

# 育明中英雙語學院

## YU MING CHARTER SCHOOL CHARTER PETITION

For a term of July 1, 2011 – June 30, 2016

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## Affirmations/Assurances

As the authorized lead petitioner, I, **Gloria Lee**, hereby certify that the information submitted in this petition for a California public countywide benefit charter school to be named Yu Ming Charter School (the “Charter School”), submitted to the Alameda County Board of Education (“ACBOE”) and 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 will 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 will meet all statewide standards and conduct the student assessments required, pursuant to Education Code Section 60605, and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools. [Ref. California Education Code Section 47605.6(d)(1)]
- The Charter School will be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act. [Ref. California Education Code Section 47605.6(b)(5)(M)]
- The Charter School will be nonsectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. California Education Code Section 47605.6(e)(1)]
- The Charter School will not charge tuition. [Ref. California Education Code Section 47605.6(e)(1)]
- The Charter School shall admit all students who wish to attend the Charter School, and who submit a timely application, unless the Charter School receives a greater number of applications than there are spaces for students, in which case each application will be given equal chance of admission through a public random drawing process. 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). 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. California Education Code Section 47605.6(e)(2)(B)]
- The Charter School shall not discriminate on the basis of the characteristics listed in Section 220 (actual or perceived disability, gender, 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 or association with an individual who has any of the aforementioned characteristics). [Ref. Education Code Section 47605.6(e)(1)]

- The Charter School will adhere to all applicable provisions of federal law relating to students with disabilities, including, but not limited to, the Individuals with Disabilities in Education Improvement Act of 2007, Section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act of 1990.
- The Charter School will meet all requirements for employment set forth in applicable provisions of law, including, but not limited to credentials, as necessary. [Ref. Criteria for Review, Section 11967.5.1(f)(5)]
- The Charter School will 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 are required to hold. [Ref. California Education Code Section 47605.6(l)]
- The Charter School will 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 a transcript of grades or report card and health information. [Ref. California Education Code Section 47605(d)(3)]
- 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. California Education Code Section 47612.5(a)]
- The Charter School shall on a regular basis consult with its parents and teachers regarding the Charter School's education programs. [Ref. California Education Code Section 47605.6(d)]
- The Charter School shall comply with any jurisdictional limitations to locations of its facilities. [Ref. California Education Code Section 47605.1]

- The Charter School shall comply with all laws establishing the minimum and maximum age for public school enrollment. [Ref. California Education Code Sections 47612(b), 47610]
- The Charter School shall comply with all applicable portions of the No Child Left Behind Act.
- 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 meet or exceed the legally required minimum of school days. [Ref. Title 5 California Code of Regulations Section 11960]



August 16, 2010

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*Lead Petitioner's Signature*

*Date*

## I. Introduction

The petitioners seek to open and operate Yu Ming Charter School as a countywide benefit public charter school operating in Alameda County to prepare students in grades kindergarten to eighth to be bilingual, biliterate and engaged global citizens.

### The Charter School’s Vision & Mission

Yu Ming Charter School will provide a challenging and comprehensive education for Kindergarten through 8<sup>th</sup> grade students, preparing them to be inquisitive and analytic lifelong learners in the 21st Century world. Our mission is:

- To provide an academically rigorous college preparatory program
- To graduate students with bilingual and biliterate skills in Mandarin Chinese
- To nurture intellectual curiosity, international perspective, and diligence in attaining personal goals
- To develop young people with compassion, sound moral character, and a sense of responsibility for the community and the environment

### Founding Group

The founding group includes professionals in healthcare, business and education (pre-K-16), who came together with a common vision for an academically rigorous Mandarin immersion program in the East Bay. Some have international experience from growing up, living, studying and working in other countries. Half are bilingual in English and Mandarin themselves. All are passionately committed to creating a lasting institution that will serve families in the East Bay with a high-quality, college-preparatory, dual language public education. Some founders will serve as the initial Board of Directors.

The chart below summarizes the expertise of the founders:

<i>Founder</i>	<i>Curriculum Instruction Assessment</i>	<i>Finance and Management</i>	<i>Facilities</i>	<i>Governance and Law</i>	<i>Pupil Services</i>	<i>School Administration</i>	<i>Personnel</i>	<i>Technology</i>	<i>Outreach</i>
David Cherry					X			X	
Jeremiah Iglesias		X	X						
Michael Jugo	X			X					X
Gloria Lee	X	X	X		X	X	X		
Matthew Sade		X		X			X		X
Wynee Sade		X					X		X
Chrissy Schwinn		X						X	X
Melissa Tom	X								
Danita Tom		X							X

➔ See Appendix I-a for biographies of the founding group

## 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:*

- a) Improve pupil learning.*
- b) Increase learning opportunities for all pupils, with special emphasis on expanded learning experiences for pupils who are identified as academically low achieving.*
- c) Encourage the use of different and innovative teaching methods.*
- d) Create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site.*
- e) Provide parents and pupils with expanded choices in the types of educational opportunities that are available within the public school system.*
- f) 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.*
- g) Provide vigorous competition within the public school system to stimulate continual improvements in all public schools.*

*- California 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 not widespread in this area (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 this option does not currently exist (Education Code Section 47601(d) and (e)).

The Charter Schools Act of 1992 provides that a petition must contain reasonably comprehensive descriptions of the elements described in California Education Code Section 47605.6(b)(5)(A)-(Q). These subsections of law and the required descriptions are discussed below. This document is presented in the order and format suggested by the State Board of Education's recommended "Model Application."

Furthermore, 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 only approve a countywide charter 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.*

*- California Education Code Section 47605.6*



## **Support for Countywide-Charter**

*Outreach to all students of the county which results in a more diverse population and socioeconomic integration.*

The Charter School intends to enroll a more ethnically and socioeconomically diverse population than exists in specific school districts. Furthermore, the Petitioners want all students in the County to have equal footing in applying to its program, as it will be the only two-way Mandarin immersion program offered in Alameda County. 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 thus reflecting the diversity of Alameda County as a whole.

*Expanded facility boundaries for future sites.*

The Charter School plans to open an initial location in northern Alameda County, to serve as a model for replication in eastern Alameda County. Based on market surveys, the founding group has determined that while families are willing to drive some distance for a high quality Mandarin immersion option, there is also sufficiently strong demand throughout Alameda County to eventually sustain separate campuses. Subject to County Board approval pursuant to Education Code Section 47605.6(a)(3), and appropriate notification as required by that section, the Charter School shall seek to open its second site in the sixth year of operation.

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, this system asks a charter school to apply to its competitor for approval. Unfortunately, the result often is poor relations between charter schools and their granting agencies, or worse, a limited pool of school districts that are willing to approve charter schools. Almost all successful charter schools cite a healthy relationship with a granting agency as one key to success. The founders of Yu Ming Charter School and ACOE have a foundation of strong relations.

*Centralized supervisory oversight.*

Because the Charter School anticipates attracting students from variety of home districts in 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.

➔ See Appendix I-b for description of the need for a school like Yu Ming in Alameda County

**Petition**

**In accordance with California Charter School Law, Yu Ming Charter School petitions the Alameda County Board of Education to grant a K-8 countywide benefit charter for a five-year period from July 1, 2011 until June 30, 2016, and eligible for subsequent renewals.**

## II. Educational Philosophy and Program

### *Governing Law:*

*A description of the educational program of the school, designed, among other things, to identify those whom the school is attempting to educate, what it means to be an “educated person” in the 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.*

*- California Education Code Section 47605.6(b)(5)(A)*

### **The Charter School’s Vision and Mission**

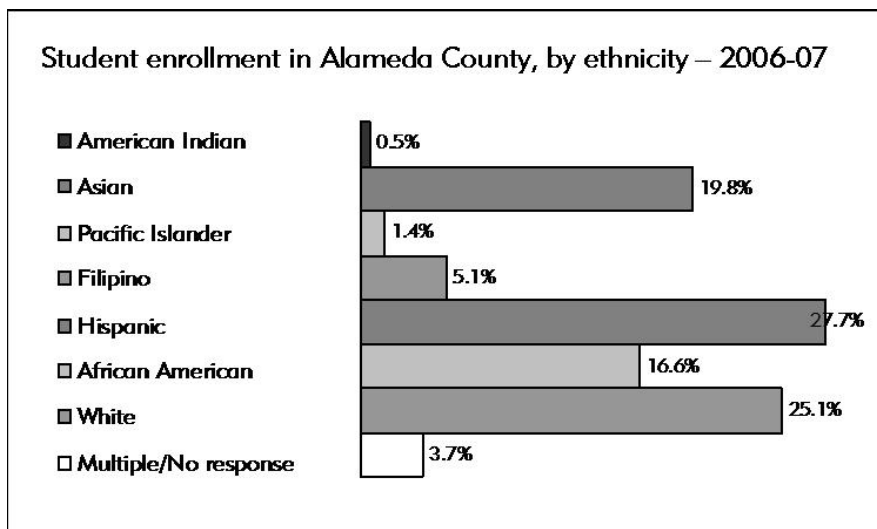
Yu Ming Charter School will provide a challenging and comprehensive education for Kindergarten through 8<sup>th</sup> grade students, preparing them to be inquisitive and analytic lifelong learners in the 21st Century world. Our mission is:

- To provide an academically rigorous college preparatory program
- To graduate students with bilingual and biliterate skills in Mandarin Chinese
- To nurture intellectual curiosity, international perspective, and diligence in attaining personal goals
- To develop young people with compassion, sound moral character, and a sense of responsibility for the community and the environment

### **Target Population – Whom the School is Attempting to Educate**

The Charter School plans to serve approximately 450 students in grades K-8. The Charter School aims to enroll students whose diversity is representative of Alameda County’s general population, not just students of Asian descent.

