

# **BULLIS CHARTER SCHOOL**

## **AFFIRMATIONS**

The Bullis Charter School shall be non-sectarian in its programs, admissions policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against any pupil on the basis of race, ethnicity, national origin, gender, or disability.

The Bullis Charter School shall admit all pupils within the State of California who wish to attend the School subject to capacity.

All meetings of the Board of the Bullis Charter School shall be held in compliance with the Brown Act.

The Bullis Charter School shall comply with all applicable state and federal laws in serving students with disabilities including, but not limited to, Section 504 of the Rehabilitation Act, the Americans with Disabilities Act and the Individuals with Disabilities in Education Act.

The Bullis Charter School shall offer at a minimum, the same number of minutes of instruction set forth in paragraph (3) of subdivision (a) of Education Code Section 46201 for the appropriate grade levels.

The Bullis Charter School shall maintain accurate and current written records that document all pupil attendance and make these records available for audit and inspection.

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

The Bullis Charter School shall on a regular basis consult with its parents and teachers regarding the School's education programs.

## I. 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.*

*- California Education Code Section 47605 (b) (5) (A)*

### HISTORY

From 1962 to June, 2003, the Bullis-Purissima School operated as a traditional school site within the Los Altos School District (“District”). On February 10, 2003, the District Board voted to close the traditional school site, and in so doing, reroute the existing pupils and teachers of the Bullis-Purissima School to other District schools. Parents and interested members of the community joined together to form the Bullis Charter School (“School”), a non-profit, public benefit corporation, to create a charter school and operate the School within the boundaries of the Los Altos Elementary School District. The BCS Board believes the former Bullis-Purissima site is the ideal location for the charter school, and the rural setting and environmental citizenship history of Los Altos Hills make a location within that town also ideal. As the former traditional school was award-winning, with a statewide ranking and similar school ranking of 10 on the 2002 Academic Performance Index (“API”), the parents and community members are seeking to build upon the former educational program of the traditional school.

### MISSION STATEMENT

Bullis Charter School offers a collaborative, experiential learning environment that emphasizes individual student achievement and inspires children, faculty and staff to reach beyond themselves to achieve full potential. Using a global perspective to teach about the interconnectedness of communities and their environments, the BCS program nurtures mutual respect, civic responsibility and a lifelong love of learning.

### GOALS

The School is dedicated to developing a strong collaborative community which nurtures excellence in education, fosters a love of learning and social responsibility, and builds respect for individuality and diversity. The School shall seek to develop well-rounded students who are self-motivated, competent, life-long learners who view school as an experience, a community, and a means to a great beginning in academic and professional life.

### CORE VALUES

- **COMMUNITY--Community means we care about each other like a family.** Because we value community each person will understand that as citizens we have duties and responsibilities, as well as rights. It is important that we work together to achieve goals and

to make our world a better place. The Bullis Charter School is not the building, the teachers, the students, nor the parents; it is all of them put together.

- **HONESTY--Honesty means we tell the truth.** Because we value honesty we expect that each person will share ideas openly, in a climate of trust and integrity so that what is written or said can be accepted as truth. We are honest so that we can trust our relationships with others.
- **RESPECT--Respect means we honor ourselves and others.** Because we value respect we expect that each person will respond sensitively to the ideas and needs of others without dismissing or degrading them. People, our school, and our community are held in high regard. Respect for oneself, fellow students, parents, teachers, learning, and property is shown in the following ways:
- **COMPASSION--Compassion means we care about others.** Because we value both compassion and tolerance, we can be sympathetic to others' distress and make attempts to decrease it. We can "stand in the shoes" of others to understand another's viewpoint. This requires acceptance and appreciation of differences of opinion, religion, race, heritage, family viewpoints, and opinions.
- **RESPONSIBILITY--Responsibility means we take ownership for our actions.** Because we value responsibility each person will be accountable for attempting to achieve his or her full potential. This requires self-discipline, taking initiative, and being willing to take risks.

## **WHOM THE SCHOOL IS ATTEMPTING TO EDUCATE**

The School seeks to educate all students in the state of California who wish to attend the School subject only to capacity, with a focus on serving students in the Los Altos Elementary School District especially the former Bullis-Purissima Elementary School community. The School seeks to preserve a neighborhood school environment, serving kindergarten through sixth grade students.

## **WHAT IT MEANS TO BE AN “EDUCATED PERSON” IN THE 21ST CENTURY**

An “educated person” in the 21st century is a lifelong learner who has developed competence, self-motivation, confidence, and responsibility.

## **THE ACADEMIC ATTRIBUTES OF AN EDUCATED PERSON IN THE 21ST CENTURY INCLUDE:**

- Knowledge of and ability to demonstrate solid skills in reading, writing and speaking;
- A core knowledge which includes cultural, mathematical and scientific literacy;
- Understanding of the scientific process;
- Knowledge of history;
- Ability to think critically, creatively, analytically, and logically;
- Ability to use technology as a tool and understanding its uses;

- Ability to gather and organize information;
- Understanding of the mathematical process including application;
- Ability to critically assess data;
- Ability to appreciate, enjoy and respect the visual and performing arts;
- An understanding of the political process.

**THE PERSONAL ATTRIBUTES OF AN EDUCATED PERSON IN THE 21ST CENTURY INCLUDE:**

- Concentration, focus and perseverance;
- Ability to work cooperatively with others;
- Adaptability;
- A strong sense of connection to and responsibility for the world;
- Valuing relationships, respect for others and for authority;
- Ability to honor differences including cultural, ideological and philosophical;
- Resourcefulness, confidence and motivation;
- Enthusiasm, a sense of wonder and curiosity;
- A passion for lifelong learning;
- Clearly developed emotional intelligence;
- Ability to communicate with respect and compassion;
- A strong social conscience;
- Celebrates diversity;
- A global perspective;
- Ability to think logically, make informed evaluations and problem solve.

