



育明中英雙語學院
YU MING CHARTER SCHOOL

Charter Renewal Petition
Submitted to Alameda County Board of Education on September 11, 2020

Term: July 1, 2021 – June 30, 2028

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Affirmations and Declaration

As the authorized lead petitioner, I, Sue Park, hereby certify that the information submitted in this petition for a California public countywide benefit charter school named Yu Ming Charter School (“Yu Ming” or “Charter School”), submitted to the Alameda County Board of Education (“ACBOE”) with oversight by the Alameda County Office of Education (“ACOE”) (collectively, the “County”) and to be located at several sites throughout Alameda County is true to the best of my knowledge and belief; I also certify that this petition does not constitute the conversion of a private school to the status of a public charter school; and further, I understand that if awarded a charter, the Charter School shall follow any and all federal, state, and local laws and regulations that apply to the Charter School, including but not limited to:

- The Charter School shall meet all statewide standards and conduct the student assessments required, pursuant to Education Code Section 60605 and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools. [Ref. Education Code Section 47605.6(d)(1)]
- The Charter School declares that it shall be deemed the exclusive public school employer of the employees of Yu Ming Charter School for the purposes of the Educational Employment Relations Act. [Ref. Education Code Section 47605.6(b)(6)]
- The Charter School shall be nonsectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. Education Code Section 47605.6(e)(1)]
- The Charter School shall not charge tuition. [Ref. Education Code Section 47605.6(e)(1)]
- The Charter School shall admit all students who wish to attend the Charter School, unless the Charter School receives a greater number of applications than there are spaces for students, in which case it will hold a public random drawing to determine admission. Except as required by Education Code Section 47605.6(e)(2), admission to the Charter School shall not be determined according to the place of residence of the student or his or her parents within the State. Preference in the public random drawing shall be given as required by Education Code Section 47605.6(e)(2)(B)(i)-(iv). In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the Charter School in accordance with Education Code Section 47605.6(e)(2)(C). [Ref. Education Code Section 47605.6(e)(2)(A)-(C)]
- The Charter School shall not discriminate on the basis of the characteristics listed in Section 220 (actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, including immigration status, or association with an individual who has any of the aforementioned characteristics). [Ref. Education Code Section 47605.6(e)(1)]
- The Charter School shall adhere to all applicable provisions of federal law relating to students with disabilities, including, but not limited to, the Individuals with Disabilities

Education Improvement Act of 2004, Section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act of 1990.

- The Charter School shall meet all requirements for employment set forth in applicable provisions of law, including, but not limited to credentials, as necessary. [Ref. Title 5, California Code of Regulations Section 11967.5.1(f)(5)(C)]
- The Charter School shall ensure that teachers in the Charter School hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools is required to hold. [Ref. Education Code Section 47605.6(l)]
- The Charter School shall at all times maintain all necessary and appropriate insurance coverage.
- The Charter School shall, for each fiscal year, offer at a minimum, the number of minutes of instruction per grade level as required by Education Code Section 47612.5(a)(1)(A)-(D).
- If a pupil is expelled or leaves the Charter School without graduating or completing the school year for any reason, the Charter School shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including report cards or a transcript of grades, and health information. If the pupil is subsequently expelled or leaves the school district without graduating or completing the school year for any reason, the school district shall provide this information to the Charter School within 30 days if the Charter School demonstrates that the pupil had been enrolled in the Charter School. [Ref. Education Code Section 47605.6(e)(3)]
- The Charter School may encourage parental involvement, but shall notify the parents and guardians of applicant pupils and currently enrolled pupils that parental involvement is not a requirement for acceptance to, or continued enrollment at, the Charter School. [Ref. Education Code Section 47605.6(n)]
- The Charter School shall maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection. [Ref. Education Code Section 47612.5(a)(2)]
- The Charter School shall on a regular basis consult with its parents and teachers regarding the Charter School's education programs. [Ref. Education Code Section 47605.6(d)(2)]
- The Charter School shall comply with any applicable jurisdictional limitations to the locations of its facilities. [Ref. Education Code Sections 47605.6(a)(1) and 47605.1]
- The Charter School shall comply with all laws establishing the minimum and maximum age for public school enrollment. [Ref. Education Code Sections 47612(b) and 47610]

- The Charter School shall comply with all applicable portions of the Elementary and Secondary Schools Act (“ESEA”), as reauthorized and amended by the Every Student Succeeds Act (“ESSA”).
- The Charter School shall comply with the Public Records Act.
- The Charter School shall comply with the Family Educational Rights and Privacy Act.
- The Charter School shall comply with the Ralph M. Brown Act.
- The Charter School shall comply with Government Code Section 1090, *et seq.*, as set forth in Education Code Section 47604.1.
- The Charter School shall comply with the Political Reform Act.
- The Charter School shall meet or exceed the legally required minimum number of school days. [Ref. Title 5 California Code of Regulations Section 11960]



Signature

9-11-2020

Date

Executive Summary

Yu Ming Charter School respectfully requests a seven-year renewal of its charter as a countywide benefit public charter school operating in Alameda County to prepare students in grades kindergarten to eighth to be bilingual, bi-literate and engaged global citizens.

Under the amended Education Code Sec. 47607, Yu Ming is considered a “High” performance level charter school, thus making it eligible for a streamlined renewal process. The following table summarizes the updates and revisions made throughout the petition.

Element	Summary of Revisions	Original page #	Revised page #
1	Replaced performance data used for previous renewal with current CA dashboard results. Moved description of special education program to its own Element 4 to align with ACOE’s matrix. Updated the following to reflect the current program: <ul style="list-style-type: none">- Description of mission and vision- Enrollment figures- Teaching strategies and class size- Balance of Mandarin and English instruction- Curricular materials- Assessments- Core values- Social emotional learning model- Reclassification procedures	8 - 11 15-16 20 - 24 26 - 28 32	7 - 25
2	Minor language revisions to pupil outcomes to match most current goals.	37	30
3	Updated goals, outcomes, and actions to reflect the most current LCAP.	38 - 42	33
4	Separated the description of the special education program into its own “element” to align with ACOE’s matrix.	32 - 36	42
5	Updated roster and biographies of board members. Clarified process for electing parents to the Board. Revised number of board committees. Included an organization chart to show key positions.	46 – 47	47 - 49

6	Included qualifications for Head of School position that was created after the previous charter renewal. Revised to update job qualifications.	52 - 55	53
7	Added statement prohibiting the hiring of any person convicted of a violent or serious felony.	59 - 62	60
8	Revised to describe balance of racial and ethnic pupils, special education pupils, and English learner pupils, including redesignated fluent English proficient pupils. Removed outdated ethnic diversity index charts.	67	64
9	Added statement regarding compliance with legal requirements relating to admissions preferences.	65- 66	67
10	No change.	91 - 92	70
11	Minor revisions to descriptions of suspension and expulsion procedures to provide greater clarity. Included an option for the board to suspend the enforcement of an expulsion in accordance with EC § 48917.	70 - 87	71
12	Removed references to CA Public Employees' Retirement System ("PERS"), as it is not currently offered.	57	90
13	No change.	69 - 70	91
14	Removed language regarding transfer of service credits from the County, as it is not currently in practice.	58	92
15	Included brief description of internal dispute resolution process.	62 - 63	93
16	Removed language regarding procedures for PERS, as it is not currently offered.	92 - 94	95
17	Separated the description of administrative items into its own "element" to align with ACOE's matrix.	92 95 - 96	96

18	Separated the description of facilities into its own “element” to align with ACOE’s matrix.	90 - 91	98
19	Separated the description of financial/operational plan into its own “element” to align with ACOE’s matrix. Included brief description of selection of contractors.	88 - 89	99

Charter Renewal Criteria

Pursuant to the amendments made to Education Code Section 47607, and the creation of Education Code Section 47607.2, by Assembly Bill 1505 (2019), at the time of charter renewal, a chartering authority shall consider the performance of the charter school on the state and local indicators reported on the California School Dashboard (“Dashboard”), and, in some circumstances, the performance of the charter school on assessments deemed to be verified data.

In addition to the shift toward assessing Dashboard data, Assembly Bill 1505 also created a three-tiered system of evaluating charter schools’ performance. Each of the three tiers has unique qualifying criteria.

The California Department of Education has deemed Yu Ming a top-tier charter school. (<https://www.cde.ca.gov/sp/ch/documents/ab1505results2020.xlsx>). Yu Ming is proud to belong in the top tier of charter schools statewide and is eligible for a seven-year charter renewal term, as demonstrated below.

Education Code Section 47607.2(c)(2) states:

The chartering authority shall not deny renewal for a charter school pursuant to this subdivision if either of the following apply for two consecutive years immediately preceding the renewal decision:

- (i) The charter school has received the two highest performance levels schoolwide on all the state indicators included in the evaluation rubrics adopted pursuant to Section 52064.5 for which it receives performance levels.*
- (ii) For all measurements of academic performance, the charter school has received performance levels schoolwide that are the same or higher than the state average and, for a majority of subgroups performing statewide below the state average in each respective year, received performance levels that are higher than the state average.*
- (iii) Notwithstanding clauses (i) and (ii), a charter school eligible for technical assistance pursuant to Section 47607.3 shall not qualify for renewal under this paragraph.*
- (iv) A charter school that meets the criteria established by this paragraph and subdivision (a) of Section 47607.2 shall not qualify for treatment under this paragraph.*

(B) The chartering authority that granted the charter may renew a charter pursuant to this paragraph for a period of between five and seven years.

(C) A charter that satisfies the criteria in subparagraph (A) shall only be required to update the petition to include a reasonably comprehensive description of any new

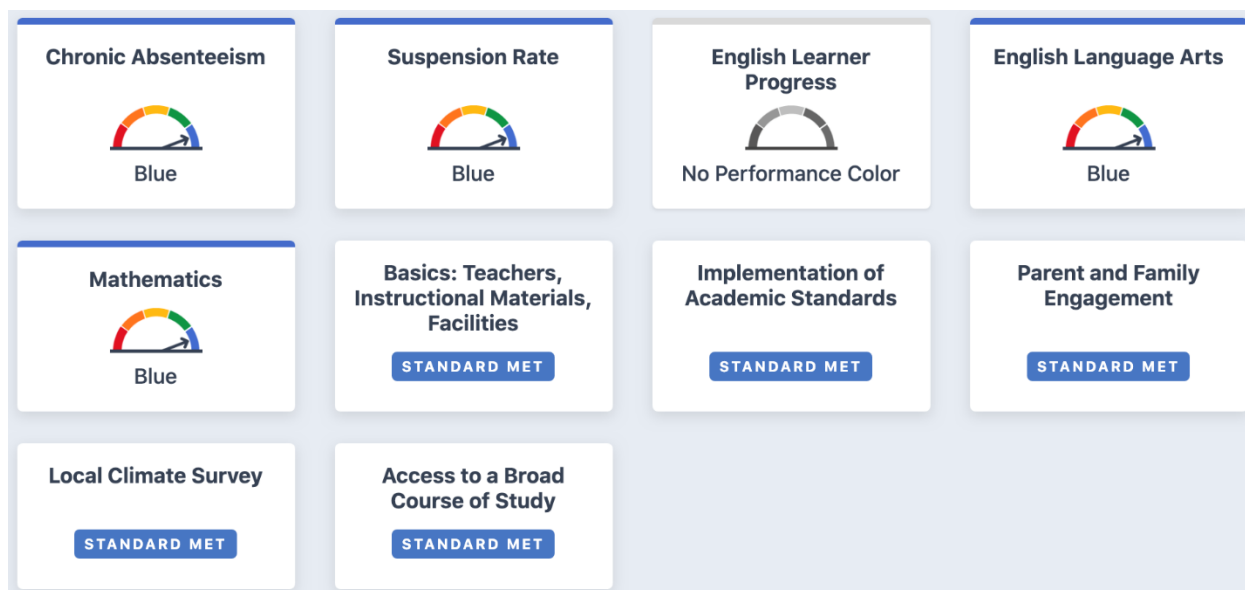
requirement of charter schools enacted into law after the charter was originally granted or last renewed and as necessary to reflect the current program offered by the charter.

California Dashboard Results

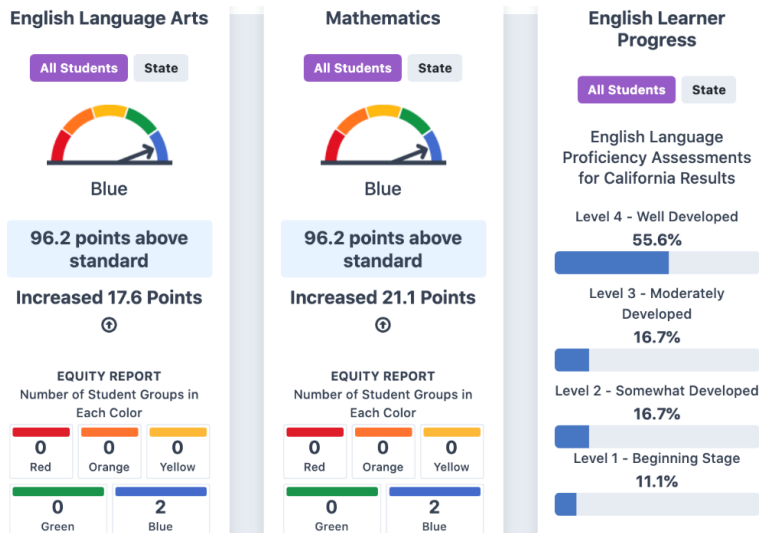
Yu Ming has received the highest performance level schoolwide on all the state indicators included in the evaluation rubrics adopted pursuant to Section 52064.5 for which it received performance levels. Due to COVID-19, state testing was suspended in 2020; thus, results from 2018 and 2019 are illustrated below to substantiate Yu Ming's eligibility for a seven-year renewal term. Yu Ming received the highest performance level in both 2018 and 2019 for English Language Arts ("ELA") and Mathematics ("Math"); in addition, the points above standard for both ELA and Math have increased from 2018 to 2019.

2018 Dashboard Results

Yu Ming received the highest performance level "Blue" on four indicators: chronic absenteeism, suspension rate, ELA, and Math. Standards were met across all state priorities.



Two subgroups, Asian and Two or More Races, were assigned "Blue" for ELA and Math. Additionally, the majority of English Learners achieved the highest "Level 4" on the ELPAC.



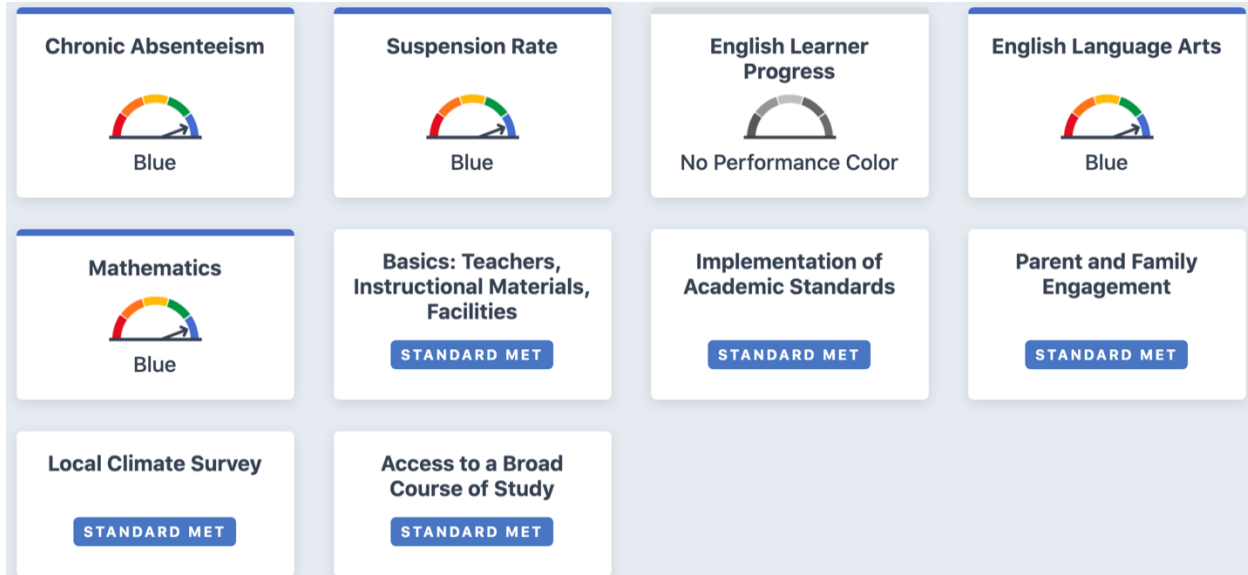
Students with disabilities and economically disadvantaged students also thrive at Yu Ming, as demonstrated by the majority of students meeting or exceeding standards in both ELA and Math:

Subgroup ¹	ELA Standard Met/Exceeded	Math Standard Met/Exceeded
Students with disabilities	64.71%	52.94%
Economically disadvantaged students	75%	75%
Asian	88.63%	92.04%
Two or more races	93.75%	87.5%
All	90.41%	89.4%

2019 Dashboard Results

The following year, Yu Ming continued to receive the highest performance level “Blue” for four indicators: chronic absenteeism, suspension rate, ELA, and Math.

¹ These subgroups were not assigned colors on the Dashboard. Data source: <https://caaspp-elpac.cde.ca.gov/>



Two subgroups, Asian and Two or More Races, received “Blue” for ELA and Math, and the vast majority of students with disabilities and economically disadvantaged students met or exceeded ELA and Math standards. Additionally, the percentage of students meeting or exceeding standards has increased since 2018 across all students and all numerically significant subgroups.

Subgroup ²	ELA Standard Met/ Exceeded	Math Standard Met/ Exceeded
Students with disabilities	81.25%	75%
Economically disadvantaged students	96%	84%
Asian	90.74%	95.37%
Two or more races	97.82%	93.48%
All	93.53%	93.97%

² These subgroups were not assigned colors on the Dashboard. Data source: <https://caaspp-elpac.cde.ca.gov/>

English Language Arts

All Students State

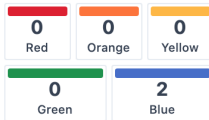


Blue

109.6 points above standard

Increased 13.3 Points
Ⓢ

EQUITY REPORT Number of Student Groups in Each Color



Mathematics

All Students State

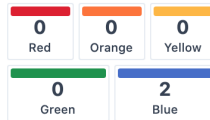


Blue

105.4 points above standard

Increased 9.2 Points Ⓢ

EQUITY REPORT Number of Student Groups in Each Color



Results for English Learner Progress in 2019 are not shown due to the small number of students tested.

Element 1: Overview of Educational Program

Governing Law:

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

- Education Code Section 47605.6(b)(5)(A)(i)

The annual goals for the charter school for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served by the charter school, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals.

- Education Code Section 47605.6(b)(5)(A)(ii)

About Yu Ming Charter School

Founded in 2010, Yu Ming Charter School is a Mandarin immersion school serving grades K-8 in Alameda County. Yu Ming envisions self-awareness, global awareness, problem-solving, and effective communication to be skill areas developed by every graduate. Beyond mastering content, Yu Ming students learn to do the following:

- **KNOW** themselves deeply through constantly reflecting on new knowledge and experiences
- **CONNECT** with people around them by fostering and nourishing positive relationships
- **DO** service for the greater good after coming to their own conclusions on real-world solutions
- **COMMUNICATE** using language to have powerful impact on a diverse range of audiences via multiple modalities.

Intent of the Charter Schools Act

The Charter Schools Act of 1992 states that:

It is the intent of the Legislature...to provide opportunities for teachers, parents, pupils, and community members to establish and maintain schools that operate independently from the existing school district structure, as a method to accomplish all of the following:

- *Improve pupil learning.*
- *Increase learning opportunities for all pupils, with special emphasis on expanded learning experiences for pupils who are identified as academically low achieving.*
- *Encourage the use of different and innovative teaching methods.*
- *Create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site.*
- *Provide parents and pupils with expanded choices in the types of educational opportunities that are available within the public school system.*
- *Hold the schools established under this part accountable for meeting measurable pupil outcomes, and provide the schools with a method to change from rule-based to performance-based accountability systems.*
- *Provide vigorous competition within the public school system to stimulate continual improvements in all public schools.*

- Education Code Section 47601

Yu Ming Charter School believes that the Charter School makes important contributions to the legislative intent described above, by providing an excellent bilingual educational environment for East Bay students and broadening pupil learning to include an additional language (Education Code Section 47601(a)), using immersion language strategies (Education Code Section 47601(c)), and creating professional opportunities for teachers who wish to use or learn Mandarin Chinese (Education Code Section 47601(c) and (d)). The Charter School also provides an additional high quality public choice in an area where such options are limited (Education Code Section 47601(d) and (e)).

Countywide Benefit

California Education Code provides the option for County Boards of Education to approve charter petitions:

In addition to the authority provided by Section 47605.5, a county board of education may also approve a petition for the operation of a charter school that operates at one or more sites within the geographic boundaries of the county and that provides instructional services that are not generally provided by a county office of education. A county board of education may approve a countywide charter only if it finds, in addition to the other requirements of this section, that the educational services to be provided by the charter school will offer services to a pupil population that will benefit from those services and that cannot be served as well by a charter school that operates in only one school district in the county.