According to data compiled by the California Department of Education, districts in Alameda County enrolled 214,626 students in 2008-09. 22% were designated English Learners, and 39% were low income (i.e., eligible for Free/Reduced-price meals). Those students represented the following ethnicities:



The Charter School's enrollment outreach activities will be designed to attract students who represent Alameda County's population more broadly. Growing enrollment in Mandarin immersion programs in the U.S. has demonstrated the appeal of this model to attract students of diverse backgrounds, including racial, ethnic, linguistic, urban, suburban, socio-economic, and learning abilities. For example, Shuang Wen Public School #188 in New York City was featured in a front-page article in the *New York Times* as a magnet for African-American students<sup>1</sup>. The country's largest Mandarin language program (in Chicago Public Schools) "primarily serves students who are not of Chinese descent...From an all-black elementary school on the West Side to a nearly all-Hispanic elementary school on the South Side to more diverse schools throughout the city, some 3,000 students from kindergarten through high school are learning Chinese."<sup>2</sup> Virginia Rivera, principal at Chicago's McCormick school states, "The fact that my students are 98 percent low-income and 99 percent Latino, and they are succeeding at this, tells me everyone should have a shot at learning languages."<sup>3</sup>

### **Education Philosophy / How Learning Best Occurs**

Through early and sustained immersion in the Mandarin Chinese language, 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,<sup>4</sup> stimulating the development of critical thinking skills, problem solving skills<sup>5</sup> and cognitive development overall.<sup>6</sup> 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.<sup>7</sup>

➔ See Appendix II for a list of the Chinese language programs visited by the founding group in the development of the education program

The Charter School's two-way immersion model, configuration, use of time, teaching strategies, curriculum materials, assessments, and support systems will all be aligned towards these same goals.<sup>8</sup>

#### *Two-Way Immersion Model (TWI)*

The Charter School's program is designed around a two-way immersion model, which is a specific type of dual language education that creates an additive bilingual experience in which students are able to maintain their first language while acquiring a second language. In a dual language immersion model, two languages are used for instruction (i.e. in this case, English and

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<sup>1</sup> "New York School for Chinese Is a Magnet for Black Pupils," *New York Times*, November 2, 2002.

<sup>2</sup> "Classes in Chinese Grow as the Language Rides a Wave of Popularity," *New York Times*, October 15, 2005.

<sup>3</sup> "Chicago schools are leading the way as they try to prepare students for an increasingly globalized world," *Christian Science Monitor*, November 08, 2005.

<sup>4</sup> Center for Applied Linguistics, <http://www.carla.umn.edu/immersion/bibliographies/one-way.html>, see also <http://www.ncssfl.org/papers/BenefitsSecondLanguageStudyNEA.pdf> for a complete summary of the varied benefits of second language acquisition at a young age.

<sup>5</sup> Center for Applied Linguistics

<sup>6</sup> Curtain, H. & Dahlberg, C.A. (2004), *Languages and children: Making the match. New languages for young learners, grades K-8*. Boston, MA: Allyn & Bacon.

<sup>7</sup> Met, Myriam, "Improving Students' Capacity in Foreign Languages," *Phi Delta Kappan*, November, 2004

<sup>8</sup> Note: 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 School shifts depending on the needs of students and capacity of School staff.

Mandarin), with at least 50% of instruction in the second language. In a two-way dual immersion model, the program enrolls students representing a mix of primary language (i.e. in this case, roughly 50% with some proficiency in Mandarin, and 50% in English or another language) Students are integrated throughout the school day regardless of primary language. As a result, all students have the opportunity to simultaneously serve as first language models as well as second language learners, thus mutually enhancing their learning environment. Students learn both academic content and literacy in English and the second language. Lessons are not repeated in one language after the other, but skills and knowledge taught in one language are reinforced in the other language through thematic teaching and attention to cross-linguistic development. Two-way immersion programs strive to promote bilingualism and biliteracy, grade-level academic achievement, and positive cross-cultural attitudes and behaviors in all students.

The proportion of instruction in Mandarin and English will shift gradually over the course of a student’s experience at the Charter School. Kindergarten, first and second grade students will spend 90% of their time exclusively immersed in Mandarin Chinese, and while 10% of the content will be delivered in English. (Native English-speaking students may talk to the teacher and each other in English until they gain sufficient proficiency in Mandarin.) This early language acquisition strategy is critical because Mandarin Chinese is a tonal language with a logographic writing system<sup>9</sup>, 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.<sup>10</sup> Starting in 3rd grade, the percentage of instructional time in Mandarin and English gradually shifts, so that by the time students reach 7th grade, they are spending 30% of their time in Mandarin and 70% in English. Subjects taught in Mandarin will be taught by bilingual teachers with native or near-native proficiency in Mandarin. Subjects taught in English will be taught by teachers with native English proficiency. In grades 5 and above, some subjects may be taught in both languages – not by repeating a lesson, but through coordination between teachers who are teaching the same standards or different aspects of the same topic, in each language. The following table provides an approximate breakdown of instructional time by language and subject<sup>11</sup>:

Grades	% of instruction in Mandarin	Subjects taught in Mandarin	Subjects taught in English
K-2	90%	Math Science History / Social Science Mandarin Chinese language arts Music Art Physical Education	English language arts
3-4	70%	Math History/Social Science Science	English language arts History / Social Science

<sup>9</sup> 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) represents a word or a morpheme (a meaningful unit of language).

<sup>10</sup> 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.

<sup>11</sup> Percentage of time spent in each language at any particular grade may shift over time, depending on the latest findings in language immersion research and the school’s experience.

		Mandarin Chinese language arts Music Art Physical Education	
5-6	50%	Math Science Mandarin Chinese language arts Music Physical Education	English language arts History / Social Science Math Science Art
7-8	30%	Mandarin Chinese language arts History/Social Science	English Language Arts Math Science History/Social Science Art Music Physical Education

➔ See Appendix II-a for summary of the research on the benefits of immersion

### *Configuration*

#### Small School Size

The Charter School plans to be small enough to be a community where 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.<sup>12</sup>

#### Small class sizes

In smaller classes, teachers can give each individual student the time and attention necessary to realize his or her personal academic goals. The Charter School’s goal is a 25:1 student: teacher ratio in kindergarten through eighth grades. If additional categorical funds become available, the school may shift to a 20:1 ratio in grades K-3 or add native Mandarin-speaking aides in grades K-3 to increase the intensity of Mandarin exposure and provide more opportunities for differentiated instruction.

#### *Use of Time*

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

#### Longer school day

Students learn more when they are given more time to learn each day. With more time, teachers can delve into topics more deeply cover more topics. The Charter School’s day will be approximately seven hours and 15 minutes – from 8:30 am – 3:45 pm. This is about 45 minutes more instruction each day than students in many traditional public schools receive. In addition, depending on available funding, the Charter School may also provide an after-school program to

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<sup>12</sup> A number of large-scale studies have demonstrated that small schools are more productive and effective than large ones. Findings from these studies show that students in small schools learn more and better, make greater progress toward graduation, persist in larger numbers, and behave better. (Raywid, Mary Anne. 1999. “Current Literature on Small Schools,” West Virginia: ERIC/CRESS.) . In addition, compared with students in large schools, students in small schools experience a greater sense of belonging, and their academic and personal self-concepts are more positive (Cotton, Kathleen. 1996. “Affective and Social Benefits of Small-Scale Schooling,” West Virginia: ERIC.).

provide homework help, additional academic tutoring, and cultural activities such as Chinese art and music.

### Longer school year

The Charter School will provide 200 regular days of instruction, twenty days more than traditional public schools provide, and twenty-five more than the legal minimum applicable for charter schools. The school year will be year round to enhance continuous learning. Reports from the California State Department of Education show that standardized reading test scores increased 19.3% for year-round grade school students and that a greater number of year-round students met state score objectives than those on traditional schedules<sup>13</sup> Research is clear that more 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: 243 days in Japan and 220 days in South Korea; in China, students typically attend academic programs during any breaks in the school year.

The Charter School has a target of 95% attendance, and will use 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
- Proactively working with families as soon as students demonstrate a pattern of tardiness or absenteeism
- Providing occasional weekend opportunities to make up missed days

➔ See Appendix II-b for draft school year calendar and schedule

### *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.<sup>14</sup> Because half of the Charter School’s students will be learning in a language that is not their native language, direct instruction will be an important strategy for ensuring that new vocabulary and curriculum content is learned.
- Guided and Independent Practice: Students will be given multiple structured opportunities to practice newly and previously learned skills and knowledge. Practice opportunities will be 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.

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<sup>13</sup> United States Department of Education (1992), What YRE Can Do To Enhance Academic Achievement and To Enrich the Lives of Students That the Traditional Calendar Cannot Do.

<sup>14</sup> Adams, G.L., & Engelmann, S. (1996). Research on Direct Instruction. Seattle, WA: Educational Achievement Systems.

- Small group instruction: Teachers will work with small groups, pre-teaching or re-teaching specific standards. Groups will 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 will be presented with a problem or question, around which they formulate and test theories to work towards a solution. Hands-on activities will encourage student-to-student interaction in both languages, and provide an opportunity to apply their language skills.
- Technology: Learning software such as Dreambox, Accelerated Reader, and other programs may be used to provide additional adaptive instruction, practice and assessment in a way that is differentiated for each child. Computers will also be used as a tool for research, communication, and production. By the middle school grades, students will use simulations and make presentations to exercise their higher-order thinking skills, publish to hone communication skills, and search the Internet to practice their research skills.
- Specialized Language acquisition strategies: Teachers may use a variety of techniques to assist with language acquisition. For example, they will use body language and facial gestures. They will 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 extend and expand students' limited utterances. As students progress in the language, teachers will expand the ways in which they make themselves understood, using paraphrase, exemplification, and literacy as tools for building language. Most importantly, students will 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..."<sup>15</sup> In addition, teachers will use a variety 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)

### *Curriculum Standards and Materials*<sup>16</sup>

The Charter School will offer a curriculum which is aligned with California State Standards<sup>17</sup> for English Language Arts, Math, Science, and History/Social Science, but accelerated by one grade.