**HOW LEARNING BEST OCCURS**

The School believes that each and every child can be academically successful and that each and every student is unique. The School believes that learning best occurs in self-contained classrooms led by teachers with the skills and knowledge of a variety of teaching techniques and methods, and specialized materials that can meet the instructional needs of every student. The school also believes in the use of meaningful assessment methods in order to prescribe the best teaching methods for each student.

Although there is no assurance that each child will master every instructional area, a major effort will be made to ensure maximum understanding and mastery. We believe that the potential for learning best occurs in environments that include meaningful content with choices for learning: adequate time, space and materials; immediate and meaningful feedback and benchmarks of progress; enriched environment and collaborative learning opportunities.

Teaching methods should include, but are not limited to:

- Inquiry method of instruction
- Small classes, and opportunities for small group learning
- Interactive, experiential learning opportunities
- Use of programs and supplemental materials that reinforce state standards

## **INSTRUCTIONAL PROGRAM**

The School is successfully implementing a comprehensive, rigorous core curriculum. The curricular materials meet all state standards and prepare students for the annual state assessment tests. The core curriculum for our students focuses on the areas of mathematics, reading, language arts (both oral and written), social studies and science. All students shall also receive instruction in physical education, fine and performing arts, music, life skills, and reference/computer skills and have access to co- and extra-curricular classes. The educational program emphasizes experiential, hands-on, collaborative learning based on the assessed individual needs of students as envisioned in the school mission.

Teachers will receive on-going professional development in the implementation of this curriculum, and will be encouraged to supplement and adapt materials according to local conditions and needs of the student population.

The Superintendent/Superintendent/Principal and professional staff will be knowledgeable of local instructional networking opportunities. Staff will explore their applicability to our school environment and their potential to leverage school resources, further develop site expertise, and enhance student- learning outcomes. Staff will also be responsible for managing such programs and designing meaningful assessments of success.

The School shall operate a longer school day and/or a longer school year, i.e., the number of minutes of instruction in the student year meets or exceeds state standards.

## **ENGLISH LANGUAGE LEARNERS**

The School shall continue to serve and provide English Language Learners (“ELL”) at the school site through a sheltered English immersion program. Under this program the student is enrolled in a regular class and receives supplementary instruction in order to learn English. The School shall comply with all applicable laws in regard to services and the education of English Language Learner (“ELL”) students. The School shall develop and implement, and maintain policies and procedures for the provision of services to ELL students in accordance with guidance published by the Office of Civil Rights of the U.S. Department of Education. At a minimum these policies and procedures shall ensure the following:

- Identify students who need assistance.
- Develop a program which, in the view of experts in the field, has a reasonable chance for success.
- Ensure that necessary staff, curricular materials, and facilities are in place and used properly.

- Develop appropriate evaluation standards, including program exit criteria, for measuring the progress of students; and assess the success of the program and modify it where needed.

## **SPECIAL EDUCATION STUDENTS AND STUDENTS WITH DISABILITIES**

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

The School shall be solely responsible for its compliance with Section 504 and the ADA.

Special education services shall be provided and funded in accordance with the terms of a Memorandum of Understanding (“MOU”) with the Santa Clara County Office of Education (“County Office”).

## **II. MEASURABLE PUPIL OUTCOMES**

*The measurable pupil outcomes identified for use by the School. “Pupil outcomes” for purpose of this part, means the extent to which all pupils of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school’s educational program.*

*- California Education Code Section 47605 (b) (5) (B)*

In order to best serve our students and community, the School will continue to examine and refine its list of student outcomes over time to reflect the school's mission and any changes to state or local standards that support such mission.

### **STATE CONTENT STANDARDS**

The School is dedicated to documenting at least 85% student achievement of the state content standards each year.

### **STATE STANDARDIZED TESTING**

At least 85% of students will show one grade or skill level’s worth of progress each academic year, as evidenced by multiple local assessments.

### **ATTENDANCE**

The School shall strive, on average, to achieve student attendance comparable to other schools in the Los Altos School District in any given year.

### **ACADEMIC PERFORMANCE INDEX**

The School shall strive to maintain its API score and/or appropriate growth target.

### III. METHODS TO ASSESS PUPIL PROGRESS TOWARD MEETING OUTCOMES

*The method by which pupil progress in meeting those pupil outcomes is to be measured.  
- California Education Code Section 47605 (b) (5) (C)*

Pupil progress toward meeting the Student Outcomes shall be measured by state mandated annual standardized assessments. Standardized assessments allow us to compare our students' performance with the rest of the state. In the absence of a State Mandated test, the School will administer another nationally, standardized test. In addition, the school will provide internal learning performance accountability documentation.

This internal documentation may include, but is not limited to, student progress records at the end of each grading period, portfolios, teacher generated examinations and other methods by which student progress may be assessed. In addition, students will take home weekly completed schoolwork to keep parents informed of the nature and quality of work occurring in the classroom. The School shall encourage teachers to explore meaningful measurable outcomes to supplement the above instruments and promote teacher accountability.

<b>Measurable pupil outcomes</b>	<b>Local Benchmark Instruments</b>	<b>State-level Year-end assessments</b>
85% student achievement of the state content standards each year in its core subjects.	Student progress records, portfolios, locally developed/adopted content and skill assessment instruments	Current state accountability measures: for example, STAR: CAT6, SAT9, writing assessments
At least 85% of students will show one grade or skill level's worth of progress each academic year, as evidenced by multiple local assessments.	IRI, Writing Inventories, Gate-McGinites, end-of-unit tests, Individual Learning Plans	Current state accountability measures: for example, STAR: CST, CAT6, writing assessments
At least 85% student attendance.	Daily attendance reporting	Calculated ADA rate
Maintain or exceed the Academic Performance Index as required by the CDE.	Annual growth targets	Current state accountability measures: for example, STAR: CST, CAT6, writing assessments



## IV. GOVERNANCE STRUCTURE OF THE SCHOOL

*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)*

The School will be non-sectarian in its programs, admissions policies, employment practices, and all other operations. The School shall not charge tuition and shall not discriminate on the basis of race, ethnicity, national origin, gender or disability.

