning Meeting

Teacher and Administrative Salaries (Fiscal Year 2015-16)

Category	District Amount	State Average For Districts In Same Category
Beginning Teacher Salary	\$50266	\$50221
Mid-Range Teacher Salary	\$90230	\$83072
Highest Teacher Salary	\$97715	\$104882
Average Principal Salary (Elementary)	\$0	
Average Principal Salary (Middle)	\$0	\$128094
Average Principal Salary (High)	\$139023	\$146114
Superintendent Salary	\$206000	\$226121
Percent of Budget for Teacher Salaries	35%	34%
Percent of Budget for Administrative Salaries	4%	5%

NOTE: For detailed information on salaries, see the CDE Certificated Salaries & Benefits Web page at <http://www.cde.ca.gov/ds/fd/cs/>.

Advanced Placement (AP) Courses (School Year 2016-17)

Subjects	Number of AP Courses Offered*	Percent of Students In AP Courses
Computer Science	0	N/A
English	0	N/A
Fine and Performing Arts	0	N/A
Foreign Language	0	N/A
Mathematics	0	N/A
Science	0	N/A
Social Science	0	N/A
All courses	0	.0%

NOTE: Cells with N/A values do not require data.

* Where there are student course enrollments.

Professional Development

This section provides information on the annual number of school days dedicated to staff development for the most recent three-year period.

All teachers and staff members have 6 full days of staff development; four before the start of school and two after the end of the school year. During the school year, teachers and staff members have 2 half days; one in the fall and one in the spring for school wide staff development. Teachers are also given opportunities throughout the school year to attend trainings and seminars that foster the educational programs here at CAPE.

Recent Trainings and Staff Developments:

Storyline

California Kindergarten Conference (2 day workshop)

Handwriting Without Tears

Keyboarding Without Tears

CAFE

Daily 5

National Science Symposium

ELA Training in conjunction with VCOE

SMART Board Training

California Charter School Association Conference (4 days)

National Charter Association Conference (4 days)

Everyday Math Conference (3 days)

California Mathematics Conference (2 days)

CSTA (California Science Teachers Association) Conference (2 days)

PBL - Comprehension and Collaboration

Special Education - Social Skills for Speech and Language Therapists

Storyline-Emphasis on Historical Storylines

IPADS for Educators

Evaluation/Improving Teachers – Most Recent Year

All certificated staff (including administration) shall be responsible for maintaining Professional Standards at all times.

As the co-directors observe in classrooms or work settings, they have the responsibility to identify any concerns related to the Professional Standards. The co-directors will do "Snap Shot" observations on a regular basis and provide teachers with feedback.

Self-Assessment and Goal Setting. Each year, all certificated employees shall conduct a Self-Assessment. The Self-Assessment shall be in each domain and sub domain of the Continuum of Teacher Abilities. Using this Continuum, each teacher shall establish goals and objectives focusing on their own performance for the year.

It is the responsibility of administrators to provide support to teachers with respect to their goals and objectives.

It is understood and agreed by the parties that their intent of evaluation is to maintain or improve the quality of education. It is further understood and agreed that this intent can be more readily achieved by a willingness on the part of CAPE to assist teachers in improving their professional skills. CAPE agrees that a fundamental premise for successful evaluations is the existence of mutual respect and confidence between the co-directors and the teachers.

Evaluation of Teachers

Teachers who have worked for CAPE for three or less years shall be evaluated by the directors in writing once every year, no later than six (6) weeks before the end of the school year.

All other teachers shall be evaluated by the co-directors in writing once every two years, no later than six (6) weeks before the end of the school year. However, every teacher may receive yearly observations per discretion of the administrative team. Such yearly observations maybe used as data by the evaluator/evaluatee in formulating the summary evaluation.

If sufficient evidence exists during any given year that a teacher is in need of a yearly evaluation, said teacher shall be promptly placed on a yearly evaluation. A Written Assistance Plan shall be jointly developed for a teacher being placed on a yearly evaluation. After the conditions of the assistance plan have been met, the teacher shall revert back to the normal two-year evaluation cycle.

Observation Report

- a. Each observation report shall be based upon at least one observation, lasting the majority of the lesson or activity period or longer, and shall be followed as soon as possible, within five (5) working days, by a written report.
- b. The evaluatee or evaluator may request a conference to review the written observation report.
- c. Normally, three recorded observations shall take place, spaced throughout the school year, prior to any comments or judgments being included in the final evaluation.

Substitute Teachers – Most Recent Year

The majority of substitute teachers hired to fill in for salaried teachers of CAPE are: parents of CAPE students, former CAPE students, or retired CAPE employees. CAPE has a unique philosophy and way to teach children. We strive to find substitutes that understand and believe in the CAPE philosophy. All substitute teachers are California Credentialed (30-day, probationary or clear). Any substitute placed in a classroom for more than 30 days will hold a valid clear California Credential.