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<sup>15</sup> Krashen, Stephen D. Principles and Practice in Second Language Acquisition. Prentice-Hall International, 1987.

<sup>16</sup> The curriculum materials named in this section have been identified as the most promising by the founding group. This list is subject to change based on the input and experience of the founding principal and educators, as well as any changed by the State of California in its standards or textbook adoptions.



The Charter School’s curriculum will be articulated as a K-8 system, and will include 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 will use texts and materials adopted in the State of California<sup>18</sup>. For subjects and grades taught in Mandarin, the Charter School will adapt and align grade-appropriate and linguistically accessible Mandarin Chinese teaching materials. Curriculum from existing Mandarin Immersion programs (e.g. Yinghua Academy in Minneapolis, MN, Pioneer Valley Chinese Immersion Charter in Hadley, MA, and Chinese American International School in San Francisco) may also be used.

- Mandarin Chinese Language Arts: Research shows that in addition to language immersion, there is a need for formal instruction in the foreign language to achieve native-like fluency and grammar.<sup>19</sup> The Charter School will use materials from Singapore-based Chinese Language for Primary Schools textbook supported by iFlashbook. The Charter School will supplement with materials from BetterChinese.com and resources from other successful Mandarin immersion programs, including public immersion programs in Cupertino, San Francisco, and Portland, as well as the Pioneer Valley Chinese Immersion Charter School in Hadley, MA. The Charter School will also partner with China’s Ministry of Education and the Confucius Institute to access additional Mandarin Chinese Language Arts materials.
- English Language Arts: To help students develop strong literacy skills in English, including both phonemic awareness and reading comprehension strategies, the Charter School plans to use a phonics-based program supplemented with Guided Reading strategies. The Charter School will also use the Great Books program and other sources of literature. Lucy Calkins’s Writer’s Workshop and Regie Routman’s work from Writing Essentials will form the basis of the writing curriculum.
- Mathematics: The math curriculum is based on the California state standards for mathematics. The Charter School plans to use Singapore Math curriculum materials, supplemented with TERC’s Investigations in Number, Data and Space.
- Science: Students will 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 will use the Full Option Science System (“FOSS”), aligned with the California State Framework. 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 will be integrated into Mandarin Chinese and English language arts. The Charter School will use Houghton Mifflin History – Social Studies, supplemented with other sources and original texts, as well as Mandarin Chinese texts to teach Chinese Social Studies.
- Chinese culture: Developing an understanding of the Chinese cultural context is intertwined with understanding the Chinese language. For example, Chinese proverbs and poetry will be used for both Mandarin Chinese language development and learning about Chinese culture.

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<sup>17</sup> If they are adopted by the State of California, the School plans to adopt Common Core Standards and use any state-mandated year-end assessments are aligned to the Common Core Standards.

<sup>18</sup> Based on new research, changes in California adopted text lists, and other factors, the School will annually re-evaluate its adopted curriculum materials.

<sup>19</sup> 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.

- 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 will receive instruction in art and music, including both Western and Eastern modes of expression, formats, and examples. Additional opportunities may also be provided through partnerships with community arts organizations such as the Asian Arts Museum. The Charter School will also offer after school programs in Chinese visual and performing arts.
- Spanish: Depending on funding availability, the Charter School may also offer an additional language such as Spanish, either during the school day or as an optional after-school program.
- Physical education: Students will be expected to develop their physical abilities and fitness. They will learn these skills and habits through Physical Education class. The Charter School will administer the state and federally mandated physical fitness tests.
- 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 are expected to develop technological proficiency in basic use of personal computers and the Internet. Students are expected to utilize technology in ways that will prepare them for secondary education. The Charter School integrates technology skill development in core academic classes and as part of interdisciplinary projects, and dependent on budget, may also offer technology classes as a Special Subject for a few hours each week.
- Life Skills: To be successful in the real world, students need more than academic skills and knowledge. The Charter School will focus its teaching of life skills on the four core concepts of: ethical, persevering, compassionate and wise. Teachers will explicitly guide students in learning how to use these life skills every day, and reinforce this behavior through norms, incentives, and other classroom management practices.

Because students will be learning some content standards through a new language, curriculum adaptations (of both instructional strategies and resources) will be used to make it linguistically accessible without diluting or lowering standards. This adaptation and alignment will be done by classroom teachers with the assistance of external consultants as needed. In a curriculum adaptation typical process 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 will oversee the selection, adaptation, development and regular reviews of curricula at all grades to ensure continued alignment with the California State Standards. The Charter School’s teachers and other staff will meet regularly to ensure the curriculum is aligned with state standards and school goals. Every year, with the assistance of the Board of Advisors and mentors from more established immersion programs, the Charter School staff will conduct an overall review of the curriculum and materials, using a student achievement results and variety of other metrics to evaluate the effectiveness of the curriculum.

- ➔ Please see Appendix II-d for draft strands, goals and activities for Mandarin, K-2
- ➔ Please see Appendix II-e for draft scope and sequence for Mathematics, K-2
- ➔ Please see Appendix II-f for draft ELA Non-Transferable Standards, K-2

#### *Traditional versus simplified characters*

In the Chinese language education community, there is an ongoing and vigorous debate about whether to teach children traditional or simplified characters. Simplified characters were created by decreasing the number of strokes in a traditional character. In many cases, this debate is loaded with political antagonism; traditional characters are used in Taiwan and Hong Kong, whereas simplified characters are used in the People’s Republic of China and Singapore. The Charter School’s decision about what to teach is based strictly on what is considered educationally advantageous and does not reflect any of political belief systems of its diverse founding group.

The Charter School’s goal is to raise students with the ability to read both traditional and simplified characters, and to choose which system in which to write. Students’ Mandarin education will begin in traditional characters. As students progress through the grades, they will increasingly be exposed to literature and non-fiction texts written in simplified characters.

The Charter School believes that starting with traditional characters is important because they contain visual clues about meaning and sound which help students access unfamiliar words. Many Mandarin language characters include multiple parts; these parts often stand alone as characters with a distinct meaning, which provide information about the meaning of the multi-part character. This is similar to teaching students Latin root words so they can use their knowledge of prefixes and suffixes to infer the meaning of an unfamiliar word. Once a student recognizes a traditional character they can often infer equivalence to the simplified version of that character, while it is almost impossible to do the same process in the reverse sequence because the traditional characters are more complex and have more strokes. This inference process is the equivalent of reading the following sentence without vowels:

“Th Schl wll tch bth trdtntl nd smpfld chrctrs.”

A reader who is accustomed to seeing the words in their entirety can mentally insert the necessary vowels to understand the sentence whereas a reader who had learned an alphabet without vowels would be hard-pressed to do so.

Furthermore, the traditional versus simplified debate affects only a small percentage of all Chinese characters. The Chinese language includes roughly 45,000 characters. Only 2,350 characters have been simplified, and of those, only 500 are remarkably different. Like teaching cursive writing in addition to print, or teaching abbreviations (like “Mr.,” “Sept.,” or “ft.”), the Charter School believes that it is feasible to teach students the two variations of these 500 characters without delaying students’ overall language progress.

#### *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. Multiple assessments, both formative and summative, will be used because no single assessment provides sufficient information on students’ learning in all areas.

Mandarin language proficiency will be assessed using the following research-based and widely-used assessments:

- K- Grade 2: Early Language Listening and Oral Proficiency (ELLOPA) developed by the Center for Applied Linguistics (CAL)<sup>20</sup>, using a Mandarin version created by the Portland, OR school district.
- Grades 3-6: Student Oral Proficiency Assessment (SOPA) and/or National Online Early Language Learning Assessment (NOELLA) developed by the Center for Applied Second Language Studies (CASLS). NOELLA is a “...universally accessible, and nationally norm-based assessment of proficiency for early language learners...It is tied to the national foreign language standards and the American Council on the Teaching of Foreign Languages (ACTFL) K-12 Proficiency Guidelines.”<sup>21</sup>
- Grades 7-8: Standards-based Measurement of Proficiency (STAMP), developed by Language Learning Solutions (LLS). 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 and speaking proficiencies. STAMP benchmarks are standards-based.”<sup>22</sup>

Students will also be assessed through state-mandated tests (i.e. California Subject Matter Tests).

In addition, the Charter School will use a variety of formative and summative assessments, reflecting best practices in assessment. The Charter School’s intention of using a variety of assessments is to ensure that teachers, parents and students continually have current and accurate information about students’ level mastery and areas in which they might be struggling, and are able to 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

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<sup>20</sup> For more information on SOPA and ELLOPA, see <http://www.cal.org/ellopa/ACTFL2002/sopaellopa.pdf>

<sup>21</sup> For more information on NOELLA, see <http://casls.uoregon.edu/NOELLA.php>

<sup>22</sup> For more information on STAMP, see <http://onlinells.com/stampplace.php> <sup>63</sup> For more information on HEC, <http://www.collaborative.org/>

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 will also be appropriate. Teachers will 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 will use a combination of the following assessments:

- *school-designed benchmark assessments*: 3-5 cumulative standards-aligned assessments given periodically during the school year in core subjects;
- *day-to-day teacher-designed assessments*: quizzes, unit tests, homework;
- *qualitative observations of the process of learning*: teachers' anecdotal notes, student reflection log, observation of student participation in class; and
- *final products*: scored published writing, final class projects (individual or group). In particular, the Charter School anticipates having students create capstone projects that capture and highlight their interdisciplinary learning from throughout the school year.

