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CHARTER SCHOOL INTENT AND CHARTER REQUIREMENTS

It is the intent of the California Legislature, in enacting the Charter Schools Act of 1992, 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(a)-(g)

In reviewing petitions for the establishment of charter schools, the chartering authority shall be guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system and that establishment of charter schools should be encouraged.

ASSURANCES

As the authorized lead petitioner I, Nancy Spencer, hereby certify that the information submitted in this petition for the charter for Baypoint Preparatory Academy (BPA), located within the boundaries of the Hemet Unified School District (HUSD) 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, BPA will follow any and all federal, state and local laws and regulations that apply to the Charter School.:

- Shall meet all statewide standards and conduct the student assessments required, pursuant to Education Code Section 60605 and 60851, and any other statewide standards authorized in statute, or student assessments applicable to students in non-charter public schools. [Ref. Education Code Section 47605(c)(1)]
- Shall be deemed the exclusive public school employer of the employees of BPA for purposes of the Educational Employment Relations Act. [Ref. Education Code Section 47605 (b)(5)(O)]
- Shall be non-sectarian in its programs, admissions policies, employment practices, and all other operations. [Ref. Education Code Section 47605(d)(1)]
- Shall not charge tuition. [Ref. Education Code Section 47605(d)(1)]

- Shall admit all students who wish to attend BPA, and who submit a timely application, unless BPA 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. Admission to BPA shall not be determined according to the place of residence of the student or his or her parents within the State except as provided in Education Code Section 47605 (d)(2). Preference in the public random drawing shall be given as required by Ed Code section 47605(d)(2)(B). In the event of a drawing, the chartering authority shall make reasonable effort to accommodate the growth of the Charter School in accordance with Ed Code Section 47605(d)(2)(C).
- Shall not discriminate 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). [Ref. Education Code Section 47605(d)(1)]
- Shall adhere to all provisions of federal law related to students with disabilities including, but not limited to, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990 and the Individuals with Disabilities in Education Improvement Act of 2004.
- Shall meet all requirements for employment set forth in applicable provisions of law, including, but not limited to credentials, as necessary. [Ref. Title 5 California Code of Regulations Section 11967.5.1(f)(5)(C)]
- Shall ensure that teachers at BPA hold a Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools is required to hold. As allowed by statute, flexibility will be given to non-core, non-college preparatory teachers. [Ref. California Education Code Section 47605(1)]
- Shall at all times maintain all necessary and appropriate insurance coverage.
- 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).
- Shall notify, within 30 days, the superintendent of the school district of any pupil who is expelled or leaves BPA without graduating or completing the school year for any reason. The school district notified shall be determined by the pupil's last known address. BPA 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)]
- Shall maintain accurate and contemporaneous written records that document all pupil attendance and make these records available for audit and inspection.
- Shall on a regular basis consult with parents and teachers regarding BPA's education programs.
- Shall comply with applicable jurisdictional limitations to locations of its facilities.
- Shall comply with all laws establishing the minimum and maximum age for public school enrollment.

- Shall comply with all applicable portions of the No Child Left Behind Act.
- Shall comply with the Public Records Act.
- Shall comply with the Family Educational Rights and Privacy Act.
- Meetings of the Board of Directors of BPA shall comply with the Ralph M. Brown Act.
- Shall meet or exceed the legally required minimum number of school days.

Nancy Spencer
Lead Petitioner
Executive Director-Bayshore Preparatory Charter School

Date

INTRODUCTION

The petitioners of Baypoint Preparatory Academy seek to contribute to the outstanding work and efforts of the Hemet Unified School District (HUSD) through the addition of another choice for students, families and teachers. The lead petitioners for Baypoint Preparatory Academy (BPA) are actively involved with and/or supporters of Bayshore Preparatory Charter School (BPCS) a kindergarten through twelfth grade independent study school chartered through San Marcos Unified School District in San Diego County.

Nancy Spencer: Executive Director

Nancy Spencer has been involved in the educational field for the past 42 years. After graduating Magna Cum Laude from the University of the Pacific with a BS in Education and a major in math/geology, a minor in history, she began teaching math, history and art in a junior high in California. She also taught in grades 5th through 9th over the next five years before staying home to raise a family.

Mrs. Spencer homeschooled her four children, covering grades kindergarten through twelfth grade. All four children continued their education at the university level. During this time, Mrs. Spencer was actively involved in the communities where she lived, organizing homeschool support groups, serving on several non-profit boards, overseeing/supervising volunteers in children through high school church programs, and successfully coordinating regional educational conferences.

When her last child completed her high school education, Mrs. Spencer returned to traditional education as a teacher/site coordinator for a District school serving kindergarten through eighth grade homeschooled children. After three years in this capacity, she was recruited to serve as the director of a start up charter school serving at-risk high school students. When she left three and a half years later, this ASAM charter high school had grown to over 500 students and attained an API score of 703, one of the highest API scores in the State as an ASAM school.

Mrs. Spencer was again recruited to become the executive director of a struggling college preparatory independent study K-12 charter school, Bayshore Preparatory Charter School located in San Marcos, California. Over the past five and a half years, this school has continued to improve academically with an API growth of 129 points.

Over the past 42 years, she has continued her education at the graduate level and holds Elementary, Secondary and Administrative Clear Credentials. She is excited to bring her educational experience, background and knowledge to the Hemet area by collaborating with these petitioners in the organization of a new K-12 grade college prep charter school, Baypoint Preparatory Academy.

Frank Ogwaro: Board Chair

Mr. Frank Ogwaro has been involved with Bayshore Preparatory Charter School since its founding years, directly contributing to the school exceeding the measures mandated by its authorizer, San Marcos Unified School District. Mr. Ogwaro joins the petitioners from Bayshore and the Hemet parents in this effort to replicate another quality educational option in the San

Jacinto Valley. With nine years of charter school leadership experience, Mr. Ogwaro is dedicated to educational options that directly benefit the communities they serve.

Mr. Ogwaro continues to be an advocate for families, maintaining that, regardless of a community’s socioeconomic spectrum, all should have the opportunity, access and education options that meet their student’s personalized learning style. Mr. Ogwaro joins Baypoint Preparatory Academy’s (BPA) founding board members, who have the skill sets and experiences that will enable BPA to be academically strong and fiscally sound.(See Element 4)

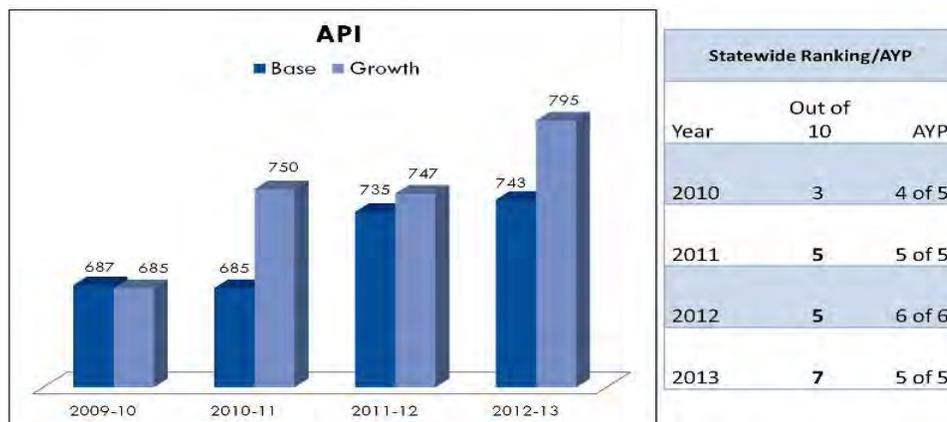
Jody Miller: Academic Coordinator

Jody Miller was raised in Orange County, CA. Ms. Miller attended California State University, Fullerton, where she earned a Bachelor’s Degree in Accounting. She spent over 15 years in the finance and credit industry, primarily as a financial/credit analyst. Ms. Miller earned a Multiple Subject Teaching Credential and a Master’s Degree in Education from Pepperdine University, and has over 15 years of experience in education. She taught 1st through 3rd grade in a Title I school with over 90% English Language learners. She is trained in reading instruction and assessment, as well as peer coaching, and has served as a mentor teacher for several student teachers. Her experience in Orange County also extended to a K-12 school that served the needs of homeschool families.

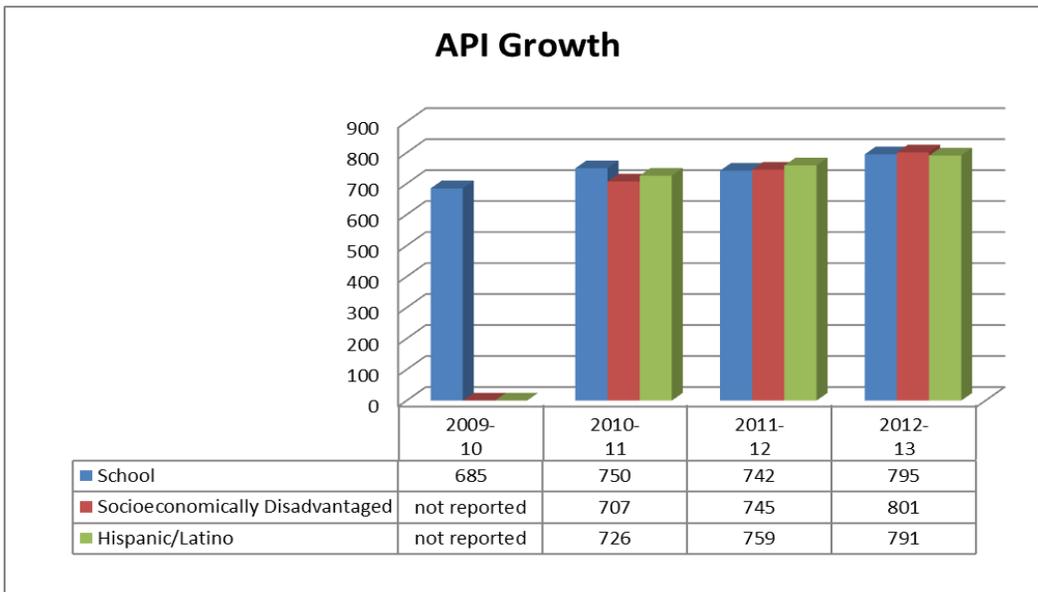
Ms. Miller is currently employed as the Academic Coordinator at Bayshore Preparatory Charter School, where she began teaching high school math in 2009. Under No Child Left Behind (NCLB), she is authorized to teach high school English, Math, Spanish and French. She is knowledgeable in curriculum at all grade levels and has extensive WASC training and experience. Ms. Miller is Bayshore’s mentor teacher, providing leadership and support to new teachers completing their credential. Ms. Miller served over two years on the governing board of an independent charter school in San Diego County.

BPCS Academic Data

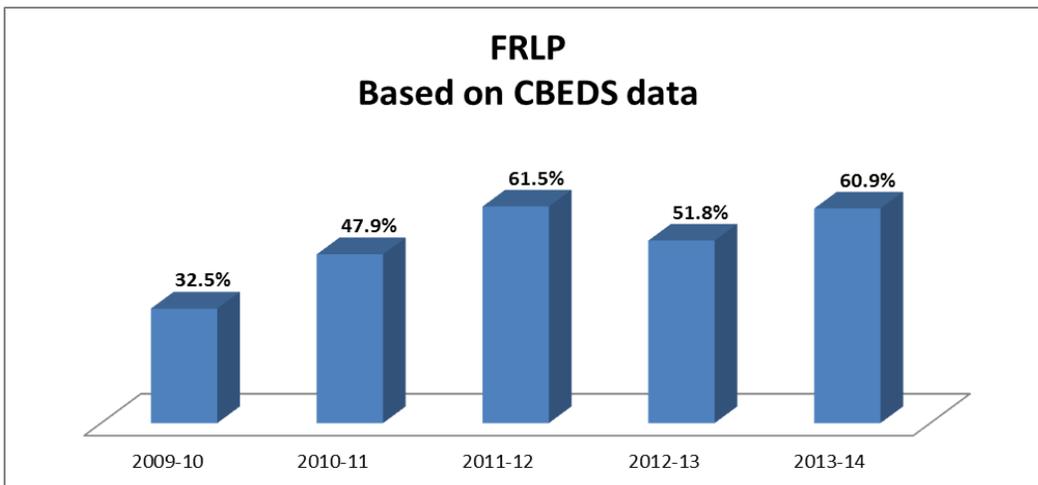
Over the last four years BPCS has developed an academic program that has continued to increase student academic performance as demonstrated by a 129 point increase in the school’s API score. The past three years, BPCS met all growth targets.



In addition to this school-wide growth, the subgroups of Socioeconomically Disadvantaged and Hispanic/Latino have shown significant growth.



During this time, the economically disadvantaged student population increased from 32.5% to 60.9%.



BPA will utilize the curriculum and best practices developed in BPCS' Blended Learning Programs. This petition describes the programs that will be implemented at BPA.

Baypoint Preparatory Academy Appeal Petition

HUSD Academic Data

HUSD's schools 2013 Academic Data for API and AYP. (cde.ca.gov)

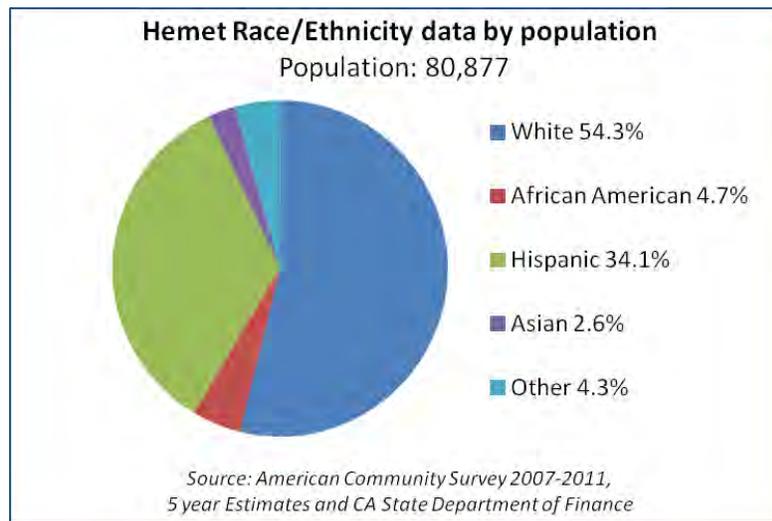
SCHOOL	API			Met Growth Target			Decile	PI
	2013 GROWTH	2012 BASE	2012-13 GROWTH	SCHOOL WIDE	ALL STUDENT GROUPS	SCHOOLWIDE AND STUDENT GRPS		
HEMET UNIFIED	755	761	-6					Year 3
Elementary Schools								
Bautista Creek Elementary	828	824	4	Yes	No	No	6	Year 2
Cawston Elementary	798	803	-5	No	No	No	5	Year 5
Cottonwood Elementary	852	902	-50	Yes	Yes	Yes	7	Not PI
Fruitvale Elementary	776	784	-8	No	No	No	4	Year 4
Hamilton Elementary	731	728	3	No	No	No	2	Year 5
Harmony Elementary	853	851	2	Yes	Yes	Yes	7	Not PI
Idyllwild	909	900	9	Yes	Yes	Yes	9	Not PI
Jacob Wiens Elementary	754	732	22	Yes	Yes	Yes	3	Year 3
Little Lake Elementary	828	846	-18	Yes	No	No	6	Year 1
McSweeny Elementary	773	785	-12	No	No	No	4	Year 5
Ramona Elementary	750	761	-11	No	No	No	3	Year 5
Valle Vista Elementary	790	782	8	Yes	Yes	Yes	4	Year 5
Whittier Elementary	725	743	-18	No	No	No	2	Year 5
Winchester Elementary	736	754	-18	No	No	No	2	Year 5
Middle Schools								
Acacia Middle	707	730	-23	No	No	No	2	Year 5
Dartmouth Middle	778	791	-13	No	No	No	5	Year 5
Diamond Valley Middle	732	746	-14	No	No	No	2	Year 5
Rancho Viejo Middle	736	761	-25	No	No	No	3	Year 4
Western Center Academy Opened (10-11)	949	956	-7	Yes	Yes	Yes	10	Not Title 1
High Schools								
College Prep High (Opened 2013-14)								
Hamilton High	751	735	16	Yes	No	No	5	Year 2
Hemet High	758	756	2	No	No	No	5	Year 3
Tahquitz High	694	709	-15	No	No	No	3	Year 4
West Valley High	731	744	-13	No	No	No	4	Year 5

There are 14 traditional elementary schools, four traditional middle schools, four traditional high schools and two charter schools (one middle school and one high school). While many of the

schools have realized student achievement, 19 of the 23 schools are in Program Improvement status: 11 are in year 5.

The Hemet Community

The City of Hemet covers over 27 square miles with a population over 80,000. BPA will be open to all students who wish to attend, though we will focus our recruitment efforts (see Element 7) on Hemet and the surrounding communities. The following graphs reflect the racial/ethnic and socio-economic diversity of the city of Hemet. In Hemet, slightly more than half of the residents are white and slightly more than one third are Hispanic with the remaining 12% distributed amongst African American, Asian and other.