The School shall be operated as a California 501(c) (3) non-profit public benefit corporation separate from its supporting Foundation. The Articles of Incorporation are filed with the California Secretary of State. The School shall be governed pursuant to its Corporate Bylaws which shall be consistent with this charter. Pursuant to Education Code Section 47604(c), the County Office shall not be liable for the debts and obligations of the School, operated as a California non-profit, public benefit corporation.

The School shall operate autonomously from the County Office with the exception of supervisory oversight and special education services as required by statute.

### A. NON-PROFIT BOARD OF DIRECTORS

The School will be governed by a non-profit board of directors, whose major roles and responsibilities will include but not be limited to establishing and approving all major educational and operational policies, approving all major contracts, approving the School's annual budget, overseeing the School's fiscal affairs, meeting corporate requirements, and selecting and evaluating the administrative staff.

#### **Duties**

The School Board shall have ultimate responsibility for the operation and activities of the School. School Board members have a responsibility to solicit input from, and opinions of, the parents of School students regarding issues of significance and to weigh the input and opinions carefully before taking action. The primary method for executing their responsibility is the adoption of policies that offer guidance and interpretation of the charter, and procedures to assist the staff in facilitating the implementation of such policies.

The School Board will meet at least once a month or additionally as needed and will be responsible for carrying out School Board responsibilities including but not limited to the following:

- Development, review, or revision of the School's accountability and mission
- Review of the recommendations from the School Superintendent/Principal and hiring

committee for hiring of School personnel or independent contractors

- Development of the school calendar and schedule of School Board meetings
- Development of School Board policies and procedures
- Development and approval of the annual budget
- Review of recommended curriculum changes as needed
- Review of requests for out of state or overnight field trips
- Participation in the dispute resolution procedure and complaint procedures when necessary
- Review of quarterly financial reports
- Election of a School Board Chairperson annually and other Officers as necessary
- Approval of proposed charter amendments, with material revisions to be submitted for approval by the chartering agency pursuant to Education Code Section 47607
- Approval of annual fiscal and performance audits
- Approval of personnel discipline (suspensions or dismissals) as needed
- Appoint an administrative panel to act as a hearing body and take action on recommended student expulsions
- Hiring, supervision, evaluation, and if necessary, termination of the School Superintendent/Principal
- Creation of external or sub-committees as needed including but not limited to a hiring committee, a compensation committee, and an audit committee.

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

All meetings of the School Board shall be held in accordance with the Brown Act.

Unless necessity dictates otherwise, a School Board member shall not vote or participate in a discussion relating to a matter in which he/she has a direct personal financial interest (exceeding \$100). The Board shall adopt policies and procedures regarding self dealing and conflicts of interest.

The School Board may execute any powers delegated by law to it and shall discharge any duty imposed by law upon it and may delegate to an employee of the School any of those duties. The School Board, however, retains ultimate responsibility over the performance of those powers or duties so delegated. Such delegation will:

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

**B. SCHOOL SUPERINTENDENT/PRINCIPAL**

The Superintendent/Principal communicates directly with the School Board, and to the County Board of Education through its Superintendent or designee. The School Superintendent/Principal is fully responsible for the administration of the School. These responsibilities may include, but are not limited to:

- Coordination of the activities of the various operating bodies of the school.
- Attend meetings with the County Superintendent of Schools or designee as determined by a Memorandum of Understanding.
- Attendance at all School Board meetings, and attendance as necessary at County Board of Education meetings as a charter representative.
- Develop School Board meeting agenda in conjunction with the School Board secretary in compliance with the Brown Act.
- Compile and/or create supporting materials for the School Board meetings to be made available to the School Board in advance of each School Board meeting.
- Supervise, either directly or through subordinates, all employees of the School.
- Provide assistance and coordination to the Faculty in the development of curriculum.
- Interview and present recommendations for hiring School employees to the School Board for final approval.
- Provide timely performance evaluations of all School employees on a regular basis.

- Upon the direction of the School Board, termination of School employees in accordance with established policies and procedures.
- Development and administration of the budget in accordance with generally accepted accounting principles.
- Make budget line item revisions when necessary and report changes regularly to the School Board.
- Oversee parent/student/teacher relations.
- Attendance at IEP meetings when necessary.
- Student disciplinary matters.
- Proposal of policies for adoption by the School Board.
- Provide comments and recommendations regarding policies presented by others to the School Board.
- Establishment of procedures designed to carry out School Board policies.
- Create and appoint committees to assist in the execution of certain planning and administrative functions (known as “Superintendent/Principal appointed committees”).
- Site safety.
- Implement the Memorandum of Understanding between the School and the County Superintendent of Schools.
- Establish a Communication Model to facilitate communication among all the groups within the School, between the School and the County Office, and between the School and the community at large.
- Scheduling.
- Promotions.
- Communicate with School legal counsel.
- Staying abreast of School laws and legislation.
- Coordinate the communications of the recommendations of any

Superintendent/Principal appointed committees to the attention of the Board.