- Education Code Section 47605.6(a)(1)

Support for Countywide-Charter

Outreach to all students of the county

The Charter School is committed to a vision of serving students that reflect the diversity of the East Bay and actively works to enroll students that represent all racial, ethnic and socio-economic backgrounds in Alameda County, as well as students who require English Learner or special education services. Pursuant to Education Code Section 47605(d), a charter granted by a school district must by law give a preference in admissions in the case of a public random drawing to the students residing in the granting district in the case the Charter School has more applicants than available capacity. As a result, a charter approved by a school district will eventually be comprised mainly by residents of the granting district. On the other hand, a countywide charter must, per Education Code Section 47605.6(e), provide preference to County residents as a whole. Accordingly, as a countywide charter, the Charter School will ensure an equal opportunity to all students of Alameda County, maximizing the likelihood of achieving its aspiration of a student population that reflects the diversity of Alameda County as a whole.

Expanded facility boundaries for future sites

The Charter School's initial location is in northern Alameda County and attracts students from across Alameda County. The large applicant pool during the entire initial charter term is evidence of strong demand throughout Alameda County, sufficient to fully enroll multiple campuses. The Charter School shall consider opening a second site in another part of the County within the next five years, subject to County Board approval pursuant to Education Code Section 47605.6(a)(3), appropriate notification as required by that section, and availability of both a permanent facility for the current students and a suitable facility for a subsequent campus.

A charter authorized by only one school district would only allow for school sites within the boundaries of that district, thus requiring more than one charter.

One of the legislative intents in the Charter Schools Act is to “provide vigorous competition within the public school system to stimulate continual improvements in all public schools.” While an important goal, the law also requires the charter school to apply to its “competitor” for approval. Unfortunately, the result often is poor relations between charter schools and their granting agencies. Many successful charter schools cite a healthy relationship with a granting agency as one key to success. Yu Ming Charter School is proud to have established a strong and productive relationship with Alameda County Office of Education and will continue to collaborate with its authorizer and local school districts whenever possible.

Centralized supervisory oversight

Because the Charter School attracts students from home districts across Alameda County, the Charter School’s students would benefit from centralized supervisory oversight by the County Office of Education far greater than one school district whose primary concern and duties are to the students residing in that district only.

By the statements above, the Petitioners have provided reasonable justification as to why a petition to a school district pursuant to Education Code Section 47605 could not establish this charter as effectively.

The Charter School’s Vision and Mission

As a leader in Mandarin Immersion education, Yu Ming Charter School nurtures our inclusive and diverse community to become empowered, engaged, and outstanding global citizens.

Target Population – Whom the School is Attempting to Educate

The Charter School currently serves approximately 550 students in grades K-8. The Charter School enrolls a diverse student body, and aspires to serve students that represent all racial, ethnic and socio-economic backgrounds in Alameda County, as well as students who require English Learner or special education services. In 2019-2020, the Charter School’s student population included 7% English Learners and 16% low-income (i.e., eligible for Free/Reduced-price meals).

The Charter School’s governing Board and leadership are deeply committed to a vision of serving students that reflect the diversity of the East Bay. Since founding, the Charter School has proactively sought to attract students under-represented in its student population compared to Alameda County’s population. Key policy changes were made to enable such enrollment: in Fall 2016, Yu Ming’s charter was revised to a one-way Mandarin immersion model and create a 20% categorical lottery preference for students eligible for Free/Reduced-price meals (FRPM). In Spring 2020, this lottery preference was expanded to 30% and an additional three sections of kindergarten were approved, thereby further enabling Yu Ming to serve more students from under-represented backgrounds. Additional outreach activities have included:

- targeted visits to neighborhood early childhood programs and preschools serving low-income, African American and Latino families;

- cultivating relationships with leaders of nearby Head Starts, preschools and early childhood centers, especially those serving a high proportion of low-income, African American and Latino families;
- disseminating information about the Charter School in English, Spanish and Chinese in neighborhood gathering places such as community centers, barber shops, hair salons;
- advertising the Charter School's program and past success serving students with different backgrounds and needs, including those requiring special education and/or English learner services;
- parent volunteers to support outreach activities;
- events for prospective families and weekend school tours with childcare; and
- personal calls by principal to families in target populations that were offered slots or high up on the wait list who were in our target populations.

The Charter School is committed to continuing these activities and adding new strategies as needed to continue to diversify the applicant pool. In addition, the Charter School is targeting a lower-income or mixed-income neighborhood for its permanent location, and believes that its outreach efforts, combined with the stability of a permanent location and the possibility of enrolling an additional section of incoming kindergarten, will shift the mix of students over time. The Charter School has also initiated conversations with Head Start leaders about the possibility of adding Mandarin language in some of its programs to provide a more diverse population of “feeder” preschools. On an annual basis, the Board sets goals and monitor progress in diversifying the incoming student applicant pool.

Education Philosophy / How Learning Best Occurs

Through early and sustained immersion in Mandarin, the Charter School's students will achieve high academic attainment, become highly proficient in two languages and develop sensitivity to other cultures. Foreign language immersion is a proven educational methodology in which the school curriculum is taught through the medium of a foreign language,³ stimulating the development of critical thinking skills, problem solving skills⁴ and cognitive development overall.⁵ Research also indicates that students can simultaneously master a rigorous academic curriculum using the target language as a means of delivering content as well as mastering their native language.⁶

³Center for Applied Linguistics http://www.cal.org/twi/bib/bib_all.pdf

⁴Asia Society. Chinese Language Learning in the Early Grades: A Handbook of Resources and Best Practices for Mandarin Immersion. 2012. <http://asiasociety.org/files/chinese-earlylanguage.pdf>

Weise, E.. (2014). *A Parent's Guide to Mandarin Immersion*. San Francisco, CA: Chenery Street Press.

⁵Lindholm-Leary, K. (2011). Student outcomes in Chinese two-way immersion programs: Language proficiency, academic achievement, and

student attitudes. In D. J. Tedick, D. Christian & T. W. Fortune (Eds.), *Immersion education: Practices, policies, possibilities* (pp. 81-103). Bristol, UK .Multilingual Matters.

“The Bilingual Advantage,” *New York Times*, May 30, 2011.

⁶Christian, D., “Dual language education” in *Handbook of Research in Second Language Teaching and Learning Volume II*, ed. E. Hinkel (New York: Routledge, 2011),

Xu et. al (2015). Learner Performance in Mandarin Immersion and High School World Language Programs: A Comparison. *Foreign Language Annals*, Vol. 48, Iss. 1, pp. 26–38.

The Charter School's immersion model, configuration, use of time, teaching strategies, curriculum materials, technology, assessments, and support systems are aligned towards these same goals.⁷

Mandarin Immersion Model

The Charter School's program is rooted in a one-way dual language immersion model in which two languages are used for instruction (i.e. in this case, English and Mandarin), with at least 50% of instruction in the second language.

The proportion of instruction in Mandarin and English shifts gradually over the course of a student's progression through the Charter School. At Yu Ming, in kindergarten, first and second grade students spend 85-90% of their time exclusively immersed in Mandarin Chinese, 10-15% of the content is delivered in English. All subjects other than English, including math, science, social studies, and special subjects such as art and music, are taught in Mandarin. The immersion early language acquisition strategy is critical because Mandarin Chinese is a tonal language with a logographic writing system,⁸ not based on the Latin alphabet, so it is important to start learning it at a young age when children are developmentally attuned to distinguishing tonal and visual variations. A 90/10 immersion model provides more contact hours for English-speaking students to achieve proficiency.⁹ Full immersion is critical because it takes a native English speaker much longer to develop proficiency in Mandarin as compared to learning a cognate language such as Spanish or French. Starting in 3rd grade, the percentage of instructional time in Mandarin and English shifts to 70/30, and in 5th grade the mix is 50/50. In middle school (grades 6-8), students' percentage of time spent on Mandarin will vary based on individual need and elective course offerings, from a minimum of 30%, up to 50%. Subjects taught in Mandarin are taught by teachers with native or near-native proficiency in Mandarin. Subjects taught in English are taught by teachers with native English proficiency. In grades 3 and above, some subjects are taught in both languages through coordination between teachers who are teaching different aspects of the same topic, in each language.¹⁰

Small School Size

The Charter School is a site-based program that is small enough to be a community in which each student is known personally. Research shows that small schools allow students and teachers to develop intensive, long-term relationships that enable better conditions for teaching and learning.

K-8 Grade Configuration

Studies have shown that students in grades 6-8 that attend K-8 schools experience social-emotional and other potential benefits compared to their same grade peers in separate middle schools.¹¹

⁷ While all of the elements described below are expected to be in place consistently throughout the Charter School, some elements may be less fully implemented at certain times as the focus of the Charter School shifts depending on the needs of students and capacity of School staff.

⁸ In tonal languages, the tone of a word is a high-low pitch pattern permanently associated with it. A change of tone alters the word's meaning. In logographic languages, a single grapheme (an atomic unit in the written language) can represent a word, a morpheme (a meaningful unit of language). Multiple graphemes together in different combinations also represent words.

⁹ This model was chosen to maximize language application early fully, utilizing the Mandarin speakers to support Chinese acquisition in non-Mandarin speakers, and vice versa.

¹⁰ Percentage of time spent in each language at any particular grade or subject area may shift over time, depending on the latest findings in language immersion research and the school's experience and program needs.

¹¹ Gordon, M, et. al "Review of Literature on Grade Configuration and School Transitions." March 2011.
<http://goo.gl/mDzo2e>

Class sizes

The Charter School's goal is a 28:1 student: teacher ratio in kindergarten through eighth grades, though actual class size ratios may vary. Teaching assistants, language specialists, and technology tools are also used to provide differentiated and personalized instruction.

Use of Time

The Charter School is structured to support high student achievement by creating many personalized learning opportunities with more time in the school day and school year for learning.

Longer school day

Students learn more when they are given more academic learning time each day.¹² With more time, teachers can delve into topics more deeply and cover more content. The Charter School's regular day is approximately six hours and 45 minutes from 8:15 am – 3:00 pm (exact schedule may vary by grade and/or by school year). This is about 30 minutes more instruction each day than students in many traditional public schools receive. Kindergarten students also attend the full day. In addition, when funding is available, the Charter School provides after-school homework help and academic tutoring in both languages. An after-school program with enrichment activities in both languages is also available on a sliding scale fee basis.

Longer school year

The Charter School aims to provide at least 185 regular days of instruction, 5 days more than traditional public schools provide, and ten more than the legal minimum applicable for charter schools. In addition, the Charter School plans to offer up to 10 additional days of additional summer programming, when facilities, funding and staffing are available. Research is clear that more academic instructional time enhances learning and reduces the opportunities to “forget” what has been learned. Students in Asia attend school many more days per year than U.S. students, e.g., 243 days in Japan and 220 days in South Korea.

The Charter School uses a variety of strategies to maximize attendance, including:

- Clearly highlighting the longer school year and longer school day in all student recruiting and enrollment materials;
- Including a commitment to support the student's full attendance in the Teacher-Parent-Student Compact, which all parties sign at the start of each school year;
- Reiterating attendance expectations prior to scheduled school holidays; and
- Proactively working with families as soon as students demonstrate a pattern of tardiness or absenteeism.

Byrnes, V. and A. Ruby (2007). “Comparing Achievement between K-8 and Middle Schools: A Large-Scale Empirical Study.” *American Journal of Education*, 114(1): 101-135.

Weiss, C. C. and L. Kipnes (2006). “Reexamining Middle School Effects: A Comparison of Middle Grades Students in Middle Schools and K-8 schools. *American Journal of Education*, 112(2): 239-272.

¹² Farberman, D. & Kaplan, C. (2005). *Time for a change: The promise of extended-time schools for promoting student achievement*. Boston, MA: Massachusetts 2020. [www.mass2020.org/files/file/Time-for-a-change\(1\).pdf](http://www.mass2020.org/files/file/Time-for-a-change(1).pdf).

Gabrieli, C. (2008). *Time to learn: How a new school schedule is making smarter kids, happier parents, and safer neighborhoods*. San Francisco, CA: Jossey-Bass.

Silva, E. (2007). *On the clock: Rethinking the ways schools use time*. Washington DC: Education Sector.

Independent Study

Although Yu Ming is designed as a classroom-based charter school, the Charter School offers Independent Study under the supervision of a designated certificated teacher for already-enrolled students who are unable to attend school for an extended period (for example, due to a hospital stay). In this situation, the parent or guardian would request to have the student participate in an Independent Study, and sign a written Independent Study Master Agreement as part of a student and parent conference with the certificated employee who will administer the Independent Study.

Instructional Approach & Teaching Strategies

Immersion practitioners believe that the high achievement of students in immersion programs is due in part to the teaching strategies used by immersion educators, proven through research and best practices:

- Explicit Instruction: The teacher presents the lesson and students demonstrate their new skills or knowledge individually or chorally.¹³ Because the majority of the Charter School's students are learning in a language that is not their native language, direct instruction is an important strategy for ensuring that new vocabulary and curriculum content is learned.
- Guided and Independent Practice: Students are given multiple structured opportunities to practice newly and previously learned skills and knowledge. Practice opportunities are concentrated immediately after explicit instruction, and also distributed over the weeks and months following introduction of new skills. Practice increases students' retention of the newly learned material. Independent practice may also be differentiated to support students in the areas where they most need additional practice.
- Small group instruction: Teachers work with small groups, pre-teaching or re-teaching specific standards. Groups shift continually, depending on students' level; this creates opportunities to directly address the individual skill levels of mastery for our diverse student population.
- Inquiry & Problem-Solving: Students are presented with a problem or question, around which they formulate and test theories to work towards a solution. Hands-on activities encourage student-to-student interaction in both languages, and provide an opportunity to apply their language skills.
- Technology: Technology supports student learning of academic standards and enables them to demonstrate what they have learned in both languages. Learning software and applications are used to provide adaptive instruction, practice and assessment in a way that is differentiated for each child. Computers and tablets are also used as a tool for research, communication, and production. Learning software and applications will be used to provide adaptive instruction, practice and assessment in a way that is differentiated for each child. The Charter uses Summit Public Schools' Personalized Learning Platform (PLP) to deliver customized learning experiences and content for its middle school students.
- Specialized Language acquisition strategies: Teachers use a variety of techniques to assist with language acquisition. For example, they may use body language and facial gestures. They build on background knowledge, using it along with context to convey meaning. They may initially use language with more simplified syntax, speak more slowly, emphasize key vocabulary, and both

¹³ Adams, G.L., & Engelmann, S. (1996). Research on Direct Instruction. Seattle, WA: Educational Achievement Systems.

Genesee, F. (2004). What do we know about bilingual education for majority language students. In T.K. Bhatia & W. Ritchie (Eds.), *Handbook of Bilingualism and Multiculturalism* (pp. 547-576). Malden, MA: Blackwell

extend and expand students' limited utterances. As students progress in their language development, teachers expand the ways in which they make themselves understood, using paraphrase, exemplification, and literacy as tools for building language. Most importantly, students gain proficiency by using the language to interact with the teacher and classmates on topics important to the life of the classroom, a key concept in Steven Krashen's language acquisition theory that "Acquisition requires meaningful interaction in the target language - natural communication..."¹⁴ In addition, both Mandarin and English teachers use a variety of strategies from Specially Designed Academic Instruction in English ("SDAIE"):

- realia (concrete objects and materials)
- manipulatives (drawings, posters, brainstorming-clusters, graphs, tables, maps, props, multimedia presentations, storyboards, storymaps)
- visuals (study-prints, text book illustrations, overheads-projected prints, reproductions of paintings and documents, and documents)
- graphic organizers (matrices, Venn diagrams and webs)
- concrete experiences, including planned opportunities for interaction between all individuals in the classrooms (creating a skit and acting it out, cooperative learning, collaborative groups and student-generated writing based on personal experience)

Personalized, mastery-based middle grades program

The Charter School's education design for the middle grades will build on the foundation of the K-5 program, and add significantly more personalization and mastery-based learning. This design takes advantage of the Charter School's smaller size. Specifically, the middle grades program will feature:

- **Competency-Based Progression:** For some subjects, students will be able to advance to new content as they demonstrate mastery through on-demand assessments, rather than being tied to the pace of an entire class. The Charter School will use adaptive software and applications in English and Mandarin, as well as a learning management system to track and provide these opportunities, especially in developing foundational skills and knowledge.
- **Personal Learning Paths:** Students will articulate their own aspirations, explore their interests and passions, understand the learning modalities that work best for them, set their own goals and create the experiences they need to achieve their goals. Teachers will act as mentors to students, supporting individual students to develop personal agency and increasingly manage their own learning. The Charter School will use a learning management platform to track mastery and gaps and provide timely and actionable feedback to students, families and staff. The Charter School will also provide access to a variety of electives using online resources such as Middlebury Interactive Languages and Chinese language Massive Open Online Courses ("MOOCs") for more specialized content areas.

Curriculum Standards and Materials

The Charter School offers a curriculum which is aligned with Common Core State Standards for English Language Arts and Math, the Next Generation Science Standards for Science, and the History Social Science Framework. In addition, the Charter School has created rigorous Mandarin Language Arts Standards that are inspired by the English Language Arts Common Core State Standards. The Charter School's curriculum is articulated as a K-8 system, and includes other subjects essential to a healthy and well-rounded life (e.g. visual arts, music, health and nutrition, and physical education). For subjects and grades taught in English, the Charter School uses texts and

¹⁴ Krashen, Stephen D. Principles and Practice in Second Language Acquisition. Prentice-Hall International, 1987.

materials adopted in the State of California¹⁵. For subjects and grades taught in Mandarin, the Charter School adapts and translates Common Core aligned materials and aligns grade-appropriate and linguistically accessible Mandarin Chinese teaching materials. The Charter School also reviews and pilots new curriculum resources as needed. The Charter School continually seeks to collaborate with other Mandarin Immersion programs and networks to share and source curriculum materials (e.g. San Francisco Unified School District, Chinese American International School, Mandarin Institute, the Asia Society.) The Charter School also works with the ministries of education of Chinese-speaking countries to access additional Mandarin Chinese Language Arts materials.

- Mandarin Chinese Language Arts: In addition to language immersion, students need formal instruction in both target languages to achieve native-like fluency and grammar.¹⁶ The Charter School currently uses materials from multiple sources, including Better Immersion, Level Chinese, and self-generated project-based units. The Charter School also regularly evaluates and pilots potential new curriculum resources (both core and supplemental) as they become available.
- English Language Arts: To help students develop strong literacy skills in English, including both phonemic awareness and reading comprehension strategies, the Charter School uses a phonics-based program supplemented with Guided Reading strategies aligned with the Common Core State Standards. Reading instructional materials include the Teachers College Units of Study, Reading A-Z, and Summit Units. Lucy Calkins's Writer's Workshop and Learning Headquarter form the basis of the writing curriculum utilized for teaching the Common Core State Standards for writing in English.
- Mathematics: The math program is based on the Common Core State Standards for mathematics. The Charter School uses Units of Study and Summit Units Math curriculum materials. The Charter School will regularly evaluate potential new Common Core aligned curriculum resources as needed.
- Science: Students use the scientific method (generating hypotheses and designing experiments to test the hypotheses), apply the scientific method to everyday life, and consider how to use scientific principles to live in a more environmentally sustainable way. The Charter School uses the Science A-Z, materials from Stephanie Science, Amplify, Summit Science Project and Full Option Science System (FOSS), which is aligned with the Next Generation Science Standards. FOSS was developed with a National Science Foundation grant at the Lawrence Hall of Science, University of California at Berkeley.
- Social Studies: The social studies content is integrated into Mandarin Chinese and English language arts. The Charter School uses materials from San Francisco Unified School District's Mandarin immersion schools to teach Social Studies in Chinese.
- Chinese culture: Developing an understanding of the Chinese cultural context is intertwined with understanding the Chinese language. For example, Chinese proverbs and poetry are used for both Mandarin Chinese language development and learning about Chinese culture.
- Visual and performing arts: Appreciation of and participation in the arts are essential to each student's development. Art and music inspire students, help ideas come to life by using multiple intelligences, and ensure cultural literacy. Students receive instruction in art and music, including both Western and Eastern modes of expression, formats, and examples. Additional opportunities also are provided through partnerships with community arts organizations.

¹⁵ Based on new research, changes in California adopted text lists, and other factors, the Charter School will annually re-evaluate its adopted curriculum materials.

¹⁶ See references Harley, 1984, 1996; Lyster, 1987; Swain, 1985; Swain & Lapkin, 1986 in Lindholm-Leary, K.J., Ph.D, *Review of Research and Best Practices on Effective Features of Dual Language Education Programs*, March 2005.

- Physical education: Students are expected to develop their physical abilities and fitness. They learn these skills and habits through Physical Education class.
- Health: Students develop an understanding of the importance of health and nutrition through classroom instruction, selected special programs, physical education class, collaborations with local health agencies, and thematic units. Health instruction follows the California Health Framework. Data from the California Healthy Kids survey informs additional needed interventions.
- Technology: Students develop proficiency using personal computers and other digital devices through regular use of commonly used productivity applications (e.g. search, word processing, spreadsheets, presentations) as well as education technology software and applications. Students learn to keyboard in both languages. The Charter School integrates technology skill development in core academic classes and as part of interdisciplinary projects. The Charter School may also offer a coding class as a special subject or as an elective class in grades 6 to 8.
- Life Skills: To be successful in the real world, students need more than academic skills and knowledge. Teachers explicitly guide students in learning how to use these life skills. In the middle grades, life skills instruction will be augmented to include the Charter School's core values: integrity, persevering, empathetic and wise. In addition, the Charter School uses School Wide Positive Behavior Interventions and Supports (PBIS). The Charter School reinforces appropriate behavior through norms, direct instruction, incentives, and other classroom management practices.