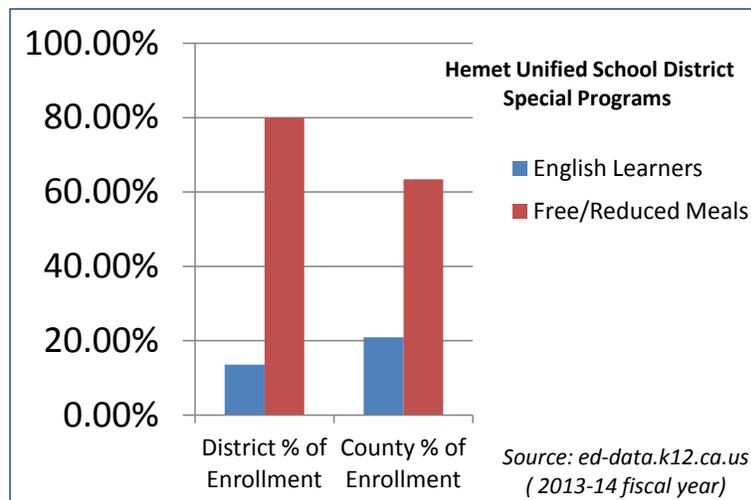
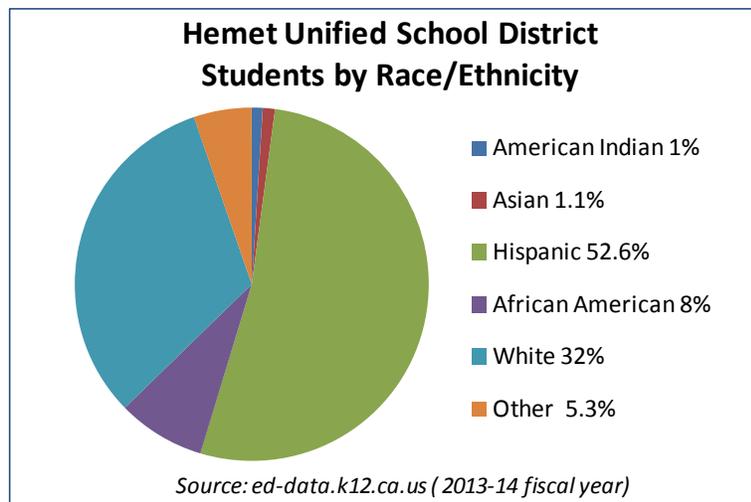
The Hemet community includes broad socio-economic diversity, ranging from upper income households to significant percentages of families with children who live below the federal poverty line (36%) US Census Bureau, American Community Survey—in 2012, the federal poverty threshold for a family of four was \$23,050. (aspe.hhs.gov/poverty/12poverty.shtml)

Subject	Estimate	Percent
INCOME AND BENEFITS		
Total Population	80,877	100%
Total Households	30,096	100%
Less than \$10,000	2,219	7.4%
\$10,000 to \$14,999	3,375	11.2%
\$15,000 to \$24,999	5,799	19.3%
\$25,000 to \$34,999	4,162	13.8%
\$35,000 to \$49,999	4,481	14.9%
\$50,000 to \$74,999	4,618	15.3%

\$75,000 to \$99,999	2,669	8.9%
\$100,000 to \$149,999	1,956	6.5%
\$150,000 to \$199,999	427	1.4%
\$200,000 or more	390	1.3%

HUSD Demographics

Hemet Unified School District is one of the largest geographic areas of any district in California, covering over 700 square miles, from valley flat lands to foothills to mountains, with an enrollment of almost 21,000 students. The graphs below reflect the racial/ethnic and socio-economic/EL population of HUSD.



While the preceding data demonstrates the diverse racial, ethnic and socio-economics of the City of Hemet and HUSD, the existing public schools do not necessary reflect the same diversity. More than 80% of HUSD students qualify for Free or Reduced Lunch Plan (FRLP). There exists between HUSD and Hemet a disproportionate racial composition compared to the broader population-Residential Hispanic 34%, District Hispanic 53%, White 54%, District 32%, with HUSD African American population double the residential 8% vs. 4%.

In 2010, HUSD recognized the need for alternative educational options and chartered Western Center Academy. As a result of the success of that charter school, HUSD opened a ninth through twelfth grade charter, College Prep High School. This year, Western Center Academy expanded to begin offering high school. BPA is eager and excited to contribute to the Hemet Unified School District's mission to provide all of its students with academic excellence and a safe learning environment, while maintaining fiscal responsibility and accountability. To that extent, BPA seeks to be one of the many diverse options afforded to the students and parents in the Hemet Unified School District.

With the support and encouragement of the HUSD community, this group of petitioners respectfully submits for the district's consideration, guided by Hemet Unified School Board's driving statement, "what is best for students", a charter petition for a new site-based college preparatory kindergarten through twelfth grade charter school named Baypoint Preparatory Academy.

Thank you for your consideration,

The Petitioners for Baypoint Preparatory Academy

ELEMENT 1**Educational Program**

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

A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals.

California Education Code Section 47605(b)(5)(A)(i) - (iii)

Mission

Our mission at Baypoint Preparatory Academy is to educate K-12 students through a rigorous college prep curriculum in a flexible, student-centered learning environment. Our goal is to actively partner with students, parents and the community to support students' academic success and personal goals.

School-wide Learner Outcomes

- **Academic Achievers** who:
 - Take personal responsibility in the life-long learning process
 - Demonstrate organizational and time management skills
 - Endeavor to develop their full academic potential according to their individual ability
- **Effective Communicators** who:
 - Exhibit proficiency in communication through listening, speaking, reading, writing and the arts
 - Comprehend and interpret messages respectfully
 - Research, document and convey information reflectively, critically and clearly
- **Critical Thinkers** who:
 - Demonstrate logical and effective decision making skills
 - Analyze, evaluate and synthesize information
 - Apply problem-solving strategies to real life situations
 - Formulate personal values
- **Technology Users** who:
 - Develop necessary skills to function in a constantly changing technological society
 - Utilize technology as a tool for learning
- **Career-focused students** who:
 - Achieve their post-secondary goals.

Educational Program

BPA is committed to providing an intimate, friendly academic environment that recognizes and values a student's unique learning profile, defines clear expectations, sets appropriate yet challenging goals, and celebrates the achievement of these goals. BPA believes that students who are actively involved in their educational program develop self-direction and thus become lifelong learners who are productive global citizens.

BPA will strive to prepare students to become responsible citizens in the 21st century, a world of cultural diversity and rapid technological change. They will be held to the highest academic standards, yet given the nurturing required to reach those standards. Students will learn in an integrated, multi-disciplinary environment that incorporates computer technology and real life cooperative experiences.

At the foundation of our program is a partnership between students, parents and teachers. To this extent, parents will be requested to contribute 25 hours per school year in support of BPA. Our high expectations and individualized choices will encourage students to become actively engaged, passionate learners. Graduates will be prepared to successfully compete in the workforce, to attend the colleges of their choice, to communicate across gender, race, and socioeconomic complexities, and to value service to others in society. Serving students in grades K-12, BPA will be dedicated to assisting our youth in becoming adults who are competent, confident, productive, and adaptable, with the skills and attitudes to enable them to successfully contribute to society.

BPA will utilize a blended learning station-rotation model to educate its students. To facilitate this, students will participate in a rigorous, relevant, college-prep curriculum with cutting-edge educational technology that is based on Common Core/State Standards and supports BPA's mission statement and School-wide Learner Outcomes. Time will be spent between working independently and in daily small group instruction. All high school core courses will be a-g approved. The blended learning model will allow for personalized educational plans.

Even though a challenging curriculum and program can be very powerful, BPA's instructional staff will be the key component to the success of student achievement. BPA will understand that students are individuals and treat each student as such. All teachers will be encouraged to use innovative instructional methods.

Kindergarten through Fifth Grades

K-5 students will participate in learning and instruction in a variety of ways including: whole group direct instruction, small group instruction, and independent learning tasks. A key component of the K-5 program will be to foster teacher-student-parent relationships where: student learning goals are established, communication is fluid, and a strong community supports the student in becoming a lifelong learner.

Kindergarten will operate on a half-day schedule, with a focus on language arts and math. The instructional day for grades 1 through 5 will start with a two-hour Language Arts block each morning. Students will then have a 15-minute recess and return to their classroom for 90 minutes of mathematics instruction. After a 30-minute lunch, all elementary students will participate in Drop Everything And Read (DEAR). Afternoons will be designated for social

studies, science, fine arts, and physical education. Teachers at the 4th and 5th grade levels will have the opportunity to work collaboratively and co-teach for science and social studies.

All elementary teachers will present academically challenging lessons that integrate California Common Core State Standards. Houghton Mifflin's *Journeys* will be the heart of the English Language Arts program, supplemented with Evan Moor Common Core Mastery and a leveled reading program such as Renaissance Learning's *Accelerated Reader* or Scholastic *Reading Counts*. Zoo Phonics will be utilized in grades K-2 to teach and reinforce phonics and phonemic awareness skills. Students in all grade levels will be exposed to a wide range of literature and informational texts to develop their analytical and critical thinking skills. BPA's English Language Arts program is designed to ensure that all students will engage daily in reading, writing, speaking and listening activities to become fluent readers who comprehend and value literature, and are competent writers, articulate speakers, and thoughtful listeners who can communicate effectively.

Houghton Mifflin *Go Math!* will be adopted for the elementary grades. This California Common Core-based curriculum focuses on student engagement and development of vocabulary and problem solving skills, and provides support for teachers to differentiate instruction at each grade level. The program includes an online feature that engages students in learning and reinforcing math concepts via a visual component, rather than relying on reading skills to master the material. Teachers will also differentiate instruction using ST Math, Khan Academy, or other online curriculum. Students' math knowledge will be reinforced with a daily warm-up activity that applies previously learned skills to problem solving. The goal of the math program is to make students fluent with numbers, to build mathematical reasoning skills, to develop a strong math vocabulary, and to apply these concepts in problem solving.

BPA's science curriculum will implement the Next Generation Science Standards. Inquiry-based science lessons will emphasize learning through exploration and will follow the scientific method of predicting, observing, recording data, and reaching a conclusion. Students will be provided with hands-on investigations, laboratory experiences, and projects to demonstrate mastery of grade level standards.

Social Studies at the elementary level will include themes such as families, communities, California history and geography, and United States history and geography. Teachers will provide students with access to primary and secondary historical sources, maps, and timelines. The social studies curriculum will be taught with an emphasis on the historical people who particularly impacted their times. Field trips to museums, cultural centers, and community/government facilities will enrich students' knowledge of their own community while exposing them to new experiences and cultures.

In the classroom setting, the big picture (theme) of the lesson will be introduced, vocabulary instruction will be presented and students will be exposed to what will be taught at a more intensive level to follow in small group instruction. The small group instruction will be presented through the station rotation model where students are placed in small groups (3-5 students) that may be based on similar ability levels, cooperative groupings (mixed abilities), or peer tutoring. This will allow teachers to meet the individual needs of all students. During this rotation, students will be introduced to more detailed concepts than were previously introduced

during whole group instruction. The small group instruction will be facilitated by the classroom teacher or an instructional aide. In addition to the small group instruction, students will practice skills independently while still in their assigned groupings. These stations will include technology based learning (i.e. web-based programs, tablet applications), hand-on activities, collaborative projects, and pencil and paper assignments.

Student academic growth will be monitored through the use of formal and informal assessments. Formal assessments will include: NWEA-Measures of Academic Progress (MAP) administered online to students tri-annually, Houghton Mifflin's online assessment feature, Qualitative Reading Inventory, Ticket to Read, Smarter Balanced Assessments, paper and pencil exams, projects and performance-task assessments. Informal assessments will include daily observation, anecdotal records, work samples, and portfolios.

Sixth through Twelfth Grades

In grades six through twelve, students will rotate between working independently, in small group instruction and in collaborative cross-curricular projects. The blended learning model offers integration between the subjects during small group instruction. Core subject Content teachers will collaborate across subjects and create projects that span the disciplines. Beginning in middle school and/or high school, a supervising teacher will develop a 4-year individual education plan with the student and parents. At the beginning of each subsequent year, this plan will be reviewed in conjunction with the student's current course plan as outlined in the academic flow chart of the 4-year educational plan.

Using the computer-based Edgenuity curriculum, students working independently will follow a series of lessons that build on previously learned material. Depending on the assigned course and the teacher evaluation of the student, pretesting and prescriptive testing may occur so that students can bypass subject matter in which they have a solid prior knowledge base in order to spend more time on new material.

The computer-based curriculum, Edgenuity, has many embedded features such as text-to-speech, glossary, e-notes, and lesson transcripts to support the student learning. Lessons include "Online Content" that connects students to websites with information relevant to what they are learning. In the onsite classes/labs and on field trips, students will be asked to gather new information and then practice, apply, and present this new information in a variety of ways such as debates, discussions, papers, projects and presentations.

Students will also be required to expand their technology use beyond the assigned curriculum by conducting internet research, uploading documents to Google Drive, and producing Microsoft Power Point presentations. Students will use Khan Academy and other websites for support in courses, College Board for college research and PSAT/SAT test preparation.

Through the computer-based curriculum, students will have access to an assignment calendar, color coded progress bars, and student planners to use independently. Teachers will be able to review all of the above tools in conjunction with the student flowchart, and student progress spreadsheet to further communicate and determine pacing needs.

Each computer-based course is mapped out for a semester, therefore providing students with

access to an Edgenuity assignment calendar showing the amount of work to be completed each day. For example, teachers enter a target date of completion for each course, typically the end of the semester. The Edgenuity program automatically schedules the appropriate amount of work for the student to complete each day in order to finish the course by the target date. The computer-based curriculum also incorporates direct video instruction, text to speech, closed captioning, text-referencing for incorrect responses, and immediate feedback on content understanding.

During the small group instruction, teachers will incorporate a variety of instructional methods, such as direct instruction, small groups, individual discussions, critical thinking projects, games and student activities to assist students in applying the knowledge they have acquired. Teachers will develop activities, projects, and labs that incorporate the Common Core/State Standards, require group collaboration, and encourage cross-curricular engagement in the standards and school-wide learner outcomes. Teachers will collaborate to develop and assign projects that cover multiple subject areas, such as English and Social Studies.

Students will have project time built into their daily schedule, during which they can research subjects and collaborate with other students to compare and analyze information. Students will work both independently and in groups to think, reason, and problem-solve in their courses. Lessons in all courses will encourage problem solving and critical thinking skills.

With the real-time accessibility through the parent portal, parents will have access to the computer-based curriculum that will allow them to be more involved and engaged in their child's education, as well as have a better understanding of the rigorous college prep curriculum.

SAMPLE MIDDLE SCHOOL SCHEDULES

BAYPOINT SAMPLE SCHEDULE 6TH GRADE					
TIME	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
8:00-8:15	Opening	Opening	Opening	Opening	Opening
8:15-9:00	ENGLISH		ENGLISH		ENGLISH
9:00-9:45					PROJECT
9:45-10:30		MATH		MATH	
10:30-10:45	Break	Break	Break	Break	Break
10:45-11:30	SOC STUDIES	SCIENCE	SOC STUDIES	SCIENCE	SEMINAR
11:30-12:15	PE	PE	PE	PE	PE
12:15-12:45	Lunch	Lunch	Lunch	Lunch	Lunch
12:45-1:30					
1:30-2:15	Math Support		Math Support		Math Support
2:15-3:00		PROJECT		PROJECT	

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BAYPOINT SAMPLE SCHEDULE 7TH GRADE					
TIME	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
8:00-8:15	Opening	Opening	Opening	Opening	Opening
8:15-9:00		MATH		MATH	
9:00-9:45	ENGLISH		ENGLISH		ENGLISH
9:45-10:30					PROJECT
10:30-10:45	Break	Break	Break	Break	Break
10:45-11:30	PE	PE	PE	PE	PE
11:30-12:15	SOC STUDIES	SCIENCE	SOC STUDIES	SCIENCE	SEMINAR
12:15-12:45	Lunch	Lunch	Lunch	Lunch	Lunch
12:45-1:30	Math Support		Math Support		Math Support
1:30-2:15		PROJECT		PROJECT	
2:15-3:00					

BAYPOINT SAMPLE SCHEDULE 8TH GRADE					
TIME	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
8:00-8:15	Opening	Opening	Opening	Opening	Opening
8:15-9:00					PROJECT
9:00-9:45		ALGEBRA 1		ALGEBRA 1	
9:45-10:30	ENGLISH		ENGLISH		ENGLISH
10:30-10:45	Break	Break	Break	Break	Break
10:45-11:30	Alg 1 Support		Alg 1 Support		Alg 1 Support
11:30-12:15		PROJECT		PROJECT	
12:15-12:45	Lunch	Lunch	Lunch	Lunch	Lunch
12:45-1:30	SOC STUDIES	SCIENCE	SOC STUDIES	SCIENCE	SEMINAR
1:30-2:15					
2:15-3:00	PE	PE	PE	PE	PE

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SAMPLE HIGH SCHOOL SCHEDULES

BAYPOINT SAMPLE SCHEDULE 9TH GRADE					
TIME	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
8:00-8:15	Opening	Opening	Opening	Opening	Opening
8:15-9:00	Math 1 Support		Math 1 Support		Math 1 Support
9:00-9:45		PE		PE	
9:45-10:30	PROJECT	PE	PROJECT	PE	PROJECT
10:30-10:45	Break	Break	Break	Break	Break
10:45-11:30		MATH 1		MATH 1	
11:30-12:15	ENGLISH		ENGLISH		ENGLISH
12:15-12:45	Lunch	Lunch	Lunch	Lunch	Lunch
12:45-1:30					
1:30-2:15	ELECTIVE	EARTH SCIENCE	ELECTIVE	EARTH SCIENCE	ELECTIVE
2:15-3:00					SEMINAR