- Manage communications between County Office, the Superintendent of Schools and School Board.
- Develop the School annual performance audit.
- Present performance audit to the School Board and upon review of the School Board present audit to the County Board of Education and the County Superintendent of Schools.
- Approval of all purchase orders, pay warrants and requisitions, and upon approval forward on for processing.
- Presentation of a quarterly financial report to the School Board.
- Participation in the dispute resolution procedure and the complaint procedure when necessary.
- Plan and coordinate student orientation.
- Coordinate the administration of Standardized Testing.
- Grant writing.
- Communicate employment vacancies to the public.
- Assist in development and implementation of curriculum.
- Establish and execute enrollment procedures.
- Facilitate Open House events.

The above duties may be delegated or contracted as approved by the School Board to a business administrator of the School or other employee, a parent volunteer (only in accordance with student and teacher confidentiality rights) or to the County Office or a third-party provider.

### **C. FACULTY**

The Faculty, as provider of the day-to-day teaching and guidance to the children, is the primary resource of the school. All Faculty report to the Superintendent/Principal. The Superintendent/Principal shall provide ongoing feedback during the course of the year to foster continuous improvement along with periodic evaluations as appropriate.

The Faculty will be responsible for making recommendations to the Superintendent/Principal and assisting the Superintendent/Principal in the creation of and the implementation of the curriculum and ensuring that the curriculum reflects the mission of the School as well as recommendations regarding the purchase of any supporting curricular materials, programs or devices. Such recommendations include but are not limited to:

- Selection of textbooks
- Selection of computer programs
- Selection of learning programs
- Selection and planning of field trips
- Selection and administration of assignments, projects and exams
- Selection of and implementation of the grading rubric
- Student counseling as appropriate
- Initiation and implementation of new curriculum or classes
- Selection of extra-curricular activities
- Participation in the School dispute resolution procedure and complaint procedure when necessary.

Participation in an advisory capacity to the School Board shall not disqualify any employee of the School from the full exercise of any right or the entitlement to any benefit afforded employees of the school.

#### **D. CHAIRPERSON OF THE BOARD**

The Chairperson of the School Board shall conduct all School Board meetings. The School Board shall elect the chair during its first regular meeting following the seating of newly elected members. In the absence of the Chair, a School Board designee shall conduct meetings. The Chairperson shall develop the meeting agenda in conjunction with the Superintendent/Principal. The Chair shall participate in the dispute resolution procedure and the complaint procedure as necessary. The Chair shall also direct the Board's annual evaluation of the Superintendent/Principal.

#### **E. TEAM LEADER**

The Team Leader, or designee, will be responsible for attending all School Board meetings and all Faculty meetings. The Team Leader will be responsible for communicating the

recommendations of the faculty to the Superintendent/Principal and assisting the Superintendent/Principal with curriculum implementation. The Team Leader will participate in the dispute resolution procedure and the complaint procedure as necessary and will be the faculty representative on the hiring committee, or may appoint a designee. The Team Leader may act in an administrative capacity in the absence of the Superintendent/Principal unless otherwise decided by the board for reason of:

- Illness
- Administrative duties
- Vacation
- Temporary vacancy in position
- Emergency on site when the Superintendent/Principal is not on site.

#### **F. HIRING COMMITTEE**

All full-time and part-time prospective employees of the School will be screened and interviewed by a hiring committee which will make a recommendation to the Superintendent/Principal for a final decision and ratification by the School Board.

The hiring committee shall consist of the Superintendent/Principal, and other member appointed by the Superintendent/Principal.

The Superintendent/Principal shall be responsible for drafting interview questions.

A vacant position for the Superintendent/Principal will be filled by the School Board upon a prior recommendation of a committee of the School Board. The Committee shall consist of a parent representative appointed by the School Board, a member of the School Board, and the Faculty Chair.

All hiring is subject to each employee submitting fingerprints and receiving a criminal background summary and clearance as described in Education Code Section 44237.

#### **G. PARENT PARTICIPATION**

We expect all parents and staff shall be members of a Bullis Boosters Club (“BBC”) that shall present a forum for facilitating communication among parents and participation in school activities, similar in function to a typical Parent Teacher Association.

The BBC shall be governed in accordance with bylaws developed by the BBC.

The BBC is a means by which parents contribute time and skills toward the betterment of the children and the School. The BBC shall maintain a list of active committees. By their nature, the Committees will work with various bodies within the School, providing support

activities as appropriate.

To encourage additional parent involvement, the School shall at a minimum also do the following:

- develop an ongoing list of extensive participation opportunities for parents
- offer extra-curricular activities for both student and parent participation.

**H. CONFLICTS CODE**

The School shall adopt and shall abide by a Conflicts Code.

**I. BROWN ACT**

All meetings of the School Board shall be noticed and held in accordance with the Brown Act.



## V. EMPLOYEE QUALIFICATIONS

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

### TEACHERS

The charter school shall comply with Education Code Section 47605(l) which states in pertinent part:

“Teachers in charter schools shall be required to hold a Commission on Teacher Credentialing certificate, permit or other document equivalent to that which a teacher in other public schools would be required to hold. These documents shall be maintained on file at the charter school and shall be subject to periodic inspection by the chartering authority. It is the intent of the Legislature that charter schools be given flexibility with regard to non-core, non-college preparatory courses.”

Teachers are expected to meet both individual and School standards for effective teaching. Some of the Elementary responsibilities include evaluating student progress, communicating with parents and supervising playground time. To be considered for this position, a teacher must meet the following minimum requirements:

1. Skills/knowledge-

Must maintain minimum educational and experience requirements necessary to meet certification or credential requirements for an elementary or grade school teacher as amended or implemented from time to time.

2. Experience/education-

Prior teaching experience preferred but not required. Education or substituted experience acceptable to the State of California which meets the certification or credential standards established for elementary or grade school teachers.