Because students are learning some content standards through a new language, curriculum adaptations (of both instructional strategies and resources) are used to make it linguistically accessible without diluting or lowering standards. While some curriculum materials may be available that are already appropriate to student needs, other materials require that adaptations be done by the classroom teachers with the assistance of external consultants as needed. In this curriculum adaptation process, which is typical for immersion classrooms, the teacher:

1. Consults the curriculum guide to identify unit goals and objectives, listing key concepts related to unit goals and objectives and identifies how mastery will be measured.
2. Identifies language (e.g., structures, expressions, key vocabulary) required for curriculum learning.
3. Lists instructional experiences that will help students attain learning objectives and how materials will support those experiences.
4. Rewrites text to make it comprehensible by:
 - Using simpler structures and shorter sentences.
 - Emphasizing key terms through boldface or highlighting.
 - Finding or creating pictures, diagrams, charts, and graphic organizers to assist students to make meaning of key terminology
 - Identifying other elements that will assist students to comprehend key terminology or phrases comprehensible with multiple examples, paraphrases, re-statements of key ideas, synonyms, antonyms and definitions.

The Charter School's Principal is responsible for ensuring that the curricula, in both languages and at all grades, support students and teachers in achieving the Charter School's goals. The Charter School's staff reviews the efficacy of the curriculum regularly. The Principal, in collaboration with the Director of Curriculum & Instruction and teachers and in consultation with the Board's Education Committee, leads the process of selecting, adapting, and developing curriculum materials.

Criteria for curricula section include (but are not limited to):

- suitability for use in a dual immersion Mandarin-English environment;
- alignment with the Charter School's language fluency goals overall and at each grade level;
- alignment with the Common Core State Standards, the Next Generation Science Standards, and/or the Charter School's Common Core inspired Mandarin Language Arts standards;
- integration of valid and reliable assessments (both formative and summative);
- cultural competency and cultural relevance for diverse students in Alameda County;
- availability of high quality professional development;
- compatibility with the variety of teaching strategies used in the Charter School; and
- affordability (including both one-time and annual costs).

The selection process for new materials includes review of teacher guides and student materials (both digital and print), consultation with subject matter experts, reference checks with other language immersion schools and programs, review of research (if available), and piloting in the Charter School.

Traditional and Simplified Scripts

All languages evolve over time. New words are invented to describe new concepts (e.g. the internet), colloquialisms and figurative language are used in new ways (e.g. cool can mean “not quite cold” or it might mean “trendy and stylish.”) In some cases, the differences can be stark to the point of confusing a fluent reader or speaker (as any novice reader of Shakespeare or parent to a teenager can attest). In general, adults fluent in the language are able to learn and adapt to these changes.

Chinese is no exception. One important way in which the Chinese language has changed in modern times was the introduction of “simplified” characters, beginning in the 1950s.¹⁷ Simplified characters were created by decreasing the number of strokes in a traditional character, in a deliberate attempt by the Chinese government to increase literacy rates across the country.

Ever since that introduction, the Chinese language education community has engaged in a vigorous debate about whether and when to teach children traditional (or “complex”) characters and simplified characters. This debate has often been driven by nationalism, since complex characters are primarily used in Taiwan and Hong Kong, and simplified characters are primarily used in the People's Republic of China, Malaysia, and Singapore. Research asserting the benefits of teaching one script over the other is contradictory and inconclusive. Debates between experts and laypeople alike are typically peppered with personal experiences and anecdotes, illustrating the wide range of pathways for learning both. Mandarin language programs and schools across the world have tried a variety of approaches successfully, and individuals who have mastered one script are able to learn the other. Two of the established national U.S. organizations promoting Chinese learning in schools, the Asia Society and the Mandarin Institute, do not take a position regarding what script is more educationally advantageous to learn. The Mandarin Institute does recommend that students develop proficiency in one script before learning the other.¹⁸

¹⁷ The Chinese language includes roughly 45,000 characters. Approximately 2,350 of the more commonly used characters have been simplified, and of those, approximately 500 are remarkably different.

¹⁸ More information on the recommendations of these two organizations that promote Chinese language and cultural education in schools can be found at asiasociety.org and mandarininstitute.org

The Charter School undertook an extensive process to determine an approach to scripts that would maximize the likelihood of achieving our school's goals for Mandarin fluency and literacy for all of our diverse students.

The Charter School will use a single script for instruction in all grades; that single script will be simplified. Core textbooks, supplemental texts, classroom instruction in all subjects, in-class work, homework assignments, and assessments will use simplified. Summative assessments that measure progress towards the Charter School's long-term goals will be in simplified script only.

The Charter School will provide students with some limited exposure to traditional script, because traditional script can support students' understanding of Chinese culture, history and literature, and because some members of our school community have a deep cultural connection to traditional script. For example, a teacher may show the etymology of a core character from pictograph to traditional to simplified. Because they have developed a strong Chinese language foundation in simplified script, the Charter School's alumni will be able to readily learn the traditional script.

Assessment

Assessment allows the Charter School to observe individual student progress, determine the efficacy of individual teachers, and evaluate the success of the program as a whole. Because no single assessment provides sufficient information on students' learning in all areas, the Charter School uses multiple assessments, both formative and summative, throughout the school year.

Charter School's use of a variety of assessments reflects best practice and ensures that teachers, parents and students continually have current and accurate information about students' level mastery and areas in which they might be struggling. Teachers regularly use that data to adapt the program to each student's needs. In immersion classrooms, multiple measures are particularly important since it may sometimes be necessary to disaggregate content performance from linguistic performance. For example, some students may comprehend the concept of re-grouping in mathematics but be unable to explain how they arrived at their answer in Mandarin. Determining whether students understand the concept and can use their knowledge in performance may need to be separated from student's ability to verbalize their knowledge. On the other hand, it is also important for students to be able to demonstrate through oral or written language what they have learned; therefore, requiring students to use Mandarin to explain their thinking is also appropriate. Teachers develop, select and use different assessments depending on the lesson or unit goal, children's developmental characteristics, availability of resources, and planned use of the data. Teachers use a combination of the following assessments:

- *school-designed benchmark assessments*: 3 cumulative standards-aligned assessments given periodically during the school year in core subjects;
- *day-to-day teacher-designed and/or curriculum-embedded assessments*: quizzes, unit tests, homework;
- *qualitative observations of the process of learning*: teachers' anecdotal notes, student reflection log, observation of student participation in class;
- *final products*: scored published writing, final class projects (individual or group). The Charter School gives writing assessments at all grade levels in various genres, with aligned Mandarin and English rubrics. The Charter School will also create capstone projects for middle school to capture and highlight students' interdisciplinary learning from the school year; and

- *graduate portfolios and graduate portfolio defense*: eighth grade presentation of a student's growth as a bilingual learner and global citizen, delivered in both English and Mandarin.

Mandarin language proficiency is assessed using research-based and widely-used assessments. Grades K-8 use Standards-based Measurement of Proficiency ("STAMP") by Avant Assessment. STAMP is an entirely Web-based assessment, statistically validated on over 30,000 students by the Center for Applied Second Language Studies ("CASLS") at the University of Oregon. The realia-based STAMP test measures interpretational and presentational modes including reading, writing, listening and speaking proficiencies. STAMP benchmarks are standards-based."¹⁹

Students are also assessed through state-mandated tests in English, Math and Science.

School Culture

The Charter School's culture reflects the Charter School's mission, and both eastern and western values. The physical school space includes bilingual English/Mandarin Chinese signs in common areas and is decorated with objects reflecting Chinese culture. Classrooms are richly decorated with materials reflecting the language(s) of instruction used in that classroom.

To build school community, culture, and positive social emotional learning, Yu Ming uses a comprehensive human development model called Compass. Students engage in experiential tasks that develop the habits, skills, and mindsets to help them grow in self-knowledge, relationship-based practices, belonging, and deep community connections.

In addition, the Charter School emphasizes the following core values:

德	Integrity: having a strong moral character
勤	Perseverance: Striving with diligence and courage
仁	Empathy: Caring with deep understanding
智	Wisdom: Learning and reflecting to grow

Students are engaged in educational activities that develop the school values. The Charter School's Student Code of Conduct emphasizes behavior that reflects these values, and families are asked to read and sign a copy of the Family Handbook, which includes the Code of Conduct. A school-wide behavior management plan based on PBIS includes appropriate consequences and positive incentives, at the classroom level and school-wide. All members of the Charter School community, including staff, parents, and students, work together to develop a culture based on these values.

In addition, the Charter School incorporates specific strategies to promote a deeper understanding of the Chinese cultural context and belief system. This includes explicit instruction in Chinese practices (e.g. why one might use the formal version of the pronoun "you") and critical influences on the Chinese culture (e.g. Confucius). Students may role-play, memorize Chinese poetry, or recite traditional proverbs during Charter School assemblies. They also learn about traditional Chinese food, holidays, and activities.

¹⁹ For more information on STAMP, see <http://onlinells.com/stampplace.php> ⁶³ For more information on HEC, <http://www.collaborative.org/>

Students wear uniforms to establish a clear focus on academics, increase safety and security on the school campus, decrease differences based on socioeconomic status, improve student behavior, and increase school pride.

The Charter School has established a partnership with the Taipei Economic and Cultural Office in San Francisco (“TECO”) with support from Taiwan’s Ministry of Education to host interns that are recent graduates of Taiwanese universities to participate in a cultural and teaching exchange. These interns live with Charter School families and work with our students in the classroom. The Charter School’s Middle School has established “sister” classrooms in China or Taiwan so that students can experience real-life interactions with peers there. Students write letters, send email, exchange artwork, and even participate in web conferences. This relationship culminates in a trip to China in grade 7.

What it Means to be an Educated Person in the 21st Century

The fundamental characteristic of the new millennium is ever-accelerating change. Information is multiplying as quickly as it is becoming obsolete; ideas are continually revisited, retested and revised. At the same time, the world is becoming increasingly interdependent. To be an Educated Person and Global Citizen in the 21st Century, our students need to have a foundation of knowledge and skills, ability to analyze information critically, ask good questions, develop new ideas, and express themselves thoughtfully in more than one language. Students must also have habits of mind that include diligence, intellectual curiosity, cross-cultural awareness and competency, moral reasoning, and a respect for family, community and scholarship. Students with these traits and habits will become empowered citizens in their neighborhoods and beyond.

The Charter School’s graduates will be able to collect information in a variety of forms, including: novels, art pieces, statistical data sets, newspaper reports, historical accounts, web pages, and scientific articles. They will be self-motivated, competent, and lifelong learners. They will be able to use the information they gather to think systematically and critically, create new knowledge, and apply their thinking to real world problems. And, they will be able to express themselves effectively in a variety of forms, such as essays, paintings, poems, oral presentations, mathematical arguments, and scientific rebuttals.

Support Systems for All Students

The key elements of our education program are designed to meet the needs of all students. In addition, the Charter School is committed to providing a variety of systems to ensure that each individual student receives the support s/he needs to be successful.

Support for Under-Performing Students

The Charter School has high expectations for all students and is committed to working with students who are not meeting outcomes to help them achieve at expected levels. Students who perform below the Charter School-determined acceptable level receive a mix of intervention services. These services include in-class individual and small group instruction by classroom teachers, teacher aides or intervention specialists, during, or after school, as well as after-school intervention by non-classroom educators one-on-one or in small groups. Students targeted for additional intervention include, but are not limited to, students who meet criteria through our

Multi-Tiered Systems of Support (“MTSS”) and Coordination of Services Team (“COST”) process including:

<u>Assessment</u>	<u>Criteria For Additional Intervention</u>
SBAC – ELA or Math	Standard Nearly Met or Not Met
Mandarin language assessment	Not at grade level
Benchmark assessments - ELA, Math, Chinese	Standard Nearly Met or Not Met
Teacher Recommendation	Any

Support for High-Achieving Students

The aforementioned assessments are also used to help identify students who are high-achieving and ready for more challenging academic material. The Charter School uses a variety of strategies to stretch and rapidly grow the skills and abilities of its highest achieving students so they do not become bored or complacent, but instead continue to feel challenged and supported. This includes in-class individual and small group work by classroom teachers during- or after-school; after-school enrichment classes by non-classroom educators, access to learning software and curriculum materials designed for their mastery level, and opportunities to participate in classes or lessons designated for higher grades.

Support for Socio-Economically Disadvantaged Students

The Charter School provides additional support as needed for students whose family income level has created additional obstacles for learning. The Charter School ensures that all students, regardless of income level, have the supplies they need for school, school uniforms that fit, and are able to fully participate in all school-sponsored field trips. The Charter School may also work with governmental agencies and other not-for-profit organizations if needed to help ensure that the student and his/her family receive needed services.

Support for Students with Disabilities

Despite popular misconception, immersion programs can be suitable and even beneficial placements for students with learning disabilities. Recent research indicates that children with language impairment can become bilingual, learning through two languages does not increase the risk for developing learning disabilities, and monolingual programs of instruction are no more beneficial to students with learning disabilities than dual language programs.²⁰ Diagnosis of any learning disability is not hindered by the immersion program, as researchers have found that any underlying impairment would be evident in both languages.²¹ Ultimately, any students with learning difficulties are evaluated on a case-by-case basis, and appropriate interventions designed and implemented as part of the normal IEP process for Special Education. The Charter School supports all special education students in compliance with state and federal laws. A description of the Charter School’s special education program can be found in Element 4.

²⁰ Genesee, Fred. 2006. Paper presented at the Two-Way Bilingual Immersion Conference. Long Beach, CA.

²¹ Genesee, F., Paradis, J. & Crago, Mb, 2004, *Dual Language Development And Disorders*. Paul H. Brookes Publishing Co., Inc.

Support for English Learners

Most students enter the Charter School in Kindergarten or 1st grade, which capitalizes on children's optimal age for second language acquisition. In the Mandarin portion of the school day, non-Mandarin speaking students, regardless of their native language, start from the same level of non-proficiency and all are provided access to the language immersion teaching strategies successfully employed nationwide.

For students whose native language is neither English nor Mandarin, the instructional strategies used by immersion teachers are effective teaching techniques for making curriculum accessible to all students. If a student with neither English nor Mandarin proficiency wishes to enroll, the Charter School would assess the child's English proficiency and develop a plan for development of English language mastery.²²

The Charter School meets all applicable legal requirements for English Learners ("EL"), including long-term English Learners or English Learners at risk of becoming long-term English Learners, related to annual notification to parents, student identification, placement, program options, English Learner and core content instruction, teacher qualifications and training, re-classification to fluent English proficient status, monitoring and evaluating program effectiveness, and standardized testing requirements. The Charter School implements practices to assure proper placement, evaluation, and communication regarding ELs and the rights of students and parents. The Charter School's program for English Learners is research-based, supported by budget resources and professional development and evaluated regularly for efficiency and needed improvements.

Home Language Survey

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

English Language Proficiency Assessment

All students who indicate that their home language is other than English will be tested with the English Language Proficiency Assessment for California ("ELPAC"). The ELPAC has four proficiency levels (Level 4: well developed; Level 3: moderately developed; Level 2: somewhat developed; and Level 1: minimally developed) and is aligned with the 2012 California ELD Standards.

The ELPAC consists of two separate assessments:

Initial Assessment ("IA")

The ELPAC IA is used to identify students as either an English Learner, or as fluent in English. The IA is administered only once during a student's time in the California public school system based upon the results of the home language survey. The locally scored IA will be the official score. The IA is given to students in grades K–12 whose primary language is not English to determine their English proficiency status.

Summative Assessment ("SA")

ELs will take the SA every year until they are reclassified as fluent English proficient. The ELPAC SA is only given to students who have previously been identified as an EL based upon the IA results, in order to measure how well they are progressing with English development in each of the four domains. The results are used as one of four criteria to

²² The French Early Immersion Program in Holliston, MA, is an example of a program that has successfully included students whose native language was neither French nor English.

determine if the student is ready to be reclassified as fluent English proficient, to help inform proper educational placement, and to report progress for accountability.

Both the ELPAC SA and IA are assessments administered in seven grade spans—K, 1, 2, 3–5, 6–8, 9–10, and 11–12. In kindergarten and grade 1, all domains are administered individually. In grades 2–12, the test is administered in groups, exclusive of speaking, which is administered individually. The ELPAC IA and SA will be administered via a computer-based platform, while the ELPAC Writing Domain for Kindergarten through 2nd grade will continue to be administered as a paper-pencil test.

Testing times will vary depending upon the grade level, domain, and individual student. Both the ELPAC IA and SA are given in two separate testing windows through the school year.

The IA testing window will be year-round (July 1–June 30). Any student whose primary language is other than English as determined by the home language survey and who has not previously been identified as an English Learner by a California public school or for whom there is no record of results from an administration of an English language proficiency test, shall be assessed for English language proficiency within 30 calendar days after the date of first enrollment in a California public school, or within 60 calendar days before the date of first enrollment, but not before July 1 of that school year.

The SA testing window will be a four-month window after January 1 (February 1–May 31). The English language proficiency of all currently enrolled English Learners shall be assessed by administering the test during the annual assessment window.

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

Reclassification Procedures

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

- Assessment of language proficiency through the ELPAC;
- Demonstration of language skills using an objective assessment instrument including, but not limited to, the Fountas & Pinnell or CAASPP;
- Recommendation of the pupil's classroom teacher with direct responsibility evaluating the pupil's curriculum mastery;
- Family consultation, achieved through notice to parents or guardians of the language reclassification and placement. The notice will include a description of the reclassification process and the parents' or guardians' opportunity to participate, and encourage parents or guardians to participate in the reclassification procedure.

Strategies for English Learner Instruction and Intervention

Because the Charter School is focused on language acquisition, all aspects of its education program are designed around strategies that have been proven effective for English Learners. These strategies include:

- realia (real objects and materials)
- manipulatives (drawings, posters, brainstorming-clusters, graphs, tables, maps, props, multimedia presentations, storyboards, story maps)

- visuals (study-prints, text book illustrations, overheads-projected prints, reproductions of paintings and documents, and documents)
- graphic organizers (matrices, Venn diagrams and webs)
- planned opportunities for interaction between all individuals in the classrooms (creating a skit and acting it out, cooperative learning, collaborative groups and student-generated writing based on personal experience)

Teachers are given professional development in teaching English Learners in their appropriate content areas.

Ongoing Assessment of EL Students

The Charter School's use of achievement data also drives the instruction and professional development as it relates to English Learners. The Charter School analyzes the achievement data by this subgroup, and continues to assess the students through teacher-designed assessments and Charter School benchmark assessments. The results from the CAASPP may also be reviewed with the Education Committee, which would then have input into the plan for supporting English Learners.

Goals and Actions in the State Priorities

The Charter School has included a reasonably comprehensive description of goals and actions in the State Priorities, schoolwide and for all numerically significant student subgroups, in accordance with Education Code Section 47605.6(b)(5)(A)(ii), in Element 3.

Element 2: Locally-defined Pupil Outcomes (Measurable Pupil Outcomes)

Governing Law: The measurable pupil outcomes identified for use by the charter school. "Pupil outcomes," for purposes of this part, means the extent to which all pupils of the charter school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the charter school's educational program. Pupil outcomes shall include outcomes that address increases in pupil academic achievement both schoolwide and for all pupil subgroups served by the charter school, as that term is defined in subdivision (a) of Section 52052. The pupil outcomes shall align with the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served by the charter school.

- Education Code Section 47605.6(b)(5)(B)

Outcomes Aligned with the State Priorities

The Charter School has included a reasonably comprehensive description of student outcomes in the State Priorities, schoolwide and for all numerically significant student subgroups, in accordance with Education Code Section 47605.6(b)(5)(B), in Element 3.

Measurable Pupil Outcomes

The Charter School provides a challenging and comprehensive education that prepares students to be engaged global citizens. The education program is designed to enable all students to meet the following measurable pupil outcomes:

- *Academic skills:* mastery of grade level competency in mathematics and English Language Arts based on Common Core State Standards, in science based on Next Generation Science Standards, and social studies based on California Social Studies Standards;
- *Mandarin Chinese proficiency:* meeting speaking, listening, reading, and writing proficiency targets, e.g. speak at Intermediate-High to Advanced-Low Level, listen at Advanced-Low to Advance-Mid Level, read at Intermediate-High Level, write at Intermediate-Mid to Intermediate-High Level according to the American Council on the Teaching of Foreign Languages ("ACTFL") Proficiency Guidelines.
- *Character, values, global citizenship:* demonstrate habits of success and complete service learning requirements;
- *School climate & culture:* positive survey feedback from students, staff, and families

In order to best serve our students and community, the Charter School examines and refines its list of student outcomes, metrics and targets regularly to ensure alignment between the Charter School's mission, curriculum, assessments, and state or local standards.

Methods to Assess Pupil Progress Towards Meeting Outcomes

Each grade level has specific assessments and targets to measure student achievement and progress towards desired outcomes and the Charter School's overall vision and mission.

The Charter School shall meet all statewide standards and conduct the student assessments required pursuant to Education Code Section 60605, and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools. The Charter School will

administer all applicable state-mandated assessments including, but not limited to, the California Assessment of Student Performance and Progress (“CAASPP”) assessment system using Smarter Balanced Assessment Consortium (“SBAC”), California Science Test (“CAST”), California Alternate Assessment (“CAA”), and the California Alternate Performance Assessment (“CAPA”), the Physical Fitness Test (“PFT”) and the ELPAC.