BAYPOINT SAMPLE SCHEDULE 10TH GRADE					
TIME	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
8:00-8:15	Opening	Opening	Opening	Opening	Opening
8:15-9:00					
9:00-9:45	HISTORY	BIOLOGY	HISTORY		SEMINAR
9:45-10:30	Math 2 Support	LAB	Math 2 Support		Math 2 Support
10:30-10:45	Break	Break	Break	Break	Break
10:45-11:30	PROJECT		PROJECT		PROJECT
11:30-12:15		MATH 2		MATH 2	
12:15-12:45	Lunch	Lunch	Lunch	Lunch	Lunch
12:45-1:30	ENGLISH	PE	ENGLISH	PE	ENGLISH
1:30-2:15		PE		PE	
2:15-3:00	ELECTIVE		ELECTIVE		ELECTIVE

Baypoint Preparatory Academy Appeal Petition

BAYPOINT SAMPLE SCHEDULE 11TH GRADE					
TIME	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
8:00-8:15	Opening	Opening	Opening	Opening	Opening
8:15-9:00		Physics Support			PROJECT
9:00-9:45				CHEM/PHYSICS	Chem Support
9:45-10:30	HISTORY		HISTORY	LAB	SEMINAR
10:30-10:45	Break	Break	Break	Break	Break
10:45-11:30		PROJECT		PROJECT	
11:30-12:15	Math 3 Support		Math 3 Support		Math 3 Support
12:15-12:45	Lunch	Lunch	Lunch	Lunch	Lunch
12:45-1:30	ELECTIVE		ELECTIVE		ELECTIVE
1:30-2:15	ENGLISH		ENGLISH		ENGLISH
2:15-3:00		MATH 3		MATH 3	

BAYPOINT SAMPLE SCHEDULE 12TH GRADE					
TIME	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
8:00-8:15	Opening	Opening	Opening	Opening	Opening
8:15-9:00	GOVT/ECON	Physics Support	GOVT/ECON		SEMINAR
9:00-9:45	Adv Math Support		Adv Math Support	CHEM/PHYSICS	Chem Support
9:45-10:30				LAB	Adv Math Support
10:30-10:45	Break	Break	Break	Break	Break
10:45-11:30					
11:30-12:15	PROJECT		PROJECT		PROJECT
12:15-12:45	Lunch	Lunch	Lunch	Lunch	Lunch
12:45-1:30	ELECTIVE		ELECTIVE		ELECTIVE
1:30-2:15		ADV MATH		ADV MATH	
2:15-3:00	ENGLISH		ENGLISH		ENGLISH

Assessments/Data

Data will be collected, disaggregated, and analyzed through a variety of measures, including both formative and summative assessments to measure student achievement. BPA will utilize NWEA MAP, Ticket to Read, Smarter Balanced Assessments, CST and CAHSEE data to determine academic placement, course modification and support.

Teachers will regularly assess all students through common formative and summative assessments to determine the effectiveness of the curriculum and instructional supports. All course assessments will be linked with California State and Common Core Standards. Curriculum assessment thresholds for all Edgenuity quizzes, tests, and cumulative finals will be 80%. Students not meeting this threshold will need teacher approval, review and support, before moving on to the next unit. This will ensure content mastery.

The teaching staff at BPA will understand that:

- A key component to the success of students is staff members who are dedicated to putting students first.
- It is important for teachers to work collaboratively to integrate ideas and concepts across the core curricular areas. This will allow students to bridge the gap between content areas and will lead to deeper understanding of the content standard concepts.
- Student work completion will be monitored on a daily/weekly basis.
- Professional development opportunities for all staff are critical to student success. These will include: attending conferences, participating in workshops and webinars, visiting schools with successful academic programs, and on-line research.
- Creating additional learning opportunities for students in class, projects, labs, field trips, speakers, and other educational opportunities is essential for supplementing, enriching, and supporting student learning.
- Through the development of more varied instructional routines, which by stages increase student control over learning activities, teachers can decrease learners' dependence and concentrate on the range of learning experiences students encounter.
- Using rigorous curriculum from recognized publishers and programs (e.g. Scott Foresman, Pearson, Houghton Mifflin Harcourt, Ticket to Read, ST Math, Accelerated Reader, Zoo Phonics, Evan Moor, Edgenuity), BPA will have the necessary academic elements to align learning with the California/Common Core Content Standards.
- Recognizing the significance of providing every student with well-rounded educational opportunities, visual and performing arts and physical education, students will be able to participate in community activities, thus rounding out their comprehensive learning experiences.
- Concentrating early on the 'advanced' skills of reasoning, problem solving, comprehension, and composition, students will be engaged in academic learning that has meaning and application in their lives.
- Building on prior knowledge and meaningful student contexts/cultures, each student's interests and curiosity are activated, thus, infusing instruction with a sense of purpose.
- Reaching out to families and providing structures for them to become involved, BPA builds a strong community, thus helping students build a strong foundation for their future.

Whom the School is Attempting to Educate

As a kindergarten through twelfth grade school, BPA seeks to enroll all students who desire a college preparatory based education. In order to maintain a small school environment, BPA will have a limited number of students in attendance. Beginning in the 2015-2016 school year, enrollment will be limited to 25 students per grade, for a maximum of 325 students. Each year thereafter, enrollment will increase by 100 for a maximum enrollment of 825 students. Enrollment distribution: Kindergarten through Fifth Grades-50 students each, Sixth through Twelfth Grades-75 students each.

Enrollment Areas

BPA will serve students from anywhere in the state of California, however, emphasis will be placed on students residing in the Hemet Unified School District.

The Educated Person

Research indicates that the 21st century demands literate workers with excellent problem-solving skills. According to a 2010 report by the Georgetown University Center on Education, 59% of jobs currently require post-secondary education; however, by the year 2018, it is expected that 63% of jobs will require some form of post-secondary education. The U.S. Chamber of Commerce reports that 90% of jobs in the fastest growing occupations require some form of post-secondary education. As this century unfolds, the nation will increasingly require a citizenry who have not only mastered the learning process, but also the skills to work cooperatively amongst their peers. Change will also be a core characteristic of the 21st century. As knowledge continues to expand, critical thinking, information acquisition, management, technology and communication will become key tools for success. BPA's vision is to enable students to become self-motivated, creative, and analytical contributors to society. Such a citizenry would be characterized by the following:

Academic Habits:

- Being curious
- Striving to become self-motivated, competent, life-long learners
- Communicating clearly through oral and written dialogue
- Thinking creatively
- Thinking logically and making informed judgments
- Using technology as a tool
- Adapting to new situations and responding to new information
- Solving problems
- Finding, selecting, evaluating, organizing and using information from various sources
- Making easy and flexible connections among various disciplines of thought
- Evaluating the reliability of information from video, audio and printed sources including advertising and the media

Personal Habits and Attitudes:

- Accepting responsibility for personal decisions and actions
- Academic honesty and the ability to face challenges with courage and integrity
- A healthy lifestyle

- Empathy and courtesy for others and respect for differences among people and cultures
- Self-confidence and a willingness to take risks in order to learn
- Concentration and perseverance
- Seeking a fair share of the work load - managing time in a responsible manner
- Working cooperatively with others, which includes: the ability to listen, share opinions, negotiate, compromise and help a group reach consensus

How Learning Best Occurs

BPA believes that students learn best in a safe, positive environment in which they are respected, accepted, valued, and challenged to achieve their full potential. To that end, BPA is committed to offering instruction that is tailored to a student's unique needs. Student learning is maximized when instruction is individualized in terms of pace, content, sequence, and style. BPA believes that learning best occurs in a school that successfully implements the following features:

- Common Focus
- High Standards and Performance-based Assessment
- Personalization
- Continuous Relationships
- Authentic Curriculum
- Adaptive Pedagogy
- Knowledgeable and Skilled Teachers
- Devoted staff time to collaborate and develop professionally
- Family and Community Connections
- Democratic Decision-making

All BPA teachers are encouraged to use innovative instructional methods. Our high expectations and personalized choices encourage students to become actively engaged, passionate learners. Graduates are prepared to successfully compete in the workforce; to attend universities; to communicate across gender, race, and socioeconomic complexities; and to value service to others in society. BPA is dedicated to assisting its students to become adults who are competent, confident, productive, and adaptable, with the skills and attitudes to enable them to successfully contribute to society.

Transferability of Courses

BPA will seek accreditation through the Western Association of Schools and Colleges in the Spring of 2016.

University of California A-G Courses

Through the computer based curriculum, BPA will utilize A-G approved courses listed below. This list is not complete or exhaustive, only a sample. In addition, teachers will submit teacher developed courses for A-G approval:

ELA 9	Math II	Government	World History & Geography
ELA 10	Math III	US History	Economics
ELA 11	Pre-Calculus	Spanish I	Sociology

ELA 12	Biology	Spanish II	Psychology
Math I	Chemistry	French I	
Geometry	Earth Science	French II	

Graduation Requirements

English	40 credits
Mathematics	30 credits
Health	5 credits
Life Science	10 credits
Physical Science	10 credits
U.S. History	10 credits
American Government	5 credits
World History/Geography	10 credits
Physical Education	15 credits
Economics	5 credits
World Language	20 credits
Visual/Performing Arts	10 credits
<u>Electives</u>	<u>60 credits</u>
Total:	230 credits

Technology

At BPA, technology is embedded into the academic curriculum in multiple ways. BPA expects students to be confident users of many technological tools. At BPA, students will effectively use technology:

- To gather, sort, and analyze information
- To collaborate with peers and experts through distance learning
- To construct rich representations of personal learning experiences
- To engage in higher order thinking skills and problem solving
- To enhance personal productivity and self-management

Plan for Students Who are Academically Low Achieving

Academically low achieving students have a place at BPA. With the goal of attaining at least one year’s academic progress within the school year, students will be provided with curriculum, materials and teaching resources appropriate to their academic level. Surrounded in a safe, positive, and personalized learning environment, these students will be able to concentrate on intensive learning. The in-depth applications of concepts will be an integrated part of the learning program. Backed by excellent teaching resources, the parent, teacher and student will develop a personalized learning plan addressing the targeted areas of improvement.

Plan for Students Who are Academically High Achieving

At BPA, we believe the personalized learning plan enables high achieving students to thrive. BPA teachers will work closely with parents and students to assure a steady flow of enrichment activities for students working above grade level. At the high school level, the individual academic plan will allow for high achieving students to complete more than the required 30 credits in each semester. In addition, AP courses will be offered. BPA will encourage high achieving students to concurrently enroll in community college courses for more advanced study.

In a personalized learning environment, the student is able to work significantly above grade level without fear of negative repercussions that gifted students sometimes face.

Plan for English Learners

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

BPA will administer the home language survey upon a student's initial enrollment into BPA (in enrollment packet). All students who indicate that their home language is other than English will be CELDT tested within thirty days of initial enrollment and at least annually thereafter between July 1 and October 31st until re-designated as fluent English proficient.¹

BPA will notify all parents of the school's responsibility for CELDT testing and of reporting 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. The results of all testing will be reported and submitted to the District on the R-30 survey annually.

BPA will hire CLAD and BCLAD credentialed teachers who are certified to teach English Learners and who will have the skills and expertise to accelerate English Learners' academic and linguistic development.

English Learners will be supported through a combination of modified instruction, a supportive school culture, and additional academic support as needed. The BPA personalized learning program will allow students to move quickly through subjects where language is not a factor and to spend more time on reading and writing skills. To further the needs of future English Learners with less English speaking proficiency, BPA will use a comprehensive English as a Second Language (ESL) instructional approach, including adapted materials for students and parents and special training for teachers certified to teach ESL. All mandated state tests for English Learners will be administered as required by law.

Plan for Students with Disabilities

BPA will welcome all children with disabilities, whether such children are currently or newly identified as disabled. BPA will be committed to working with students and parents to meet the needs of special learners.

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

¹ The thirty day requirements only applies to students entering a California public school for the first time or students who have not yet been CELDT tested. All others will be tested on the annual schedule according to the last date of testing.

Section 504/ADA

BPA shall be solely responsible for its compliance with Section 504 and the ADA. BPA's facility shall be accessible for all students with disabilities in accordance with the ADA. BPA's facility shall not present physical barriers that would in any way limit an eligible student's full participation in the educational and extracurricular programs offered.

BPA 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 at BPA. 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 BPA under Section 504.

Further, BPA will have written policies which outline the requirements for identifying and serving students with a 504 accommodation plan. The Special Education Coordinator will serve as the 504 Coordinator.

The 504 team will be assembled by the Special Education Coordinator and shall include the parent/guardians, the student (as appropriate) and qualified persons knowledgeable about the student, the meaning of the evaluation data, placement options and the legal requirements for least restrictive environment. The 504 team will review the student's existing records, including academic, social and behavioral records and is responsible for making a determination as to whether an evaluation for 504 services is appropriate. If the student has already been evaluated under the IDEA but found ineligible for special education instruction or related services under the IDEA, those evaluations may be used to help determine eligibility under Section 504. The student evaluation shall be carried out by the 504 team, who will evaluate the nature of the student's disability and the impact on the student's education. This evaluation will also include consideration of any behaviors that interfere with regular participation in the educational program and/or activities.

The 504 team may also consider the following information in its evaluation:

- Tests and other evaluation materials that have been validated for the specific purpose for which they are used and are administered by trained personnel.
- Tests and other evaluation materials including those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient.
- Tests will be selected and administered so as 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 notification is given in writing to the parent or guardian of the student in their primary language along with the procedural safeguards available to them. If during the evaluation, the 504 team obtains information indicating possible eligibility of the student for special education per the IDEA, a referral for special education assessment 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 used during the evaluation of the student, drawing upon a variety of sources, including, but not limited to, assessments conducted by the BPA certificated staff.

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

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

Services for Students under the “IDEA”

Pursuant to Education Code Section 47641(a), BPA will participate as a local education agency (LEA) for Special Education purposes in the El Dorado County Office of Education (EDCOE) Charter SELPA.

BPA will assure that a free appropriate public education (FAPE) is provided for all children with disabilities attending BPA in accordance with Education Code §56000 et seq., the Individuals with Disabilities Act (IDEA) 20 U.S.C. Chapter 33 as a Local Education Agency (LEA), for purposes of special education only, within the Charter SELPA in El Dorado County. BPA shall comply with all requirements of the EDCOE Charter SELPA Local Plan. A full continuum of special education programs and related services shall be provided by BPA as required by an individual student’s Individualized Education Plan (IEP). No student otherwise eligible to enroll in BPA will be denied enrollment due to a disability or the school’s inability to procure necessary special education services.

As an LEA within the EDCOE Charter SELPA, BPA shall assume the following responsibilities:

1. Receive all applicable special education funds as specified in the EDCOE Charter SELPA funding allocation plan and disburse said funds for the charter school’s special education program/operations in accordance with the plan.
2. Represent the interests of BPA’s special education department as a member of the EDCOE Charter SELPA.
3. Seek SELPA support to ensure all eligible students enrolled in the charter school are appropriately referred, assessed, and served in a timely manner.
4. Resolve any special education complaints, mediation, due process hearings, and legal actions.

Charter School Responsibilities

BPA will deliver required and appropriate special education services to students enrolled in BPA unless other agreements have been reached between the EDCOE Charter SELPA and BPA (and agreed to verbally and in writing). These services shall include:

1. Child find
2. Initial, annual and triennial evaluations
3. IEP development
4. Service delivery for all provisions as delineated on students' IEPs. BPA is solely responsible for providing special education services. A district in which a student physically resides is not responsible for providing special education services to any student enrolled in BPA.
5. Special education transportation as indicated on IEPs
6. Due process/compliance proceedings and related attorney fees
7. Inter and intra/SELPA permits (in accordance with EDCOE Charter SELPA policies and procedures)
8. Nonpublic school/agency placements
9. Submission of all required reporting, filings, etc. to fully comply with the EDCOE Charter SELPA and California State Department of Education (CDE) requirements.

Interim Placement and IEP Development

BPA adheres to the legal mandates outlined in Education Code §56000 et seq., the Individuals with Disabilities Act 20 U.S.C. Chapter 33. As such, when a student with an active IEP transfers to BPA, s/he is provided an interim special education placement and a new IEP will be written on the corresponding EDCOE Charter SELPA forms within 30 days (Education Code, Section §56325).

The IEP team is comprised of the parent (and/or their requested representative[s]), a general education teacher familiar with the student's work, any special education personnel who will be working with the student, an administrative representative and when appropriate, the student (Transition Planning, etc). The Executive Director or designee will act as the charter school's administrative representative. The Special Education Coordinator facilitates IEP meetings. Goals, objectives and frequency/duration of services are designed to maximize educational benefit for the student, based upon areas of his/her need. Annual goals and short-term objectives are developed based upon California Grade Level Standards and Frameworks. Progress is periodically monitored, and written documentation of progress toward meeting annual goals is provided to parents as frequently as their general education counterparts.

Initial and Triennial Assessments

When students require an initial evaluation to determine if they meet eligibility requirements to receive special education, BPA's Special Education Coordinator will generate a referral for special education; monitor all legal timelines; develop an assessment plan (offering testing in all areas of suspected area of disability [EC §56040 through §56344]; coordinate qualified personnel to provide the required testing [EC §56320]; distribute written assessment reports to the parent prior to the IEP meeting [EC §56327]; generate IEP meeting notices [EC §56195.8]; develop and facilitate the IEP meeting [EC §56345]; and distribute copies of the IEP to appropriate personnel

[EC §56347]. BPA will utilize the EDCOE Charter SELPA web-based SEIS IEP System to complete all IEPs and report CASEMIS information.