3. Fingerprint and medical health clearance is mandated.

### SUPERINTENDENT/PRINCIPAL

The Superintendent/Principal supervises the campus teachers and non-instructional staff. Some of the Superintendent/Principal's responsibilities include training, hiring, admissions and marketing as previously outlined in this Charter. To be considered for this position, an individual must have:

1. High school graduate or GED;

2. A BA degree with at least one year of teaching;

3. An administrative credential;
4. Fingerprint and medical health clearance is mandated.

### **NON-INSTRUCTIONAL STAFF**

All non-instructional staff must possess experience and expertise appropriate for their position. Fingerprint and medical health clearance is mandated.

### **ALL STAFF**

Employees are expected to conduct themselves at all times in a manner consistent with the highest standards of personal character and professionalism with children, parents, prospective parents, co-workers, and the community.

Attitude is the most important facet of each employee's presentation of the School to the public. Employees must be courteous, tactful, and pleasant at all times, treating the most unpleasant people as well as they treat the most pleasant ones.

### **VOLUNTEERS**

The School welcomes parent and community volunteers. Volunteers shall be fingerprinted and receive a background clearance before volunteering on campus, unless the volunteer will be under the direct supervision of a credentialed employee at all times or unless the volunteer will not come into any contact, even limited, with students.

## **VI. HEALTH AND SAFETY PROCEDURES**

*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 record summary as described in Section 44237.  
- California Education Code Section 47605 (b) (5) (F)*

The School will adopt and implement health and safety policies to ensure the safety of pupils and staff. These policies include the requirement that each employee be fingerprinted and furnish the School with a criminal record summary as described in Section 44237, and the requirement that all employees provide proof of a clear tuberculosis test within the last four years. Students must provide proof of immunizations and health screening.

These policies shall be incorporated as appropriate into a student and staff handbooks and shall be reviewed on an ongoing basis by a committee of the School Board. Any additional health and safety policies and procedures along with any revisions of existing policies and procedures shall be submitted annually to the County Board of Education as part of the annual programmatic audit of the School.

**VII. MEANS TO ACHIEVE RACIAL/ETHNIC BALANCE  
REFLECTIVE OF THE DISTRICT**

*The means by which the school will achieve 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)*

The School shall implement a student recruitment strategy that includes, but is not necessarily limited to, the following elements or strategies to attempt to achieve a racial and ethnic balance among students that is reflective of the general population residing within the territorial jurisdiction of the Los Altos School District:

- An enrollment process that is scheduled and adopted to include a timeline that allows for a broad-based recruiting and application process.
- The development of promotional and informational material that appeals to all of the various racial and ethnic groups represented in the District.
- The distribution of promotional and informational materials to a broad variety of community groups and agencies that serve the various racial, ethnic, and interest groups represented in the District.
- Outreach meetings.

## VIII. ADMISSION REQUIREMENTS

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

### ENROLLMENT POLICY

All students who reside in the State of California may attend the School subject only to capacity at each grade level.

### APPLICATION PROCESS

The application process is comprised of the following:

- Completion of a student enrollment form
- Proof of immunization and physical exam
- Home Language survey
- Provision of a copy of official birth certificate
- Signed cumulative record request
- Completion of emergency medical card
- Verifications of residency

Applications will be accepted during open enrollment period(s) for enrollment in the following school year. Following each open enrollment period, each year's applications shall be counted to determine whether any grade level has received more applications than availability. In this event, the School will hold a public random lottery to determine enrollment for the impacted grade level, with the exception of existing students who are guaranteed enrollment in the following school year.

Preferences in the lottery shall be extended to the following, in order of priority:

1. Siblings of existing Bullis Charter School students who reside within the boundaries of the Los Altos School District.
2. Students who reside within the boundaries of the former Bullis-Purissima Elementary School attendance area, as drawn by LASD in the 2002-2003 school year (the "former Bullis attendance area").
3. Students who reside outside the former Bullis attendance area in the town of Los Altos Hills, California, and within the boundaries of the Los Altos School District.
4. All other students who reside within the boundaries of the town of Los Altos Hills, California.
5. Students who reside within the boundaries of the Los Altos School District.
6. Siblings of existing Bullis Charter School students who reside outside the boundaries of the Los Altos School District.
7. All other students who reside in California.

Students who are currently under an expulsion from a public school may not enroll in the School until the expulsion term has been documented as completed and the Student completes the rehabilitation plan created by the former school or as created by the School on behalf of the student.

At the conclusion of the lottery, all students who were not granted admission due to capacity shall be given the option to put their name on a wait list according to their draw in the lottery. Wait-lists will be maintained for the current enrollment year only. In no circumstance will a wait list carry over to the following school year.

## **IX. FINANCIAL AND PROGRAMMATIC AUDIT**

*The manner in which an annual, independent, financial audit 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)*

### **FISCAL AUDIT**

The School will cause to be conducted an annual independent audit of the School's financial affairs in accordance with the School's Memorandum of Understanding with the County Superintendent of Schools.

The audit will verify the accuracy of the School's financial statements, attendance and enrollment accounting practices, and review the school's internal controls. The audit will be conducted in accordance with generally accepted accounting principles applicable to the School. To the extent required under applicable federal law, the audit scope will be expanded to include items and processes specified in any applicable Office of Management and Budget Circulars. It is anticipated that the annual audit will be completed four months of the close of the fiscal year and that a copy of the auditor's findings will be forwarded to the chief financial officer of the County Office, and to the CDE by December 15<sup>th</sup> each year. The School's Superintendent/Principal along with an audit committee will review any audit exceptions or deficiencies and report to the School's Board with recommendations on how to resolve them. The School Board will submit a report to the County Office describing how the exceptions and deficiencies have been or will be resolved. Any disputes regarding the resolution of audit exceptions and deficiencies will be referred to the dispute resolution process contained in Section XIV of this Charter.