The tools listed above provide valuable data that informs instruction, the Charter School’s program and the needs for professional development.

Assessment Modifications and Accommodations

The Charter School will assure that students with disabilities either under the Individuals with Disabilities Improvement Act or Section 504 are included in State standardized assessment programs with appropriate accommodations and modifications when necessary and appropriate. These assessments include, but are not limited to the CAA, CMA and CAPA in accordance with their IEP or Section 504 plan.

School-wide Outcomes and Methods of Measurement

In addition to measures of individual student progress towards outcomes, the Charter School has the long-term goal that 90% of students will meet or exceed the standard on the SBAC and math and English, be fluent in Mandarin Chinese at a level almost comparable to their peers in China as measured by the ACTFL’s STAMP assessment, and have strong socio-emotional skills as demonstrated in their CARES and on the student survey.

External Reporting

The Charter School will maintain sufficient staff and systems required to ensure timely reporting necessary to comply with the law and to meet all reasonable inquiries from the County and other authorized reporting agencies.

Use and Reporting of Data

Data is collected, analyzed, reported and used regularly, at every grade level and in every subject area.

Students are informed about their assessment results by the teacher and via report cards at the end of each marking period. Individually and by class, students look at their own performance data, set goals, examine outcomes, and develop action plans in response to the data.

Parents are informed about both their individual student’s and the Charter School’s achievement progress. Students and parents will discuss individual student achievement, progress towards graduation, and performance on state assessments under the direction of the classroom teacher during Conferences conducted twice a year. At this time, they also develop, modify, or review their child’s Personalized Learning Plan. At this time they find out about the progress of their student in all areas – academic, social and emotional. They also can ask questions about any of the assessments and their student’s scores. They also receive tri-annual standards-based report cards, mailed home. Parents can request more frequent progress information.

Parents of English Learners also receive mandated communications on reclassification per Title III through annual ELPAC testing results. Parents of students with IEPs receive reports according to the plan specified in each IEP. The Charter School complies with state and federal law regarding

reporting requirements, including parents' rights to be updated on their child's IEP at least as frequently as the parents of students without disabilities receive updates on their children's academic progress. All students with disabilities are entitled to the reports and assessment data described in this section which are provided to all students.

Educators examine student performance data formally through a process called the Cycle of Inquiry ("COI"), which entails examining formative assessment data with colleagues in a structured way, with the objective of refining classroom practice in response to data and in pursuit of student mastery of standards. Educators usually engage in the COI in grade level teams, and assessments are given every two to three weeks. Data are examined in a collaborative way; in response, instructional strategies for re-teaching may be identified and implemented, pacing guides may be adjusted, and intervention services may be provided for specific students. Student outcome data also informs professional development plans for individual teachers, and who may receive personalized coaching or outside training as appropriate. Staff members also receive and analyze school-wide data on student achievement during staff meetings (looking in particular at performance of special population groups like English Learners) and use this data to help monitor and improve the Charter School's education program overall.

The Principal, collaborating with teachers and Board's Education Committee, uses the assessment results to create annual and targeted plans for increased achievement. The entire School takes ownership for implementing the plan, measuring progress and ultimately improving student learning. Action plans in response to data often include school-wide professional development.

The County may receive formative and summative data on student achievement through Charter School reports and/or presentations to the County, in accordance with the County's standard process for reviewing and evaluating charter school performance. At the County's request, the County Superintendent and two (2) designees may be authorized users of the Charter School's student information system.

Additionally, the Charter School publishes student results annually through the Charter School Accountability Report Card ("SARC"). The report includes pertinent facts and data about the Charter School and is made available to the public as required by law.

County Visitation/Inspection

The Charter School shall comply with a County requested visitation process to enable the County to gather information needed to validate the Charter School's performance and compliance with the terms of this charter. The Charter School agrees to and submits to the right of the County to make random visits and inspections or observations in order to carry out its statutorily required oversight in accordance with Education Code Section 47607.

Response to Inquiries

Pursuant to Education Code Section 47604.3 the Charter School shall promptly respond to all reasonable inquiries including, but not limited to inquiries regarding its financial records from the County Office of Education, County Board of Education, and the State Superintendent of Public Instruction.

Element 3: State Priority Area Goals & Actions

Governing Law: The method by which pupil progress in meeting those pupil outcomes is to be measured. To the extent practicable, the method for measuring pupil outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card.

- Education Code Section 47605.6(b)(5)(C)

Yu Ming engages with its school community, including families, Board of Directors, and other stakeholders, to develop its Local Control and Accountability Plan (“LCAP”). The following goals align with both the Charter School’s mission and the State’s eight priority areas. Goals, measurable outcomes, and actions will be revisited and updated on an annual basis.

The Charter School’s Goals address the Eight State Priorities in the following ways:

Goals	Priorit y 1: Basic Condi tions of Learni ng	Priorit y 2: Imple menta tion of State Stand ards	Priorit y 3: Parent al involv ement	Priorit y 4: Pupil achiev ement	Priorit y 5: Pupil engag ement	Priorit y 6: Schoo l climat e	Priorit y 7: Cours e access	Priorit y 8: Other pupil outco mes
1. Continue to develop an infrastructure for ongoing analysis of multiple forms of data including student demographic and achievement data in order to: inform instructional decisions; tailor research-based intervention programs; further develop the RTI/SST (MTSS) to address the needs of all subgroups; measure program efficacy; ensure maximization of human, physical, and financial resources; and develop clear policies and protocols that support the school’s mission and goals.				X	X		X	X
2. Provide all students with high quality instruction, a rigorous standards-aligned curriculum in a Chinese immersion educational program through student-centered/student driven learning experiences that will prepare all students to strive/excel as biliterate critical thinkers, problem solvers, community minded, diligent and independent learners, and innovators in an ever-changing global world.	X	X		X				

3. Engage parents, families and community members as partners through education, communication and collaboration in order to provide all students with a safe, welcoming and inclusive, and positive learning environment.	X		X			X		
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Goal 1: Continue to develop an infrastructure for ongoing analysis of multiple forms of data including student demographic and achievement data in order to: inform instructional decisions; tailor research-based intervention programs; further develop the RTI/SST (MTSS) to address the needs of all subgroups; measure program efficacy; ensure maximization of human, physical, and financial resources; and develop clear policies and protocols that support the school's mission and goals.

Measurable Outcomes

- Increase CAASPP ELA distance from standard (DFS) 3 Scale Scores by 2 points (Mean Scale Score).
- Increase CAASPP Math distance from standard (DFS) 3 Scale Scores by 2 points (Mean Scale Score).
- Maintain attendance rates >96%
- Decrease Chronic Absenteeism rates to <2%
- Maintain Middle School Dropout Rates <1%
- 100% Students including Unduplicated Pupils & Students with Disabilities that have access to and enroll in a broad course of study
- Increase % of Grade 7 students who meet all 6 areas in the HFZ on the PFT.
- CA Science Test: Grade 5 & 6 (annual growth targets to be determined)

Actions

#	Students to be served	Action
1	All	<p>Employ 25 teachers who are appropriately credentialed and assigned and a Principal for K-8 as part of the school's base program.</p> <p>Provide all students with a longer school day, and longer school year, which included an additional 10 instructional days; 21,440 additional instructional minutes for Kindergarten; 7,880 for grades 1-3; and 4,280 for grades 4-8, which exceed the CA State requirements.</p>
2	All	<p>Implement multiple types of assessments in order to monitor each student's academic progress; identify their strengths and needs in order to modify instruction; and identify the type of academic intervention needed.</p> <ul style="list-style-type: none"> ● Fountas & Pinnell: K-8

		<ul style="list-style-type: none"> ● CLA Leveled Chinese (Reading): Grades K-8 ● CLA Listening, Speaking, Reading, Writing, STAMP 4Se: Grades 2, 4, 6 ● CLA Listening, Speaking, Reading, Writing, STAMP 4s: Grade 8 ● Spring Presentation of Learning: Grades K-8 ● Learning Headquarter writing assessment in Chinese and English: Grades K-8 <p>In addition, monitor progress on the following state-mandated assessments:</p> <ul style="list-style-type: none"> ● ELPAC: Initial & Summative for ELL ● CAASPP: ELA & Math – Grades 3-8 ● CA Science Test: Grades 5 & 8 ● Physical Fitness Test: Grades 5 & 7
3	English Learners, Foster Youth and/or Low Income	<p>Continue to align academic interventions to core instruction; and grade level content to ensure all students including unduplicated students, are on track towards grade level mastery, in order to narrow any achievement gaps. The following staff will provide intervention services during the school day:</p> <ul style="list-style-type: none"> ● Chinese Intervention Teacher: Upper School ● Chinese Intervention Assistant ● English Intervention Assistant: Upper School ● Seek 8 Instructional Assistants (Mandarin/English) that will be placed in classrooms (TECO) <p>Provide BOOST summer and after-school academic tutoring for struggling students led by credentialed teachers and Instructional Assistants, daily for 30 minutes. Each day will focus on a different subject. The after school program will employ:</p> <ul style="list-style-type: none"> ● Upper School Extended Care Program Manager ● Lower School Extended Care Program Manager
4	All	Provide all students and staff with a safe, clean and functioning facility sites as measured by the Facility Inspection Tool (FIT). In addition, our school currently leases both school sites. Expenses include maintenance, repairs, and janitorial services.
5	All	In order to prepare all students for the careers of the 21 st century, it is critical that our school provide all students including Unduplicated Pupils and Students with Disabilities

		<p>with access to a broad course of study beyond core subjects to include:</p> <ul style="list-style-type: none"> • K-8 (ES/MS): Visual & Performing Arts, Choral & Instrumental Music, Physical Education • Grade 5: Design Lab • Grades 6-8 (MS): Design Lab; Journalism (Chinese); Service Learning (Chinese), Contemporary China (Chinese); Spanish, Musical Instruments, Coding, Art, Student-led Inquiry • Enrichment: Art, Music, P.E.
6	All	<p>Implement a comprehensive suite of services to meet the needs of our students by employing the following staff to support the social-emotional needs and PBIS program within our Multi-Tiered System of Supports (MTSS) Framework:</p> <ul style="list-style-type: none"> • Assistant Principal (K-2) & Assistant Principal (G3-8) – coaches teachers on addressing positive student behavior and behavioral challenges. • Behavior Specialist (K-2): push-in support, working with teachers, develop behavior plans tier 1 for students w/o IEP, works with the Dean (see Goal 1, Action 7) • Health Services Coordinator
7	Students with Disabilities	<p>Yu Ming is an LEA member of the El Dorado County Charter SELPA. The Principal (K-8) and (2) AP supported by a Special Education Consultant and Education Specialists will be responsible for developing; implementing and monitoring quality student-centered Individualized Education Programs (IEPs) including documentation and adherence to requirements and timelines, staffing and contracted services. Yu Ming Charter School's program will provide improved outcomes and close the achievement gap for students with disabilities, and will coordinate, design, and provide for specialized and age-appropriate programs, services and supports for students. Program services will include providing Special education teachers, Instructional aides and support staff.</p> <p>Yu Ming Charter School's Principal and Director of Curriculum and Instruction supported by a Special Education Consultant will provide quality professional development opportunities for both certificated and classified staff to build capacity in providing high quality instructional opportunities for students with disabilities and administrator support training focused on understanding and leading high quality IEPs and translating those IEPs into high quality rigorous instruction for students with disabilities.</p>

Goal 2: Provide all students with high quality instruction, a rigorous standards-aligned curriculum in a Chinese immersion educational program through student-centered/student driven learning experiences that will prepare all students to strive/excel as biliterate critical thinkers, problem solvers, community minded, diligent and independent learners, and innovators in an ever-changing global world.

Measurable Outcomes

- 100% Students with access to standards-aligned instructional materials
- Implementation of academic content standards will improve to “Full Implementation” (Level 4) or “Full Implementation and Sustainability” (Level 5) for all students, including access for English Learners, as measured by the Local Indicator rubric
- 100% Teachers who are appropriately credentialed and assigned
- Increase in percentage of English Learners who progress in EL Proficiency
- Increase in English Learner reclassification rate

#	Students to be served	Action
1	All	<p>Provide all teachers with evidence based professional development aligned to the CA State Standards, school's mission and educational program and targeted to meet the needs of our students. Topics of focus will include:</p> <ul style="list-style-type: none"> ● CCSS ELA, Chinese Language Arts (CLA) ● Immersion Balanced Literacy: Readers and Writers Workshop ● Project-based Learning (PBL) ● Data Cycles of inquiry ● Multi-Tiered System of Supports ● Culturally Responsive Teaching, Diversity & Inclusion ● Social-Emotional Learning (i.e. Compass, Responsive Classroom, Toolbox) ● Personalized and Differentiated Instruction ● Science Instruction <p>The Director of Curriculum & Instruction will provide an instructional coaching structure, conduct classroom walkthroughs and provide feedback.</p> <p>Professional development for all teachers will take place during the academic year, as follows:</p> <ul style="list-style-type: none"> ● 8 Days of Pre-Service Staff Development ● 2 Non-instructional days for Staff Development ● Weekly Friday Staff Development

		<ul style="list-style-type: none"> • Weekly Grade Level & Department Professional Learning Communities • Middle School Advisor Collaboration Time <p>Members of our teaching staff and/or Leadership team plan to attend in the following conferences:</p> <ul style="list-style-type: none"> • National Chinese Language Conference (5-6) • CA. Charter Schools Conference (2) • Summit Basecamp Training (6) Free • Compass SEL Framework (4) • El Dorado SELPA Teacher Academy (2) • Early Childhood Chinese Immersion Forum (5-6) • Stanford World Language Project (1-2) • Crisis Prevention Intervention • UnboundEd Standards Institute (3) • Teachers College Summer Reading Institute (3) • Exploring Project-Based Language Learning (2) • Transcend School Design (4) • Diverse Charter School Coalition (2) • ACTFL Oral Proficiency Interview (OPI) Winter Institute (1) • Stanford World Language Project Seminar (2)
2	English Learners	<p>Use ELD Curriculum and supplemental materials in order to ensure that all ELs receive appropriate, adequate and targeted ELD designated and integrated instruction. The school's EL Coordinator will oversee the administration of the ELPAC Initial and Summative Assessments. Yu Ming Charter School will employ an EL teacher to provide ELD Designated Instruction that will take place approximately for 30 minutes: 1-2 times/week.</p> <p>The principal and teachers will review, analyze and closely monitor the academic progress of all EL students using multiple forms of data from assessments to ensure academic growth in ELA and math using the intervention programs listed under "curriculum." (Goal 2, Action 3)</p>
3	All	<p>Ensure every student has access to standards-aligned curriculum and instructional materials. Yu Ming Charter School will purchase the following curriculum:</p> <ul style="list-style-type: none"> • Better Immersion Curriculum • Chinese Leveled texts • Level Chinese (subscription) • Chinese Content books for a new G2 section • Units of Study Reading (K-5)

		<ul style="list-style-type: none"> ● English Guided Reading books ● English Non-fiction texts ● English classroom library books ● English class novel sets ● Science Lab Materials ● Amplify Science Curriculum ● Mathematics manipulatives ● Mathematics student workbooks ● Physical Education Equipment ● Art Materials <p>The following is a list of supplemental and/or intervention instructional materials.</p> <ul style="list-style-type: none"> ● Joy Reader (Digital subscription) ● Fountas & Pinnell Leveled Literacy Intervention ● Reading A to Z for K-5 (Digital subscription) ● Brain Pop (Digital subscription) ● Lexia Core5 (Digital subscription) ● Raz Kids for K-2 (Digital subscription) ● HeidiSongs Sight Words for K-2 (Digital subscription) ● Vocabulary Spelling City for G3-5 (Digital subscription) ● Newsela Pro for G2-8 (Digital subscription)
4	All	<p>Maintain a 1:1 student to device ratio in the Middle School. The Principal and IT Support will develop an annual needs assessment for purchasing futures technology devices. This year we anticipate the following technology purchases:</p> <ul style="list-style-type: none"> ● iPads ● SMART TV ● Chromebooks ● Printer

Goal 3: Engage parents, families and community members as partners through education, communication and collaboration in order to provide all students with a safe, welcoming and inclusive, and positive learning environment.

Measurable Outcomes

- Parent involvement through input in decision-making via Family Support Organization & Family Support Council
- Parent participation in programs for unduplicated students and programs for students with special needs
- Suspension rates <2%
- Expulsion rates <1%
- “Good” or “Better” score on Facility Inspection Tool (FIT) at both sites

- >85% participation rate on parent survey
- >90% participation rate on student survey
- >90% participation rate on staff survey

#	Students to be served	Action
1	All	<p>To promote student engagement, a positive school climate, and provide a safe school environment, implement the following:</p> <ul style="list-style-type: none"> ● Kaboom Installation (Playground) ● Offer after-school enrichment programs ● Host field trips aligned to the content standards and provide experiential learning opportunities. ● Host student performances (Lunar New Year performance, music concerts and art showcases) ● Exhibitions of Learning ● Science & Engineering Fair: Grades 3-8 ● Provide after-school clubs/organizations ● Students will participate in overnight trips in order to develop community identity and culture. ● Implement and revise the Comprehensive School Safety Plan including annual needs assessment for purchase of emergency supplies, defibrillator and trainings (CPR). ● Administer student and staff survey annually ● (staff and students) Community Meetings with grade cluster “families” to reinforce expectations and celebrate school rituals, culture, and SEL lessons (ex. LGBTQ, Arabic Heritage, Women’s History, Earth Day, Asian Pacific Heritage, Black History Month) ● Student will participate in student-led conferences (March) ● All students will participate in Scholar Compass Badgework and Circles weekly (K-8) ● All faculty will participate in Faculty Compass Badgework and Circles weekly.
2	All	<p>Provide the following opportunities to engage parents as partners in their child’s education. The Family Liaison will assist underrepresented students/families (e.g. socio-economically disadvantaged) for student retention and student recruitment.</p> <p>Yu Ming Charter School will provide families with:</p> <ul style="list-style-type: none"> ● Volunteer opportunities ● Family Education workshops

		<ul style="list-style-type: none"> ● Schoolwide Events: Back-to-school Night, parent-teacher conferences, Science Fair, student-led conferences ● Administer family survey to gather input and feedback on the school's program, school connectedness and sense of safety. ● Family Support Organization General Meetings; Council Meetings ● Equity Design Team (multi-stakeholder (board, ED, Parents) group supporting school family, and student diversity and inclusion work)
3	English Learners, Foster Youth and/or Low Income	<p>Maintain and continue to develop partnerships with organizations that support the school's educational program, mission, vision and the academic, social-emotional needs of our students. They include:</p> <ul style="list-style-type: none"> ● Partnership with Taipei Economic and Cultural Office, which provides Chinese interns. ● Reach Institute for School Leadership: train BTSA Coach ● Diverse Charter Schools Coalition (no cost) ● CORE Districts (collaborative data-sharing) (no cost) ● Berkeley Education Global Research Initiative (no cost): Mini-collaboration (provides student volunteers from Teacher Ed Program) ● University of Washington School of Education (no cost)
4	All	<p>In order to promote and elicit parent input in decision-making, Yu Ming Charter School will host and facilitate the English Learner Advisory Committee ("ELAC"), Family Support Council and Family Support Organization meetings during the school year with annual elections (for ELAC) to include EL and non-EL parents.</p> <p>Parents can also serve on the governing board. During the school year ELAC, the Family Support Council, Family Support Organization, and Equity Design Team will provide input/feedback on the LCAP Actions/services and monitor annual measurable outcomes. This is an opportunity for parents and community members to provide input on student programs.</p>

Element 4: Special Education

The Charter School shall continue to 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 Education Improvement Act (“IDEA”).

The Charter School is its own local education agency (“LEA”) in conformity with Education Code Section 47641(a) and is a member in good standing of the El Dorado County Charter (“EDCOE”) Special Education Local Plan Area (“SELPA”).

The Charter School complies with all state and federal laws related to the provision of special education instruction and related services, and all SELPA policies and procedures, and utilizes appropriate SELPA forms. The Charter School shall not discriminate against any pupil with a disability in the admissions process or any other aspect of operation. The Charter School shall not ask or require students or parents to waive the right to a free appropriate public education in order to attend the Charter School.

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

Section 504 of the Rehabilitation Act

The Charter School recognizes its legal responsibility to ensure that no qualified person with a disability shall, on the basis of disability, be excluded from participation, be denied the benefits of, or otherwise be subjected to discrimination under any program of the Charter School. A student who has a physical or mental impairment that substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment, is eligible for protections under Section 504.

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

- Tests and other evaluation materials that have been validated for the specific purpose for which they are used and are administered by trained personnel.

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

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

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

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

All 504 team participants, parents, guardians, teachers and any other participants in the student's education must have a copy of the student's 504 Plan. The site administrator will ensure that teachers include 504 Plans with lesson plans for short-term substitutes and that he/she reviews the 504 Plan. A copy of the 504 Plan shall be maintained in the student's file. Each student's 504 Plan will be reviewed at least once per year to determine the appropriateness of the Plan, needed modifications to the plan, and continued eligibility.

Services for Students under the IDEA

The Charter School is an LEA member of the EDCOE SELPA.