At least once every three years, a student may be reassessed to determine their continued eligibility to receive special education services [EC §56301 and EC §56381]. The identical process used during an initial evaluation is replicated at each triennial re-evaluation if a student warrants new assessments. Following any initial or triennial assessment, if a student has a documented learning or related disability but does not meet other eligibility requirements for special education, a 504 Accommodation Plan is offered and if accepted, developed at the IEP Team meeting.

Identification of Bilingual Special Education Students

Before a second language student is referred for special education, their level of English proficiency is determined to ensure their acquisition of language skills is not the reason for lower academic performance. Personnel fluent in a student's native language and familiar with their native culture participate during the SST process and during the referral, assessment and identification processes for determining the eligibility for special education.

The LEP/FEP status of a student is used to determine the language he/she will be assessed in when a formal referral to special education is made and documented on the IEP. Bilingual personnel will translate during IEP meetings and are available to transcribe all written documents (assessment reports, IEP forms, Parent Rights and Procedural Safeguards, etc.) when requested by a parent. At all IEP meetings involving second language learners, the IEP and team notes document whether eligible students will be provided special education services in their L-1 (primary) or L-2 (secondary) language. All goals and objectives for bilingual students are developed in collaboration with BCLAD general education staff to insure linguistically appropriate goals and objectives are developed and that the student's language acquisition needs are taken into account when the IEP is developed.

Staffing, Curriculum, Service Provisions, and Student Accountability

All special education services are provided by "highly qualified" staff as outlined in *No Child Left Behind (NCLB)* legislation. Special education services are designed to supplement general education and will not supplant other sources of federal, state, and local funds apportioned to BPA. Identified special education students are provided accommodations to allow them access to the same core curriculum as their general education counterparts and as outlined on their IEPs.

All identified special education students are expected to participate in the California High School Exit Exam (CAHSEE). If parents of special education students waive their children from standardized testing, students complete alternative norm referenced assessments to measure their annual progress.

All services, supplementary materials or assistive devices required to access core curriculum are provided at no cost to the identified special education student. No facilities utilized for purposes of special education present any physical barrier that would limit an eligible student's full participation in the educational or extracurricular program. Differentiated or weighted grading policies or practices are not in place for identified special education students.

Disenrollment, Suspension, Expulsion:

Attendance for special education services are monitored monthly to insure identified students' access all services outlined on their IEPs. If a special education student misses two sessions in a month, BPA special education department contacts the family. If three consecutive special education meetings with a provider are missed, an IEP meeting is called to insure BPA's personalized learning/blended learning model remains an appropriate placement for the child and to discuss steps the IEP team will take to carefully monitor progress that assures educational benefit for the student.

Suspension and Expulsion policies comply with all portions of Education Code §48918. No identified special education student will be suspended for more than ten (10) school days per calendar year. No identified special education student will be expelled from BPA without a Manifest Determination Meeting to determine if his/her disability is the cause of the misbehavior identified as the reason for the expulsion. A school psychologist will be involved in all phases of expulsion proceedings and parent/student will be assured of their due process rights throughout. In cases where expulsion is recommended following the Manifest Determination Meeting, the BPA Executive Director will be notified and the item will be placed on the next BPA Board agenda.

Maintenance of Special Education Records

The BPA Special Education Coordinator shall maintain all identified students' special education files, use appropriate forms/software and file reports as necessary to maintain legal compliance. BPA shall verify the accuracy of all reports and submit them in a timely manner as required by the EDCOE Charter SELPA.

Funding

BPA shall serve as the Local Education Agency (LEA) for special education purposes. EDCOE Charter SELPA shall allocate funding to BPA for the provision of special education services in accordance with Assembly Bill (AB) 602.

BPA will contract for special education services with qualified providers who possess appropriate special education credential(s). All expenditures associated with delivery of said special education services will be the responsibility of BPA. BPA shall be responsible for all special education costs in excess of revenues received from the EDCOE Charter SELPA. The EDCOE Charter SELPA and BPA may enter into business agreements whereby the charter school is billed for excess costs associated with providing special education services to identified students, including the administration of special education programs.

BPA, in cooperation with the EDCOE Charter SELPA, shall document that all state and federal special education funds are used for the sole purpose of providing special education instruction and/or services to identified students with disabilities. Such funds shall be used to supplement and not supplant other sources of federal, state and local funds apportioned to BPA.

BPA shall access and oversee all funds generated through the EDCOE Charter SELPA's low incidence funding model. Following the existing guidelines developed within the Charter SELPA, BPA shall ensure that low incidence funds are dispersed solely for students eligible to

access these funds. BPA shall be responsible for inventory, maintenance and training on the use of the equipment. The equipment shall remain the property of the EDCOE Charter SELPA.

The dispute resolution procedures that will apply to any disputes between the SELPA and the BPA LEA regarding the provision of special education services within BPA will be detailed in the special education MOU.

Referring Students for Special Education Services

The referral process shall include Student Study Team (“SST”) meetings to review prior interventions, accommodations and modifications and to recommend further interventions as appropriate. BPA will identify and refer students with disabilities who demonstrate early signs of academic, social or behavioral difficulty that may require assessment for special education eligibility and placement in a special education program.

The SST meeting is an integral part of the support mechanisms for students who are struggling at BPA and is part of the general education program at BPA. A SST includes the parent, the student (when appropriate), the teacher, and other school personnel or interested persons, and uses a systematic problem solving approach to assist students with concerns that are interfering with success. The SST clarifies problems and concerns; develops strategies and organizes resources; provides a system for school accountability; and serves to assist and counsel the teacher and student. A SST is a general education function. All students can benefit from a SST, including but not limited to those students who are repeating a grade level, those who are achieving below grade level, those who are achieving above grade level and require greater challenge, and students who have experienced emotional trauma, behavioral issues, or language issues.

Anyone who has a concern for a student may refer that student to a SST for consideration. Anyone who is connected with that student may be included in the SST to provide information to share about the student strengths, concerns, and strategies that have been used in the past. These people may include but are not limited to teachers, parents, counselors, doctors, administration, social workers, probation officers, and other law enforcement officials.

The following is the process for guiding a SST:

- Team members introduce themselves and their roles.
- Purpose and process of the meeting are stated.
- The strengths and challenges facing the student are identified.
- Concerns are discussed, clarified, and listed.
- Concerns are synthesized; one or two are chosen for focus.
- Modification and accommodations to the student’s educational plan and to classroom activities and instruction are discussed.
- Modifications and accommodations are finalized.
- Persons responsible for implementing modifications and accommodations are identified.
- All of the above is in the SST plan.
- A follow-up date is set.

If the problems or challenges continue after implementation of a SST plan and follow up, revisions to the plan may be discussed, or if necessary, a referral for special education assessment might be deemed necessary by the SST.

All referrals will be responded to in writing by BPA within 15 days. BPA will notify the SELPA of the assessment request within 5 days of receipt. The parent will receive a written Assessment Plan within 15 days. The parent will be given at least 15 days to provide written consent. The assessment will be completed and an Individual Education Program (IEP) meeting held within 60 days of the parent's written consent for assessment.

Academic Calendar, Number of School Days, and Instructional Minutes

BPA will follow applicable state law to assure students enrolled in the school attend a minimum of 175 days. BPA may set its calendar independently of HUSD in terms of holidays, breaks, and the beginning and end of the school year. See appendices

BPA will offer the required instructional minutes set in Education Code Section 47612.5(a).

ELEMENT 2

Measurable Student Outcomes

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

As a California charter school, BPA will assume an increased level of accountability for all aspects of its programs and for achieving the goals described within the vision and mission of the school.

BPA will adopt a comprehensive set of benchmarks for student and school outcomes that support the achievement of the school's vision and mission, based on the state and common core standards, state priorities, and our definition of an educated person in the 21st Century. Full implementation of the educational program and frequent monitoring of student and school outcomes will ensure that the school is an academic success and is achieving all of its overarching goals. To make certain that the school's primary goal of increased academic achievement for all students is met, student achievement data obtained from standardized assessments will be disaggregated annually to clearly identify the academic performance of students by sub-groups (e.g., by ethnicity, gender, English Learners, socio-economically disadvantaged students, and students with disabilities).

Additional internal assessments, such as teacher-created, publisher and online assessment tools, will be analyzed individually by teachers and in collaborative groups during weekly planning in order to target student needs, identify program strengths and gaps, and to plan subsequent instruction. Throughout the year benchmark student achievement data will be analyzed among the school staff during staff meetings and professional development days.

Our staff will use a variety of assessments to measure individual students' attainment of state content standards and the objectives of our curriculum. Students will participate in several formal assessments each year, including the MAP diagnostic assessments. Official checklists and rubrics from the published curriculum programs and online resources such as ST Math and Ticket to Read will play a major role in teachers' determination of student achievement of standards mastery. Yet more informal assessment techniques will also play a major role. In kindergarten, for example, in order to find out how children are progressing, the teachers will observe the children engaged in a variety of events: children working with math manipulatives, using a pointer, children reading from poetry charts; the teacher sitting at a table with a small group of children presenting a mini-lesson or conferencing; and so on. Teachers will observe children as they are engaged in classroom activities and record their behaviors in an anecdotal record. These observations, along with student work samples over a period of time gathered in a portfolio, guide the instruction.

As students become increasingly able to produce independent work samples such as journal entries, written reports, project work and presentations, these products will also be evaluated by teachers. By the end of the third grade we expect that most students will perform at the proficient level or above in reading, writing and speaking according to the school's identified assessment measures. On-going assessment of daily work and formal evaluation using online assessments, scoring guides, tests and checklists will provide the teacher, parent and student with feedback on student achievement and progress. As students progress into middle and high school, their evaluations will become more formal, including student-produced projects, final draft writings, science experiments and presentations of research. Projects will reflect both individual and collaborative efforts. Individual portfolios will be used to assess student growth and to assist both the student and the teacher in identifying the next steps for growth. Students will be assessed in a summative manner on a weekly basis in the form of a quiz, test (both written and online), essay, research paper, presentation or project.

The Executive Director, Site Administrator and staff will be accountable for the academic achievement and psychological well-being of students. The Director is ultimately responsible for meeting target goals, and will be held accountable by the CEO and Board of Governors. The Director also will be accountable for meeting Adequate Yearly Progress as required by NCLB.

Student Outcome Goals

BPA will pursue the following school wide and subgroup outcome goals, as measured by multiple and varied benchmark assessments that are aligned to state and federal standards (including the new Common Core) and reflect proficiency measures required by the STAR tests (and/or CAASPP/Smarter Balanced Assessments), as well as state priorities detailed in California Education Code § 52060(d). BPA will comply with all applicable laws and regulations related to AB 97 (Local Control Funding Formula), as they may be amended from time to time, including requirements relating to a Local Control and Accountability Plan (LCAP) pursuant to California Education Code §§ 47604.33 and 47606.5.

For purposes of measuring achievement of these goals, a numerically significant pupil subgroup will be defined as one that meets both of the following criteria:

- “(i) The subgroup consists of at least 50 pupils each of whom has a valid test score.
- (ii) The subgroup constitutes at least 15 percent of the total population of pupils at a school who have valid test scores.” Cal. Education Code § 47607(a)(3)(B).

Specifically:

- Annual API will meet or exceed the established growth target, with a goal of reaching 800 within the five-year term of this charter.
- All subgroups will make at least 80% of the school's overall growth target.
- BPA will meet or exceed Adequate Yearly Progress goals, as required by NCLB.
- The CST/CAASPP participation rate will be at least 95%.

In addition:

- English Learners will progress at least one grade level on the CELDT each year.
- English Learner reclassification rates will meet or exceed the District's reclassification rate. Special education students will demonstrate appropriate progress toward stated goals in their IEPs each year.

- BPA will maintain at least 95% Average Daily Attendance.
- BPA will meet minimum criteria for renewal in the CCSA Academic Accountability Report Card.
- All students in high school will make continuous improvement toward graduation each year as measured by transcript analysis and graduation rates.
- One hundred percent of students at BPA will pass the California High School Exit Exam prior to graduation from BPA.
- By 2020, 95% of high school graduates will apply and be accepted to a community college, trade school or a 4-year college or university.
- Suspension and expulsion rates will be lower than comparable schools in the District.
- Students will demonstrate a mastery of grade-level standards and designated outcome goals in the areas of English Language Arts, Mathematics, Science, Social Science/History, and chosen electives in the arts.
- Annually, BPA will publish a School Accountability Report Card (SARC) that will be posted on the school's website and made available upon request.

To the extent practicable, the method for measuring pupil outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card. Cal. Ed. Code 47605(b)(5)(C).

These student outcomes are directly tied to the program goal of providing students with a rigorous standards-based program while preparing them to successfully learn, excel in school, and prepare to be self-motivated, competent, life-long learners.

Operational Outcomes

- BPA will strive to maintain a budget reserve of three to five percent annually during the term of the charter as measured by financial audits and budgets.
- BPA will seek initial WASC accreditation during the first year of operation and full accreditation prior to charter renewal.
- BPA staff will receive ongoing professional development, which may include, El Dorado County Office of Education Charter SELPA, Riverside County Office of Education, RIMS BTSA, CCSA, state and local conferences and workshops, Edgenuity Professional Development as well as in-house staff development.
- BPA will strive to receive an overall satisfaction rating from parents of a four (out of five) as measured by the parent satisfaction survey conducted at the end of each school year.
- BPA will work with HUSD to ensure timely and accurate submission of all state reports to the satisfaction of all concerned.

Additional Outcomes

The BPA Board, Executive Director, Site Administrator and other school leaders will work diligently to assess overall school operations and progress towards achieving our mission and vision. In addition to the specific academic achievement goals detailed above, additional goals include:

- BPA will realize a higher teacher retention rate and higher teacher attendance rate than the district average, and demonstrate high levels of teacher job satisfaction as evidenced by end-of-year surveys.
- BPA will demonstrate a high level of parent satisfaction -- 85% or higher -- based on surveys. The Board of Governors will carry out its responsibilities with the utmost degree of good faith, honesty, integrity, loyalty and undivided service to the school as demonstrated by the actions of the Board and adherence to legal requirements.
- Financial planning and annual budgets will reflect the appropriate allocation of resources to ensure achievement of the school's vision and mission as demonstrated by balanced budgets that address the school's priorities and successful external audits.

District Visitation/Inspection

BPA will comply with a District requested visitation process to enable the District to gather information needed to validate the school's performance and compliance with the terms of this charter. However, BPA agrees to and submits to the right of the District 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 BPA shall promptly respond to all reasonable inquiries including, but not limited to inquiries regarding its financial records from the District, the County Office of Education, County Board of Education, and the State Superintendent of Public Instruction.

These goals and our progress toward goals will be communicated regularly to our entire school community.

ELEMENT 3**Methods to Measure Pupil Progress**

The method by which pupil progress in meeting those pupil outcomes is to be measured. To the extent practicable, the method for measuring pupil outcomes for state priorities shall be consistent with the way information is reported on a school accountability report card.
California Education Code Section 47605 (b)(5)(C)

BPA will administer a variety of meaningful assessments to document and analyze student academic progress over time. Student achievement data gathered through internal and external assessments will provide teachers the opportunity to modify classroom instruction in response to student outcomes and allow the school to modify its program to best address student needs.

At BPA, we believe that learning is a life-long process that includes far more than the acquisition of knowledge. We are committed to supporting each student in continual growth of essential and 21st century skills, as well as habits of heart and mind. We know that this comprehensive focus will support and empower our students as they develop and share their own individual gifts. Tracking each student's growth in a holistic way is accomplished through a combination of the following:

- *Progress reports* that capture teacher, student and family reflections on development of both skills and habits of heart and mind
- *Adaptive assessment tool* (see "MAP" section below) that is geared more towards measuring growth in skills, versus a one-time snapshot of proficiency provided by standardized tests
- *Student projects/presentations and individual portfolios* provide tangible evidence of each student's growth over time in a way that honors each student for the unique individual that they are
- *Ongoing informal observation and communication* between students, teachers and families

Progress Reports

We believe the purpose of progress reports is to report progress and growth. Our progress reports will focus on mastery of skills, as opposed to traditional "grading," measuring growth in both essential skills and habits of heart and mind. Provided twice a year, at the end of the first and third quarters, teachers prepare progress reports by using insights from the following:

- *Presentations of Learning* by the student throughout the year, which provide students with valuable opportunities to share their insights and learning, while also further developing key 21st century skills
- *Student-led conference with teacher/family/student*, which provides an opportunity for all 3 partners (student, teacher, family educator) to reflect on the student's growth, as well as to set goals for the coming months
- *In-class work, as well as home/school work samples*, which provide the opportunity to track growth in essential skills
- *In-class interactions and observations*, which provide teachers with the opportunity to track growth in habits of heart and mind.

Measures of Academic Progress (MAP)

In order to provide a personalized education experience and to understand better when students have achieved specific competencies and are ready to advance, and where they need help, we will use NWEA’s MAP testing. It is a fully adaptive assessment tool that produces a measure of student growth and achievement. This information is used to personalize learning plans, create focused instructional groupings, as needed, and be a consideration in determining placement. Focused on growth rather than “proficiency,” this assessment is administered at the beginning of the year, midyear, and in the spring, providing an opportunity to track growth throughout the year.