### **PROGRAMMATIC AUDIT**

The School will compile and provide to the County Office an annual performance report. This report will, at a minimum, include the following data:

- Summary data showing student progress toward the goals and outcomes specified in Section II from assessment instruments and techniques listed in Section III.
- An analysis of whether student performance is meeting the goals specified in Section II. This data will be displayed on both a School-wide basis and disaggregated by major racial and ethnic categories to the extent feasible without compromising student confidentiality.
- A summary of major decisions and policies established by the School Board during the year.
- Data on the level of parent involvement in the School's governance (and other aspects

of the school, if applicable) and summary data from an annual parent and student satisfaction survey, if applicable.

- Data regarding the number of staff working at the school and their qualifications.
- A copy of the school's health and safety policies and/or a summary of any major changes to those policies during the year.
- Information demonstrating whether the School implemented the means listed in charter Element VII. to achieve a racially and ethnically balanced student population.
- An overview of the School's admissions practices during the year and data regarding the numbers of students enrolled, the number on waiting lists, and the numbers of students expelled and/or suspended.
- Analyses of the effectiveness of the School's internal and external dispute mechanisms and data on the number and resolution of disputes and complaints.
- Other information regarding the educational program and the administrative, legal, and governance operations of the School relative to compliance with the terms of the charter generally.

The content, evaluation criteria, timelines, and process for the annual performance report will comply with the School's Memorandum of Understanding with the county Superintendent of Schools.

The School will allow for site visitation as per the School's Memorandum of Understanding with the County Superintendent of Schools.



## **X. PUPIL SUSPENSION AND EXPULSION**

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

This Pupil Suspension and Expulsion Policy has been established in order to promote learning and protect the safety and well-being of all students at the School. When the Policy is violated, it may be necessary to suspend or expel a student from regular classroom instruction.

School staff shall enforce disciplinary rules and procedures fairly and consistently amongst all students. This Policy and its Procedures will be printed and distributed as part of the Student Handbook and will clearly describe discipline expectations.

Discipline includes but is not limited to advising and counseling students, conferring with parents/guardians, detention during and after school hours, the 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.

The Superintendent/Principal shall ensure that students and their parents/guardians are notified in writing upon enrollment of all discipline policies and procedures. The notice shall state that this Policy and Administrative Procedures are available on request at the Superintendent/Principal's office.

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

A student identified as an individual with disabilities or for whom the School has a basis of knowledge of a suspected disability pursuant to the Individuals with Disabilities in Education Act ("IDEA") or who is qualified for services under Section 504 of the Rehabilitation Act of 1973 (Section 504) is subject to the same grounds for suspension and expulsion and is accorded the same due process procedures applicable to regular education students except when federal and state law mandates additional or different procedures. The School will follow Section 504 of the Rehabilitation Act, Individuals with Disabilities in Education Act (IDEA), the Americans with Disabilities Act (ADA) of 1990 and all federal and state laws when imposing any form of discipline on a student identified as an individual with disabilities or for whom the School has a basis of knowledge of a suspected disability or who is otherwise qualified for such services or protections in according due process to such students.

A. Definitions (as used in this policy)

1. "Board" means governing body of the School.
2. "Expulsion" means disenrollment from the School.
3. "School day" means a day upon which the School is in session or weekdays during the summer recess.
4. "Suspension" means removal of a pupil from ongoing instruction for adjustment purposes. However, "suspension" does not mean the following:
  - a. Reassignment to another education program or class at the School where the pupil will receive continuing instruction for the length of day prescribed by the School Board for pupils of the same grade level.
  - b. Referral to a certificated employee designated by the Superintendent/Principal to advise pupils.
  - c. Removal from the class but without reassignment to another class for the remainder of the class period without sending the pupil to the Superintendent/Principal or designee.
5. "Pupil" includes a pupil's parent or guardian or legal counsel or other representative.
6. "School" means the Bullis Charter School.

B. Grounds for Suspension and Expulsion of Students

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

C. Enumerated Offenses

Students may be suspended or expelled for any of the following acts when it is determined the pupil:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, except in self-defense.
2. 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, with the Superintendent/Principal/Administrator or designee's concurrence.

3. Unlawfully possessed, used, sold or otherwise furnished, or was under the influence of, any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind.
4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage or intoxicant of any kind, and then sold, delivered or otherwise furnished to any person another liquid substance or material and represented same as controlled substance, alcoholic beverage or intoxicant.
5. Committed or attempted to commit robbery or extortion.
6. Caused or attempted to cause damage to school property or private property.
7. Stole or attempted to steal school property or private property.
8. Possessed or used tobacco or any products containing tobacco or nicotine products, including but not limited to cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel.
9. Committed an obscene act or engaged in habitual profanity or vulgarity.
10. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5
11. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties.
12. Knowingly received stolen school property or private property.
13. Possessed an imitation firearm, i.e., a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code 243.4.
15. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student

from being a witness and/or retaliating against that student for being a witness.

16. Made terrorist threats against school officials and/or school property.
17. Committed sexual harassment.
18. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence.
19. Intentionally harassed, threatened or intimidated a student or group of students to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading student rights by creating an intimidating or hostile educational environment.

The above list is not exhaustive and depending upon the offense, a pupil may be suspended or expelled for misconduct not specified above.

Alternatives to suspension or expulsion will first be attempted with students who are truant, tardy, or otherwise absent from assigned school activities.

#### D. Suspension Procedure

Suspensions shall be initiated according to the following procedures.

##### 1) Informal Conference

Suspension shall be preceded, if possible, by an informal conference conducted by the Superintendent/Principal or the Superintendent/Principal's designee with the student and his or her parent and, whenever practicable, the teacher, supervisor or school employee who referred the student to the Superintendent/Principal.