The Charter School participates as a member of the EDCOE SELPA in accordance with Education Code section 47641(a) and makes the following assurances:

- *Free Appropriate Public Education* – The Charter School assures that a free appropriate public education shall be provided to all enrolled students including children with disabilities who have been expelled from school.
- *Child Find* – The Charter School assures that all students with disabilities are identified in accordance with the policies and procedures of the SELPA.
- *Full Educational Opportunity* – The Charter School assures that all students with disabilities have access to the full range of programs available to students without disabilities.
- *Least Restrictive Environment* – The Charter School assures that students with disabilities are educated with students without disabilities to the maximum extent appropriate. This is

addressed through the use of supplementary aids and services in the general education environment in accordance with each student's IEP.

- *Individualized Education Program* – The Charter School assures that an Individualized Education Program is developed, reviewed and revised for each eligible student under the IDEA.
- *Assessments* – The Charter School assures that an IEP review shall be conducted on an annual basis at a minimum. In addition a reassessment shall be conducted at least once every three years, in accordance with the IDEA, and more often if conditions warrant or requested by the student's parents or teacher. Parents receive reports on their individual student's progress toward IEP goals and progress at the IEP meeting and student-led conferences.
- *Confidentiality and Procedural Safeguards* – The Charter School assures that the confidentiality of identifiable data is protected at the collection, storage, disclosure and destruction stages. In addition, students and their parents are provided with safeguards through the identification evaluation and placement process and provisions for a free appropriate public education.
- *Personnel Standards* – The Charter School attracts, recruits and hires appropriately trained and credentialed personnel to provide special education services to children with disabilities.
- *State Assessments* – The Charter School assures that students with disabilities either under the IDEA or Section 504 are included in State assessment programs with appropriate accommodations and modifications when necessary and appropriate.

In addition, the Charter School complies with the EDCOE Local Master Plan and performs any corrective actions deemed necessary by the EDCOE SELPA. The Charter School develops an annual budget, hires necessary staff, contracts for appropriate services and documents the qualifications and competency of school leadership to meet the special education compliance and quality requirements.

The Charter School works with EDCOE to provide professional development that builds the capacity of the special education and general education staff in the areas of promising instructional practices, compliance with state and federal statutes, reporting requirements and use of instructional data. In addition, all staff members receive professional development about practices that support the needs of special education students in the least restrictive environment.

Since the Charter School operates as an LEA of the EDCOE SELPA in accordance with Education Code section 47641(a), the County shall have no responsibility to ensure that the students who attend the Charter School are provided a free appropriate public education.

In accordance with state and federal law, each student eligible under the IDEA is provided a free and appropriate education in the least restrictive environment. The decisions regarding the specific services each student shall receive are the responsibility of the Individualized Education Program Team. The team includes the involvement of parents and the decisions are formulated in a written plan (referred to as an IEP).

All incoming students participate in a series of diagnostic assessments in Language Arts and mathematics. Through a use of the Student Study Team ("SST") process and comprehensive professional development about the characteristics of special education handicapping conditions and the referral process, parents and students have extensive opportunities to be served as needed.

The Charter School supports all special education students in compliance with state and federal laws. No student shall be denied admission to the Charter School due to the nature, extent, or severity of his/her disability or due to the student's request for, or actual need for, special education services.

Element 5: Governance Structure

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

- Education Code Section 47605.6(b)(5)(E)

Nonprofit Public Benefit Corporation

The Charter School is a directly-funded independent charter school and a California Nonprofit Public Benefit Corporation, pursuant to California law.

The Charter School operates autonomously from the County, with the exception of the supervisory oversight as required by statute and other contracted services as negotiated between the County and the Charter School. Pursuant to California Education Code Section 47604(d), the County shall not be liable for the debts and obligations of the Charter School, or for claims arising from the performance of acts, errors, or omissions by the School as long as the County has complied with all oversight responsibilities required by law.

The Charter School is non-sectarian in its programs, admissions policies, employment practices, and all other operations, does not charge tuition, and does not discriminate against any student or employee on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, gender expression, gender identity, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, including immigration status, or association with an individual who has any of the aforementioned characteristics).

The Charter School complies with all applicable federal, state and local laws applicable to its operation and complies with the County guidelines and requirements for charter schools. It retains its own legal counsel when necessary. It purchases and maintains as necessary general liability, property, and workers' compensation and unemployment insurance policies.

Board of Directors

The Charter School is governed by a Board of Directors ("Board" or "Board of Directors"), in accordance with applicable law and its adopted bylaws, as may be subsequently amended pursuant to the amendment process specified in the bylaws which shall be consistent with the terms of this charter.

The Board of Directors meets at least quarterly. All Board meetings comply with the Brown Act and Education Code Section 47604.1(c).

The Board abides by a Conflict of Interest Code that complies with the Political Reform Act, Government Code Section 1090, et seq., as set forth in Education Code Section 47604.1, and Corporations Code Conflicts of Interest rules, and which are updated as needed with any charter school-specific conflict of interest laws or regulations.

Board of Directors Membership

The Board of Directors consists of a minimum of five (5) and a maximum of fourteen (14) directors. As provided by Education Code Section 47604(c), the chartering authority may appoint one representative on the Board of Directors. The Board of Directors may elect a smaller group of directors to serve as the Board's Executive Committee.

In the 2020-21 school year, the following individuals serve on the Board of Directors:

- Reggie Lee, Board Chair
 - Reggie Lee is a parent-elected board member, and part of the Equity Design Team at Yu Ming. In his professional life, Reggie is an experienced Regional Manager in the chemicals industry. He graduated from Harvard College with a bachelor's degree in History.
- Brianna Swartz, Board Vice-Chair
 - Brianna is leading product operations and strategy for Mursion, an industry leader in immersive learning. She previously led operations and technology systems at Education Pioneers, a nonprofit organization working to bring leaders and managers into the education sector. Brianna graduated from California Polytechnic State University, San Luis Obispo with a degree in political science, and received a master's degree in public administration from the University of Southern California.
- Jessica Norman, Treasurer
 - Jessica is Senior Advisor at ExED where she prepares budgets and financial feasibility studies for start-up charter schools and provides other technical assistance prior to school openings. Previously as VP of School Finance for ExED, she functioned as the CFO for several charter schools in Los Angeles. Jessica is also a consultant for Pacific Charter School Development where she conducts financial feasibility and risk analysis of charter school facility projects. Jessica holds a master's degree in public policy from UCLA and a bachelor's degree in psychology from the University of Pennsylvania. She lives in Pleasanton with her husband and two young sons.
- Lucia Hwang, Secretary
 - Lucia Hwang is a Yu Ming founding family parent. She is a parent-elected board member, former co-chair of the school's Family Support Organization (FSO), and former head of the FSO communications committee. In her professional life, Lucia is an award-winning journalist with more than 20 years of investigative reporting and writing experience, and has worked at California Lawyer, the San Francisco Examiner, the San Francisco Bay Guardian, and Newsday. She graduated from the University of California, Berkeley with a bachelor's degree in English and minor in education, and also holds a master's degree from the Columbia University Graduate School of Journalism.
- Ron Lewis
 - Ron is the Regional Manager for New Partnerships at eSpark Learning, an organization with the mission to re-imagine learning so it is student-centered, enabling students to succeed in school and life. Prior to eSpark, Ron worked as a District Partnership Manager at Chalk Schools, Chief of Staff at African Leadership Academy, and a Consultant at Bain & Company. Ron is a proud Oakland native who received a bachelor's degree in business administration from the University of

Southern California and a master's degree in Business Administration from Stanford University.

- Alcine Mumby
 - Alcine Mumby currently serves as a deeper learning coach with Envision Learning Partners. Prior to coaching, Alcine taught Humanities at one of the first small schools in the Bronx where project-based learning and portfolio defenses served as the foundation of instruction. Alcine earned a bachelor's degree in English Education from NYU and a master's degree in Curriculum and Teacher Education from Stanford.
- Julie Mikuta
 - Julie is President of Education at the Charles and Lynn Schusterman Family Foundation. Prior to joining Schusterman, Julie was a Managing Director at NewSchools Venture Fund, focused on teacher preparation. She graduated from Georgetown University and did a doctorate at Oxford University, as a Rhodes Scholar.
- Sonali Nijhawan
 - Sonali Nijhawan works as Director, Partner Engagement for Education Pioneers. Sonali holds a bachelor of arts in psychology and education from Marquette University, as well as a master's degree in Social Work from the University of Maryland, Baltimore.
- Jonathan Schorr
 - Jonathan Schorr is a Founding Partner at Be Clear Communications. Jonathan is a communications and strategy consultant who has provided guidance and writing to some of the nation's leading education leaders, nonprofits and school systems. He served in the Obama Administration as Communications Director at the U.S. Department of Education, providing guidance to the Secretary of Education.

Process for Electing Directors

The Charter School seeks to establish and maintain a diverse Board of Directors, comprised of Directors with relevant experience. New directors are nominated by sitting directors, screened by the Board Development Committee, vetted through an in-person interview process, and elected by a majority vote of the Board. Two directors are Yu Ming parents who are nominated by majority vote of currently enrolled families and approved by the Board, serving in the same capacity as all other Directors.

Duties of the Board of Directors

The Board of Directors is responsible for establishing broad policies and overseeing high-level decisions that affect the Charter School. Those duties include:

- Defining or refining the organization's mission, values and vision;
- Setting strategic direction;
- Adopting policies to ensure that the Charter School is run effectively, legally, and ethically;
- Hiring, overseeing, supporting and evaluating the Charter School's Head of School;
- Monitoring the operational budget and finances for long-term viability; and
- Seeing that adequate funds are secured for the operating and capital needs of the Charter School.

The Board also approves policies and other documents as required by state or federal law, especially pertaining to certain funding streams. Members of the Board also participate in raising funds for the Charter School and increasing public awareness of the Charter School's work.

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

The Board may execute any powers delegated by law to it and shall discharge any duty imposed by law upon it. The Board shall act at noticed meetings, and only when a quorum of directors is present. A majority of directors then in office shall constitute a quorum. At a meeting, the affirmative vote of a quorum of the voting directors then in office on any matter shall be the decision of the Board of Directors.

The Board may delegate to an employee of the Charter School any of those duties with the exception of budget approval or revision, approval of the fiscal and performance audits, and the adoption of Board policies. The Board however, retains ultimate responsibility over the performance of those powers or duties so delegated. Such delegation will:

- Be in writing;
- Specify the entity designated;
- Describe in specific terms the authority of the Board 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.

Board Committees

The Board currently maintains seven (7) Board Committees. Each committee is charged by the Board with a specific scope of responsibilities, sets annual goals, and reports back to the full Board on a regular basis about its progress. Board Committees are chaired by a member of the Board of Directors, and include both other Board members and other qualified individuals, including parents or staff members with relevant experience. Board Committee meetings comply with the Brown Act.

Committee	Responsibilities
Education	Monitors and evaluates the education program, and advises the Head of School as instructional leader responsible for implementation of the education program
Finance	Monitors the School's financial health and advises the Head of School on long-term financial planning for the school
Audit	Selects and oversees an auditor to conduct an annual audit of the School's financial position and practices
Board Development	Recruits, nominates, trains, and evaluates Board members and monitors the functioning of the entire Board as a governing entity
Fund Development	Raises philanthropic donations to support the school's programs and long-term goals
Facilities	Seeks and secures facilities to support the school's programs and long term goals

Compensation & Performance	Ensures that staff members are appropriately compensated for their roles and contributions; leads annual performance review of Head of School; advises Head of School on evaluating performance and building a high-performing team
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Family Support Organization

The Charter School encourages all groups to participate in and share responsibility for the educational process and educational results. An important mechanism for family participation is the Family Support Organization (“FSO”), which is open to all parents, guardians, extended family members and staff members. The FSO is made up of several committees that offer parents a broad set of opportunities to support the school, leverage their talents and build community. These committees organize family education sessions, plan community events, raise funds for the school, beautify the buildings and grounds, increase awareness of the Charter School, and make connections with other community organizations.

The FSO’s Executive Council is comprised of one representative from each FSO committee, and meets regularly with the Head of School, who provides feedback on parent activities and collaborates on decisions that affect the whole community. The FSO Executive Council also makes recommendations on improving the Charter School, and serves as a liaison for other parents.

Expectations and Opportunities for Parent Involvement

The Charter School recognizes that children learn best when parents are engaged in their education by understanding the school’s education program, supporting learning at home, and being involved in the school community. Because of the Charter School’s unique mission, it is especially important for parents to understand and fully support the education program (regardless of whether they have Mandarin language skills). To ensure that families fully understand and support the Charter School’s program prior to starting classes, the Charter School:

- Presents information about the Charter School’s mission, goals, and approaches during the open enrollment process. Parents are provided time to ask questions to clarify their understanding of the Charter School’s mission, goals, and approaches.
- Presents information about the Charter School’s expectation of parents in the life of the school during the open enrollment process. Parents are provided time to ask questions to clarify their understanding of the Charter School’s expectations of parents.
- Hosts a Back to School Night within the first month of school to present information about the mission, goals, approaches and expectations to parents, and provide an opportunity for parents hear from their student’s teachers, visit classrooms, and learn about school procedures such as lunch, recess and volunteering
- As needed or requested, meets with families after registration and before the start of school, to answer remaining questions and to learn more about individual students.

To encourage participation of parents, guardians and extended family members in all aspects of school life, the Charter School features:

- *Parent Learning Events and Curriculum Nights:* Scheduled at the beginning of the year, these three (3) to five (5) sessions that last one (1) to three (3) hours in the evenings or on the weekend allow parents to deepen their understanding of the Charter School’s curriculum, experience teaching methodologies first-hand, or learn strategies tactics for supporting their student’s learning in school and at home.

- *Participation in school decision-making:* Families participate in school decision-making in a wide variety of ways. The Family Support Organization committees provide many opportunities for involvement in the life of the School community. Two of members of the Board of Directors are elected by the parents and guardians of Yu Ming students. Family members with relevant experience or expertise serve as members of Board committees as determined by the Committee Chair. Parents are part of the Charter School's Hiring Committee for the Head of School. Families are invited to give input annually during the development of the Local Control and Accountability Plan ("LCAP"). Families and any members of the public can attend meetings of the Board of Directors and provide public comments in accordance with Brown Act.
- *Opportunities to evaluate the Charter School and its staff:* Each spring, parents will be asked to complete a survey evaluating the Charter School, the Head of School, and their child's teachers. The survey results will be reviewed by the Charter School Board of Directors and staff and are considered in setting annual school objectives and in the annual performance review process for the Head of School and staff.

In addition, the Charter School encourages each family to volunteer, and provides a variety of in-school and out-of-school opportunities to match with family members' different skills, interests and schedules. Examples include helping in classrooms, at lunch or around school, leading extra-curricular activities, coaching sports teams, assisting with event planning and materials preparation, attending field trips, attending FSO meetings, serving on parent committees or as room parents and fundraising or assisting with fundraising drives.. Specific volunteer opportunities and needs are determined by the Head of School, staff and FSO Council and communicated to parents through established channels. A volunteer coordinator (a volunteer role held by a parent) helps match families to needs. The Charter School maintains a simple system for families to record service hours, which is used to summarize and celebrate total volunteer contributions from the community. The Charter School's target is 30 volunteer hours per family, although, in accordance with Education Code Section 47605.6(n), the Charter School notifies the parents and guardians of applicant student and currently enrolled students that parental involvement is not a requirement for acceptance to, or continued enrollment at, the Charter School, nor will a family's inability to volunteer in school service activities exclude any child from any school activities or affect the Charter School's support of the student.

Three-Way Agreement

Student learning is best facilitated by a three-way partnership between the student, family, and school. Accordingly, the Charter School has a Three-Way Agreement which all parties review and sign annually. The agreement (not a legally binding document) is intended to ensure that all parties understand and agree on expectations: for student behavior and academic effort, family support of the student, and school responsibility for supporting the student and communicating with the family.

Providing Parents with Information about their Child's Progress

During the school year, parents will regularly receive information about their child's progress, and the Charter School will use multiple methods to keep parents informed, including:

- Parents will be asked to sign off on completed homework.
- Report cards will be standards-based and distributed at the end of each marking period.

- Family conferences, including parent(s)/guardian(s), student (in upper grades), and teacher, will be held twice a year to plan and assess the students' learning progress and determine goals.
- Parents will have regular access to staff and teachers by phone, email and in-person appointments, and staff contact parents regularly, both to provide positive reinforcement for academic growth and to inform parents when students make choices that do not match the Charter School's behavior and academic expectations.
- The Charter School will hold a Student Study Team ("SST") for any student who is persistently tardy, absent, has behavior challenges, or struggling academically. The SST will include parent(s)/guardian(s), a school administrator, teachers, and other school staff. The SST will meet regularly to develop strategies and monitor to meet the student's needs.

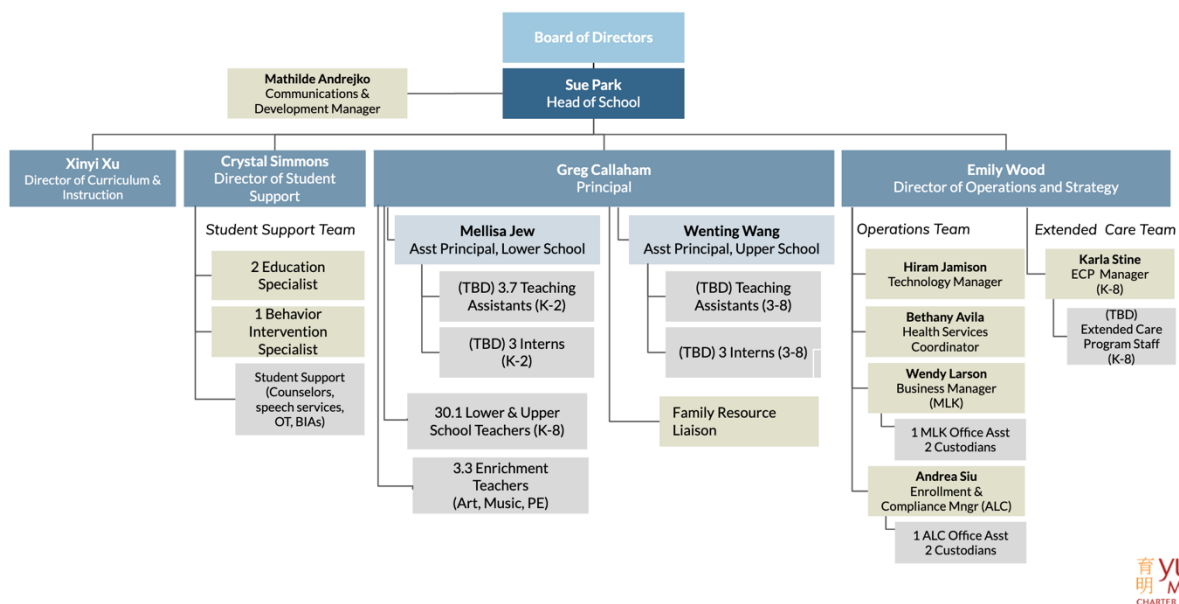
Addressing Parent Concerns and Complaints

The Charter School is committed to working with parents or guardians to address any parental concerns and complaints. Parents and guardians are encouraged to share their ideas and concerns with the Charter School Head of School at any time. If the Head of School is unable to resolve a parent's or guardian's concern, parents and guardians are able to contact the Chair of the Board of Directors. A formal complaint process, the Uniform Complaint Policy and Procedures, will be used, if necessary, to address any community concerns that are not resolved through informal conversations.

The Charter School has established complaint procedures that address both complaints alleging discrimination or violations of law and complaints regarding other areas. The Charter School will not, at any time, refer internal complaints to the County.

Charter School Leadership

The key personnel at the Charter School for the 2020-21 school year are depicted below:



Element 6: Employee Qualifications

Governing Law: The qualifications to be met by individuals to be employed by the charter school.
- Education Code Section 47605.6(b)(5)(F)

The Charter School is committed to attracting, selecting, developing, inspiring, and rewarding the best educators and education professionals to serve our students.

Qualifications of School Employees

The Charter School shall recruit professional, effective, and qualified personnel to serve in administrative, instructional, instructional support, and non-instructional support capacities. All prospective employees are required to have legal authorization to work in the United States, and also successfully complete a DOJ fingerprinting background check, tuberculosis risk assessment and examination (if necessary), and reference checks to ensure the health and safety of the Charter School's faculty, staff, and pupils. In addition, prospective employees are carefully screened to ensure they have the qualifications for employment as outlined in their job descriptions. All employees are at-will.