➔ See Appendix II-g for assessment calendar

#### *School Culture*

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

The core values taught at the school are:

- 德 Ethical: having a strong moral character
- 勤 Resilient: having the ability to persevere diligently and continue to strive even when faced with challenges
- 仁 Compassionate: able to consider others' viewpoints in an open-minded way, appreciate cultural differences, and work well with others
- 智 Wise: intellectually curious and able to think critically and solve problems in a creative way

Students will be engaged in educational activities that develop these values. The Charter School's Student Code of Conduct will emphasize behavior that reflects these values, and parents and students will be asked to read and sign a copy of the Code of Conduct as part of the registration process. A behavior plan will include appropriate negative consequences and positive incentives, at the classroom level and school-wide. All members of the Charter School community, including staff, parents, and students, will work together to develop a culture based on these values.

➔ See Appendix II-h for draft Code of Conduct and Behavior Plan

In addition, the Charter School will incorporate 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 will also learn about traditional Chinese food, holidays, and activities.

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

The Charter School will also establish a “sister” school in China so that students can experience real-life interactions with peers there. Students will write letters, send email, exchange artwork, and even participate in web conferences (e.g. through Skype). For older students, this relationship may culminate in a trip to each other’s country. The Portland Unified School District uses this type of experiential learning as a key component in their immersion programs.

### **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, 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 (small schools, small class sizes, longer school day and year, etc.) 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.

#### *Personalized Learning Plans*

The Charter School will create and maintain a Personalized Learning Plan (“PLP”) for each student. The PLP will provide the teacher, parents and student with a common understanding of the student’s learning style and objectives; all parties may then act based on that understanding. Once each semester during Family Conferences, the teacher, parent and student

will discuss the student’s learning strengths and weaknesses, and set goals for the next semester. By working closely with each student and family to develop an appropriate PLP, the Charter School will be able to respond to the needs of every individual student, including those who are achieving above or below expected levels. This allows all students to receive the appropriate interventions, if needed, provided by the Charter School (e.g. in-school, after-school or specialized classroom instruction). The high standards, deep interventions, and rigorous caring provided to all students can be personalized in the PLP. Indeed, the PLP will allow the Charter School to help meet the general education needs of students with disabilities (who may also have Individualized Education Programs (“IEP”) or 504 plans as required by law), English Learners, students achieving substantially above or below grade level expectation, and other special student populations.

Support for Under-Performing Students

The Charter School will have 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 will receive a mix of intervention services. These services will include in-class individual and small group tutoring by classroom teachers before, during, or after school, as well as before- or after-school tutoring by non-classroom educators one-on-one or in small groups. Students targeted for additional intervention will include, but are not limited to, students who meet the following criteria:

<u>Assessment</u>	<u>Criteria For Additional Intervention</u>
CST – ELA or Math	Far Below Basic, Below Basic, Basic
Mandarin language assessment	Not at grade level
Parent Recommendation	Any
Teacher Recommendation	Any

Support for High-Achieving Students

The Charter School will also use 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 before-, during-, or after-school; before- or 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 will provide additional support as needed for students whose family income level has created additional obstacles for learning. The Charter School’s Parent-Teacher Association is committed to ensuring 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. Supports may also include working with governmental agencies and other not-for-profit organizations to help ensure that the student and his/her family receive needed services.

Support for English Learners

Most students will enter the Charter School in Kindergarten or 1st grade, which capitalizes on a child’s optimal age for second language acquisition. In the Mandarin portion of the school day, non-Mandarin speaking students, regardless of their native language, will be starting from the

same level of non-proficiency and all will benefit from the immersion 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. For English Language Learners, the two-way immersion model is ideal as it supports both Mandarin language learners and English language learners within academic classes and in supplemental settings. 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. 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.

The Charter School will meet all applicable legal requirements for 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 will implement policies 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 will administer the home language survey upon a student's initial enrollment into the Charter School (on enrollment forms). Students in the country less than twelve months will be given the state's Designated Primary Language Test (e.g. the Aprenda and Standards-Based Tests in Spanish) to determine the student's academic proficiency when tested in his/her home language.

#### **CELDT Testing**

All students who indicate that their home language is other than English will be given the California English Language Development Test ("CELDT") within thirty days of initial enrollment and at least annually thereafter between July 1 and October 31st until re-designated as fluent English proficient.<sup>23</sup> The Charter School will notify all parents of its responsibility for CELDT testing and of CELDT results within thirty days of receiving results from the publisher. The CELDT shall be used to fulfill the requirements under the No Child Left Behind Act for annual English proficiency testing.

#### **Reclassification Procedures**

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

- Assessment of language proficiency using an objective assessment instrument including, but not limited to, the CELDT;

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<sup>23</sup> The thirty day requirement applies to students who are first enrolling in a California public school or who have not yet been CELDT tested. All others will be tested on an annual schedule based upon their last date of CELDT testing.



- Participation of the pupil's classroom teachers and any other certificated staff with direct responsibility for teaching or placement decisions of the pupil to evaluate the pupil's curriculum mastery;
- Parental opinion and consultation, achieved through notice to parents or guardians of the language reclassification and placement. 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.
- Comparison of the pupil's performance in basic skills against an empirically established range of performance and basic skills based upon the performance of English proficient pupils of the same age that demonstrate to others that the pupil is sufficiently proficient in English to participate effectively in a curriculum designed for pupils of the same age whose native language is English.

### **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, storymaps)
- 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 will be given professional development in teaching English Language Learners in their appropriate content areas. Sopris West materials for English Language Development (a state-approved curriculum) will be considered for adoption.

### **Ongoing Assessment of EL Students**

The Charter School's use of achievement data will also drive the instruction and professional development as it relates to English Learners. The Charter School will analyze the achievement data by this subgroup, and will continue to assess the students through teacher-designed assessments and Charter School benchmark assessments. The results from the California Standards Test may also be reviewed with the Advisory Board, which would then have input into the plan for supporting English Learners. If appropriate, an English Language Action Committee will be formed.

### *Support for Students with Disabilities*

#### **Overview**

Despite popular misconception, immersion program 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.<sup>24</sup> Diagnosis of any learning disability would not be hindered by the immersion program, as researchers have found that any underlying impairment would be evident in both languages.<sup>25</sup> Ultimately, any students with learning difficulties will be evaluated on a case-by-case basis, and appropriate interventions designed and implemented as part of the normal IEP process for Special Education (described below).

The Charter School shall comply with all applicable State and Federal Laws in serving students with disabilities, including, but not limited to, Section 504 of the Rehabilitation Act (“Section 504”), the Americans with Disabilities Act (“ADA”) and the Individuals with Disabilities in Education Improvement Act (“IDEIA”).

The Charter School shall be its own local education agency (“LEA”) in conformity with Education Code Section 47641(a). The Charter School LEA would apply to become a member of the El Dorado County Office of Education (“EDCOE”) Special Education Local Plan Area (“SELPA”).

➔ See Appendix II-i for Letter to the El Dorado County Office of Education SELPA Director indicating application of the Charter School into the EDCOE SELPA, pending Charter approval

The Charter School shall comply with all state and federal laws related to the provision of special education instruction and related services and all SELPA policies and procedures; and shall utilize appropriate SELPA forms. The Charter School shall not discriminate against any pupil with a disability in the admissions process or any other aspect of operation.

The Charter School shall be solely responsible for its compliance with the IDEIA, Section 504 and the ADA. The facilities to be 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. Any student, who has an objectively identified disability which substantially limits a major life activity including but not limited to learning, is eligible for accommodation by the Charter School.

A 504 team will be 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

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<sup>24</sup> Genesee, Fred. 2006. Paper presented at the Two-Way Bilingual Immersion Conference. Long Beach, CA.

<sup>25</sup> Genesee, F., Paradis, J. & Crago, Mb, 2004, *Dual Language Development And Disorders*. Paul H. Brookes Publishing Co., Inc.

under the IDEIA but found ineligible for special education instruction or related services under the IDEIA, 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 IDEIA, a referral for assessment under the IDEIA 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 the free and appropriate public education ("FAPE"). 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.

➔ See Appendix II-j for Section 504 Policy and Process

### **Services for Students under the IDEIA**

The Charter School plans to become an LEA member of the EDCOE SELPA.

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

- *Free Appropriate Public Education* – The Charter School will assure 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 will assure that all students with disabilities are identified in accordance with the policies and procedures of the SELPA.
- *Full Educational Opportunity* – The Charter School will assure that all students with disabilities have access to the full range of programs available to non-disabled students.
- *Least Restrictive Environment* – The Charter School will assure that students with disabilities are educated with students who are not disabled to the maximum extent appropriate. This will be 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 will assure that an Individualized Education Program (“IEP”) is developed, reviewed and revised for each eligible student under the IDEIA.
- *Assessments* – The Charter School will assure 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 IDEIA, and more often if conditions warrant or requested by the student’s parents or teacher. Parents will 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 will assure that the confidentiality of identifiable data shall be protected at the collection, storage, disclosure and destruction stages. In addition, students and their parents shall be provided with safeguards through the identification evaluation and placement process and provisions for a free appropriate public education.
- *Personnel Standards* – The Charter School will attract, recruit and hire appropriately trained and credentialed personnel to provide special education services to children with disabilities.
- *State Assessments* – The Charter School will assure that students with disabilities either under the Individuals with Disabilities Improvement Act (“IDEIA”) or Section 504 are included in State assessment programs with appropriate accommodations and modifications when necessary and appropriate. These assessments include, but are not limited to, the California Standards Test and the CAT 6.