Mandated State Assessments

As required by the state charter law, BPA will meet all statewide standards, including the new Common Core, and conduct the state student assessments required pursuant to Section 60602.5, including the STAR tests and other mandated-state assessments. Additional support structures (i.e., tutoring) will be in place to ensure that students are meeting or making progress toward the standards measured by the state assessments. Proficiency for our English Learners will be measured in accordance with the CELDT, STAR/CAASPP test data, teacher observations, and other school-based measures. BPA will comply with all regulations, reporting and processes associated with the state’s new Charter School Accountability Plan under the Local Control Funding Formula.

The Matrix below includes the currently required state assessments.

Measurable Outcomes	Assessment Tools
Students will achieve proficiency in English/Language Arts	Smarter Balanced Assessments /(CAASPP) Pre- and post-diagnostics In-class assessments Portfolios, presentations, projects and other authentic assessments
Students will achieve proficiency in Mathematics	Smarter Balanced Assessments/(CAASPP) Pre- and post-diagnostics In-class assessments Portfolios, presentations , projects and other authentic assessments
Students will achieve proficiency in Science	CST Pre- and post-diagnostics In-class assessments Portfolios, presentations, projects and other authentic assessments
Students will achieve proficiency in History/Social Science	CST Pre- and post-diagnostics In-class assessments Portfolios, presentations, projects and other authentic assessments
ELL students will make substantial progress toward fluency in English	California English Language Development Test (CELDT)/(CAASPP)

	Benchmark assessments In-class assessments & letters Portfolios, presentations, projects and other authentic assessments
Special education students will achieve or make progress toward the learning goals in their Individualized Education Plans	IEP progress and review
Students will develop social and emotional skills	Portfolios, presentations and projects Teacher Narratives Presentations
Students will develop critical thinking and creativity skills	Portfolios, presentations and projects Presentations Writing Assignments Art Projects
Students will become competent, self-motivated, "lifelong learners"	Portfolios, presentations and projects Demonstrations of learned skills Self Assessments

The staff will use all pieces of the assessment system in an ongoing effort to examine student performance and revise instructional practices to address student needs. Our goal is continuous improvement to achieve the highest quality educational program that is possible. Staff continuously will be challenged to rethink current pedagogical practices to meet the changing needs of individual students.

Use and Reporting of Data

BPA will utilize School Pathways student information system to store student information such as registration, class schedule, medical information, and emergency contacts. We will also utilize Edgenuity to collect, analyze, and report a variety of reports on student achievement, including disaggregated data by content strand, student subgroup, grade-level, and classroom-level analyses. BPA will use all pieces of the assessment system in an ongoing effort to examine student performance and revise instructional practices to address student needs. The goal is to foster continuous improvement to achieve the highest quality educational program that is possible. As a result, the staff will continuously be challenged to rethink current pedagogical practices to meet the changing needs of new and existing student populations. While the Site Administrator will have primary responsibility for overseeing all student achievement data entry, analysis, reporting and reflection on data, all teachers will receive intensive training on student achievement data and effective usage of School Pathways, Edgenuity and other online systems.

BPA teachers and school leaders will analyze trends, significant changes, apparent conflicts, and anomalies to track individual student growth over time, evaluate specific, aggregated and disaggregated groups of students, measure performance on the state tests, API, and school-based growth data and authentic assessments to assess the whole school from year to year. Our data analysis will also include attendance rates and comparative data, as appropriate. BPA will survey major stakeholder groups (e.g., parents/guardians, students and teachers) at least once annually about our effectiveness and opportunities for improvement. This data will be used by school leaders and staff to address challenges and areas of improvement; all results will be reported to the Board and school community to ensure transparency and accountability.

BPA believes strongly in creating a two-way dialogue between the school staff and our parents/guardians. Parental involvement and commitment to this rigorous academic school is necessary if their children are to succeed. We expect them to be actively involved in supporting their children's education. Dialogue with the teacher and Site Administrator will be ongoing for parents/guardians as they support their child through each academic year. At student-led conferences, parents/guardians review the progress of their child, sharing and discussing test scores, projects, schoolwork, and areas for improvement. At these meetings, home and school strategies will be discussed so that the student has the best chance of continuously improving his/her performance. Our educational philosophy, curriculum, and anticipated student outcomes grow out of our experience working with children. We understand the commitment and standards that need to be maintained in order for students to achieve academic success. Once a student realizes that they are capable of "doing the work," they become confident, insightful, and inspired learners.

Annual Performance Report

BPA shall provide HUSD with an annual report on progress toward the outcomes described herein. This report shall additionally include any information requested by HUSD with regard to the operations of the school. BPA shall also publish annually a School Accountability Report Card (SARC) in accordance with the timelines set forth in law.

Requests for Information/ Inspections

BPA shall comply with Education Code Section 47604.3 in promptly responding to reasonable requests of HUSD, and Education Code Section 47607(a)(1) in agreeing to unannounced periodic inspections by the HUSD.

ELEMENT 4

Governance Structure

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

California Education Code Section 47605 (b)(5)(D)

Pursuant to §47604(a), BPA charter school shall be operated by the nonprofit public benefit corporation Baypoint Preparatory Academy, formed on August 25, 2014 and organized pursuant to the Nonprofit Benefit Corporation Law (Part 2 (commencing with §5110) of Division 2 of Title 1) of the Corporations Code. See Appendices

BPA is a separate and distinct legal entity from HUSD. It will be autonomous and responsible for all matters concerning its governance, on-site administration, staff development, curriculum development and delivery of instruction. BPA cannot contractually bind or extend the faith and credit of HUSD to any third person or entity. The Executive Director of BPA will be the administrator for any employee of BPA.

Pursuant to California Education Code Section 47604(c), HUSD shall not be liable for the debts and obligations of BPA, or for claims arising from the performance of acts, errors, or omissions by BPA as long as HUSD has complied with all oversight responsibilities required by law.

Role of the Governing Board

BPA is governed by its Board. The Board shall have five (5) voting members. If HUSD exercises its right to appoint a representative, a voting representative shall be added for this purpose, pursuant to Education Code section 47604. The Board meetings will be held within the boundaries of the charter school.

Desired areas of expertise to fulfill the mission and vision of the school for our students among the board members include education management and instruction, real estate and construction, public relations and marketing, business, grant writing, school development, legal services, accounting and school finance, nonprofit community development, and nonprofit compliance.

The BPA Bylaws have been developed by the Board (see Appendix-By-laws) and shall be consistent with this charter. The Board may initiate and carry on any program and activity, or may otherwise act in any matter that does not conflict with or is inconsistent with or preempted by any law and which is not in conflict with the purposes for which charter 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 any officer or employee of BPA 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 as permitted by law. The Board, however, retains ultimate responsibility over the performance of those powers or duties so delegated. Any 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
- Require an affirmative vote of a majority of Board members

All meetings of the Board will be held and conducted in accordance with the terms and provisions of the Ralph M. Brown Act, California Government Code sections 54950, *et. seq.* as said chapter may be modified by subsequent legislation. Members of the Board shall also comply with the applicable ethics and conflict of interest standards set forth in the California Corporations Code.

Vision and Strategic Plan

- The Board drafts, modifies, and approves BPA's Mission Statement and in each subsequent year, re-evaluates the Mission Statement.
- The Board adopts policies to successfully implement BPA's Mission Statement and Strategic Plans.
- The Board oversees the Executive Director or his/her designee to ensure that BPA's Mission Statement and Strategic Plans are reflected in the day to day operations of BPA, including ensuring that the curriculum aligns with BPA's Mission Statement.
- The Board approves any significant changes to policies and programs as needed.
- The Board is involved in all legal actions and actions taken by the BPA that may result in legal action.

Academic Performance Monitoring

- The Board, or a committee thereof, annually reviews student performance based on state and federally mandated assessments.
- The Board approves all academic performance reports to all federal, state and local agencies as required by law.
- The Board, or a committee thereof, researches or develops student data collection systems and annually reviews them to ensure their effectiveness.

Staffing and Personnel

- The Board reviews and approves personnel policies and any amendments thereto.
- The Board hires, evaluates, and terminates the employment of the Executive Director and other designated Directors.
- The Board establishes performance goals for the Executive Director and other designated Directors and communicates the goals to these employees.
- The Board annually reviews the employment contracts of the Executive Director and other designated Directors.
- The Board approves the salaries and compensation policies for all school personnel in compliance with any applicable state laws. The Board may hear and resolve employee grievances, as applicable, and participates in the dispute resolution process which is enumerated in this charter.

Parent, Student and Community Relations

- The Board, or a committee thereof, hears and decides student expulsion recommendations, as applicable.
- The Board reviews and approves student and parent policies and any proposed amendments thereto.
- As needed, the Board communicates with the media and community at large, consistent with BPA's Mission and Vision.
- The Board ensures that BPA consistently engages in timely reporting of required information to HUSD, CDE, and other agencies.

Finance and Budget

- The Board reviews and approves the fiscal management and internal controls policies and any proposed amendments thereto.
- The Board reviews and approves the school's annual academic calendar.
- The Board, or a committee thereof, solicits and selects the school's independent financial auditor, oversees the auditor's work, and receives the auditor's report(s).
- The Board, or a committee thereof, reviews, adopts and amends the annual budget as well as interim budgets and pre-audit annual financial statements.
- The Board, or a committee thereof, reviews and approves the audit report.
- The Board monitors the responses to the audit report and implementation thereof.
- The Board approves a contracts policy that sets forth specific procedures for contract approval, including but not limited to the amounts above which the contract must be pre-approved by the Board.

Facilities

- The Board, or a committee thereof, approves major construction and remodeling of facilities.
- The Board, or a committee thereof, researches school sites as needed, and funding and facilities options.
- The Board, or a committee thereof, makes decisions on facilities needs and policies.

Board Internal Business

- The Board drafts, reviews and approves board policies and amendments thereto.
- The Board recruits prospective Board members.
- The Board orients new Board members.
- The Board, as needed, provides training to its members.
- The Board approves bylaws, resolutions, and policies and procedures for BPA operation.
- The Board annually reviews BPA's performance reports.
- The Board, as needed, reviews BPA's renewal proposals and reports.

Membership of the Board

The membership of this Board will be no fewer than three and no greater than nine persons and may include each of the following classifications:

- At least one parent/guardian of a student enrolled in BPA chosen by majority ballot of the

- parent/guardians of students enrolled at BPA or appointed by the Board as applicable.
- At least one community member who has skills that compliment or add to the existing composition of the Board.

Board Chair: Frank Ogwaro

Mr. Frank Ogwaro holds positions as the President/CEO of Ogwaro Group Inc., Principal of Ogwaro Holdings LLC and Founder/Director at REDMutual LLC. Mr. Ogwaro joined Bayshore Preparatory and its supported schools, with 19 years of small business experience. Over the years, his business experience has brought opportunities in banking, consulting, and investments to various for-profit businesses and non-profit projects.

Mr. Ogwaro was born in Russia, grew up in Uganda, and moved to the United States in 1986. He currently resides in San Marcos with his wife and two children. He continues to be an advocate for families, maintaining that regardless of socioeconomic status, all should have an opportunity to sustainable economic success, starting with access to a sound education. Mr. Ogwaro believes that families' economic environments can be improved by involving and educating parents in commerce and business. This eventually affects generations that will continue to prosper and establish self sufficiency. All of this begins with education at the earliest level.

As part of his commitment to the community, Mr. Ogwaro leads groups that involve and inform parents about education, commerce and business. His continued commitment to education is also demonstrated by his service as the Chairman of the Board of Directors at Bayshore Preparatory Charter School.

Board Secretary: Tom Estill

Tom Estill has been a board member at Bayshore Preparatory Charter School since 2009. He is currently the board's Secretary. Tom has worked in the Pest Management industry since 1978. During this time he has held various teaching and management positions. Tom currently works for Ensysstex, an international company that manufactures and distributes pest management products. He is the Director of Stewardship and Training for the Western United States, Hawaii and the Caribbean. In addition to being responsible for training, Tom is the governmental liaison for the company.

Board Member: Bill Jagger

William S. "Bill" Jagger was born and raised in New Jersey. He attended one year of college before being drafted, at the age of 19, into the U.S. Army. Immediately after training, he was sent to Vietnam, where he spent the next 14 months assigned to the 196th Light Infantry Brigade. He returned to New Jersey and within a year was married to his present wife, Darlene, a certified teacher. Bill worked full-time and concurrently completed college on the GI Bill. His first son was born while Bill was a senior in college. He earned his BA in History and holds teaching credentials in New Jersey and Washington.

After graduating from college, Bill and the family moved to upstate New York. They welcomed a second son to their family, and Bill continued working for Dayton Superior Corp., a large manufacturer of construction products. Bill was still in the Army Reserves, where he completed Officers Candidate School, and was eventually discharged as a Captain.

After 5 years in New York, Bill and his family moved to Southern California, where his wife Darlene continued to teach. Bill's company paid for him to attend the MBA program at Pepperdine University, where he graduated in 1983. Bill received several promotions and was relocated to Seattle. He oversaw the region and plant for four states, then transferred to Los Angeles as a Division Manager, supervising four plants in 13 states. Throughout their marriage, Darlene continued to teach in public, private, and homeschool programs, until her retirement in 2013.

In 2009, using his extensive list of relationships, Bill formed his own company, All Forces Supply. Bill serves as the President of All Forces Supply, which is a Disabled Veteran Business Enterprise designed to sell construction projects directly to the Government. Bill currently resides in Huntington Beach, CA, with his lovely wife, Darlene. They enjoy spending leisure time at their second home on Lopez Island, WA.

Board Member: Allison Magill

Allison K. Magill serves as Legal Counsel at the California Charter Schools Association. Allison provides general legal support related to CCSA's advocacy efforts, membership needs, and strategic objectives. Allison's specific focus areas include charter school authorization and oversight issues, special education, facilities and general counsel support. In the past, Allison worked as a Special Education Advisor with the Association. In this role, she worked to address regional and statewide special education policy challenges in order to expand the scope and quality of programs available to meet the needs of students with disabilities in charter schools.

Prior to joining CCSA, Allison worked as the Staff Attorney for the Center for Education Policy and Law, where she provided research and legal analysis on a wide range of education policy issues. Allison also served as a special education attorney at the University of San Diego Legal Clinics, where she represented parents of students with special needs in education and disability law matters.

Allison earned her Juris Doctorate from the University of San Diego, School of Law in 2009. During law school, Allison completed internships at the San Diego Unified School District, Child Advocacy Institute, and Special Education Legal Clinic, where she received the honor of Outstanding Special Education Intern in 2009. Allison holds a Bachelor of Arts in Sociology and Psychology and a minor in Childhood Studies from Case Western Reserve University.

Parent Board Member: Vacant

To be filled by a parent of a student enrolled at Baypoint Preparatory Academy.

In addition, HUSD may nominate a representative to sit as a member of the Board. (ref. Ed. Code Section 47604(b)).

The Board will meet quarterly during the fiscal year but may convene additional meetings in order to conduct school business in a timely fashion. Each year the Board will approve a calendar of regular board meetings in the coming fiscal year. The Board will follow the procedures specified in the Bylaws of BPA for filling mid-term vacancies. The Board will be responsible for all recommendations to modify this charter. Any charter modifications will require a majority vote of the Board. Any such material modification to this charter must be

approved by HUSD's Board of Education prior to implementation. See Appendices

The Board shall adhere to the corporation's adopted Conflict of Interest Code; and BPA will adhere to any regulations promulgated by the State Board of Education or Fair Political Practices Commission and applicable to California charter schools. See Appendices

Other Guiding Principles

- Members of the BPA Board, any administrators, managers or employees, and any other committees of BPA shall comply with federal and state laws.
- BPA and/or its non-profit corporation will be solely responsible for the debts and obligations of BPA.

Charter schools are governed by boards, not by individual board members. While understanding their separate roles, the Board and the Executive Director work together as a governance team in operating BPA. This team assumes collective responsibility for building unity and creating a positive organizational culture in order to govern effectively.

Professional Development

All BPA Board members shall complete governance training including, but not limited to, compliance with the Brown Act. (Gov. Code § 54950 et seq.)

Responding to Inquiries

BPA shall promptly respond to all reasonable inquiries including, but not limited to, inquiries regarding financial records from HUSD and shall consult with HUSD regarding any inquiries.

Operating Structure

The Executive Director is the administrative head of the school. The Site Administrator will be responsible for the day-to-day functioning of the school, student guidance, teachers and community relations. These responsibilities include, but are not limited to, progress reports and conferences, enrollment planning including room assignments and grade level assignments, as well as financial planning, (including seeking grants and donations), and monitoring of site-level expenditures as compared to the most recent approved budget. The Executive Director will be responsible for staff evaluations and the development of curriculum and assessment in conjunction with the staff. The Executive Director will act as a liaison with educational partners, and will enact the policies of the Board.

Parent Involvement

A Parent Advisory Committee (PAC) will be established to make recommendations to the Board concerning the school. The PAC will consist of parents/guardians of students enrolled at BPA and at least one certificated and/or classified employee of BPA. Parent/guardian members may be chosen by ballot of parents of students enrolled. The employees of BPA who serve on the PAC shall be appointed by the Executive Director.

The PAC will meet not less than four (4) times per year. They may elect from their ranks a Chair, Vice-Chair, and Secretary to serve one year terms. Each member will have one vote and all decisions will require a simple majority of the members voting. The PAC may adopt its own

procedures for filling mid-term vacancies. The Chair will report their proceedings directly to the Board within 30 days of their meetings. Members will serve for one year and will not receive compensation for their services on the PAC.

Baypoint Preparatory Academy Organizational Chart



Process for Amendments to Charter

Any material revisions to this Charter will be submitted by the Charter Board for consideration for approval by the HUSD Board pursuant to the standards, criteria, and timelines in Education Code Section 47605.