The Charter School's leadership structure may change over time as the needs of the school change, but key staff members will collectively have the qualifications to ensure the academic success of students and financial health of the school. Specifically:

Head of School Qualifications

Reporting to the Board of Directors, the Head of School has overall strategic and operational responsibility for Yu Ming's staff, programs, expansion, and execution of its mission. This position is responsible for creating an environment that supports the Charter School's diverse community and leads with cultural competence and an emphasis on respect and inclusion. Qualifications include:

- A track record of effective leadership and scaling a performance- and outcomes-based organization at a regional or national level
- Ability to point to specific examples of having developed and operationalized strategies that have taken an organization to the next stage of growth
- Unwavering commitment to quality programs and data-driven program evaluation
- Excellence in organizational management with the ability to coach staff, manage, and develop high-performance teams, set and achieve strategic objectives, and manage a budget
- Past success working with a Board of Directors with the ability to cultivate existing board member relationships
- Strong public relations and fundraising experience with the ability to engage a wide range of stakeholders and cultures
- Strong written and verbal communication skills; a persuasive and passionate communicator with excellent interpersonal and multidisciplinary project skills
- Action-oriented, entrepreneurial, adaptable, and innovative approach to business planning
- Ability to work effectively in collaboration with diverse groups of people
- A passionate advocate for all students and families who has a commitment to building a strong culture of diversity, equity, and inclusion at Yu Ming;
- Passion, idealism, integrity, positive attitude, mission-driven, and self-directed

- Bachelor's degree; master's degree in relevant area preferred, with at least 10 years of senior management experience

Principal Qualifications

The Principal leads the implementation of Yu Ming's dual-immersion instructional program; finds, retains and develops high-quality faculty and staff; and supports all members of this diverse community with cultural competence and an emphasis on respect and inclusion.

The Principal has the following knowledge, skills, and abilities:

- A proven instructional leader with experience running a high performing school and is knowledgeable about best practices in language immersion programs;
- A seasoned professional and experienced manager who knows how to recruit, coach, and develop teachers and staff at all levels;
- An exceptional relationship builder who can quickly gain the confidence of the Head of School, parents, faculty/staff, and students;
- A passionate advocate for all students and families who has a commitment to building a strong culture of diversity, equity, and inclusion at Yu Ming;
- Knowledgeable about the academic and social emotional needs of students, especially those of different racial, linguistic, cultural and socio-economic backgrounds;
- Dynamic and versatile, able to engage a variety of stakeholders in dialogue and speak in a clear, compelling and authentic manner both about the school's goals and priorities and the leader's decision-making process and plans towards meeting them;
- Bachelor's degree required; CA administrative credential preferred.

Director of Curriculum & Instruction Qualifications

The Director of Curriculum & Instruction collaborates with the Principal and the Head of School in the development, coordination, articulation, and evaluation of curriculum, instruction, professional development, and assessment. This individual should have the following knowledge, skills, and abilities:

- A clear record of delivering significant student achievement gains in an urban classroom for at least five years, with a strong understanding of pedagogy that drives results or of exceptional leadership working with young people in urban communities.
- Previous leadership experience (Principal, Assistant Principal, Dean, Department Chair or a similar administrative position) at a public school serving a diverse student population with a track record of realizing significant achievement gains
- 3+ years experience as a classroom teacher within a Chinese immersion program delivering significant achievement gains
- Knowledge of a wide range of Chinese immersion resources, including print materials and technology tools, and appropriate methods and resources for assessment.
- A deep understanding and experience with a wide variety of instructional practices, including second language learning and differentiation in the classroom.
- A deep understanding and experience with Common Core State Standards and ACTFL guidelines
- Demonstrated knowledge of curriculum development and program design
- In-depth experience managing, coaching, and developing teachers
- Excellent relationship-building, management and community-building skills
- Results-oriented, using data to make decisions
- Adaptable and able to thrive in a dynamic, fast-paced environment

- Ability to collaborate and work as part of a team
- Excellent communication, interpersonal, and motivational skills
- Excellent organizational and time management skills
- Native or near native fluency in Mandarin Chinese
- Appreciation, experience, and understanding of Chinese culture
- Bachelor's degree; master's degree in relevant area preferred

Assistant Principal Qualifications

The Assistant Principal supports the Principal and teachers to meet the school's academic and school culture goals. This individual should have the following knowledge, skills, and abilities:

- Excellent organizational, planning, and implementation skills
- Superb interpersonal and communication skills; ability to work collaboratively with a diverse group of students, colleagues and families
- Flexibility and adaptability to change; ability to work in a dynamic, creative and start-up learning environment
- Excellent written, communication, and presentation skills
- Experience managing teams and coaching individuals within a school setting
- Experience with and passion for pedagogical practices grounded in project based learning, personalized learning, and language immersion education
- Experience creating standards-based interdisciplinary units and lessons using “backwards design” curriculum development tools
- Experience working with diverse populations, including English learners, special education and accelerated students
- Demonstrated commitment to ensuring that every child, regardless of background or circumstance, receives an excellent education
- Experience with culturally responsive curriculum and a positive discipline approach
- Experience developing caring classroom environments where instructional time is dedicated to community building, conflict resolution skill-building and empowering students to be peacemakers and agents for positive social change
- Maturity, initiative, humility, strong work ethic, sense of humor, and a solutions-oriented attitude.
- Bachelor's Degree; Master's Degree in Education, Educational Leadership or related area preferred
- Valid California Teaching Credential
- Administrative Credential preferred
- At least 6 years of full-time teaching experience
- At least 2 years of instructional leadership, including demonstrated knowledge of curriculum, instruction, assessment, and developing teachers
- Bilingual preferred

Director of Operations and Strategy Qualifications

The Director of Operations and Strategy provides strategic leadership and planning for the growth and operations function. This position oversees all operations activities to support student achievement and organization success such as facility acquisition and management, information technology, internal financial processes, talent strategy, vendor management, Charter and state compliance, communications, enrollment, school nutrition, extended care program, and organization

data and information systems. This individual should have the following knowledge, skills, and abilities:

- Minimum 5-8 years of professional project and/or team management experience
- At least 3 years in a leadership and management role including coaching and development, preferably in school site leadership
- Commitment to Yu Ming's mission and values
- School-site operations experience
- Excellent relationship-building, management and community-building skills
- Results-oriented, using data to make decisions
- Adaptable and able to thrive in a dynamic, fast-paced environment
- Ability to collaborate and work as part of a team
- Excellent communication, interpersonal, and motivational skills
- Excellent organizational and time management skills
- Bachelor's degree; master's degree in relevant area preferred

Extended Care Program Manager

The Extended Care Manager is a critical team member on the Operations Team who manages the morning care, day care, after care and after school enrichment activities of the school. The Extended Care Manager works closely with the Site Supervisors and the Director of Operations and Strategy to design the after school program, make programmatic decisions, communicate with parents, and manage the administration of the program. This individual should have the following knowledge, skills, and abilities:

- Experience coordinating an educational program, including overseeing other staff
- Excellent organization, time management and follow-up skills
- High sense of commitment
- Ability to work as part of a team
- Bachelor's degree preferred

Teacher Qualifications

- Appropriate California Credential (or transferable out of state equivalency)
- Three years experience teaching in relevant grade(s) or subject
- Experience with Google apps and other educational technology
- Experience with one or more of the following: project-based learning, social-emotional learning, personalized learning, service learning, interdisciplinary curriculum
- Understanding of the Common Core State Standards
- Superb interpersonal skills; ability to work collaboratively with a diverse group of students, colleagues and families
- Flexibility and adaptability to change; ability to work in a dynamic, creative and start-up learning environment
- Driven adult learner dedicated to his or her own professional growth, including learning new and innovative teaching practices
- Maturity, humility, strong work ethic, sense of humor, and a solutions-oriented attitude
- Bachelor's degree; master's degree in education or relevant area preferred

Mandarin Teacher Qualifications

Educators at the Charter School shall meet all requirements for employment set forth in applicable provisions of law, including Education Code Sections 47605.6(l). The qualifications of teachers to be employed in the Charter School are designed to ensure students meet the educational goals outlined in this charter petition. Specifically, teachers should have the following knowledge, skills, and abilities:

- Hold (or be eligible for) appropriate California Credential (or transferable out of state equivalency)
- Near-native ability in Chinese (including simplified and pinyin systems) and proficiency in English
- Three years' experience teaching in relevant grade(s) or subject
- Experience in teaching related to dual-immersion and Chinese language development
- Experience with Google apps and other educational technology
- Experience with one or more of the following : project-based learning, social-emotional learning, personalized learning, service learning, interdisciplinary curriculum
- Understanding of the Common Core State Standards
- Superb interpersonal skills; ability to work collaboratively with a diverse group of students, colleagues and families
- Flexibility and adaptability to change; ability to work in a dynamic, creative and start-up learning environment
- Driven adult learner dedicated to his or her own professional growth, including learning new and innovative teaching practices
- Maturity, humility, strong work ethic, sense of humor, and a solutions-oriented attitude
- Bachelor's degree; master's degree in education or relevant area preferred

Teacher Hiring

The Charter School uses a rigorous multiple-stage approach to teacher selection that includes: a resume screen; interviews; data and assessment performance task; demonstration lesson with students; and reference checks. Criteria for selection are based on those used by the National Board for Professional Teaching Standards:

- Committed to students and learning
- Knowledgeable about their subject matter
- Skilled in management of learning
- Reflective in their practice
- Community-oriented

The Charter School's Principal is responsible for making hiring decisions, and receives input from a Teacher Hiring Committee at all stages in the selection process. The Hiring Committee typically includes:

- *Principal*: Conduct 1:1 interviews, participate in interview panels, observe demonstration lessons and conduct reference checks, and make the final hiring decision
- *Assistant Principal and/ or Director of Curriculum and Instruction*: Screen candidates, conduct 1:1 interviews, participate in interview panels, observe demonstration lessons and conduct reference checks.
- *Teachers*: Participate in interview panel and observe demonstration lessons.
- *Parents*: Participate in interview panel and observe demonstration lessons.

- *Director of Operations and Strategy and/or Hiring Manager* Helps organize the process and paper trail, including: scheduling candidates for interviews and demonstration lessons; coordinating with current staff or participating students for demonstration lessons; and communicating with candidate.

Staffing

The Charter School uses a variety of different staff schedules to accommodate the shift in teaching time in each language, and ensure that native speakers are teaching each subject as scheduled. Currently in grades K-5, each grade has one English language teacher and 2-3 Mandarin teachers, depending on the enrollment in that grade level. In the final years of middle school (grades 7-8), when the percentage of time that students spend in Mandarin and English will vary depending on their personalized learning plan and electives, students have access to content specialists in both languages.

Professional Development & Support

The Charter School is committed to the professional development of all of its team members. Once teachers are hired, the Charter School invests in their continued professional development. Teachers participate at least one week of summer training to build classroom management skills, increase their capacity to plan meaningful and engaging lessons, and practice specific language immersion teaching strategies. The Charter School Principal, Assistant Principal, and/or Director of Curriculum and Instruction provide on-site coaching to all teachers. Teachers are organized into teams, led by an experienced “lead teacher” who has the skills to mentor others. Teachers are given time during the regular school day to collaborate and support each other to reach the School’s and individual students’ learning goals, including common preparation time through use of Special Subjects (e.g. music, art) and an early release day each Friday. The Charter School also contracts with consultants and organizations to provide targeted training on specific topics, such as Responsive Classroom, Positive Behavioral Interventions & Supports, cultural competency, supporting students with special needs, using technology in the classroom, and other topics. Teachers also regularly attend conferences, especially those specializing in Mandarin language and Mandarin immersion education.

In accordance with Education Code Section 44259.1, which requires that school district teachers in the state of California earn their Professional Clear Credential through on the job mentoring and training, teachers participate in a California Commission on Teacher Credentialing (“CCTC”) -approved Induction Program through the Alameda County Office of Education or Oakland Unified School District to earn their Clear Credential. By the completion of the program, educators will have completed a portfolio showing evidence of their professional learning in each of the six Induction standards in the California Standards for the Teaching Profession (“CSTP”) framework. Certification documents are maintained on file at the Charter School and available for periodic inspection by the County.

Other site team members are provided periodic formal and topical training sessions as well as real-time day-to-day coaching by functional experts in a variety of areas. In addition, all team members are encouraged to pursue external professional development opportunities in the form of workshops or additional certification.

Performance Management

In addition to ongoing support and coaching and feedback, the Charter School conducts an annual formal performance evaluation for each team member, using data about the school's progress towards its goals, stakeholder survey results, data from first-hand observations throughout the year, artifacts, and other sources.

Compensation

The Charter School's goal is to provide educators and other staff with a base salary that is competitive with local school districts. Initially, salary is calculated based on years of experience teaching and years of experience in Yu Ming's unique learning model. There is no step-and-column pegged to credit hours, although teachers with relevant graduate level degrees receive an additional annual stipend. After 1-3 years (depending on prior years of experience), pay increases are based on multiple measures of performance, including measurable student academic growth, principal observation, and evaluation on the teacher instructional rubric. Master Teachers who have demonstrated their efficacy are recognized with larger salary increases.

Element 7: School Health and Safety Procedures

Governing Law: The procedures that the charter school will follow to ensure the health and safety of pupils and staff. These procedures shall require all of the following:

- (i) That each employee of the charter school furnish the charter school with a criminal record summary as described in Section 44237.*
 - (ii) The development of a school safety plan, which shall include the safety topics listed in subparagraphs (A) to (J), inclusive, of paragraph (2) of subdivision (a) of Section 32282.*
 - (iii) That the school safety plan be reviewed and updated by March 1 of every year by the charter school.*
- Education Code Section 47605.6(b)(5)(G)*

In order to provide safety for all students and staff members, the Charter School implements appropriate and comprehensive health and safety procedures and risk management policies, designed in consultation with the Charter School's insurance carrier.

The following is a summary of the health and safety procedures of the Charter School:

Procedures for Background Checks

Employees and contractors of the Charter School shall be required to submit to a criminal background check and furnish a criminal record summary as required by Education Code 44237 and 45125.1. Applicants for employment must submit two sets of fingerprints to the California Department of Justice for the purpose of obtaining a criminal record summary. The Charter School shall not hire any person, in either a certificated or classified position, who has been convicted of a violent or serious felony except as otherwise provided by law, pursuant to Education Code Section 44830.1 and 45122.1. The Principal and Office Manager shall monitor compliance with this policy. Individuals who will volunteer at the Charter School outside of the direct supervision of a credentialed employee shall be fingerprinted and receive background clearance prior to volunteering.

Role of Staff as Mandated Child Abuse Reporters

All non-certificated and certificated staff shall be mandated child abuse reporters and shall follow all applicable reporting laws and the same policies and procedures used by local school districts. The Charter School shall provide mandated reporter training to all employees annually in accordance with Education Code Section 44691.

Tuberculosis Risk Assessment and Examination

All Charter School staff and volunteers who have frequent or prolonged contact with students shall be assessed and examined (if necessary) for tuberculosis prior to commencing employment and working with students, and for employees at least once each four years thereafter, as required by Education Code Section 49406. .

Immunizations

All students enrolled and staff shall be required to provide records documenting immunizations as is required at public schools pursuant to Health and Safety Code Sections 120325-120375, and Title 17, California Code of Regulations Sections 6000-6075. All rising 7th grade students must be immunized with a pertussis (whooping cough) vaccine booster.

Medication in School

The Charter School shall adhere to Education Code Section 49423 regarding administration of medication in school. The Charter School will adhere to Education Code Section 49414 regarding epinephrine auto-injectors and training for staff members.

Vision, Hearing, Scoliosis

Students shall be screened for vision, hearing and scoliosis. The Charter School shall adhere to Education Code Section 49450, *et seq.*, as applicable to the grade levels served by the Charter School.

Diabetes

The Charter School shall provide an information sheet regarding type 2 diabetes to the parent or guardian of incoming 7th grade students, pursuant to Education Code Section 49452.7. The information sheet shall include, but shall not be limited to, all of the following:

- A description of type 2 diabetes.
- A description of the risk factors and warning signs associated with type 2 diabetes.
- A recommendation that students displaying or possibly suffering from risk factors or warning signs associated with type 2 diabetes should be screened for type 2 diabetes.
- A description of treatments and prevention methods of type 2 diabetes.
- A description of the different types of diabetes screening tests available.

Suicide Prevention

The Charter School shall maintain a policy on student suicide prevention in accordance with Education Code Section 215. The Charter School shall review, at minimum every fifth year, its policy on pupil suicide prevention and, if necessary, update its policy.

Prevention of Human Trafficking

The Charter School shall identify and implement the most appropriate methods of informing parents and guardians of students in grades 6 through 8 of human trafficking prevention resources.

Nutritionally Adequate Free or Reduced Price Meal

The Charter School shall provide each needy student, as defined in Education Code Section 49552, with one nutritionally adequate free or reduced-price meal, as defined in Education Code Section 49553(a), during each school day.

California Healthy Youth Act

The Charter School shall teach sexual health education and human immunodeficiency virus (“HIV”) prevention education to students in grades 7-8, at least once pursuant to the California Healthy Youth Act (Education Code Section 51930, *et seq.*)

School Safety Plan

The Charter School shall adopt a School Safety Plan, to be reviewed and updated by March 1 of every year, which shall include identifying appropriate strategies and programs that will provide or maintain a high level of school safety and address the Charter School’s procedures for complying with applicable laws related to school safety, including the development of all of the following pursuant to Education Code Section 32282(a)(2)(A)-(J):

- child abuse reporting procedures
- routine and emergency disaster procedures, including procedures adapted for students with disabilities
- earthquake emergency procedures
- procedures to allow a public agency, including the American Red Cross, to use the building(s), grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare
- policies for students who committed an act under Section 48915 and other Charter School-designated serious acts leading to suspension, expulsion, or mandatory expulsion recommendations
- procedures to notify teachers of dangerous students pursuant to Education Code Section 49079
- a discrimination and harassment policy consistent with Education Code Section 200
- provisions of any schoolwide dress code that prohibits students from wearing “gang-related apparel,” if applicable
- procedures for safe ingress and egress of pupils, parents, and employees to and from the Charter School
- a safe and orderly environment conducive to learning
- the rules and procedures on school discipline adopted pursuant to Education Code Sections 35291, 35291.5, 47605, and 47605.6
- procedures for conducting tactical responses to criminal incidents

Emergency Preparedness

The Charter School shall adhere to an Emergency Preparedness Handbook drafted specifically to the needs of the school sites in conjunction with law enforcement and the Fire Marshal. This handbook shall include, but not be limited to the following responses: fire, flood, earthquake, terrorist threats, and hostage situations. If assuming a facility that was previously used as a school site, any existing emergency preparedness plan for the school site shall be used as a starting basis for updating the handbook for the Charter School.

Blood-borne Pathogens

The Charter School shall meet state and federal standards for dealing with blood borne pathogens and other potentially infectious materials in the work place. The Charter School has a written infectious control plan designed to protect employees and students from possible infection due to contact with blood borne viruses, including human immunodeficiency virus (“HIV”) and hepatitis B virus (“HBV”). Whenever exposed to blood or other bodily fluids through injury or accident, staff and students shall follow the latest medical protocol for disinfecting procedures.

Drug-Free / Alcohol-Free / Smoke-Free Environment

The Charter School shall be a drug-, alcohol- and smoke-free environment.

Facility Safety

The Charter School shall comply with Education Code Section 47610 by utilizing facilities that are compliant with the Field Act or facilities that are compliant with the State Building Code. The Charter School agrees to test sprinkler systems, fire extinguishers, and fire alarms annually at its

facilities to ensure that they are maintained in an operable condition at all times. The Charter School shall conduct fire drills at least once a month pursuant to Education Code Section 32001.

Comprehensive Anti-Discrimination and Anti-Harassment Policies and Procedures

The Charter School is committed to providing a school that is free from discrimination and sexual harassment, as well as any harassment based upon the actual or perceived characteristics of race, religion, creed, color, gender, gender identity, gender expression, nationality, national origin, ancestry, ethnic group identification, genetic information, age, medical condition, marital status, sexual orientation, sex and pregnancy, physical or mental disability, childbirth or related medical conditions, military and veteran status, denial of family and medical care leave, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, or any other basis protected by federal, state, local law, ordinance or regulation. The School has developed a comprehensive policy to prevent and immediately remediate any concerns about sexual discrimination or harassment at the Charter School (including employee to employee, employee to student, and student to employee misconduct). Misconduct of this nature is very serious and shall be addressed in accordance with the Charter School's Anti-Discrimination and Anti-Harassment policy.

A copy of the policy shall be provided as part of any orientation program conducted for new and continuing pupils at the beginning of each quarter, semester, or summer session, as applicable, and to each faculty member, all members of the administrative staff, and all members of the support staff at the beginning of the first quarter or semester of the school year, or at the time that there is a new employee hired. The Charter School shall create a poster that notifies students of the applicable policy on sexual harassment in accordance with Education Code Section 231.6, and shall prominently and conspicuously display the poster in each bathroom and locker room at the schoolsite and in public areas at the schoolsite that are accessible to, and commonly frequented by, pupils.

Bullying Prevention

The Charter School shall adopt procedures for preventing acts of bullying, including cyberbullying. The Charter School shall annually make available the online training module developed by the CDE pursuant to Education Code Section 32283.5(a) to certificated schoolsite employees and all other schoolsite employees who have regular interaction with children.

Element 8: Means to Achieve Student Population and Racial Balance

Governing Law: The means by which the charter school will achieve a balance of racial and ethnic pupils, special education pupils, and English learner pupils, including redesignated fluent English proficient pupils as defined by the evaluation rubrics in Section 52064, that is reflective of the general population residing within the territorial jurisdiction of the county board of education to which the charter petition is submitted. Upon renewal, for a charter school not deemed to be a local educational agency for purposes of special education pursuant to Section 47641, the chartering authority may consider the effect of school placements made by the chartering authority in providing a free and appropriate public education as required by the federal Individuals with Disabilities Education Act (Public Law 101-476), on the balance of pupils with disabilities at the charter school.