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

At the conference, the pupil shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given the opportunity to present his or her version and evidence in his or her defense.

This conference shall be held within two school days, unless the pupil waives this right or is physically unable to attend for any reason, including, but not limited to incarceration or hospitalization.

No penalties may be imposed on a pupil for failure of the pupil's parent or guardian to attend a conference with school officials. Reinstatement of the suspended pupil shall not be contingent upon attendance by the pupil's parent or guardian at the conference.

2) Notice to Parents/Guardians

At the time of the suspension, a School employee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension. This notice shall state the specific offense committed by the student. In addition, the notice may also state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may request that the parent/guardian respond to such requests without delay.

3) Suspension Time Limits/Recommendation for Expulsion

Suspensions, when not including a recommendation for expulsion shall not exceed five (5) consecutive school days per suspension.

Upon a recommendation of expulsion by the Superintendent/Principal, the pupil and the pupil's guardian or representative will be invited to a conference to determine if the suspension for the pupil should be extended pending an expulsion hearing. This determination will be made by the Superintendent/Principal upon either of the following determinations: 1) the pupil's presence will be disruptive to the education process; or 2) the pupil poses a threat or danger to others. Upon either determination, the pupil's suspension will be extended pending the results of an expulsion hearing.

E. Authority to Expel

A student may be expelled either by the School Board following a hearing before it or by the School Board upon the recommendation of an Administrative Panel to be assigned by the School Board as needed. The Panel should consist of at least three members. The Administrative Panel may recommend expulsion of any student found to have committed an expellable offense.

F. Expulsion Procedures

Students recommended for expulsion are entitled to a hearing to determine whether the student should be expelled. Unless postponed for good cause, the hearing shall be held within thirty (30) school days after the Superintendent/Principal or designee determines that the Pupil has committed an expellable offense.

The expulsion hearing will be presided over by the School Board President Chair or the chair of the Administrative Panel. In the event an administrative panel hears the case, it will make a recommendation to the Board for a final decision whether to expel. The hearing shall be held in closed session unless the pupil makes a written request for a public hearing three (3) days prior to the hearing.

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

- 1) The date and place of the expulsion hearing;
- 2) A statement of the specific facts, charges and offenses upon which the proposed expulsion is based;
- 3) A copy of the School's disciplinary rules which relate to the alleged violation;
- 4) Notification of the student's or parent/guardian's obligation to provide information about the student's status at the school to any other school district or school to which the student seeks enrollment;
- 5) The opportunity for the student or the student's parent/guardian to appear in person or to employ and be represented by counsel or an advocate;
- 6) The right to inspect and obtain copies of all documents to be used at the hearing;
- 7) The opportunity to confront and question all witnesses who testify at the hearing;
- 8) The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf including witnesses.

#### G. Record of Hearing

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

#### H. Presentation of Evidence

While technical rules of evidence do not apply to expulsion hearings, evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. A recommendation by the Administrative Panel to expel must be supported by substantial evidence that the student committed an expellable offense.

Findings of fact shall be based solely on the evidence at the hearing. While hearsay evidence is admissible, no decision to expel shall be based solely on hearsay, and sworn declarations may be admitted as testimony from witnesses of whom the School Board, Panel or designee determines that disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm.

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

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

#### I. Written Notice to Expel

The Superintendent/Principal or designee following a decision of the School Board to expel shall send written notice of the decision to expel, including the School Board's findings of fact, to the student or parent/guardian. This notice shall include the following:

- 1) Notice of the specific offense committed by the student.
- 2) Notice of the right to appeal the expulsion to the County Board of Education or if the County is unwilling to hear such appeals, an appellate administrative panel composed of retired or current school administrators or teachers who are not related to the School to hear expulsion appeals but who will follow the expulsion appeal procedures outlined in Education Code Sections 48921-48924.
- 3) Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the School.

The Superintendent/Principal or designee shall send written notice of the decision to expel to the Student's District of residence, the Chartering District and the County Office of Education.

This notice shall include the following:

- a) The student's name
- b) The specific expellable offense committed by the student.

J. Disciplinary Records

The School shall maintain records of all student suspensions and expulsions at the School. Such records shall be made available for the County's review upon request.

K. Expelled Pupils/Alternative Education

Pupils who are expelled shall be responsible for seeking alternative education programs including but not limited to programs within the County or their school district of residence.

L. Rehabilitation Plans

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

M. Readmission

The decision to readmit a pupil or to admit a previously expelled pupil from another school district or School shall be in the sole discretion of the School Board following a meeting with the Superintendent/Principal and the pupil and guardian or representative, to determine whether the pupil has successfully completed the rehabilitation plan and to determine whether the pupil poses a threat to others or will be disruptive to the school environment. The Superintendent/Principal shall make a recommendation to the School Board following the meeting regarding his or her determination. The pupil's readmission is also contingent upon the School's capacity at the time the student seeks readmission.



## **XI. RETIREMENT SYSTEM**

*The manner by which staff members of the 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)*

All staff will participate in the federal social security system. The school retains the option for its School Board to elect to participate in the State Teachers Retirement System and/or Public Employees Retirement System and coordinate such participation, as appropriate, with the social security system or other reciprocal systems in the future, should it find that participation enables the school to attract and retain a higher quality staff.

Additionally, the School Board may consider offering a 403(b) or alternative or supplemental retirement programs. If applicable, the County Office shall create any reports required by STRS or PERS if applicable at a later date for School employees and may charge the School for its actual costs of providing this service pursuant to Education Code section 47611.3. The School shall inform all applicants for positions within the School of the retirement system options for employees of the School.