In addition, the Charter School shall comply with the EDCOE Local Master Plan and perform all corrective actions deemed necessary by the EDCOE SELPA. The Charter School will develop an annual budget, hire necessary staff, contract for appropriate

services and document the qualifications and competency of school leadership to meet the special education compliance and quality requirements.

The Charter School will work 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 will be provided annual professional development about practices that support the needs of special education students in the least restrictive environment.

Since the Charter School will operate 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 IDEIA will be provided a free and appropriate education in the least restrictive environment. The decisions regarding the specific services each student will 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 an extensive use of the Student Study Team 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.

➔ See Appendix II-k for description of the Student Study Team (“SST”) Process.

The Charter School supports all special education students in compliance with state and federal laws. No student will be denied admission to the Charter School because he or she is in need of special education services.

### III. Measurable Pupil Outcomes And Methods To Measure Pupil Progress Toward Meeting 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 school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school's educational program.*

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

*Governing Law: The method by which pupil progress in meeting those pupil outcomes is to be measured.*

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

#### Student Outcomes

The Charter School will provide a challenging, comprehensive and college-preparatory education that prepares them to be engaged global citizens. The education program is designed to ensure all students meet the following measurable pupil outcomes:

- *Basic skills:* Mastery of grade level competency in core subjects: math, science, social science, and English language arts, based on the strands and standards in the California state content framework.
- *Bilingualism in Mandarin:* mastery at no less than one grade level below a corresponding student in China or Taiwan in reading, writing and speaking Mandarin Chinese
- *Life skills:* develop personal qualities of diligence, intellectual curiosity, moral reasoning, and a respect for family, community and scholarship.
- *Cross-cultural competence:* develop awareness of and sensitivity to other cultures and an international perspective

In order to best serve our students and community, the Charter School will continue to examine and refine its list of student outcomes over time to reflect the Charter School's mission and any changes to state or local standards. The Charter School affirms that benchmark skills and specific classroom-level skills will be developed; and that its exit outcomes align to its mission, curriculum, and assessments. The Charter School also recognizes that its student outcomes may need to be modified over time, and will be closely monitored by staff and the Board for continued appropriateness.

#### Methods to Assess Pupil Progress Toward Meeting Outcomes

Each grade level has specific assessments and targets to measure student achievement and progress towards desired outcomes.

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 such as STAR and the CELDT.

The tools listed in the table below provide valuable assessment data that informs instruction, the Charter School's program and the needs for professional development.

TABLE: TOOLS FOR MEASURING STUDENT OUTCOMES

Student Outcome	Subject	Detailed description	Assessment Tools	Frequency	Annual Goal*	
<i>Basic skills:</i> Mastery of grade level competency in core subjects: English Language Arts, math, science, and social science, based on the strands and standards in the California state content framework.	English Language Arts	In English, students will be expected to communicate ideas clearly and effectively in various modes of expression appropriate to audience and purpose. Through the examination of various texts, students will be expected to demonstrate critical reading and active listening skills in order to comprehend, interpret and evaluate ideas. Students will write extensively in both expository and creative form.	California Standards Test (2-8)	Once a year	11-12 50% 12-13 55% 13-14 60% 14-15 65% 15-16 70%	
			Standards-based report card (K-8)	4x a year	11-12 50% 12-13 55% 13-14 60% 14-15 65% 15-16 70%	
	Math	Students will be expected to apply mathematical concepts and processes, including number systems, operations, graphics and logic, in order to problem-solve within and outside of mathematics. Students will be expected to demonstrate facility with the language of mathematics and express generalizations discovered through investigation. Students will be expected to be competent in symbolic reasoning and in constructing logical arguments.	California Standards Test (2-8)	Once a year	11-12 50% 12-13 55% 13-14 60% 14-15 65% 15-16 70%	
			Standards-based report card (K-8)	4x a year	11-12 50% 12-13 55% 13-14 60% 14-15 65% 15-16 70%	
	Science	Students will be expected to: demonstrate understanding of scientific concepts and ideas through real-world applications; utilize scientific research and inquiry methods to conduct investigations and problem-solve; and apply conceptual knowledge and processes from the major branches of science (biology, chemistry, the earth sciences and physics) in order to further the study of science and relate the study of science to other disciplines.	California Standards Test (6-8)	Once a year	11-12 40% 12-13 45% 13-14 50% 14-15 55% 15-16 60%	
			Standards-based report card (K-8)	4x a year	11-12 40% 12-13 45% 13-14 50% 14-15 55% 15-16 60%	
	Social Science	Students will be expected to apply historical, political, philosophical, geographical, economic and sociological knowledge to local and global situations in order to comprehend contexts and events, predict and evaluate the outcomes of human actions, and act responsibly as world citizens.	California Standards Test (6-8)	Once a year	11-12 40% 12-13 45% 13-14 50% 14-15 55% 15-16 60%	
			Standards-based report card (K-8)	4x a year	11-12 40% 12-13 45% 13-14 50% 14-15 55% 15-16 60%	
	<i>Bilingualism in Mandarin:</i> mastery at no less than one grade level below a corresponding student in China or Taiwan in reading, writing and speaking Mandarin Chinese	Mandarin Chinese Language Arts	In Mandarin Chinese, students will be expected to communicate ideas clearly and effectively in various modes of expression appropriate to audience and purpose. Through the examination of various texts, students will be expected to demonstrate critical reading and active listening skills in order to comprehend, interpret and evaluate ideas. Students will write extensively in both expository and creative form.	SOPA, NOELLA, or STAMP (depending on grade level)	Once a year	11-12 50% 12-13 55% 13-14 60% 14-15 65% 15-16 70%
				Standards-based report card (K-8)	4x a year	11-12 50% 12-13 55% 13-14 60% 14-15 65% 15-16 70%
	<i>Life skills:</i> develop life skills related to the school's four core values	All	Students will demonstrate personal qualities of resilience, compassion, wisdom, and moral reasoning in their choices, daily behavior and their interactions with others	Attendance rate	4x a year	95% ADA
				Report card (K-8)	4x a year	11-12 50% 12-13 55% 13-14 60% 14-15 65% 15-16 70%
Parent survey				2x a year	75%	
<i>Cross-cultural competence:</i> develop awareness of other cultures and an international perspective	All	Students will demonstrate the Search Institute developmental asset of Cultural Competency as expressed in their sensitivity to other cultures in their reading, writing, speech and interactions with others	Parent and teacher survey	2x a year	11-12 50% 12-13 55% 13-14 60% 14-15 65% 15-16 70%	

\*Annual Goal is the specified % of students at proficiency in a given school year, calculated based on the average of all grades.

### **Assessment Modifications and Accommodations**

As described in Section II, 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 California Standards Test and the CAT 6 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 goal of becoming an 8 on the Similar Schools Ranking and/or an API of 800 within four years, and then continued growth after that. Additionally, the Charter School expects to meet or exceed federal Adequate Yearly Progress goals. In the long-run, the Charter School aims to have at least 90% of students score Proficient or Advanced on the California Standards Test in every subject, and be proficient on Mandarin language assessments at a level almost comparable to their peers in China.

### **External Reporting**

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.

### **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 and progress reports halfway through each marking period. Individually and by class, students will 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 Family 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 quarterly standards-based report cards, mailed home. Parents can request more frequent progress information.

➔ See Appendix III-a for sample standards-based report card.

Parents of English Learners will also receive mandated communications on reclassification per Title III through annual CELDT testing results. Parents of students with IEPs will receive reports according to the plan specified in each IEP. The Charter School will comply 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 non-disabled students receive updates on



their children's academic progress. All disabled students 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 pre- and post-test 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 based on the standards in the Charter School's pacing chart. Data are examined in a public way, and instructional strategies for re-teaching are identified and implemented. 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 Advisory Board, uses the assessment results to create annual and targeted plans for increased achievement. The entire Charter 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. In addition, results from benchmark tests are analyzed by the staff and used to adjust pacing guides, direct re-teaching, and intervention services for students.

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

### **County Visitation/Inspection**

The Charter School will 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.

## IV. Governance Structure

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

*- California Education Code Section 47605.6(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 will operate 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(c), 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, shall not charge tuition, and shall not discriminate against any student or employee on the basis of the characteristics listed in Education Code Section 220 (actual or perceived disability, gender, 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 or association with an individual who has any of the aforementioned characteristics).

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

➔ See the Appendix IV-a Articles of Incorporation

➔ See the Appendix IV-b for Bylaws

### **Board of Directors**

The Charter School will be 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.

All Board meetings shall comply with the Brown Act.

The Board will abide by a Conflict of Interest Code which shall comply with the Political Reform Act. The Board complies with the Political Reform Act and Corporations Code Conflicts of Interest rules and any charter school specific conflicts of interest regulations. As required, the Conflicts Code will be submitted to the County Board of Supervisors for approval.

➔ See the Appendix IV-c for Conflict of Interest policy.

#### *Board of Directors Membership*

The Board of Directors consists of a maximum of 7 regular members plus one seat for the authorizing agency. (As provided by Education Code Section 47604(b), the charter authorizer shall be entitled to one representative on the Board of Directors). The Board of Directors will meet quarterly. In addition, the Board of Directors may elect a smaller group of directors to serve as the Board's Executive Committee, which could meet more frequently.

#### *Process for Electing Directors*

The initial Board members are drawn from the Founding Families, and are and intentionally small, including some who anticipate a term of only one year. This will ensure that, once the Charter School is established, it will be able to add qualified individuals to its governing Board. Within two years, the mix of the Board of Directors will shift from Founders to predominantly objective, external individuals with specific and relevant expertise. The Charter School will seek outside Directors with experience in not-for-profit governance, education program design, school administration, legal and risk management, finance, and community relationships. New directors can be nominated by sitting directors and will be elected by a majority vote of the Board. New directors may be drawn from the Charter School's Advisory Board.