- Education Code Section 47605.6(b)(5)(H)

The Charter School's governing Board and leadership are deeply committed to a vision of serving students that reflect the diversity of the East Bay. Since founding, the Charter School has proactively sought to attract students who have been under-represented in its student population, compared to Alameda County's population. Such students include those from diverse ethnic and racial backgrounds, students who are English Learners (including those who have been redesignated fluent English proficient, and students who require special education. In order to increase the diversity of its enrolled students, the Charter School has created a weighted preference in the random public drawing for residents in the local elementary school attendance area. The Charter School has also been proactive in using a wide variety of outreach activities to attract an applicant pool and strive for racial and ethnic, English Learner, and special education student balance in the Charter School's student population. These strategies include but are not limited to:

- Establishing an enrollment timeline and process that allow for a broad-based recruiting and application process. Typically, formal outreach activities for the following school year's enrollment begin in November, and the public random drawing is held in March.
- Creating and distributing information about the school, including enrollment brochures and forms, in at least three (3) languages, including Spanish.
- Conducting outreach to a variety of community organizations within a three (3) mile radius of the school, including meetings with and presentations to local pre-schools, early childhood centers, and Head Start programs, afterschool and weekend Mandarin language programs, neighborhood groups, community organizations, churches, and youth service organizations.
- Advertising the Charter School's program and past success serving students with different backgrounds and needs, including those requiring special education and/or English learner services.
- Posting all enrollment materials on the website in at least three (3) languages
- Conducting enrollment sessions in at least three (3) languages, including Spanish.
- Publicizing and holding enrollment sessions in a variety of locations in northern Alameda County, including Fruitvale, East Oakland and West Oakland.
- Hosting open houses and scheduled tours for interested parents. During open enrollment season, the School will typically have three (3) to five (5) open houses and several scheduled tours, in addition to individual tours available by appointment.
- Advertising openings by posting flyers in neighborhoods, hosting an information booth at community events, distributing flyers at local grocery stores, buying ad space on buses or in the newspaper, and sending information via direct mail.

Additionally, the Charter School is open to exploring and potentially participating in any enrollment diversity initiatives led by ACOE, school districts within Alameda County, or other local organizations.

Charter School staff and parent volunteers field calls about enrollment, coordinate and staff open houses and presentations, and assist individual families to fill out the Enrollment Form if needed.

Element 9: Admission Policies and Procedures

*Governing Law: Admission policy and procedures consistent with [Education Code Section 47605.6] subdivision (e).
- Education Code Section 47605.6(b)(5)(M)*

The Charter School is open to all students. Admission to the Charter School shall not be determined according to the student's place of residence or that of the student's parent or guardian, within the state of California, except in the case of a public random drawing as provided below. In accordance with Education Code Sections 49011 and 47605.6(e)(2)(B)(iv), admission preferences shall not require mandatory parental volunteer hours as a criterion for admission or continued enrollment. An assessment may be used to determine an applicant's language category for public random drawing classification, and students enrolling after kindergarten must demonstrate grade level proficiency in Mandarin; both practices are consistent with California Department of Education recommendations for dual language programs.

In accordance with Education Code Section 47605.6(e)(4)(A), the Charter School shall not discourage a pupil from enrolling or seeking to enroll in the charter school for any reason, including, but not limited to, academic performance of the pupil or because the pupil exhibits any of the characteristics described in Education Code Section 47605.6(e)(2)(B)(iii), including pupils with disabilities, academically low-achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, or pupils who are economically disadvantaged, as determined by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation. Similarly, in accordance with Section 47605.6(e)(4)(C), the Charter School shall not encourage a pupil currently attending the Charter School to disenroll from the Charter School or transfer to another school for any reason, including, but not limited to the academic performance of the pupil or because the pupil exhibits any of the characteristics described in Education Code Section 47605.6(e)(2)(B)(iii), as listed above.

Pursuant to Education Code Section 47605.6(e)(4)(D), the Charter School shall post a notice developed by the CDE on the Charter School website, outlining the requirements of Section 47605.6(e)(4), and make this notice available to parents.

Enrollment History and Growth projections

The Charter School has been fully enrolled since opening, with up to three sections per grade and the following numbers of students:

School Year	Grades Served	Enrollment
2011-2012	K-1	105
2012-2013	K-2	159
2013-2014	K-3	211
2014-2015	K-4	257
2015-2016	K-5	304

2016-2017	K-6	357
2017-2018	K-7	387
2018-2019	K-8	445
2019-2020	K-8	488

In the 2021-22 school year, Yu Ming will add three sections of kindergarten. Enrollment projections are illustrated below:

School Year	Grades Served	Estimated Enrollment
2019-2020	K-8	488
2020-2021	K-8	528
2021-2022	K-8	630
2022-2023	K-8	723
2023-2024	K-8	813

	Year 1	Year 2	Year 3	Year 4	Year 5
	2020-2021	2021-2022	2022-2023	2023-2024	2024-2025
TOTAL	528	630	723	813	905
K	78	156	156	156	156
1	83	77	153	153	153
2	77	81	76	150	150
3	77	75	77	75	149
4	49	75	73	74	72
5	51	48	73	70	72
6	43	43	39	60	59
7	39	40	40	38	56
8	31	35	36	37	36

Over the next several years, the School expects some attrition as students matriculate into middle school – a typical pattern with K-8 dual language schools. If funding and space are available, the School may introduce a TK program.

Evidence of Parental Demand

The Charter School has had a long wait list since opening, demonstrating continued strong family demand. For the 2019-20 school year, 354 students applied for 84 available seats in kindergarten. On average, the School's waitlist over the first charter term was 89% of enrollment.

2011-2012: 116 (110% of enrollment)

2012-2013: 148 (93% of enrollment)

2013-2014: 195 (92% of enrollment)

2014-2015: 161 (63% of enrollment)

2015-2016: 263 (97% of enrollment)

Commitment to a Discrimination-free and Harassment-free Education

The Charter School is committed to providing a safe education environment to its students, free of discrimination, harassment, intimidation and bullying. The Charter School shall not discriminate against any pupil on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, gender expression, gender identity, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, including immigration status, or association with an individual who has any of the aforementioned characteristics). The Charter School shall comply with all applicable legal minimum and maximum age requirements for admission. The Charter School shall be nonsectarian in its programs, admission policies, and all other operations, and shall not charge tuition. The Charter School regularly provides training and programs to support students, staff, and families to develop cultural competency and respect for individuals with diverse backgrounds.

Public Random Drawing

The Charter School shall admit all students who wish to attend subject only to capacity. If the number of student applicants exceeds the Charter School's capacity, enrollment (except for existing pupils) shall be determined by a public random drawing. Existing students who are re-enrolling are exempted from the drawing. After all spots have been filled through the drawing, a wait list will be created in the order in which names are drawn. As openings become available, opportunities to enroll will be given to those in order of the waitlist.

Preference in the public random drawing, in each category, will be given as follows:

1. Children of employees
2. Siblings of students admitted to or attending the Charter School
3. Founding Families²³
4. Children from families who qualify for Free or Reduced Price Lunch (FRL)²⁴
5. Children of Board members²⁵

²³ Founding Families are required to have completed 50 hours of service prior to January 31, 2011. Enrollment priority through Founding Family status was accorded as an incentive for families to invest the effort required to start a new school in a short time frame.

²⁴ This categorical preference, added in the 2017 enrollment lottery, reserves 20% of all enrollment slots to FRL eligible families. Starting in 2021, up to 30% of all enrollment slots will be reserved for FRL eligible families. We expect it may take multiple years to actualize a higher percentage of applicants eligible for the FRL preference.

²⁵ The preference for Board Members is a weighted preference. The weighting will not be so extreme as to guarantee admission to applicants eligible for this preference.

6. Residents of the Local Elementary School Attendance Area in which Yu Ming is located²⁶
7. Residents of Alameda County
8. All other students in the State of California.

The Charter School and the County agree to adhere to the requirements related to admission preferences as set forth in Education Code Section 47605.6(e)(2)(B)(i)-(iv) and ensure consistency with federal law, the California Constitution, and Education Code Section 200. Preferences are approved by the chartering authority at a public hearing. Preferences in the admissions procedures will not result in limiting enrollment access for pupils with disabilities, academically low-achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, or pupils who are economically disadvantaged, as determined by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation.

By January 15 of each year, the Charter School will notify the County in writing of the application deadline and proposed date for the public random drawing. The Charter School will ensure that all application materials will reference these dates as well as provide complete information regarding application procedures, key dates, and admissions preferences and requirements consistent with approved charter. The Charter School will not request a pupil's records or require a parent, guardian, or pupil to submit the pupil's records to the charter school before enrollment.

The Board of Directors will take all necessary efforts to ensure lottery procedures are fairly executed. Lottery spaces are pulled in order of grade level by the designated lottery official (appointed by the Principal). Separate lotteries shall be conducted for each grade in which there are fewer vacancies than pupils interested in attending. All lotteries shall take place on the same day in a single location. Lotteries will be conducted in ascending order beginning with the lowest applicable grade level, starting from the first preference category. For preference categories #1 – 3 from the list above, applicants will be assigned to open slots for their respective grade. If there are more applicants in a preference category than open slots, applicants from that preference category will be drawn at random. Each applicant drawn will be assigned an open slot until all slots are filled. Remaining applicants will continue to be drawn and placed on an ordered waitlist for that grade. Applicants eligible for preference category #4 will be assigned slots after completion of the random drawing for preference categories #1 – 3. A percentage of open slots will be made available for preference category #4, and if there are more applicants than available slots, then the applicants will be drawn at random. Applicants eligible for preference category #4 who are not assigned a slot during the random drawing remain in the lottery for subsequent preference categories. Weighted priorities are assigned to preference categories #5 – 7. Remaining applicants will continue to be drawn and placed on an ordered waitlist for each grade. Students applying for grades 1-8 must take a Mandarin proficiency assessment. Families must accept a lottery offer and submit registration documents by the registration deadline, typically in March of each year.

²⁶ The preferences for the Local Elementary School Attendance Area and for Alameda County will be weighted preferences. The weighting shall be such as to give a greater advantage to applicants in the Local Elementary School Attendance Area; however the weighting will not be so extreme as to effectively preclude applicants who do not reside in the Local Elementary School Attendance Area.

Element 10: Financial Audits

Governing Law: The manner in which annual, independent, financial audits shall be conducted, in accordance with regulations established by the state board, and the manner in which audit exceptions and deficiencies shall be resolved.
- Education Code Section 47605.6(b)(5)(I)

Since founding, annual independent fiscal audits of the Charter School's financials have been clean: each year, auditors have rendered an unqualified opinion stating that the financial statements present a fair and accurate picture of the Charter School and comply with generally accepted accounting principles. The annual audits of the books and records of the Charter School is conducted as required under the Charter Schools Act, Education Code Sections 47605.6(b)(5)(I) and 47605.6(m). The books and records of the Charter School are kept in accordance with generally accepted accounting principles, and as required by applicable law, and the audit employs generally accepted accounting procedures. The audits have been and will continue to be conducted in accordance with applicable provisions within the California Code of Regulations governing audits of charter schools as published in the State Controllers Guide.

The Charter School's Treasurer leads the Board in selecting an independent auditor and overseeing the independent audit. The Charter School has used and will continue to use an auditor with a CPA and educational institution audit experience, who is approved by the State Controller on its published list as an educational audit providers. To the extent required under applicable federal law, the audit scope shall be expanded to include items and processes specified in applicable Office of Management and Budget Circulars.

The annual audits are completed within six months of the close of the fiscal year. A copy of the auditor's findings are forwarded to the County Superintendent of Schools, the State Controller, and to the CDE by the 15th of December of each year. If any audit exceptions or deficiencies are identified, the Board of Directors shall review the exception and/or deficiencies, develop a plan to resolve them, and submit a report to the County proposing how and by when the exceptions and/or deficiencies have been or will be resolved to the satisfaction of the County. Any disputes between the County and the Charter School regarding the resolution of audit exceptions and deficiencies shall be referred to the dispute resolution process referenced in this Charter. The independent fiscal audit of the Charter School is a public record to be provided to the public upon request.

Element 11: 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 the pupil's 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 schooldays 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 the pupil, the pupil's parent or guardian, or the pupil's educational rights holder 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 47605.6(b)(5)(f)

The Charter School has established a school-wide behavior plan that makes expectations for student behavior clear, provides for extrinsic rewards (while building towards students developing the ability to provide their own intrinsic rewards), and describes consistent and escalating consequences for inappropriate behavior. This plan is distributed to families and students, and students are taught the elements of the plan.

Suspension and Expulsion Policy and Procedures

The Pupil Suspension and Expulsion Policy and Procedures have been established in order to promote learning and protect the safety and well-being of all students at the Charter School. In creating this policy, the Charter School has reviewed Education Code Section 48900 *et seq.* which describe the offenses for which students at non-charter schools may be suspended or expelled and the procedures governing those suspensions and expulsions in order to establish its list of offenses and procedures for suspensions, expulsions, and involuntary removal. The language that follows is largely consistent with the language of Education Code Section 48900 *et seq.* The Charter School is

committed to annual review of policies and procedures surrounding suspensions, expulsions, and involuntary removals, and, as necessary, modification of the lists of offenses for which students are subject to suspension or expulsion.

Consistent with this policy, it may be necessary to suspend or expel a student from regular classroom instruction. This shall serve as the Charter School's policy and procedures for student suspension, expulsion, and involuntary removal, and it may be amended from time to time without the need to seek a material revision of the charter so long as the amendments comport with legal requirements. Charter School staff shall enforce disciplinary policies and procedures fairly and consistently among all students. This Policy and its Procedures will be printed and distributed annually as part of the Student Handbook which 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 this 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 and involuntary removal policies and procedures. The notice shall state that this Policy and its Procedures are available on request at the Principal's office.

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

A student identified as an individual with disabilities or for whom the Charter School has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement 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 applicable provisions of 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.

No student shall be involuntarily removed by the Charter School for any reason unless the parent/guardian of the student has been provided written notice of intent to remove the student no less than five (5) schooldays before the effective date of the action. The written notice shall be in the native language of the student or the student's parent/guardian or, if the student is a foster child or youth or a homeless child or youth, the student's educational rights holder, and shall inform the student, the student's parent/guardian, or educational rights holder of the basis for which the student is being involuntarily removed and the student's parent/guardian, or educational rights holder's right to request a hearing to challenge the involuntary removal. If a student's parent, guardian, or educational rights holder requests a hearing, the Charter School shall utilize the same hearing procedures specified below for expulsions, before the effective date of the action to involuntarily remove the student. If the student's parent, guardian, or educational rights holder

requests a hearing, the student shall remain enrolled and shall not be removed until the Charter School issues a final decision. As used herein, “involuntarily removed” includes disenrolled, dismissed, transferred, or terminated, but does not include removals for misconduct which may be grounds for suspension or expulsion as enumerated below. Students may be involuntarily removed for reasons including, but not limited to, failure to comply with the terms of the student’s independent study Master Agreement pursuant to Education Code Section 51747(c)(4).

The Charter School shall not dismiss students for any of the following reasons: poor achievement or minimum grade point average, incomplete or missing assignments, poor attendance, and discipline issues that do not meet the School’s criteria for expulsion.

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; or d) during, going to, or coming from a school-sponsored activity.

B. Enumerated Offenses

1. Discretionary Suspension Offenses. Students may be suspended when it is determined the student:
 - a) Caused, attempted to cause, or threatened to cause physical injury to another person.
 - b) Willfully used force or violence upon the person of another, except self-defense.
 - c) Unlawfully possessed, used, 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, which includes but is not limited to, electronic files and databases.
 - g) Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.
 - 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 a student’s own prescription products by a student.
 - 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, including but not limited to, electronic files and databases.
 - 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) 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.
- n) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- o) Engaged in, or attempted to engage in hazing. For the purposes of this policy, “hazing” means a method of initiation or preinitiation into a student 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 student. For purposes of this policy, “hazing” does not include athletic events or school-sanctioned events.
- p) Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this policy, “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 their own safety or for their immediate family’s safety, or for the protection of school property, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or their immediate family.
- q) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this policy, 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 provision shall apply to students in any of grades 4 to 8, inclusive.
- r) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in Education Code Section 233 (e). This provision shall apply to students in any of grades 4 to 8, inclusive.
- s) Intentionally harassed, threatened or intimidated school personnel or volunteers and/or 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 the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This provision shall apply to students in any of grades 4 to 8, inclusive.
- t) 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 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 their age, or for a person of their 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 their physical or mental health.
 - iii. Causing a reasonable student to experience substantial interference with their academic performance.
 - iv. Causing a reasonable student to experience substantial interference with their ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
- 2) "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 student 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 student for the purpose of bullying the student and such that another student would reasonably believe, or has reasonably believed, that the student was or is the student 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 student or a profile using the likeness or attributes of an actual student other than the student who created the false profile.
 - iii. An act of cyber sexual bullying.
 - a. For purposes of this policy, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a student to another student 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 policy, “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.
- 3) 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.
 - i. A student 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 student 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).
 - ii. Possessed, sold, or otherwise furnished any knife or other dangerous object of no reasonable use to the student unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Principal or designee’s concurrence.
2. Non-Discretionary Suspension Offenses: Students must be suspended and recommended for expulsion when it is determined the student:
 - a) Possessed, sold, or otherwise furnished any firearm, explosive, or other destructive device unless, in the case of possession of any device of this type, the students had obtained written permission to possess the item from a certificated school employee, with the Principal or designee’s concurrence.
 - b) Brandished a knife at another person.
 - c) Unlawfully sold a controlled substance listed in Health and Safety Code Section 11053, *et seq.*
 - d) Committed or attempted to commit a sexual assault or committed a sexual battery as defined in Penal Code Sections 261, 266c, 286, 287, 288, or 289 or former Section 288a of the Penal Code or committed a sexual battery as defined in Penal Code Section 243.4.
 3. Discretionary Expellable Offenses: Students may be recommended for expulsion when it is determined the student:
 - a) Caused, attempted to cause, or threatened to cause physical injury to another person.
 - b) Willfully used force or violence upon the person of another, except self-defense.
 - c) Unlawfully possessed, used, 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, which includes but is not limited to, electronic files and databases.
- g) Stole or attempted to steal school property or private property, which includes but is not limited to, electronic files and databases.
- 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 a student's own prescription products by a student.
- 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, which includes but is not limited to, electronic files and databases.
- 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) 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.
- n) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- o) Engaged in, or attempted to engage in hazing. For the purposes of this policy, "hazing" means a method of initiation or preinitiation into a student 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 student. For purposes of this policy, "hazing" does not include athletic events or school-sanctioned events.
- p) Made terroristic threats against school officials and/or school property, which includes but is not limited to, electronic files and databases. For purposes of this policy, "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 their own safety or for their immediate family's safety, or for the protection of school property, which includes but is not limited to, electronic files and databases, or the personal property of the person threatened or their immediate family.

- q) Committed sexual harassment, as defined in Education Code Section 212.5. For the purposes of this policy, 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 provision shall apply to students in any of grades 4 to 8, inclusive.
- r) Caused, attempted to cause, threatened to cause or participated in an act of hate violence, as defined in Education Code Section 233(e). This provision shall apply to students in any of grades 4 to 8, inclusive.
- s) Intentionally harassed, threatened or intimidated school personnel or volunteers and/or 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 the rights of either school personnel or volunteers and/or student(s) by creating an intimidating or hostile educational environment. This provision shall apply to students in any of grades 4 to 8, inclusive.
- t) 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 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 their age, or for a person of their 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 their physical or mental health.
 - iii. Causing a reasonable student to experience substantial interference with their academic performance.
 - iv. Causing a reasonable student to experience substantial interference with their ability to participate in or benefit from the services, activities, or privileges provided by the Charter School.
 - 2) "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 student 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 student for the purpose of bullying the student and such that another student would reasonably believe, or has reasonably believed, that the student was or is the student 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 student or a profile using the likeness or attributes of an actual student other than the student who created the false profile.
- iii. An act of cyber sexual bullying.
 - a. For purposes of this policy, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a student to another student 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 policy, “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.
- iv. 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.
 - a. A student 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 student 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).
 - b. Possessed, sold, or otherwise furnished any knife or other dangerous object of no reasonable use to the student unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Principal or designee’s concurrence.

- 4. 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 student:

- a) Possessed, sold, or otherwise furnished any firearm, explosive, or other destructive device unless, in the case of possession of any device of this type, the student had obtained written permission to possess the item from a certificated school employee, with the Principal or designee's concurrence.
- b) Brandished a knife at another person.
- c) Unlawfully sold a controlled substance listed in Health and Safety Code Section 11053, *et seq.*
- d) Committed or attempted to commit a sexual assault or committed a sexual battery as defined in Penal Code Sections 261, 266c, 286, 287, 288, or 289 or former Section 288a of the Penal Code or committed a sexual battery as defined in Penal Code Section 243.4.

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 destructive 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 student shall be provided due process rights of notice and a hearing as required in this policy.

The Charter School will use the following definitions:

The term "knife" means (A) any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing; (B) a weapon with a blade fitted primarily for stabbing; (C) a weapon with a blade longer than 3½ inches; (D) a folding knife with a blade that locks into place; or (E) a razor with an unguarded blade.

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 any explosive, incendiary, or poison gas, including but not limited to: (A) bomb, (B) grenade, (C) rocket having a propellant charge of more than four ounces, (D) missile having an explosive or incendiary charge of more than one-quarter ounce, (E) mine, or (F) 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 Principal or the Principal's designee with the student and the student's parent/guardian and, whenever practical, the teacher, supervisor or Charter School employee who referred the student to the Principal or designee.