## **SALARY AND BENEFITS**

All employees of the School shall receive salary and benefits which are competitive to the salary and benefits of the equivalent employees of the Los Altos School District as may be negotiated by the Los Altos School District and the collective bargaining units from time to time.

## **XII. ATTENDANCE ALTERNATIVES**

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

*- California Education code Section 47605 (b) (5) (L)*

Students who opt not to attend the School may attend other schools within their school district of residence, another charter school, or pursue an inter-district transfer in accordance with existing enrollment and transfer policies of their district or county of residence. Enrollment in the School does not generate any entitlement to any other School of the Los Altos School District unless such student is a District resident or is otherwise approved for District admission.

### **XIII. DESCRIPTION OF EMPLOYEE RIGHTS**

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

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

All staff members of the School shall be considered employees of the School during their employment within the School, with the exception of staff members who are specifically hired as independent contractors. To the extent any employee of the District or County Office leaves the District or County Office to work at the School, the employee shall have the right of return, employment, or gain of seniority at the District or County as long as the employee requests and is granted a leave of absence by the District Board of Trustees or County Board of Education pursuant to any applicable collective bargaining agreement.

#### **XIV. DISPUTE RESOLUTION PROCESS, OVERSIGHT REPORTING, AND RENEWAL**

*The procedures to be followed by the 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 COUNTY OFFICE OF EDUCATION AND THE SCHOOL**

Disputes between the School and the County Superintendent of Schools shall be handled in accordance with the School's Memorandum of Understanding with the County Superintendent of Schools.

If the County Board of Education believes it has cause to revoke this charter pursuant to Education Code Section 47607, the County Office of Education Board agrees to notify the Board of the School in writing, noting the specific reasons for which the charter may be revoked, and grant the School reasonable time to respond to the notice and take appropriate corrective action unless the County Board determines, in writing, that an imminent threat to pupil health and safety exists.

#### **INTERNAL DISPUTES**

Disputes arising from within the School, including all disputes among and between students, staff, parents, volunteers, advisors, partner organizations, and School Board members, shall be resolved pursuant to policies and processes developed by the School. The County Office shall not intervene in any such internal disputes without the consent of the School Board and shall refer any complaints or reports regarding such disputes to the Board or the Superintendent/Principal of the School for resolution in keeping with the School's policies. The County Office shall not intervene or become involved in the dispute unless the dispute has given the County Office reasonable cause to believe that a violation of this charter or related laws or agreements has occurred, or unless the School Board has requested the County Office to intervene in the dispute.

- Disputes shall first be brought informally to the Superintendent/Principal of the School for resolution.
- The Superintendent/Principal shall track all disputes in writing.
- The Superintendent/Principal shall facilitate discussion and resolution between all parties involved in the dispute.
- If the resolution is not resolved by discussion facilitated by the Superintendent/Principal, the matter may be brought before the School Board. The Superintendent/Principal shall provide a written summary of the dispute and all attempts at resolution for the School Board.

The decision of the School Board shall be final.

## **XV. LABOR RELATIONS**

*A declaration whether or not the School shall be deemed the exclusive public school employer of the employees of the School for the purposes of the Educational Employment Relations Act.  
- California Education Code Section 47605(b) (5) (O)*

The School shall be deemed the exclusive public school employer of the employees of the School for the purposes of the Educational Employment Relations Act.

## **XVI. AGREED PROCESS ON CLOSURE OF SCHOOL**

*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 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)*

The following procedures shall apply in the event the School closes. The following procedures apply regardless of the reason for closure.

Closure of the School will be documented by official action of the School Board. The action will identify the reason for closure.

The School Board will promptly notify the County Office of the closure and of the effective date of the closure.

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

As applicable, the School will provide parents, students and/or the County Office with 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.

As soon as reasonably practical, the School will prepare final financial records. The School will also have an independent audit completed as soon as reasonably practical, which period is generally no more than six months after closure. The School will pay for the final audit. The audit will be prepared by a qualified Certified Public Accountant approved by the County Superintendent and will be provided to the County Office promptly upon its completion.

On closure of the School, all assets of the School, including but not limited to all leaseholds, personal property, intellectual property and all ADA apportionments and other revenues generated by students attending the School, remain the sole property of the School, and shall be distributed in accordance with the Articles of Incorporation upon the dissolution of the nonprofit public benefit corporation. On closure, the School shall remain solely responsible for all liabilities arising from the operation of the School.

As the School is organized as a nonprofit public benefit corporation, the School Board will follow the procedures set forth in the California Corporations Code for the dissolution of a nonprofit public benefit corporation and file all necessary filings with the appropriate state and federal agencies.

## **XVII. MISCELLANEOUS CLAUSES**

### **TERM**

The term of this charter shall begin on July 1, 2007 and expire on June 30, 2012.

### **AMENDMENTS**

The School Board may propose any amendments to this charter for submission for approval by the Santa Clara County Board of Education. Material revisions and amendments shall be made pursuant to the standards, criteria, and timelines in Education Code Section 47605.

### **RENEWAL**

The School may submit its charter for renewal to the County Board of Education at any time after June 30, 2011 but in no case later than April 1, 2012.

Renewals shall be governed by the standards and criteria in Education Code Section 47605. Any renewal shall be for a five (5) year term.

### **OVERSIGHT AND ADMINISTRATIVE SERVICES**

The School shall operate in accordance with its Memorandum of Understanding with the County Superintendent of Schools. The Memorandum of Understanding shall include, but not be limited to, the following:

- Authority of the School to contract with third parties
- Direct funding of the School
- Services to be purchased by the School from the County Office of Education if available, and the fee schedule for such services
- Special education services and funding formulas
- Hold harmless/indemnification of the County Office of Education by the School
- Fiscal reporting requirements to the state, either independently or through the County Office of Education
- Oversight Requirements of the County Office of Education.