The Charter School's initial Board of Directors is:

- **Jeremiah Iglesias**, respiratory therapist
- **Gloria Lee**, Partner/Entrepreneur-in-Residence, New Schools Venture Fund
- **Wynee Yang Sade**, Global Category Director, Clorox International
- **Chrissy Schwinn**, Assistant Director for the Global Marine Initiative, The Nature Conservancy
- **Dr. Melissa Tom**, attending physician, Alta Bates Medical Center and Summit Medical Center

➔ See the Appendix I for biographies of founding Board members

#### *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, firing, overseeing, evaluating, and supporting the Charter School's Principal;
- 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 categorical funds. Members of the Board may 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 and 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.

### **Advisory Board**

The Charter School also has an Advisory Board, consisting of experts in dual language education, charter schools, teacher development, business, and international relations. The Advisory Board will meet formally once each year and provide guidance to the Charter School Principal, Board of Directors, and staff on the latest research and best practices in the field. Their input will help shape the school's strategic plan for the year. In addition, individual members of the Advisory Board may also serve as a sounding board for the Charter School Principal, Board of Directors, and teachers on specific issues that may arise during the course of the year.

The Advisory Board includes the following individuals:

- Sue Campbell, English teacher, École Bilingue
- Vincent Chao, Principal and Founder of first Chinese program in San Francisco, SFUSD (retired) for 30 years
- Nick Driver, Vice President, Northern California Charter Schools Association
- Twig Gallemore, Partner, Elevation Design+Architecture
- Julie Kassissieh, educational consultant and former director, North Oakland Community Charter School
- David Pearson, PhD, former Dean of School of Education, University of California at Berkeley
- Jiun Chou Young, Chinese Department Chair, Chinese American International School
- Gary Zehrbach, PhD, Author, "Two-Way Immersion Charter School"

➔ See the Appendix IV-d for biographies of Advisory Board Members

### **Parent Teacher Association (PTA)**

The Charter School encourages all groups to participate in and share responsibility for the educational process and educational results. One mechanism for participation is the PTA, which will meet monthly, and is open to all parents/guardians and staff members. The Charter

School's PTA will plan community events, raise funds for the school, increase awareness of the Charter School and its accomplishments, and make connections with community organizations.

The PTA will have an Executive Committee with will be comprised of one parent from each grade level, and teachers. This Executive Committee will meet regularly with the Charter School Principal and provide feedback on school policies and practices. They will also make recommendations about issues related to the Charter School, and serve as the main contact and 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. 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 will:

- Present information about the Charter School's mission, goals and approaches during the open enrollment process. Parents will be provided time to ask questions, and will be asked to sign document confirming that they understand the Charter School's mission, goals and approaches.
- Present information about the Charter School's expectation of parents in the life of the school during the open enrollment process. Parents will be provided time to ask questions, and will be asked to sign document confirming that they understand the Charter School's expectations of parents.
- Meet with each family 1:1 after registration and before the start of school, to answer remaining questions and to learn more about their individual child and his/her unique strengths and needs.

To encourage parent participation in all aspects of school life, the Charter School features:

- *Special family events:* Scheduled at the beginning of the year, these three to five 3-4 hour sessions in the evenings or on the weekend will allow parents to "attend school" with their children and engage in learning activities.
- *Participation in school decision-making:* parents have representatives on the Parent Teacher Association and a representative on the Board of Directors, and can be part of Charter School's Hiring Committee.
- *Opportunities to evaluate the School and its staff:* Each spring, parents will be asked to complete a survey evaluating the Charter School, the principal, and their child's teachers. The survey results will be reviewed by the Charter School staff and will be a factor in personnel decisions such as merit raises.

In addition, the Charter School will require 30 hours of volunteer service by each family each year. The Charter School will provide a variety of opportunities to match with family members' different skills and interests. Examples include helping in classrooms, leading extra-curricular activities, coaching sports teams, assisting with event planning, attending field trips, attending PTA meetings, serving on parent committees, fundraising, and communicating with other parents. A parent committee will keep track of hours, provide incentives for service, and assist families to fulfill this obligation.

### **Three-Way Contract**

Student learning is best facilitated by a three-way partnership between the student, family, and school. Accordingly, the Charter School will have a Three-Way contract which all parties will sign as part of the enrollment process. The contract will include expectations for student behavior and academic effort, family support of the student, and school responsibility for supporting the student and communicating with the family.

➔ See Appendix IV-e for draft Three-Way Contract

### **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.
- Progress reports will be distributed at mid-terms.
- Family conferences, including parent(s)/guardian(s), student, and teacher, will be held at the end of each term to plan and assess the students' learning progress and determine goals.
- Parents will have regular access to staff and teachers by phone and email, and staff will 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 to address any parental concerns and complaints. Parents are encouraged to share their ideas and concerns with the Charter School Principal at any time. If the Principal is unable to resolve a parent's concern, parents are able to contact the Chair of the Board of Directors. A formal complaint process will be used if necessary to address any community concerns that are not resolved through informal conversations.

The Charter School will establish 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.

➔ See Appendix IV-f for Uniform Complaint Policy and Procedures

The School will comply with the County policy related to charter schools to the extent it aligns with and does not exceed the law applicable to charter schools, as it may be changed from time to time as long as the charter school has been given written notice of the policy change.

The School, in accordance with Education Code Section 47604.3, shall promptly respond to all reasonable inquiries, including but not limited to, inquiries regarding financial records, from the County and shall consult with the County regarding any inquiries. The Charter School acknowledges that it is subject to audit by the County; if the County seeks an audit of the Charter School, it shall assume all costs of such audit.

Members of the Board, any administrators, managers or employees, and any other committees of the Charter School shall comply with federal and state laws, nonprofit integrity standards and the County's Charter School policies and regulations regarding ethics and conflicts of interest to the extent such policies and regulations align with and do not exceed the requirements of law applicable to charter schools.

The Charter School and/or its non-profit corporation will be solely responsible for the debts and obligations of the Charter School.

## V. Human Resources

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

*Governing Law: The qualifications to be met by individuals to be employed by the school.*

*- California Education Code Section 47605.6(b)(5)(F)*

#### Overall

The Charter School will recruit professional, effective, and qualified personnel to serve in administrative, instructional, instructional support, and non-instructional support capacities. All prospective employees are required to successfully complete a DOJ fingerprinting background check, TB test, 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 will be at-will.

Specifically, the Charter School's key staff members (Principal, Office Manager, and Teachers) will meet the following qualifications:

#### Principal Qualifications

The Charter School's Principal is the instructional leader at the Charter School, with responsibility for ensuring the Charter School and its students achieve the outcomes outlined in this charter petition. The Principal will have the following qualifications:

*Required knowledge, skills, and abilities:*

- Bilingual and bi-literate in both Mandarin Chinese and English
- Demonstrated commitment to fostering a dynamic and academically rigorous education program
- Demonstrated knowledge of curriculum development and program design related to dual immersion and Mandarin language development in both native and non-native Mandarin-speaking students
- Demonstrated knowledge of evaluation and assessment of student progress
- Experience with developing teachers
- Knowledge of Chinese customs and culture
- Entrepreneurial passion; the ability to thrive in the excitement and uncertainty surrounding a start-up
- Proven ability to be a collaborative member of a team
- Excellent communication, presentation and interpersonal skills
- Excellent organization, time management and follow-up skills

*Recommended educational level:*

Bachelor's degree; Masters or Ph.D. in relevant area preferred



*Recommended experience:*

- 4+ years professional teaching experience, preferably in bilingual, immersion or foreign language classroom
- 4+ years professional experience as a school administrator or leader

➔ See Appendix V-a for a description of the Principal Search Process

### **Business Manager Qualifications**

The Charter School's Business Manager will be responsible for overall business office activities, will report to the Principal, and will work with students, parents, and outside parties. The Business Manager will have the following qualifications:

*Required knowledge, skills, and abilities:*

- Bilingual and bi-literate in both Mandarin Chinese and English
- Strong organizational, time management, and multi-tasking skills
- Strong interpersonal and communication skills
- Fluency with office technology, including Microsoft Office applications
- Experience with office management, business administration, and budgets
- Ability to work independently as well as with a team

*Required educational level:*

A.A. degree or equivalent work experience; B.S. preferred

*Required experience:*

- 3 plus years in fast-paced administrative position
- Experience in school front office preferable

### **Teacher Qualifications**

Educators at the Charter School will meet all requirements for employment set forth in applicable provisions of law, including Education Code Section 47605.6(l) and the applicable highly qualified requirements of NCLB. The qualifications of teachers to be employed in the Charter School will be designed to ensure students meet the educational goals outlined in this charter petition.

*Required knowledge, skills, and abilities:*

- Knowledge of child cognitive development and different learning styles
- Deep knowledge of subject matter, including California State Standards and subject-specific frameworks
- Knowledge of assessments
- Knowledge of effective language immersion teaching practices
- Ability to analyze and use qualitative and quantitative student academic performance data to guide classroom practice
- Ability and willingness to reflect and improve on his or her own performance
- Bilingual and bi-literate in both Mandarin Chinese and English (except for English-only positions)

- Demonstrated interest in and ability to collaborate with colleagues, parents and community

*Minimum educational level:*

- Bachelor degree

*Certification*

- Teachers of core courses at the Charter School will be required to hold a California Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold.
- Teachers who are hired to teach a specific subject (e.g. math) will be required to hold a subject-specific credential or permit from the California Commission on Teacher Credentialing.
- Teachers who will be teaching in Mandarin will preferentially hold a Bilingual Certificate of Competence (BCC) or Bilingual, Cross-cultural, Language, and Academic Development Certificate (BCLAD).