The conference may be omitted if the Principal or designee determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or 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 student shall be informed of the reason for the disciplinary action and the evidence against the student and shall be given the opportunity to present the student's version and evidence in their defense, in accordance with Education Code Section 47605.6(b)(5)(J)(i). This conference shall be held within two (2) school days, unless the student 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 student for failure of the student's parent or guardian to attend a conference with Charter School officials. Reinstatement of the suspended student shall not be contingent upon attendance by the student'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(s) committed by the student as well as the date the student may return to school following the suspension. In addition, the notice may also state the 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 Principal or designee, the student and the student's guardian or representative will be invited to a conference to determine if the suspension for the student 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 student or the student's parent/guardian, unless the student and the student's parent/guardian fail to attend the conference.

This determination will be made by the Principal or designee upon either of the following: 1) the student's presence will be disruptive to the education process; or 2) the student poses a threat or danger to others. Upon either determination, the student's suspension will be extended pending the results of an expulsion hearing.

4. Homework Assignments During Suspension

In accordance with Education Code Section 47606.2(a), upon the request of a parent, a legal guardian or other person holding the right to make education decisions for the pupil, or the affected pupil, a teacher shall provide to a pupil in any of grades 1 to 8, inclusive, who has been suspended from school for two (2) or more schooldays, the homework that the pupil would otherwise have been assigned.

In accordance with Education Code Section 47606.2(b), if a homework assignment that is requested pursuant to Section 47606.2(a) and turned into the teacher by the pupil either upon

the pupil's return to school from suspension or within the timeframe originally prescribed by the teacher, whichever is later, is not graded before the end of the academic term, that assignment shall not be included in the calculation of the pupil's overall grade in the class.

D. Authority to Expel

As required by Education Code Section 47605.6(b)(5)(J)(ii), students recommended for expulsion are entitled to a hearing adjudicated by a neutral officer to determine whether the student should be expelled. The procedures herein provide for such a hearing and the notice of said hearing, as required by law.

A student may be expelled either by the neutral and impartial Charter School Board of Directors following a hearing before it or by the Charter School Board of Directors upon the recommendation of a neutral and impartial Administrative Panel, to be assigned by the Board of Directors as needed. The Administrative Panel shall consist of at least three (3) members who are certificated and neither a teacher of the student or a member of the Charter School Board of Directors. Each entity shall be presided over by a designated neutral hearing chairperson. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense, and the Board of Directors shall make the final determination.

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 Principal or designee determines that the student has committed an expellable offense and recommends the student for expulsion.

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 student confidentiality rules under FERPA) unless the student 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 student. The notice shall include:

1. The date and place of the expulsion hearing;
2. A statement of the specific facts, charges and offenses upon which the proposed expulsion is based;
3. A copy of the Charter School's disciplinary rules which relate to the alleged violation;
4. Notification of the student's or parent/guardian's obligation to provide information about the student's status at the Charter School to any other school district or school to which the student seeks enrollment;
5. 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;
6. The right to inspect and obtain copies of all documents to be used at the hearing;
7. The opportunity to confront and question all witnesses who testify at the hearing;

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

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 student.

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 their right to (a) receive five (5) days notice of their scheduled testimony, (b) have up to two (2) adult support persons of their choosing present in the hearing at the time the complaining witness 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 the complaining witness 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 the complaining witness 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 the complaining witness 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 person 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 their discretion to remove a person from the hearing whom they believe 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 student being expelled, the complaining witness shall have the right to have their 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 entity 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 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 student, 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 their testimony heard in a session closed to the public.

I. Expulsion Decision

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

If the Administrative Panel decides not to recommend expulsion, or the Board of Directors ultimately decides not to expel, the student shall immediately be returned to their educational program.

The Board of Directors may also determine to suspend the enforcement of the expulsion order for a period of not more than one (1) calendar year from the date of the expulsion hearing and return the

student to the student's previous educational program under a probationary status and rehabilitation plan to be determined by the Board. During the period of the suspension of the expulsion order, the student is deemed to be on probationary status. The Board of Directors may revoke the suspension of an expulsion order under this section if the student commits any of the enumerated offenses listed above or violates any of the Charter School's rules and regulations governing student conduct. If the Board revokes the suspension of an expulsion order, the student may be expelled under the terms of the original expulsion order. The Board of Directors shall apply the criteria for suspending the enforcement of the expulsion order equally to all students, including individuals with exceptional needs as defined in Education Code Section 56026. The Board of Directors shall further comply with the provisions set forth under Education Code Section 48917, except as otherwise expressly set forth herein.

J. Written Notice to Expel

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

K. 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 chartering authority upon request.

L. No Right to Appeal

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

M. Expelled Students/Alternative Education

Parents/guardians of students 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.

N. Rehabilitation Plans

Students who are expelled from the Charter School shall be given a rehabilitation plan upon expulsion as developed by the Board of Directors 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 (1) year from the date of expulsion when the student may reapply to the Charter School for readmission.

O. Readmission or Admission of Previously Expelled Student

The decision to readmit a student after the end of the student's expulsion term or to admit a previously expelled student from another school district or charter school who has not been readmitted/admitted to another school or school district after the end of the student's expulsion term, shall be in the sole discretion of the Board of Directors following a meeting with the Principal or designee and the student and student's parent/guardian or representative to determine whether the student has successfully completed the rehabilitation plan and to determine whether the student poses a threat to others or will be disruptive to the school environment. The Principal or designee shall make a recommendation to the Board of Directors following the meeting regarding the Principal's or designee's determination. The Board shall then make a final decision regarding readmission or admission of the student 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 student's readmission is also contingent upon the Charter School's capacity at the time the student seeks readmission or admission to the Charter School.

P. Notice to Teachers

The Charter School shall notify teachers of each student who has engaged in or is reasonably suspected to have engaged in any of the acts listed in Education Code Section 49079 and the corresponding enumerated offenses set forth above.

Q. Special Procedures for the Consideration of Suspension and Expulsion or Involuntary Removal of Students with Disabilities

1. Notification of SELPA

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

2. Services During Suspension

Students suspended for more than ten (10) school days in a school year shall continue to receive services so as to enable the student to continue to participate in the general education curriculum, although in another setting (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.
- c. 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.
- d. 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:
- e. 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;
- f. 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
- g. Return the child to the placement from which the child was removed, unless the parent/guardian 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/guardian, 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/guardian 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/guardian 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/guardian and the Charter School agree otherwise.

In accordance with 20 U.S.C. Section 1415(k)(3), if a parent/guardian disagrees with any decision regarding placement, or the manifestation determination, or if 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, the parent/guardian or Charter School may request a hearing. In such an appeal, a hearing officer may: (1) return a child with a disability to the placement from which the child was removed; or (2) order a change in placement of a child with a disability to an appropriate interim alternative educational setting for not more than 45

school days if the hearing officer determines that maintaining the current placement of such child is substantially likely to result in injury to the child or to others.

5. Special Circumstances

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

The Principal 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 had disabilities 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/guardian 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 that the student had a disability if the parent/guardian has not allowed an evaluation, refused services, or if the student has been evaluated and determined to not be eligible.

Element 12: Employee Retirement Systems

Governing Law: The manner by which staff members of the charter school will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security.
- Education Code Section 47605.6(b)(5)(K)

All employees of the Charter School who qualify for membership in the State Teachers' Retirement System ("STRS") (including teachers and other qualified certificated employees) shall participate in STRS. Employees shall contribute at the rate established by STRS. The Charter School shall work with the County Office of Education pursuant to Education Code Section 47611.3 to ensure that appropriate arrangements for the coverage have been made.

All employees who are not members of STRS must contribute to the federal social security system. The Charter School shall make all employer contributions as required by STRS and federal social security. The Charter School shall also make contributions for workers' compensation insurance, unemployment insurance and any other payroll obligations of an employer.

To maximize its ability to attract qualified staff, the Charter School offers employees the option to contribute to a 403(b) in addition to other retirement systems. The Director of Operations and Strategy shall be responsible for arranging retirement benefits.

Element 13: Attendance Alternatives

Governing Law: The public school attendance alternatives for pupils residing within the county who choose not to attend the charter school.

- Education Code Section 47605.6(b)(5)(N)

No student may be required to attend the Charter School. Students who reside within any school district in which the Charter School operates a school site who choose not to attend the Charter School may attend school within that school district according to its policy or at another school district or school within the district through its intra- and inter-district transfer policies. The parent or guardian of each student enrolled in the Charter School shall be notified on admissions forms that the student(s) has no right to admission in a particular school of any local educational agency (or program of any local educational agency) as a consequence of enrollment in the Charter School, except to the extent that such a right is extended by the local educational agency.

Element 14: Post-Employment Rights of Employees

Governing Law: The rights of an employee of the county office of education, upon leaving the employment of the county office of education, to be employed by the charter school, and any rights of return to the county office of education that an employee may have upon leaving the employment of the charter school.

- Education Code Section 47605.6(b)(5)(O)

No person may be required to work at the Charter School. Employees of the County who choose to leave the employment of the County to work at the Charter School will have no automatic rights of return to the County after employment by the Charter School, unless specifically granted by the County through a leave of absence or other agreement in accordance with applicable County Board Policy and/or collective bargaining agreements.

Employment by the Charter School provides no rights of employment at any other entity, including any rights in the case of closure of the Charter School.

Element 15: Dispute Resolution Process

Governing Law: The procedures to be followed by the charter school and the county board of education to resolve disputes relating to provisions of the charter.

- Education Code Section 47605.6(b)(5)(L)

The Charter School and the County shall be encouraged to attempt to resolve any disputes with the County amicably and reasonably without resorting to formal procedures.

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

The Head of School and Superintendent, or their respective designees, shall informally meet and confer in a timely fashion to attempt to resolve the dispute, not later than 5 business days from receipt of the dispute statement. In the event that this informal meeting fails to resolve the dispute, both parties shall identify two Board members from their respective boards who shall jointly meet with the Superintendent and the Head of School of the Charter School, or their respective designees, and attempt to resolve the dispute within 15 business days from receipt of the dispute statement.

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

Internal Disputes

The Charter School shall have an internal dispute resolution process to be used for all internal disputes related to the Charter School’s operations. The Charter School shall also maintain a Uniform Complaint Policy and Procedures as required by state law. Parents, students, Board members, volunteers, and staff at the Charter School shall be provided with a copy of the Charter School’s policies and internal dispute resolution process. The County will promptly refer all disputes not related to a possible violation of the charter or law to the Charter School.

Element 16: Charter School Closure Procedures

Governing Law: The procedures to be used if the charter school closes. The procedures shall ensure a final audit of the charter school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of public records.

- Education Code Section 47605.6(b)(5)(P)

Closure of the Charter School will be documented by official action of the Board of Directors. The action will identify the reason for the closure. The official action will also identify an entity and person or persons responsible for closure-related activities.

The Charter School will promptly notify parents and students of the Charter School, the County Office of Education, the School's SELPA, retirement systems in which the School's employees participate (e.g., Public Employees' Retirement System, State Teachers' Retirement System, and federal social security), and the California Department of Education of the closure as well as the effective date of the closure. This notice will also include the name(s) of contact information for the person(s) to whom reasonable inquiries may be made regarding the closure; the pupils' school districts of residence; and the manner in which parents/guardians may obtain copies, including specific information on completed courses and credits that meet graduation requirements.

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

The Charter School will also develop a list of pupils in each grade level and the classes they have completed, together with information on the pupils' districts of residence, which they will provide to the entity responsible for closure-related activities.

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

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

As soon as reasonably practical, the Charter School will prepare final financial records. The Charter School will also have an independent audit completed within six months after closure. The Charter School will pay for the final audit. The audit will be prepared by a qualified Certified Public Accountant selected by the Charter School and will be provided to the County promptly upon its completion. The final audit will include an accounting of all financial assets, including cash and

accounts receivable and an inventory of property, equipment, and other items of material value, an accounting of the liabilities, including accounts payable and any reduction in apportionments as a result of audit findings or other investigations, loans, and unpaid staff compensation, and an assessment of the disposition of any restricted funds received by or due to the Charter School.

The Charter School will complete and file any annual reports required pursuant to Education Code section 47604.33.

On closure of the Charter School, all assets of the Charter School, including but not limited to all leaseholds, personal property, intellectual property and all ADA apportionments and other revenues generated by students attending the Charter School, remain the sole property of the nonprofit public benefit corporation. Any assets acquired from the County or County property will be promptly returned upon Charter School closure to the County. The distribution shall include return of any grant funds and restricted categorical funds to their source in accordance with the terms of the grant or state and federal law, as appropriate, which may include submission of final expenditure reports for entitlement grants and the filing of any required Final Expenditure Reports and Final Performance Reports, as well as the return of any donated materials and property in accordance with any conditions established when the donation of such materials or property was accepted.

On closure, the Charter School shall remain solely responsible for all liabilities arising from the operation of the Charter School.

As the Charter School is operated as a non-profit public benefit corporation, should the corporation dissolve with the closure of the Charter School, the Board will follow the procedures set forth in the California Corporations Code for the dissolution of a non-profit public benefit corporation and file all necessary filings with the appropriate state and federal agencies.

As specified by the Budget in the Appendix, the Charter School will utilize the reserve fund to undertake any expenses associated with the closure procedures identified above.

Element 17: Administrative Items

Administrative Services

Governing Law: The manner in which administrative services of the charter school are to be provided.
- Education Code Section 47605.6(b)

The Charter School contracts with EdTec for some financial services, including state reporting and compliance. The Charter School is responsible for all of its own personnel salary and benefit plans, provisions and costs. In the event that any administrative services are to be provided by the County, the specifics will be agreed to in a Memorandum of Understanding between the Charter School and the County.

Term of Charter Renewal Petition

The Charter School's renewal charter shall begin on July 1, 2021 and expire seven years thereafter on June 30, 2028. Any material revisions to Charter School's charter shall be made by the mutual agreement of the governing board of the Charter School and the County in accordance with Education Code Section 47607. The Charter School may present a petition to renew or materially revise the Charter, and the County agrees to respond to such petitions pursuant to the process, criteria and timelines specified in Education Code Sections 47605, 47607, 47607.2, and applicable provisions of the California Code of Regulations.

Interpreting the Charter

All terms of the charter that can be interpreted as within the intent of the California Education Code shall be interpreted in such a manner.

The terms of this charter contract are severable. In the event that any of the provisions are determined to be unenforceable or invalid for any reason, the remainder of the charter shall remain in effect, unless mutually agreed otherwise by the Charter School and the County. The County and the Charter School agree to meet to discuss and resolve any issues or differences relating to invalidated provisions in a timely, good faith fashion.

Changes in the law or the County administration related to charter schools occur from time to time. The Charter School shall fully comply with all such legal and/or administrative changes. Modifications to this charter pursuant to such changes shall be deemed administrative amendments and shall not be considered "material revisions" requiring approval pursuant to Education Code Section 47607(a)(3).

Revoking the Charter

The County may revoke the charter of the Charter School in accordance with Education Code Section 47607 and its implementing regulations.

Impact on Charter Authorizer

Governing Law: Potential civil liability effects, if any, upon the charter school, any school district where the charter school may operate and upon the county board of education.
- Education Code Section 47605.6(b).

The Charter School is operated as a California nonprofit public benefit corporation. This corporation is organized and operated exclusively for charitable purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code and California Revenue and Taxation Code Section 23701(d).

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

Further, the Charter School and County may enter into a memorandum of understanding, wherein the Charter School shall indemnify County for the actions of the Charter School under this charter.

The corporate bylaws of the Corporation provide for indemnification of the Charter School's Board, officers, agents, and employees, and the Charter School will purchase general liability insurance, Board Members and Officer's insurance, and fidelity bonding to secure against financial risks.

As stated above, insurance amounts are determined by recommendation and the Charter School's insurance company for schools of similar size, location, and student population. The County shall be named an additional insured on the general liability insurance of the Charter School.

The Charter School shall be responsible for all supplies and equipment that it purchased and, in the event of loss by fire, disaster, or theft, the County shall have no responsibility for such items. Further, the County shall have no responsibility for losses of student property for any reason whatsoever and the Charter School shall hold the County harmless from any such losses.

The Charter School has instituted appropriate risk management practices as discussed herein, including screening of employees, establishing codes of conduct for students, and dispute resolution.

Element 18: Facilities

Charter School Facilities

Governing Law: The location of each charter school facility that the petitioner proposes to operate.
- Education Code Section 47605.6(b)(5)(D)

Governing Law: A description of the facilities to be utilized by the school.
- Education Code Section 47605.6(b)

The Charter School currently operates in two locations that are former parochial schools at 1086 Alcatraz Ave, Oakland, CA 94608 for grades K-2 and 675 41st St., Oakland, CA, 94609 for grades 3-8. Both sites have historically operated as schools and have been leased from Catholic Diocese of California. The cost of leasing these facilities is detailed in the enclosed budget documents.

Both sites are compliant with Education Code Section 47610. Both sites have been approved by the local fire marshal for the intended use by the Charter School. Because neither site is sufficiently large on its own to house the Charter School's full student population and programs, staff will ensure that students start and finish their day at the same location and any movement from one location to another will always be accompanied by a member of the Charter School staff.

Search for Permanent Facility

To further diversify the student population and serve more students, the Charter School will seek modest expansions at its current locations and/or seek new facilities. The Board of Directors has established a Facilities Committee, led by an experienced real estate developer, to identify and secure long-term permanent facilities to house the entire school, kindergarten through 8th grade, as well as any interim facilities needed until then.

Specifically, we are looking for long-term sites, ideally in northern and/or central Alameda County, that can accommodate classrooms for core and special subjects, library, small group instruction rooms, administrative offices, and multi-purpose room, along with outdoor play space and parking. We are actively pursuing all possible options, including underutilized school district facilities, parochial schools, and leased or purchased private sector buildings or land for renovation or new construction. Anticipated costs of acquiring these facilities are detailed in the enclosed budget documents.

The Charter School shall comply with Education Code Section 47610 by either utilizing facilities that are compliant with the Field Act or that are compliant with the State Building Code. The facilities shall be approved by the local or state fire marshal for the intended use. The Charter School agrees to continue to test sprinkler systems, fire extinguishers, and fire alarms at its facilities to ensure that they are maintained in an operable condition at all times.

Element 19: Financial/Operational Plan

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

- Education Code Section 47605.6(b)

Financial Health

The Charter School has been financially healthy and stable since opening, with positive fund balances and a reserve far in excess of the state minimum. Please see the enclosed budget documents for further detail.

Sources of Funds

The majority of funds for the Charter School's operations come from the State of California and local in-lieu of property taxes, in the form of the standard per-student allocation under Local Control Funding Formula ("LCFF") based on Average Daily Attendance ("ADA"). The Charter School also receives other state and federal funds for special populations and specific programs. Additional sources of funds include grants and fundraising, and food service revenue.

Financial Reporting

By July 1 of each calendar year, the Charter School provides a draft budget for the following school year to the County, including its estimate for enrollment and its Average Daily Attendance assumptions. The Charter School shall comply with all other financial reports required by Education Code Section 47604.33, and shall provide additional fiscal reports as requested by the County:

1. By July 1, a preliminary budget for the current fiscal year.
2. By July 1, an annual update (LCAP) required pursuant to Education Code Section 47606.5.
3. By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. Additionally, on December 15, a copy of the Charter School's annual, independent financial audit report for the preceding fiscal year shall be delivered to the State Controller, California Department of Education and County Superintendent of Schools.
4. By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31.
5. By September 15, a final unaudited report for the full prior year. The report submitted to the District shall include an annual statement of all the Charter School's receipts and expenditures for the preceding fiscal year.

The Charter School will maintain sufficient staff and systems including technology, required to ensure timely reporting necessary to comply with the law and to meet all reasonable inquiries from the County and other authorized reporting agencies.

Insurance

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

The Charter School shall provide evidence of the above insurance coverage as required by the County.

Direct Funding

The Charter School shall receive funding pursuant to Education Code Section 47630 et seq. and elects to receive its funding directly from the state pursuant to Education Code Section 47651. Any funds due to the Charter School that flow through the County shall be forwarded to the Charter School in a timely fashion. During the term of this charter petition, the Charter School and the County shall negotiate in good faith to develop a Memorandum of Understanding that establishes the specific financial and service relationship between the two parties.

Administrative Services

The Charter School contracts with EdTec for some financial services, including state reporting and compliance. The Charter School is responsible for all of its own personnel salary and benefit plans, provisions and costs. In the event that any administrative services are to be provided by the County, the specifics will be agreed to in a Memorandum of Understanding between the Charter School and the County.

Contractors are subject to specific selection criteria, including expertise on a particular subject matter and track record of success completing similar work. Contracts are subject to the Charter School's internal approval process and managed by the department lead to whom the contractor is assigned.

County Fee for Oversight

The County may charge for the actual costs of supervisorial oversight of the Charter School not to exceed 1% of the charter school's revenue, or the County may charge for the actual costs of supervisorial oversight of the Charter School not to exceed 3% if the Charter School is able to obtain substantially rent free facilities from the County.

Concurrent Enrollment

The Charter School will not seek funding for any pupil who also attends a private school that charges the pupil's family tuition.

Appendix

1. Yu Ming Charter School Articles of Incorporation
2. Financial documents
3. Facility lease documents