Severability

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 will remain in effect. HUSD and BPA agree to meet to discuss and resolve any issues or differences relating to invalidated provisions in a timely, good faith fashion.

BPA looks forward to a positive and mutually respectful partnership with the HUSD.

ELEMENT 5

Employee Qualifications

The qualifications to be met by individuals to be employed by the school.
California Education Code Section 47605 (b)(5)(E)

BPA will employ a group of professionals passionate about educating all students and dedicated to fulfilling our college preparatory mission. Education research consistently demonstrates that teacher quality has the most significant impact on student achievement. (Thernstrom, A. and Thernstrom, S., *No Excuses*, Simon & Schuster (2003), p. 43). As a result, it will be a top priority to recruit, select, hire, train, support, and retain the best teachers, administrators, and support staff available.

Qualifications of School Employees

All employees of the Charter School shall be employees of BPA, an equal employment opportunity employer. Discrimination or harassment based on race, color, religion, sex, gender identity, pregnancy, national origin, ancestry, citizenship, age, marital status, physical disability, mental disability, medical condition, sexual orientation, genetic information, or any other characteristic protected by state or federal law is strictly prohibited.

Employees' job duties and work basis will be negotiated in individual employment agreements. Job descriptions will be developed for the administrative staff, teachers, other certificated staff, office personnel, and classified staff.

The Governing Board will be responsible for hiring and supervising the Executive Director. The Executive Director shall embody, advocate, and put into operation the mission, vision and strategic direction of BPA, and oversee all aspects of the organization, including financial, operational, educational operations, and strategic planning. The Executive Director shall not be a member of the Governing Board but shall fulfill the role of the corporation's general manager and shall have general supervision, direction and control over the corporation's business and officers, subject to the control of the Governing Board.

The Executive Director will hire, supervise, discipline and, as needed, dismiss the school's Site Administrator. The Site Administrator may, in collaboration with the Executive Director, hire, promote, discipline and, as needed, dismiss staff and teachers at the school. A formal evaluation process will be developed and the Governing Board will ensure that the Executive Director is evaluated formally at least once annually, and the Executive Director, in turn, shall evaluate lead school staff.

Executive Director

The Executive Director reports to the Governing Board and is responsible for the overall operations of the school, collaborating with the Site Administrator, who is the instructional leader of the school. The Executive Director bears primary responsibility for ensuring the organization meets annual revenue goals and generates an appropriate surplus without compromising the quality of the program, securing the school's long-term sustainability.

Responsibilities include:

Planning and Operations:

- Collaborate with the Board to plan and publicize all Board meetings, prepare agendas, arrange logistics, and attend all regularly scheduled Board meetings
- Facilitate strategic planning with the Board
- Diagnose the gaps between where the school is, versus where it aspires to be, and ensure that strategies and practices are implemented to close these gaps.
- Oversee school compliance with all applicable laws, regulatory reporting, contractual obligations, and donor restrictions
- Recruit, develop, evaluate, retain (and as needed, discipline and terminate) high-performing individuals who are passionate about BPA and its mission
- Recruit, hire (in collaboration with the Board), supervise and evaluate the school's Site Administrator
- Collaborate with the Site Administrator to assist him/her in fulfilling the educational mission of the school, including working collectively to resolve any personnel issues or other disputes that may arise
- Assist the Site Administrator with data analysis and oversee all reporting related to student performance
- Ensure that an effective performance management system is in place for all staff under his/her direct supervision and ensure that formal evaluations are conducted at least once annually
- Oversee self-evaluation efforts of the school relating to operations, including parent surveys
- Collaborate with Site Administrator to establish school computer systems, including classroom computers, data systems, records management and reporting, telecommunications, etc.

Financial Oversight:

- Develop appropriate budget projections, in collaboration with back-office services provider to ensure long-term financial sustainability.
- Develop and maintain relationships with philanthropic, business, and public sectors to increase awareness of the school and increase its donor base within a competitive non-profit (specifically charter school) funding environment.
- Work with the Board on fundraising, including a capital campaign to secure and develop a permanent school site.
- Oversee and manage the operating budget, payroll, contracts and all other financial and accounting operations, supervising the efforts of back-office staff.

Facilities:

- Pursue appropriate temporary facilities for the school as needed.
- Secure a permanent site for school.
- Oversee relevant planning, construction and other activities to obtain CUP for school site (if needed) and occupancy.
- Secure appropriate furnishing, materials, supplies and equipment for school operations.

Outreach and Collaboration:

- Develop and maintain effective relationships with the HUSD Charter Office, and oversee all aspects of charter renewal, review and compliance.
- Oversee the WASC accreditation process and any related activities.
- Represent the school as a leader in the California charter school community in all advocacy efforts (e.g., legislative efforts to sustain charter school funding levels) as well as with community leaders to maintain support from the local community.
- Assist Site Administrator as requested in coordinating parent involvement and volunteering.
- Establish and maintain partnerships with community service organizations, businesses and local councils and residents

Communications:

- Maintain open lines of communication between stakeholders and work to resolve conflicts and disputes that may arise.
- Assist Site Administrator in coordinating parent education workshops, Town Hall meetings and other forums to discuss the school's mission, vision and operations with parents and other stakeholders.

Qualifications include:

The ideal candidate will have extensive experience in non-profit management, fundraising, budgeting, government relations, communications and marketing. S/he will have the ability to inspire excellence from a diverse staff and to leverage the talents of the Board. S/he will be a confident decision-maker and possess the ability to facilitate collaboration and teamwork. The ability to multi-task and handle a diverse array of responsibilities is critical, including attention to numerous details with the ability to shift to big picture, long-term thinking.

The candidate must demonstrate an ability to communicate a genuine passion for BPA's mission and vision. Knowledge of the California and SDUSD education, government, and nonprofit funding environment would be valuable in this position. The Executive Director must oversee building and maintaining relationships with parents, foundations, members of the private sector, community leaders, and government staff as an essential part of his/her role. Excellent oral and written communication skills are imperative. A Master's Degree or equivalent experience in a relevant field is preferred.

Site Administrator

It is the responsibility of the Site Administrator to operate and manage every aspect of the educational program at BPA under the guidance of the Executive Director. He/she may delegate responsibility for administering various segments of BPA operations but shall be responsible to the Executive Director for the results produced. Responsibilities include:

Educational Leadership:

- In conjunction with the Executive Director, recruit, hire, train and supervise talented instructional staff in implementing best practices consistent with BPA's educational philosophies

- Provide hands-on guidance to teachers as they create and implement a blended learning curriculum
- Provide hands-on guidance to teachers in the development of multiple assessments
- Use multiple sources of data to develop a plan for the improvement of student achievement and oversee the collection, analysis and utilization of this data in relation to specific students, teachers and curricula
- Oversee teacher professional development via in-house training sessions, visiting lecturers, external professional development opportunities and other resources (articles, web-based resources, and development of a school professional resources library)
- Develop and implement an evaluation process for all instructional/classified staff and ensure that formal evaluations are conducted at least annually
- Develop partnerships with charter organizations, other area schools and educational consultants to support teacher's professional development
- Create and oversee BPA's policies and programs relating to Special Education, English Learners and Gifted and high-achieving students and other sub-groups
- Oversee and assist teachers with behavior management, including handling student suspension, expulsion and other disciplinary issues as needed
- Promote the school mission and philosophy throughout the school community

Communications and Outreach

- Lead the Parent Advisory Council (PAC) and oversee parent volunteer efforts
- Schedule and participate in regular family education and Town Hall meetings designed to communicate the school's mission, vision and curricula to families, provide updates on school progress and operations, and cover other areas of interest to community stakeholders
- Ensure open and clear lines of communication with all stakeholders, including working to resolve conflicts and disputes as they may arise between community members
- Oversee the school's website, email/list-serves, newsletter and other means of communication with the parents, teachers, volunteers and other community members.
- Maintain positive relationships with HUSD and its related entities
- Actively participate in Charter organization activities (CCSA, CSDC, etc.) and become an active leader in the Charter community
- Work effectively with the media
- Conduct outreach and serve as a liaison with local leadership, school faculty and staff, students, parents and community members

School Management

- Oversee the day-to-day management of the school site with a commitment to ensuring the health and safety of students, faculty and staff, including supervision of janitorial/custodial staff
- Work with the Executive Director and Board in the strategic planning for the growth of the school
- Prepare and update as appropriate the Employee Handbook, Health and Safety Handbook and Student/Parent Handbook and ensure that all parties receive and acknowledge receipt
- Establish and oversee compliance with the school's emergency and safety plans
- Attend all regularly scheduled Board meetings and give appropriate updates and reports

on school activities

- Assist Executive Director with budgets, charter renewal, outreach, partnerships and other duties as required

Qualifications include: An ideal Site Administrator is a visionary educational leader whose experience, knowledge, and drive will set the tone for a supportive school climate that challenges and motivates our students, teachers, and families to achieve BPA's mission and vision. Resourcefulness, flexibility, and an entrepreneurial spirit are key qualities for a charter school leader. A commitment to the educational philosophy of our school and demonstrated passion about our ideals is imperative.

The ideal candidate will have:

- A Master's Degree in Education, a valid California Administrative Credential and/or a commensurate level of experience in successfully performing similar duties at other California K-12 schools
- At least five years of teaching experience, ideally in a K-12 school setting
- Experience with school operations, budgets and organizational management
- Excellent communication skills and experience motivating and working with a variety of diverse stakeholders and local community members
- Experience recruiting, hiring, training and supervising teachers in a charter, public or private school
- Knowledge of, or experience with, diverse populations, English learners, special education and GATE students
- Fluency in a second language

Until another administrative position is added or such services are contracted with a third-party administrative services provider, it is the responsibility of the Site Administrator, under the guidance of the Executive Director to plan, organize, lead, direct, and coordinate BPA's financial, business and personnel services.

Teachers

BPA will retain or employ teaching staff who hold appropriate California Commission on Teacher Credentialing certificates, permits, or other documents, equivalent to that which a teacher in other public schools would be required to hold. BPA shall also comply with the applicable highly qualified requirements under No Child Left Behind (NCLB). A BPA teacher needs to have demonstrated success, either in prior teaching, student teaching, and/or related experiences, in meeting the intellectual, emotional, and physical needs of individual students. This position reports to the Site Administrator.

Responsibilities

- Maintain accurate and up-to-date documentation of student learning for his/her personal education plan and academic progress (or lack thereof).
- Reflect continually in order to ensure a culture of high academic and behavioral standards

- Teach and guide in accordance with the abilities and achievements of the students assigned to him or her, and in conformance with BPA's philosophy, goals and objectives.
- Use detailed data analysis of student performance to inform best practices.
- Upon completion of the personal education plan, undertake those activities that result in the student achieving his/her academic and career goals.
- Perform accurate and timely accounting of student documents, i.e. attendance records, academic records, work completion, grades, parent/guardian contact logs, and other documents deemed necessary.
- Demonstrate evidence of team building, collaboration, creative problem solving, flexibility, conflict resolution, cultural sensitivity, and genuine care for each student.
- Maintain a professional demeanor and high expectations in his/her interactions that are conducive to learning, and work cooperatively with administrators in attempting to resolve problems.
- Identify and attempt to meet special needs of pupils, and initiate referrals to special programs and services as necessary.
- Communicate with students and parents regarding the educational and social progress of the student. Prepare formal progress reports and provide other information appropriate for inclusion in the cumulative records of the pupils assigned to his/her student list.
- Assist in interpreting the programs and goals of the school to the community.
- Maintain lesson plans, records, paperwork and instructional materials in such a way that they can be utilized by substitute personnel when the need arises.
- Assist in maintaining acceptable pupil behavior in all school areas.
- Attend meetings called by the Site Administrator or other administrators.
- Supervise extracurricular activities as directed.
- Serve, as requested, on school and organization-wide committees and project teams.
- Attend and participate in required in-service training activities and work with his/her site administrator in planning his/her own in-service program.

All teaching credentials will be maintained on file at all times at the school office and will be available upon request for inspection by HUSD. BPA will adopt its own procedures for selection of its teachers. In matters regarding accountability and evaluation of personnel, BPA will adopt its own procedures.

Additional Certificated and Non-Certificated Personnel

BPA may hire additional certificated personnel to assist in providing supplementary instruction, management, and support services. All staff will have the necessary qualifications, skills, experience, and credentials to fulfill the requirements described in their job description.

Compensation and Benefits

BPA will endeavor to compensate the administrators, teachers, and support staff of the school comparably with their counterparts in similar positions within California charter schools. The BPA Governing Board will review a salary schedule and staffing plan for BPA that will maximize quality while assuring the financial stability of the school. Full-time staff will receive benefits, including retirement benefits as described in Element 11.

BPA will make all employer contributions as required by workers' compensation insurance, unemployment insurance and any other payroll obligations required of an employer.

Pursuant to Education Code Section 47605(e), no HUSD employee will be required to work at BPA.

ELEMENT 6

Health and Safety

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(b)(5)(F)

Health, Safety, and Risk Management

BPA will implement a comprehensive set of health, safety and risk management policies. A draft of these policies will be submitted to HUSD at least 30 days prior to operation and a copy of the most recent edition will be available in the main office. These policies will, at a minimum, address and/or include the following:

Procedures for Background Checks

Employees and contracted service providers of BPA will be required to submit to a criminal background check and finish a criminal record summary as required by Ed. Code 44237 and 45125.1. New employees must submit two sets of fingerprints to the California Department of Justice for the purpose of obtaining a criminal record summary. The Site Administrator of the school shall monitor compliance with this policy and report to the Board of Directors on an annual basis. The BPA Board Chair shall monitor the fingerprinting and background clearance of the Executive Director. The Executive Director will monitor the fingerprinting and background clearance of the Site Administrator.

Any individuals other than employees (including but not limited to volunteers) who will be in close proximity to students outside of the direct supervision of an employee shall be fingerprinted and receive background clearance prior to any contact with students without the direct supervision of a previously cleared employee.

Role of Staff as Mandated Child Abuse Reporters

BPA will adhere to the requirements of California Penal Code Section 11164 and 11166 regarding child abuse reporting. All employees must report to the proper authorities if they suspect that a student is subject to the following:

- Sexual assault
- Neglect
- Willful cruelty or unjustifiable punishment
- Cruel or inhuman corporal punishment or injury
- Abuse in out-of-home care

The reporting person needs only be "reasonably suspect" that abuse or neglect has occurred; the reporting person does not have to prove abuse. The Site Administrator will work with all faculty and staff members to make sure all appropriate steps are taken if a child abuse situation occurs. All faculty and staff will understand that it is their duty and responsibility to report any suspicions of child abuse. Staff will understand that under California law, anyone who fails to report an incident of known or reasonably suspected child abuse or neglect is guilty of a

misdemeanor punishable by up to six months confinement in a county jail or by a fine of one thousand dollars (\$1,000) or by both. Staff will not be required to investigate any incident, only report to the Site Administrator and proper authorities.

BPA staff will complete a written report of the situation and immediately notify the Department of Children Services. If necessary, the Hemet Police Department will be informed of the situation as well. The reporting person will be responsible for providing all the necessary information and child abuse reports to the Department of Children Services and/or Hemet Police Department since he/she will be most knowledgeable of the situation.

Should it be necessary to remove the child from school, BPA staff will obtain the contact information of the agency person removing the child. This information will be placed in the student's record and made available to the parents.

TB Testing

All employees and volunteers of BPA will be tested for tuberculosis prior to commencing employment and working with students as required by Education Code Section 49406.

Immunizations and Medical Records

All students enrolled at BPA will be required to provide records documenting immunizations as is required at public schools pursuant to Health and Safety Code Section 120325-120375, and Title 17, California Code of Regulations Section 6000-6075. Students medical records will be kept on file at the school and made available to school staff as necessary to protect student safety and confidentiality.

Medication in School

BPA will adhere to Education Code Section 49423 regarding administration of medication in school.

Students requiring prescription medications and other medicines during school hours will be accommodated. Parents must bring medication to the office in the original containers, with the name of the prescribing physician, the name of the student, and dispensing instructions. Parents will complete the appropriate form authorizing school staff to administer medication. Designated staff will put medications in a locked cabinet or refrigerator as needed. Designated staff will log times for administering medications for each student and will establish a reminder system to ensure that students are called and medications are dispensed at the appropriate times. In cases where medications are long-term prescriptions, designated staff will provide parents with one week's notice to alert them that additional medications are needed.

Vision, Hearing/Scoliosis

BPA will adhere to Education Code Section 49450, et seq., as applicable to the grade levels served by the school. Students will be screened for vision, hearing and scoliosis to the same extent as students attending non-charter public schools.

Diabetes

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

Blood-borne Pathogens

BPA shall meet state and federal standards for dealing with blood borne pathogens and other potentially infectious materials in the work place. The Board shall establish 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

BPA shall function as a drug, alcohol and tobacco free workplace.

Facility Safety

BPA shall comply with Education Code Section 47610 by utilizing facilities that are compliant with the California Building Standards Code or local building codes. BPA will hold a Certificate of Occupancy before the school year commences. BPA 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. BPA will comply with all fire inspection policies. BPA shall conduct monthly fire drills as required under Education Code Section 32001.

Auxiliary Services

BPA staff will conduct annual reviews to ensure all auxiliary services are safe (food services, transportation, custodial services, hazardous materials) by developing appropriate policies and awareness training.