*Experience recommended:*

- 1+ year working with students as a teacher, teacher intern, or teaching assistant preferred

**Teacher Hiring**

The Charter School will use a rigorous multiple-stage approach to teacher selection that includes: a resume screen; interview(s); writing sample; 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 site Teacher Hiring Committee at all stages in the selection process. The Hiring Committee may include:

- *Office Manager:* Helps organize the process and paper trail, including: scheduling candidates for interviews and demonstration lessons; collecting score sheets; coordinating with current staff or participating students for demonstration lessons; and communicating with candidate.
- *Teachers:* Conduct interview(s) and observe demonstration lesson observation. Lead Teachers may participate in all candidate interviews; other teachers may provide input only on candidates in their grade level.
- *Parents:* Conduct interview(s) and observe demonstration lessons.

## **Staffing**

The Charter School will use 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. For grades K-2, English Language Arts is essentially treated as a “special subject” and staffed in the way that art and music are typically handled in many schools (i.e., a single special subject teacher rotates through each class, giving the regular classroom teacher time to plan, grade assignments, or provision for the next lesson.) In this way, a single English language arts teacher can cover all the classes in grades K-2. At grades 3-4, students spend 70% of their time in Mandarin and 30% in English, requiring two native-English speaking teachers at full scale for these grades. Grades 5-6 would have a dedicated English teacher for each grade, since students will spend their time 50/50 in each language. In the final years of middle school (grades 7-8) students will spend 30% of their time in Mandarin and 70% of their time in English which will require a Mandarin humanities teacher.

## **Professional Development**

The Charter School is committed to the professional development of all of its team members. Once teachers are hired, the Charter School will invest in their continued professional development. Teachers will participate in 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, in his/her capacity as instructional leader, provides 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 Charter School’s and individual students’ learning goals, including common preparation time through use of Special Subjects (e.g. music, art) and some early release days. The Charter School may also contract with immersion language experts who provide additional support, give one-on-one consultation, and conduct school-based professional development sessions. The Charter School will also work with the Confucius Institute to provide teachers with professional development courses in 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 will participate in a California Commission on Teacher Credentialing (“CCTC”) -approved Induction Program through the Alameda County Office of Education 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.

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.

➔ See Appendix V-b for draft Employee Handbook

## **Compensation**

The Charter School's goal is to provide educators and other staff with a base salary that is competitive with local school districts, based on experience and expertise, and considering the longer school year. Pay increases are not based on a step-and-column schedule, but instead are based on multiple measures of performance, including measurable student academic growth, parent satisfaction, and principal evaluation.

## **Retirement Benefits**

*Governing Law: The manner by which staff members of the charter schools will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security.*

*- California Education Code Section 47605.6(b)(5)(K)*

All employees of the School who qualify for membership in STRS (including teachers and other qualified certificated employees) or PERS (including the Office Manager and other qualified non-certified staff) shall be covered under the appropriate system. Employees will contribute at the rate established by STRS or PERS. The School will 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 School will make all employer contributions as required by STRS, PERS and federal social security. The School will 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 will periodically evaluate the feasibility and appeal to candidates of offering a 403(b) in lieu of STRS/PERS membership. The Business Manager will be responsible for arranging retirement benefits.

## **Employee Representation**

*Governing Law: A declaration whether or not the charter school shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act (Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 4 of Title 1 of the Government Code.*

*- California Education Code Section 47605.6(b)(5)(M)*

For the purposes of the Educational Employment Relations Act ("EERA"), the Charter School is deemed the exclusive public school employer of its employees. The Charter School shall comply with the EERA.

## **County Employee Return Rights**

*Governing Law: A description of 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 a description of any rights of return to the county office of education that an employee may have upon leaving the employ of the charter school.*

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

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.

All employees of the Charter School will be considered the exclusive employees of the Charter School and not the County unless otherwise mutually agreed in writing. Sick leave or years of service credit at the County or any other school district may be transferred to the Charter School for the purposes of STRS or PERS.

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.

### **Health and Safety Procedures**

*Governing Law: The procedures that the school will follow to ensure the health and safety of pupils and staff. These procedures shall include the requirement that each employee of the school furnish the school with a criminal record summary as described in Section 44237.*

*- California Education Code Section 47605.6(b)(5)(G)*

In order to provide safety for all students and staff members, the Charter School will implement 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 policies of the Charter School:

#### *Procedures for Background Checks*

Employees and contractors of the Charter School will be required to submit to a criminal background check and furnish a criminal record summary as required by Education Code 44237 and 45125.1. New employees not possessing a valid California Teaching Credential must submit two sets of fingerprints to the California Department of Justice for the purpose of obtaining a criminal record summary. 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 will be mandated child abuse reporters and will follow all applicable reporting laws and the same policies and procedures used by local school districts.

#### *TB Testing*

All Charter School staff will be tested for tuberculosis prior to commencing employment and working with students as required by Education Code Section 49406.

#### *Immunizations*

All students enrolled and staff will 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.

### *Medication in School*

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

### *Vision, Hearing, Scoliosis*

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

### *Diabetes*

The Charter School will provide an information sheet regarding type 2 diabetes to the parent or guardian of incoming 7<sup>th</sup> 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 of methods of type 2 diabetes.
- A description of the different types of diabetes screening tests available.

### *Emergency Preparedness*

The Charter School shall adhere to an Emergency Preparedness Handbook drafted specifically to the needs of the school site in conjunction with law enforcement and the Fire Marshall. 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 tobacco-free workplace.

### *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-Harassment Policies and Procedures*

The Charter School is committed to providing a school that is free from sexual harassment, as well as any harassment based upon such factors as race, religion, creed, color, national origin, ancestry, age, medical condition, marital status, sexual orientation, or disability. 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 will be addressed in accordance with the Charter School's Anti-harassment policy.

➔ See Appendix V-c for Comprehensive School Safety Plan

### **Dispute Resolution Procedures**

*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.*

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

The Charter School recognizes that it cannot bind the County to a dispute resolution procedure to which the County does not agree. The policy below is intended as a starting point for a discussion of dispute resolution procedures. The Charter School is willing to consider changes to the process outline below as suggested by the County.

The Charter School and the County will 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 Principal of the Charter School. 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.

The Principal and Superintendent shall informally meet and confer in a timely fashion to attempt to resolve the dispute, not later than 5 business days from receipt of the 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 Principal of the Charter School 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 Principal 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 Principal. 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.



## VI. Student Enrollment, Admissions, Attendance, And Suspension / Expulsion Policies

### Student Admissions Policies and Procedure

*Governing Law: Admission requirements, of the charter school, if applicable.*

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

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 his or her parent or guardian, within the state of California, except as provided below. Admission tests will not be required; however, assessments will be administered to determine individual instructional programs once students are admitted. These tests will serve as diagnostics of students' reading, writing and math skills.

#### *Student Recruiting and Enrollment Growth*

The Charter School will use a variety of strategies to actively recruit a diverse student population who understand and value the Charter School's mission and are committed to the Charter School's instructional and operational philosophy.

The Charter School plans to start with two classrooms each in kindergarten and first grade, and expand two classrooms each year by enrolling two new classes of kindergarten each year over 8 years until full capacity of 450 students is reached. This "slow growth" plan will:

- maximize the portion of students who enter the immersion program at the optimal time in their language development (before age 6),
- enable the Charter School to bring on staff gradually, and ensure selection of the most qualified teachers,
- allow time for smoother orientation and integration of new teachers into the program,
- facilitate the development of a close-knit school community,
- spread the cost of acquiring furniture and equipment and curriculum development over many years, and
- give teachers time to gradually build a fully-articulated K-8 curriculum.

#### *Evidence of Parental Demand*

Market studies conducted by the founding group indicate a strong and unmet demand for a high quality public Mandarin Immersion program. Of the survey respondents, 81% chose a public charter Mandarin immersion program as their top choice for preferred enrollment. Most respondents, 61% prefer a location in Alameda County. Parents seeking Mandarin immersion come from a diverse population as 49% of the respondents speak no Mandarin at home.

Parents in the East Bay have shown high interest in having their children learn Mandarin, and have expressed the belief that early language learning will be important for their future. Interest stems from parents with current work connections to China (e.g. their employer does business with China), from parents with family connections to China (e.g. heritage speakers, adopted children from China), and from parents with no existing work/family connection to China but a

strong interest in having their children learn Mandarin because of China's role in the global economy.

*Commitment to a Discrimination-free and Harassment-free Education*

The Charter School is committed to providing a safe, discrimination-free and harassment-free education to its students. 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, 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 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.

➔ See Appendix VI-a for Anti-Discrimination/Anti-Harassment Policy

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 wait list.

To be effective, the two-way immersion model requires students to be native speakers of English and Mandarin in roughly equal numbers. Therefore, the single lottery will allocate enrollment based on the language proficiency of the student (determined by a language proficiency test if necessary).<sup>26</sup>

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

1. Children of employees<sup>27</sup>
2. Siblings of current students within the Charter School
3. Founding Families<sup>28</sup>
4. Residents of Alameda County
5. All other students in the State of California.

By January 1 of each year, the Charter School will notify the County in writing of the application deadline and proposed lottery date. 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.

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<sup>26</sup> This lottery approach is designed to enable Yu Ming Charter School to achieve its program goals, and conforms with the enrollment strategy described by the California Department of Education in its FAQs related to two-way language immersion programs (see: [www.cde.ca.gov/sp/el/ip/faq.asp](http://www.cde.ca.gov/sp/el/ip/faq.asp)). However, the lottery procedure may need to be amended during any period of eligibility for the Public Charter Schools Grant Program in accordance with the State Board of Education-approved Request for Applications.

<sup>27</sup> The Public Charter Schools Grant Program (the "Grant") Request for Applications for the 2010 grant cycle has not been released. If the new Grant eligibility requirements are substantially the same as the 2007-2010 cycle, then during any period of eligibility for the Grant, this admissions preference will be limited to children of faculty, not to exceed 10% of total enrollment.

<sup>28</sup> Founding Families are required to have completed 50 hours of service prior to January 31, 2011. Enrollment priority through Founding Family status is accorded as an incentive for families to invest the effort required to start a new school in a short time frame.

## **Racial & Ethnic Balance**

*Governing Law: The means by which the school will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district to which the charter petition is submitted.*

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

The Charter School will take active steps and conduct a variety of outreach activities to attract an applicant pool to strive for ethnic and socioeconomic diversity in the Charter School's student population. These strategies will 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 January, and the lottery is held in March.
- Creating and distributing information about the school, including enrollment brochures and forms, in at least 3 languages, including Spanish.
- Conducting outreach to a variety of community organizations within a 3 mile radius of the school, including meetings with and presentations to local pre-schools and Head Start programs, afterschool and weekend Mandarin language programs, neighborhood groups, community organizations, churches, and youth service organizations.
- Posting all enrollment materials on the website in at least 3 languages
- Conducting enrollment sessions in at least 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 3-5 open houses, in addition to individual tours available by appointment.
- Advertising openings by posting flyers in neighborhoods, distributing flyers at local grocery stores, buying ad space on buses or in the newspaper, and sending information via direct mail.

The office manager plays a key role in fielding calls about enrollment, coordinating open houses and presentations, and assisting individual families to fill out the Interest Form.

The measurable ethnic diversity outcome for the Charter School will include an actual enrollment that falls within the range of other schools authorized and overseen by Alameda County Office of Education, as calculated by the CA Department of Education's Ethnic Diversity Index (current range is 32 to 54).

➔ See Appendix VI-b for sample recruiting collateral

## **Public School Attendance Alternatives**

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

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

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.

### **Suspension and Expulsion Procedures**

*Governing Law: The procedures by which pupils can be suspended or expelled.*

*- California Education Code Section 47605.6(b)(5)(f)*

The Charter School will establish 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 will be distributed to families and students, and students will be taught the elements of the plan.

➔ See Appendix II-h for draft Code of Conduct and Behavior Plan

Should a student's inappropriate behavior escalate or be severe enough to warrant suspension or expulsion, the procedures for suspension and expulsion of the Charter School's students are based on the procedures identified in the California Education Code. The policies and procedures for suspension and expulsion will be periodically reviewed and the list of offenses for which students are subject to suspension and expulsion will be modified as necessary. The Charter School will notify the County of any expulsions. The Charter School will account for suspended or expelled students in its average daily attendance accounting as provided by law.

In the case of a special education student, or a student who receives 504 accommodations, the Charter School will ensure that it makes the necessary adjustments to comply with the mandates of state and federal laws, including the IDEA and Section 504 of the Rehabilitation Plan of 1973, regarding the discipline of students with disabilities. Prior to recommending expulsion for a Section 504 student or special education student, the charter administrator will convene a review committee to determine 1) if the conduct in question was caused by, or had a direct and substantial relationship to the child's disability; or 2) if the conduct in question was the direct result of the LEA's failure to implement the 504 plan or IEP. If it is determined that the student's misconduct was not caused by or had direct and substantial relationship to the child's disability or the conduct in question was not a direct result of the LEA's failure to implement the 504 plan or IEP, the student may be expelled.

➔ See Appendix VI-c for the School's Suspension and Expulsion Policy and Procedures.

## VII. Reporting and Accountability

### Budgets and Cash Flow

*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.*

*- California Education Code Section 47605.6(b)*

At full enrollment, the Charter School will break even based on state and federal per-pupil funds, without the need for additional grant monies.

#### *Sources of Funds*

The vast 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 a per-student standard allocation (Revenue Limit Per Average Daily Attendance, or "ADA"). The Charter School will also receive additional monies ("categorical funds") for special populations and specific programs.

#### *Uses of Funds*

Annually, most of the Charter School's funds will go toward personnel and facilities (including rent or debt service, utilities and maintenance). The Charter School also anticipates spending about 5% of its budget on other direct program costs (e.g. classroom supplies). Private and federal grant funds for one-time start-up costs will be used for items such as furniture, computer equipment, textbooks, and teacher training.

➔ Please see Appendix VII-a and Appendix VII-b for the Charter School's five-year financial projections and one-year cash flow as required by Education Code Section 47605.6(h). These documents are based upon the best data available to the Petitioners at the date of submission.

### Financial Reporting

By July 1 of each calendar year, the Charter School will provide 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.

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 County and other authorized reporting agencies.

### Insurance

The Charter School shall acquire, 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 Charter School shall provide evidence of the above insurance coverage to the County no later than sixty days prior to operation or an earlier agreed upon date by the County and the Charter School.

### **Administrative Services**

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

The Charter School will contract with an outside vendor for any “back office” services that the school staff is unable to perform (e.g. state reporting). The Charter School will be 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.

### **Facilities**

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

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

The Charter School will operate at a location yet to be determined in north Alameda County. The Charter School plans to work with its authorizing agency as well as local districts and municipalities to identify a suitable facility.

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/state fire marshal for the intended use. The Charter School agrees 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.

The Charter School is initially seeking a facility in northern Alameda County with at least 8 classrooms (enough for the first three years of operation), a larger multi-use space for lunch and assemblies, and office space. Ideally, the facility would also include playground space and on-site parking for staff and parents. The Charter School would consider co-locating with another school on a larger facility, especially during its scale-up years. Recognizing that acquiring a suitable facility is extremely challenging in Alameda County, the Charter School has already been in contact with local school districts, parochial schools, other charter schools, community colleges, and private schools for possible leased space. Commercial space not designed for education, which would require extensive renovations, is less desirable but will be considered if educational facilities are not available.

### **Independent Fiscal Audit**

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

An annual independent fiscal audit of the books and records of the Charter School will be conducted as required under the Charter Schools Act, Education Code Sections 47605.6(b)(5)(T) and 47605.6(m). The books and records of the Charter School will be kept in accordance with generally accepted accounting principles, and as required by applicable law and the audit will employ generally accepted accounting procedures. The audit shall 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 Treasurer of the Board of the Charter School will select an independent auditor and will be responsible for overseeing the independent audit. The auditor will have, at a minimum, a CPA and educational institution audit experience and be approved by the State Controller on its published list as an educational audit provider. To the extent required under applicable federal law, the audit scope will be expanded to include items and processes specified in applicable Office of Management and Budget Circulars.

The annual audit will be completed within four months of the close of the fiscal year and that a copy of the auditor's findings will be forwarded to the County Superintendent of Schools, the State Controller, and to the CDE by the 15th of December of each year. The Board of Directors will review any audit exceptions or deficiencies and develop a plan to resolve them. The Charter School will submit a report to the County proposing how the exceptions and deficiencies have been or will be resolved to the satisfaction of the County along with an anticipated timeline for the same. Any disputes between the County and the Charter School regarding the resolution of audit exceptions and deficiencies will be referred to the dispute resolution process referenced in Section V of this Charter. The independent fiscal audit of the Charter School is a public record to be provided to the public upon request.

### **Direct Funding**

The Charter School will receive funding pursuant to Education Code Section 47630 et seq. and will opt 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 will negotiate in good faith to develop a Memorandum of Understanding that establishes the specific financial and service relationship between the two parties.

### **County Fee for Oversight**

The County may charge for the actual costs of supervisory 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 supervisory oversight of the Charter School not to exceed 3% if the Charter School is able to obtain substantially rent free facilities from the County.

### **Closure Procedures**

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

*- California Education Code Section 47605.6(b)(5)(Q)*

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 closure-related activities.

The Board of Directors or its designee 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 Board or its designee 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 Board 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 School will prepare final financial records. The School will also have an independent audit completed within six months after closure. The School will pay for the final audit. The audit will be prepared by a qualified Certified Public Accountant selected by the School and will be provided to the 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 Charter School and shall be distributed in accordance with the Articles of Incorporation to another California public educational entity. 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 by 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.

## VIII. Impact on Charter Authorizer

*Governing Law: Potential civil liability effects, if any, upon the school, any school district where the charter school may operate and upon the county board of education.*

*- California Education Code Section 47605.6(b).*

The Charter School is to be operated by 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 23701d.

Pursuant to Education Code Section 47604(c), 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 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.

In order to ensure the necessary oversight and review of mandated reports for which the authorizer must determine fiscal health and sustainability, the following schedule of reporting deadline to the County will apply each year of the term of this charter;

- September 15 – Final Unaudited Financial Report for Prior Year
- December 15 – First Interim Financial Report for Current Year
- March 15 – Second Interim Financial Report for Current Year
- July 1 – Preliminary Budget for Subsequent Year

## **IX. Miscellaneous charter–Related Issues**

### **Term of Charter Petition**

The Charter School’s charter shall begin on July 1, 2011 and expire five years thereafter. 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 Section 47605.

### **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 §47607(a)(1).

### **Revoking the Charter**

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

## **X. Conclusion**

By approving this charter, the County will be fulfilling the intent of the Charter Schools Act of 1992 to improve pupil learning; create new professional opportunities for teachers; and provide parents and pupils with expanded choices in education and following the directive of law to encourage the creation of charter schools. The Petitioners are eager to work independently, yet cooperatively with the County to establish the highest bar for what a charter school can and should be. To this end, the Petitioners pledge to work cooperatively with the County to answer any concerns over this document and to present the County with the strongest possible proposal requesting a five year term to begin operation in September 2011.