Emergency Preparedness

BPA shall adhere to its safety policies relating to emergency responses. They will be specifically drafted to the needs of the site and will be developed in conjunction with law enforcement and the Fire Marshall. The Emergency Preparedness Handbook shall include, but not be limited to the following responses: fire, flood, earthquake, terrorist threats, and hostage situations. All instructional and administrative staff will receive training in emergency response, including appropriate "first responder" training or its equivalent.

Comprehensive Harassment Policies and Procedures

BPA 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 or any other characteristic listed in Education Code Section 220.

These policies will be incorporated, as appropriate, into the BPA's student and staff handbooks and will be reviewed on an ongoing basis in the school's staff development efforts and Governing Board policies.

ELEMENT 7

Racial and Ethnic Balance

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

California Education Code Section 47605 (b)(5)(G)

Assurances

Baypoint Preparatory Academy (BPA) will work with neighborhood organizations to educate families about the availability of the charter school and actively recruit students from these traditionally underserved areas, in order to enroll a student population that reflects the racial, ethnic, economic, and academic balance of the surrounding community.

Anticipated Student Population

As described in our community description (located in Element One) and recruitment plan (located in Element Seven), BPA seeks to serve the families of San Jacinto Valley with a particular emphasis on reaching out to and recruiting in the city of Hemet. The local public school population is 52.6% Latino, 32% white, 8% African American, over 80% qualify for free or reduced lunch, and 13.6% are English Language Learners. BPA anticipates that our students will reflect similar socioeconomic statistics. BPA will actively seek to match the racial and ethnic backgrounds of pupils enrolled in HUSD. This will be accomplished through an open enrollment policy and active recruitment of under-represented minorities. These recruitment activities will be evaluated on an annual basis and adjustments will be made accordingly. Recruitment shall include the following:

- Development of promotional and informational material that appeals to the racial and ethnic groups represented in HUSD.
- Distribution of these materials at a wide variety of venues, such as local events, community centers/library, parks and recreation activities, social service agencies, shopping centers, apartment complexes and other dwellings, etc.
- Translations, interpreters at meetings, posting at schools and community gathering places, etc. will be done in both English and Spanish.
- Outreach meetings for prospective students and parents.

In addition, every effort will be made to hire bilingual personnel to be sure families who primarily converse in Spanish are accurately informed in all matters of school business.

Federal Compliance

To the extent that BPA is a recipient of federal funds, including federal Title I, Part A funds, BPA has agreed to meet all of the programmatic, fiscal and other regulatory requirements of the No Child Left Behind Act and other applicable federal grant programs. BPA agrees that it will keep and make available to the District any documentation necessary to demonstrate compliance with the requirements of the No Child Left Behind Act and other applicable federal programs, including, but not limited to, documentation related to required parental notifications, appropriate credentialing of teaching and paraprofessional staff, the implementation of Public School Choice

and Supplemental Educational Services, where applicable, or any other mandated federal program requirement. The mandated requirements of NCLB include, but are not limited to, the following:

- Notify parents at the beginning of each school year of their “right to know” the professional qualifications of their child’s classroom teacher including a timely notice to each individual parent that the parent’s child has been assigned, or taught for four or more consecutive weeks by, a teacher who is not highly qualified.
- Develop jointly with, and distribute to, parents of participating children, a school-parent compact.
- Hold an annual Title I meeting for parents of participating Title I students.
- Develop jointly with, agree on with, and distribute to, parents of participating children a written parent involvement policy.

BPA also understands that as part of its oversight of the school, HUSD may conduct a program review of federal and state compliance issues.

ELEMENT 8

Admission Requirements

Admission requirements, if applicable
California Education Code Section 47605(b)(5)(H)

Baypoint Preparatory Academy (BPA) will be open to all students residing in California who wish to attend the school, as outlined in Education Code § 47605(d)(2)(A). BPA shall not discriminate on the basis of the characteristics listed in Education Code Section 220, including 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.

Admission Requirements and Preferences

BPA will be an open enrollment, tuition-free public school with no specific requirements for admission (e.g., minimum grade point average, test scores, discipline records, etc.). Enrollment in the school shall be open to any resident of the State of California. Enrollment will be on a first come, first served basis. BPA will enroll all students who wish to attend to the extent that space allows. CA Ed. Code § 47605(d)(2)(A).

BPA is fully committed to serving all students who wish to attend, regardless of socio-economic status, race/ethnicity, academic achievement, special education needs or other “risk factors.”

As a charter school, BPA is a school of choice, and may have more students interested in attending the school than there are spaces available. If the number of students who wish to attend the school exceeds the openings available, entrance shall be determined by single random public drawing in accordance with Education Code §47605(d)(2) and all federal requirements. In accordance with applicable law and federal guidance, the following groups of students will be exempted from the lottery:

- Students who are currently enrolled
- Siblings of admitted students
- Children of founding parents, teachers and staff (not to exceed 10% of total enrollment).

Admissions preference will be given first to residents of the District. During any period of funding for the Public Charter Schools Grant Program, this admissions preference will be given a 2:1 weighting factor or as otherwise agreed upon with the District during the single weighted public drawing. No other admissions exemptions or preferences will be assigned. The BPA Governing Board may review and revise this preference policy as necessary for the well-being of the school.

Admission Process and Open Enrollment

In order to be included in the admissions lottery (if a lottery is necessary), families must submit an application that includes the student’s name, grade, birthday, and contact information for the family. Application materials will be made available in English and Spanish. The enrollment

period will be advertised in English and Spanish through flyers, posters in prominent locations throughout the community, during informational meetings for parents, and announced on the school's website. BPA also will attempt to advertise through local media as the school's budget permits. In the event that the enrollment deadline is extended due to available space, the revised deadline to apply will also be announced to the community using similar venues.

Open enrollment will occur beginning the first business day after January 1 each year (or, prior to Year 1, if the charter has not been approved prior to January 1, open enrollment will commence immediately following charter approval) and continue through the first Friday of March of the same year.¹ All interested families will be required to submit a completed Admissions Application Form directly to the school before 4:30 p.m. on the date of the annual deadline, which will be clearly indicated on the form and in all communications and notices (websites, flyers, etc.) regarding admission to the school. Submitted Admission Application Forms will be date-and time-stamped and student names will be added to an application roster to track receipt. Families who apply after the enrollment deadline will be added to the wait list in the order the applications are received.

Following the open enrollment period, applications will be counted to determine if any grade level has received a number of applications that exceed available seats. If the number of students who have applied for any grade exceed capacity as of the date of the application deadline, the school will hold a public random lottery to determine enrollment for the impacted grade level. In the event that the school has not received sufficient enrollment forms to fill to capacity, the enrollment period may be extended beyond the March deadline. In the case of an extended deadline for open enrollment, the date for the public random drawing, if required, may also be extended accordingly. All families who have applied for admission will be advised by mail of any changes to the date and time for the public random drawing.

All admissions timelines will be subject to annual review and adjustment by the Governing Board to meet the needs of the school while providing ample time for applicants. Changes will be reflected in adopted Board policies.

Public Random Drawing Procedures

As stated, should the number of pupils who wish to attend BPA exceed the school's capacity, then admission will be determined by a public random drawing in accordance with Education Code § 47605(d)(2)(B). Lottery rules and deadlines will be communicated via the Admissions Application Form, flyers/posters, and the BPA website. Public notice will be posted regarding the date and time of the public drawing once the deadline date has passed. Notice will include an explanation that parents/guardians do not need to be present at the lottery, but may attend if they choose to do so.

The BPA Site Administrator and at least one other school employee will conduct the admissions lottery as a public event to ensure that lottery procedures are fairly executed.

¹ For the first year, depending on the timing of charter approval, the open enrollment period may be extended to allot sufficient time for thorough outreach and recruitment.

The BPA lottery will occur during the month of March of each year following the close of the open enrollment period. The lottery will be conducted at a time that is convenient for a majority of interested parties and will be open to the public. BPA will inform parents of all applicants and all interested parties of the rules to be followed during the lottery process, location, date and time of the lottery via mail at least two weeks prior to the lottery date. The school will choose a date and time for the lottery (either on the weekend or after 6 pm on a weekday) so that most interested parties will be able to attend. The lottery will be held at the school site if the school facility can accommodate all interested parties. BPA will invite HUSD representatives and respected members of the community as official observers of the lottery to verify lottery procedures are fairly executed.

Admissions Application Forms, the manual record of all lottery participants and their assigned lottery numbers, and other lottery-related documents will be physically filed on campus, and lottery results and waiting lists will be readily available in the school's main office for inspection upon request. Each applicant's admissions application will be kept on file for the academic year with his or her assigned lottery number in the school database and on his or her enrollment application.

Students who are offered spots will be notified by mail and asked to complete an Enrollment Packet by a predetermined deadline (approximately two weeks for initial post-lottery enrollment; an expedited timeline will be required for families offered spots from the wait list) to secure their spot. BPA staff will be available to assist families in completing this paperwork if needed.

Wait List

The random public lottery determines applicants' wait list status. Those who apply after the lottery deadline are added to the end of the lottery wait list in the order they are received. Vacancies that occur during the school year will be filled according to the wait list. When an offer occurs during the school year, families will be contacted in the order of the wait list and typically will be given 48 hours to decide whether or not to accept a space at the school. In the event that no such wait list exists where the space is available, the space will be made available on a first come, first served basis to the next interested family at the appropriate grade level.

The wait list for the current school year remains active until BPA's admissions period commences for the following year. Applications are only valid for the current year. Applicants must reapply for the lottery annually if the school is unable to offer them admission for the current year.

McKinney Vento Homeless Assistance Act

BPA will adhere to the provisions of the McKinney-Vento Homeless Assistance Act and ensure that each child of a homeless individual and each homeless youth has equal access to the same free, appropriate public education as provided to other children and youth.

No Child Left Behind

BPA will adhere to all admission and enrollment provisions of No Child Left Behind (NCLB) pertaining to Public School Choice and other legal requirements.

ELEMENT 9

Financial Audit, Financial Planning and Reporting, Facilities and Administrative Services

The manner in which annual, independent financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the satisfaction of the chartering authority.

California Education Code Section 47605(b)(5)(I)

The manner in which administrative services of the School are to be provided and potential civil liability effects.

California Education Code Section 47605(g).

Attendance Accounting

BPA will utilize an appropriate student information system for attendance tracking and reporting purposes. Attendance accounting procedures will satisfy requirements for HUSD, RCOE, and CDE. Required reports will be completed regarding daily attendance and submitted to the requesting agencies.

Annual Independent Audit

Fiscal Audit - An annual independent fiscal audit of the books and records of BPA will be conducted as required under the Charter Schools Act, section 47605(b)(5)(I) and 47605(m). The books and records of BPA will be kept in accordance with generally accepted accounting principles and, as required by applicable law, 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 "Standards and Procedures for Audits of California K-12 Local Education Agencies" K-12 Audit Guide, prepared by the State Controller's office and approved by the Education Audit and Appeals Panel annually. Funds have been allocated for the cost of the audit.

It is anticipated that the annual audit will be completed within four months of the close of the fiscal year and that a copy of the complete audit report including any of the auditor's findings will be forwarded to HUSD, the County Superintendent of Schools, the State Controller, and to the CDE by the 15th of December of each year.

Audit Exceptions and Deficiencies - The Executive Director, along with the audit committee, will review any audit exceptions or deficiencies and report to BPA's Board with recommendations on how to resolve them. The Board will submit a report to HUSD describing how the exceptions and deficiencies have been or will be resolved to the satisfaction of HUSD, along with an anticipated timeline for the same.

Budget

Annual Budget - For each upcoming fiscal year, the Executive Director, the Site Administrator and the budget committee, in collaboration with BPA's on-site staff or third-party back office business service provider, will prepare and submit a proposed budget to the BPA's Board. The Board will review and modify the budget as needed, approving the final budget on or before July 1. Each approved budget shall contain estimated actuals for the fiscal year just ending, budget detail and a monthly cash flow projection for the upcoming fiscal year, and a multi-year

projection for the subsequent two fiscal years.

A proposed three year financial projection, including budgets and cash flows as required by the Charter Schools Act, is included in this petition. See Appendices

Fiscal Year - The fiscal year for BPA will be July 1 through June 30.

Financial Reporting - BPA shall provide reports to HUSD in accordance with Education Code Section 47604.33, and shall provide additional fiscal reports as requested by HUSD:

- By July 1, a preliminary budget for the current fiscal year as described above under “Annual Budget”.
- By December 15, an interim financial report for the current fiscal year reflecting changes through October 31. Additionally, on December 15, a copy of BPA’s annual, independent financial audit report for the preceding fiscal year shall be delivered to HUSD, State Controller, State Department of Education and County Superintendent of Schools.
- By March 15, a second interim financial report for the current fiscal year reflecting changes through January 31.
- By September 15, a final unaudited report for the full prior year. The report submitted to HUSD shall include an annual statement of all BPA’s receipts and expenditures for the preceding fiscal year.

Insurance

BPA shall maintain general liability, workers’ compensation, and other necessary insurance of the types and in the amounts required for an enterprise of similar purpose and circumstance. HUSD shall be named as an additional insured on all policies of BPA.

Administrative Services

Plan for Sound Fiscal Management - To ensure effective financial management, BPA will contract with a third party administrative (back office) services provider, when needed, with expertise in finance, facilities, business management, and administration. At all times, BPA will retain final authority and control over these functions. BPA has also developed internal controls and effective practices to ensure sound financial management.

Auxiliary Services

BPA staff will conduct annual reviews to ensure all auxiliary services are safe (food services, transportation, custodial services, hazardous materials) by developing appropriate policies and awareness training.

Fundraising

BPA’s fundraising efforts will not require any parent, guardian, or student to make a financial donation to BPA for admission and/or continued enrollment.

Facilities

At petition submission time, the actual location for BPA has not been finalized. BPA is Baypoint Preparatory Academy

considering all facilities available that are conducive to educational use and that meet the educational use permits requirements. BPA reserves the right to request a facility from the District under Proposition 39. The facility will be located in an attractive and safe area, providing good access for administrators, teachers, students and parents. In addition to the educational use permit, the facility will maintain a certificate of occupancy and be ADA compliant as required by law.

BPA is negotiating for a facility in the 92544 zip code within the geographical boundaries of the HUSD.

Financial Impact on the Sponsoring District

Facilities - BPA is eligible for facilities under Proposition 39. In the event that BPA receives District facilities pursuant to Proposition 39, BPA shall pay a pro-rata facilities charge designed to mitigate the fiscal impact of BPA's occupancy on District facilities costs.

Budget - HUSD will provide supervisory oversight as required by law, in exchange for its actual costs of supervisory oversight up to one percent² of BPA's revenue as defined in Education Code Section 47613(f). BPA will enter into a Memorandum of Understanding (MOU) with HUSD which outlines the fiscal relationship between HUSD and BPA.

Civil Liability

BPA shall be operated as a California non-profit public benefit corporation. This corporation is organized and operated exclusively for charitable purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code and California Revenue and Taxation Code Section 23701d.

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

² To be increased to 3% if the District provides BPA with substantially rent-free facilities. Facilities provided pursuant to Proposition 39 do not qualify as substantially rent-free.
Baypoint Preparatory Academy

ELEMENT 10

Pupil Suspension and Expulsion

The procedures by which pupils can be suspended or expelled.
California Education Code Section 47605 (b)(5)(J)

Discipline Policy

BPA will create a school culture where students are able to focus on learning. Our goal is to create a school culture that reinforces positive behavior and eliminates the distractions caused by student misbehavior. Expectations for appropriate behavior will be clearly articulated to students and families during orientation and will be provided as written policy in a Student/Parent Handbook. Staff shall enforce rules and procedures fairly and consistently among all students.

Teachers will be trained to use effective classroom management strategies to maximize instruction and minimize student misbehavior, and there will be school-wide systems for assigning both positive and negative consequences. Students who do not adhere to stated expectations for behavior and who violate the school rules may expect consequences for their behavior. Consequences may include, but are not limited to:

- Warning, verbal and/or written
- Individual conferences with the teacher
- Loss of privileges
- Referral to the Site Administrator
- Notices to parents by telephone or letter
- Parent conference
- Suspension
- Expulsion

Prior to opening, the BPA will approve a formal discipline policy that seeks to reinforce the strength of the school's culture and protect the safety and best interests of the school's students and staff. This policy-which will be fully compliant with all applicable State and federal law-will clearly describe progressive disciplinary measures, grounds for suspension and expulsion, minimum/maximum number of consecutive days of suspension, notification process to parents of suspension, reason for suspension, appeal process, length of suspension, provision for student's education while suspended, etc. This policy, and the list of offenses for which students may be suspended or expelled, will be reviewed and modified annually, by a Student Discipline Committee, comprised of the Site Administrator, teachers, parents, students, Executive Director, board and community members, with additional opportunities for input from staff, families, and students as appropriate.

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

Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of or willfully causing the infliction of physical pain on a student. For purposes of the policy, corporal punishment does not include an employee's use

of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to school property.

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

A student identified as an individual with disabilities or for whom BPA has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities Education Improvement Act of 2004 (“IDEIA”) or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 (“Section 504”) is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to regular education students except when federal and state law mandates additional or different procedures. BPA will follow all applicable federal and state laws when imposing any form of discipline on a student identified as an individual with disabilities or for whom BPA has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students.

Any student who engages in repeated violations of the school’s behavioral expectations will be required to attend a meeting with the school’s staff and the student’s parents. The school will prepare a specific, written agreement outlining future student conduct expectations, timelines, and consequences for failure to meet the expectations which may include, but are not limited to, suspension or expulsion.

A student may be suspended or expelled for any of the acts enumerated in Education Code Section 48900 related to school activity or school attendance that occur at any time including, but not limited to:

- While on school grounds
- While going to or leaving from school
- During, or traveling to or from, a school-sponsored activity

Cause for Suspension and Expulsion

A student may be recommended for suspension or expulsion for any of the following reasons, as specified in the Education Code Section 48900:

- Caused, attempted to cause, or threatened to cause physical injury to another person
- Willfully used force or violence upon the person of another, except in self-defense
- Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object, unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, which is concurred in by the Site Administrator or the designee of the Site Administrator
- Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind
- Unlawfully offered, arranged, or negotiated to sell any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or

otherwise furnished to any person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant

- Committed or attempted to commit robbery or extortion
- Caused or attempted to cause damage to school property or private property (includes, but is not limited to, electronic files and databases)
- Stolen or attempted to steal school property or private property (includes, but is not limited to, electronic files and databases)
- Possessed or used tobacco, or any products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel (exception made for use or possession by a student of his or her own prescription products)
- Committed an obscene act or engaged in habitual profanity or vulgarity
- Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code
- Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties
- Knowingly received stolen school property or private property (includes, but is not limited to, electronic files and databases)
- Possessed an imitation firearm
- Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code
- Harassed, threatened, or intimidated a student who is a complaining witness or a witness in a school disciplinary proceeding for the purpose of either preventing that student from being a witness or retaliating against that student for being a witness, or both
- Engaged in, or attempted to engage in, hazing as defined in Section 32050
- Aided or abetted, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person (suspension only)
- Committed sexual harassment
- Caused, attempted to cause, threatened to cause, or participated in the act of hate violence
- Engaged in harassment, threats, or intimidation directed against school District personnel or students, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading the rights of either school personnel or students by creating an intimidating or hostile educational environment
- Made terrorist threats against school officials, school property, or both
- Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, as defined in subdivisions (f) and (g) of Section 32261, directed specifically toward a pupil or school personnel

Students will receive a mandatory recommendation for expulsion for any of the following reasons, as specified in the Education Code Section 48915, unless the Site Administrator finds that expulsion is inappropriate, due to the particular circumstance:

- Causing serious physical injury to another person

- Possession of any firearm, knife, explosive, or other dangerous object
- Unlawful possession of any controlled substance listed in Chapter 2 of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind
- Robbery or extortion
- Assault or battery upon any school employee
- Committing or attempting to commit a sexual assault or sexual battery as defined Section 48900 of the Education Code

Students are subject to mandatory expulsion from BPA for any of the reasons as specified in the Education Code Section 48915(c) and the Federal Gun-Free Schools Act of 1994. It is a federal mandate that a school expel, for a period of not less than one year (except on a case-by-case basis), any student who is determined to have brought a firearm to school.

Process for Suspension and/or Expulsion

Step 1: Informal Conference

Suspension shall be preceded by an informal conference conducted by the Site Administrator, with the student and the student's parents. The conference may be omitted if the Site Administrator determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or school personnel. If the student is suspended without a conference, the parents will be notified of the suspension and a conference will be conducted as soon as possible.

Step 2: Notice to Parents

Parents and students have due process rights with regards to suspensions and expulsions. At the time of a student's suspension, a school employee shall make a reasonable effort to contact the parents by telephone or in person. Initial contact will be followed by a written notice. This notice will state the specific offense committed by the student. In addition, the notice may also state the date and time the student may return to school. If the school officials wish to confer with the parents regarding matters pertinent to the suspension, the notice may note that the parents are required to respond without delay, and that violation of school rules may result in expulsion from the school.

Step 3: Determination of Length of Suspension

The length of the suspension will be determined by the Site Administrator based on the severity of the offense(s), as evidenced by witness statements, physical evidence, and other relevant factors.

The length of suspension for students may not exceed a period of 5 continuous days unless an administrative recommendation has been made and agreed to by the student's parent/guardian. If a student is recommended for a period of suspension exceeding 5 continuous days, a second conference will be scheduled between the parent/guardian to discuss the progress of the suspension upon the completion of the 10th day of suspension. A student may be suspended from school for not more than 20 school days in any school year, however, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion.

Arrangements shall be made to provide the student with classroom material and current assignments to be completed at home during the length of the suspension.

Step 4: Recommendations for Expulsion

If the Site Administrator's recommendation is for expulsion, the student and the student's parents will be invited to a conference to determine if the suspension for the student should be extended pending an expulsion hearing. This determination will be made by the Site Administrator upon either of the following findings:

- The student's presence will likely be disruptive to the educational process
- The student poses a threat or danger to others

Upon this determination, the student's suspension will be extended pending the results of an expulsion hearing.

Students will be recommended for expulsion if the Site Administrator finds that at least one of the following findings may be substantiated:

- Other means of correction are not feasible or have repeatedly failed to bring about proper conduct
- Due to the nature of the violation, the presence of the student causes a continuing danger to the physical safety of the student or others

Step 5: Expulsion Hearing

Students recommended for expulsion are entitled to a hearing to determine whether the student should be expelled. The hearing will be held within 30 days after the BPA Site Administrator determines that an act subject to expulsion has occurred. The hearing may be presided over by the Governing Board or an administrative panel (of other local school charter leaders) appointed by the Board. The expulsion hearing will be recorded and made available as part of the public record and a Fact and Findings document will be prepared to summarize the evidence presented at the hearing, to substantiate the expulsion decision.

Written notice of the hearing will be forwarded to the student and the student's parents at least 10 calendar days before the date of the hearing. This notice will include:

- The date and place of the hearing
- A statement of the specific facts, charges and offense upon which the proposed expulsion is based
- A copy of the disciplinary rules that relate to the alleged violation
- The opportunity for the student or the student's parents to appear in person at the hearing
- The opportunity for the student to be represented by counsel
- The right to examine and acquire copies of all documents to be used at the hearing
- The opportunity to cross-examine all witnesses that testify at the hearing
- The opportunity to present evidence and witnesses on behalf of the student

Upon expulsion, written notice will be sent by the Site Administrator to the parents of any student who is expelled. This notice will include the following:

- The specific offense committed by the student for any of the acts listed in “Reasons for Suspension and/or Expulsion.”
- Notice of the student or parent obligation to inform any new district in which the student seeks to enroll of the student’s status with BPA.

In the event of a decision to expel a student, the school will work cooperatively with the district of residence, county and/or private schools to assist with the appropriate educational placement of the student who has been expelled. Any incident of violent and/or serious student behavior shall be communicated to the district/school to which the student matriculates.

If the decision is not to expel, the student will return to classes at BPA.

Appeal of Suspension or Expulsion

Parents will be notified in advance to enactment of the suspension or expulsion and can appeal a student’s suspension or expulsion.

The suspension of a student will be at the discretion of the Site Administrator or the Site Administrator’s designee. A suspension appeal may be made to the Site Administrator within the term of the suspension. Following due consideration, the Site Administrator’s decision regarding student suspension will be considered final.

An expulsion may be appealed within ten working days and must be submitted in writing to the Site Administrator. The student will be considered suspended until a meeting is convened to hear the appeal (within 10 working days), at which time the parents must attend to present their appeal. The appeal will be heard by a fair and impartial panel selected by the BPA Board of Directors. For a student who is not reinstated upon appeal, the family will be sent written notification of such, including specific reasons why reinstatement was denied, and will be given a new eligibility review date.

The decision of the panel of representatives of the Board will be final.

Rehabilitation, Expulsion Placement, and Readmission

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

The decision to readmit a student or to admit a previously expelled student from another school district or charter school shall be in the sole discretion of BPA’s Governing Board and the pupil and guardian or representative, to determine whether the student has successfully completed the rehabilitation plan and to determine whether the student poses a threat to others or will be disruptive to the school environment. The student’s readmission is also contingent upon the capacity of BPA at the time the student seeks readmission. BPA will request a copy of the rehabilitation plan and work with the expelling school/district to ensure the student is provided with the supports and interventions needed for successful reinstatement.

Suspension or Expulsion of Students with Disabilities

In the case of a student who has an IEP, or a student who has a 504 Plan, BPA will ensure that it follows the correct disciplinary procedures to comply with the mandates of state and federal laws, including the IDEA and Section 504 of the Rehabilitation Plan of 1973. An IEP team will meet to conduct a manifestation determination and to discuss alternative placement. Prior to recommending expulsion for a student with a 504 Plan, BPA Site Administrator will convene a manifestation determination meeting to ask the following two questions: A) Was the misconduct caused by, or directly and substantially related to the student's disability? B) Was the misconduct a direct result of the school's failure to implement the 504 Plan?

Services during Suspension

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

Procedural Safeguards/Manifestation Determination

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

- a) If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or
- b) If the conduct in question was the direct result of the local educational agency's failure to implement the IEP.

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

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

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

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

Due Process Appeals

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

When an appeal relating to the placement of the student or the manifestation determination has been requested by either the parent or BPA, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the forty-five (45) day time period provided for in an interim alternative educational setting, whichever occurs first, unless the parent and BPA agree otherwise.

Special Circumstances

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

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

- a. Carries or possesses a weapon, as defined in 18 USC 930, to or at school, on school premises, or to or at a school function;
- b. Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function; or
- c. Has inflicted serious bodily injury, as defined by 20 USC 1415(k)(7)(D), upon a person while at school, on school premises, or at a school function.

Interim Alternative Educational Setting

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

Procedures for Students Not Yet Eligible for Special Education Services

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

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

- a. The parent/guardian has expressed concern in writing, or orally if the parent/guardian does not know how to write or has a disability that prevents a written statement, to BPA supervisory or administrative personnel, or to one of the child's teachers, that the student is in need of special education or related services.
- b. The parent has requested an evaluation of the child.
- c. The child's teacher, or other BPA personnel, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the special education case manager or to other BPA supervisory personnel.

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

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

BPA shall not be deemed to have knowledge that the student had a disability if the parent has not allowed an evaluation, refused services, or if the student has been evaluated and determined to not be eligible.

Notification

In a timely manner, designated HUSD staff will be notified by a designated member of the BPA staff of any expulsions.

In addition, BPA includes data on suspensions and expulsions in its annual performance report to HUSD.

ELEMENT 11

Employee Retirement System

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(b)(5)(K)

Retirement Benefits

BPA's Board of Directors shall determine which school-sponsored retirement plans will be available to various types of staff. BPA's Board of Directors retains the option for BPA to participate in the State Teachers' Retirement System (CalSTRS), or a 403b retirement plan that may offer rates competitive within the existing marketplace, or to implement any other retirement plan at its discretion. BPA will coordinate such participation as appropriate with the Social Security system or other reciprocal system, so that at a minimum, all staff will be covered by STRS and/or PERS, or alternatively, by federal social security, pursuant to Education Code section 47605(b)(5)(K). All employees who are not members of STRS or PERS must contribute to the federal social security system. If the Board of Directors determines to participate in STRS for certificated employees who are eligible, and STRS is no longer available for Charter Schools, BPA may offer a matching rate on the 403b plan that would be competitive within the existing marketplace. Currently, BPA does not intend to participate in the Public Employees Retirement System (CalPERS). BPA will be responsible for contracting retirement plan services with an experienced provider selected by the Board.

BPA will make appropriate arrangements with the County Office of Education to insure proper reporting in accordance with Education Code Section 47611.3, as applicable. The County Office shall cooperate as necessary to forward any required payroll deductions and related data to the appropriate agencies in exchange for its actual costs for providing the service.

Certificated, classified, and other staff members of the school shall retain all previously vested rights in their respective retirement systems, including, but not limited to, STRS, PERS, and the Social Security System.

Other Benefits

Life, health, dental and vision benefits will also be provided to all full-time employees. The Board of Directors will determine the amount paid to employee benefits on an annual basis.

Comment [GAP1]: Do you really want to commit to this? If so, need to clarify what are "related benefits"?

BPA will also make contributions for workers' compensation insurance, Medicare, unemployment insurance, and any other payroll obligations of an employer as required by law.

Oversight of Benefits

BPA has contracted with Delta Managed Solutions (DMS) to handle payroll and accounting services. The Site Administrator will be responsible for ensuring that all appropriate arrangements for retirement coverage have been made for employees. The Board of Directors may, in its discretion, contract with another qualified provider for payroll and accounting services.

Policies may change during the term of the charter. BPA will routinely review potential retirement options for its employees and will provide the most valuable and convenient options available.

BPA will inform prospective employees of the retirement system in place for employees of the Charter School prior to employment, as required by Education Code Section 47611.

ELEMENT 12

Public School Attendance Alternatives

The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools.

California Education Code Section 47605(b)(5)(L)

Public School Attendance Alternatives

No student shall be required to attend BPA. Students who reside within HUSD who choose not to attend BPA may attend a school within HUSD according to HUSD policy or at another school district or school within HUSD through HUSD's intra and inter-district policies. Parents and guardians of each student enrolled in BPA will be informed on admissions forms that the students have no right to admission in a particular school of any local education agency as a consequence of enrollment in BPA, except to the extent that such a right is extended by the local education agency.

ELEMENT 13**Employee Return Rights**

A description of the rights of any employee of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school.

California Education Code Section 47605 (b)(5)(M)

Employee Return Rights

No HUSD employee shall be required to work at BPA. Employees of HUSD who choose to leave the employment of HUSD to work at BPA will have no automatic rights of return to HUSD after employment by BPA unless specifically granted by HUSD through a leave of absence or other agreement in accordance with the Board policies and collective bargaining agreements of HUSD.

All employees of BPA will be considered the exclusive employees of BPA and not of HUSD, unless otherwise mutually agreed in writing. Sick or vacation leave or years of service credit at HUSD or any other school district will not be transferred to BPA. Employment by BPA provides no rights of employment at any other entity, including any rights in the case of closure of BPA.

ELEMENT 14

Dispute Procedures

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

Disputes between the District and BPA

BPA and HUSD will be encouraged to attempt to resolve any disputes with HUSD amicably and reasonably without resorting to formal procedures.

In the event of a dispute between BPA and HUSD, BPA staff, employees and Board members of BPA and HUSD may agree to first frame the issue in written format (“dispute statement”) and may refer the issue to the HUSD Superintendent and Executive Director of BPA. In the event that the HUSD 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, BPA requests this be noted in the written dispute statement. However, BPA understands participation in the dispute resolution procedures outlined in this section shall not impede or act as a pre-requisite to HUSD’s ability to proceed with revocation in accordance with Education Code Section 47607.

The Executive Director and Superintendent may informally meet and confer in a timely fashion in an 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 Executive Director of BPA 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 Executive Director may meet jointly to identify a neutral third party mediator to engage the Parties in a voluntary mediation session designed to facilitate resolution of the dispute. The format of the mediation session shall be developed jointly by the Superintendent and the Executive Director. Mediation shall be held within sixty business days of receipt of the dispute statement. The costs of the mediator shall be split equally between HUSD and BPA, except each party shall be responsible for its own legal representation, if any. 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 HUSD and BPA. A designee may be utilized by the Superintendent or Executive Director in following this process. During this process, both parties will not make any public comments

ELEMENT 15

Employer Status

*A declaration whether or not the charter school shall be deemed the exclusive public school employer of the employees of the charter school for purposes of Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code.
California Education Code Section 47605 (b)(5)(O).*

Employer Status

BPA will be deemed the exclusive public school employer of the employees of BPA for the purposes of the Educational Employment Relations Act (Chapter 10.7 (commencing with section 3540) of Division 4 of Title 1 of the Government Code) (“EERA”). BPA recognizes the employees’ rights under the EERA provisions to organize for collective bargaining.

ELEMENT 16

Charter School Term, Renewal and Closure

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

California Education Code Section 47605(b)(5)(P)

Term of the Charter

The term of this Charter will be five years, commencing July 1, 2015.

Charter Renewal

The Charter School must submit its renewal petition to the District's Charter Schools Division no earlier than September of the year before the charter expires.

Closure Protocol

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

The Board will promptly notify parents and students of BPA, HUSD, the Riverside County Office of Education, BPA's SELPA, the retirement systems in which BPA's employees participate (e.g., 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 and 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 of pupil records, including specific information on completed courses and credits that meet graduation requirements.

The Board will ensure that the notification to the parents and students of BPA 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 BPA.

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, BPA will provide parents, students and HUSD 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. BPA will ask HUSD to store original records of BPA students. The non-profit shall serve as the "responsible entity" to conduct closure-related activities and submit proof that BPA has secured the services of said entity to conduct closure-related activities. The Board Chair will be the individual responsible for overseeing these procedures. All records of BPA shall be transferred to HUSD upon BPA closure. If HUSD will

not or cannot store the records, BPA 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, BPA will prepare final financial records. BPA will also have an independent audit completed within six months after closure. BPA will pay for the final audit. The audit will be prepared by a qualified Certified Public Accountant selected by BPA and will be provided to HUSD 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 BPA.

BPA will complete and file any annual reports required pursuant to Education Code section 47604.33.

Upon closure of BPA, all assets of BPA, including but not limited to all leaseholds, personal property, intellectual property and all ADA apportionments and other revenues generated by students attending BPA, remain the sole property of BPA and shall be distributed in accordance with the Articles of Incorporation upon the dissolution of the non-profit public benefit corporation. Any assets that are HUSD's property will be promptly returned, to HUSD. 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.

Upon closure, BPA shall remain solely responsible for all liabilities arising from the operation of BPA.

As BPA is operated by a non-profit public benefit corporation, should the corporation dissolve with the closure of BPA, 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 in the proposed budget, BPA will utilize the reserve fund to undertake any expenses associated with the closure procedures identified above.

APPENDICES